### SUMMARY ACTION MINUTES

### SPECIAL MEETING ORANGE COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Thursday, July 26, 2012, 2:00 P.M.

PROBATION DEPARTMENT Training Room 5

> 1001 Grand Ave. Santa Ana, California

### STEVE SENTMAN, Chair

**Chief Probation Officer** 

SANDRA HUTCHENS

Sheriff-Coroner

Public Defender

FRANK OSPINO

TONY RACKAUCKAS

District Attorney

**KEVIN RANEY**Chief of Police, Garden Grove

MARK REFOWITZ

Health Care Agency

THOMAS BORRIS

Presiding Judge

ATTENDANCE: Members Hutchens, Ospino, Raney, Refowitz, Sentman and Yonemura (Alternate for

Rackauckas)

EXCUSED: Members Borris and Rackauckas

COUNTY COUNSEL: Wendy Phillips, Deputy

CLERK OF THE PARTNERSHIP: Jamie Ross, Deputy

### **ADMINISTRATIVE MATTERS**: (Items 1-5)

1. Welcome and Introductions

PRESENTED; PURSUANT TO ART. IV, PARAGRAPHS 6 B. AND C., MEMBER RACKAUCKAS SENT A LETTER TO THE EXECUTIVE COMMITTEE CHAIR, DESIGNATING STEVE YONEMURA AS HIS ALTERNATE AND AUTHORIZING YONEMURA TO VOTE; THE LETTER WAS RECEIVED AND MADE PART OF THE RECORD OF THE MEETING.

2. Discussion and approval of amending Partnership bylaws

25134678 APPROVED AS RECOMMENDED

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### **SUMMARY ACTION MINUTES**

3. Discussion and approval of FY 12-13 funding allocations

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4. Discussion and approval of response to Grand Jury Report *AB109: Public Safety Realignment: A Paradigm Change* 

76123458 **APPROVED AS RECOMMENDED** 

X X

- 5. Realignment Updates:
  - Probation
  - Sheriff
  - District Attorney
  - Public Defender
  - Courts
  - Health Care/Mental Health
  - Local Law Enforcement
  - Social Services
  - OC Community Resources
  - OC Department of Education
  - Community-Based Organization (Representative)
  - CSP (Victims Representative)

**PRESENTED** 

### **PUBLIC & PARTNERSHIP COMMENTS:**

### **PUBLIC COMMENTS**:

Tustin Police Chief Scott Jordan – Oral Re.: Thanked Partnership for continuing item 3. Discussed possible ways to use funding allocation.

### **PARTNERSHIP COMMENTS:**

Member Refowitz – Oral Re.: Recruitment for Behavioral Health Director has closed. Once new individual is chosen, the Board will appoint them as member of OCCCP.

Member Sentman – Oral Re.: Thanked Police Chiefs for attending meeting. Distributed handout from Chief Probation Officers of California and Orange County Probation Department brochure – "Guidelines to Successful Completion of Postrelease Community Supervision." Mentioned opening of new Day Reporting Center.

ADJOURNED: 2:38 P.M.

### **SUMMARY ACTION MINUTES**

\*\*\* KEY \*\*\*

### Left Margin Notes

A = Abstained

1 Thomas Borris

2 Sandra Hutchens	X = Excused
3 Frank Ospino	N = No
4 Tony Rackauckas	P.O. = Partnership Order
5 Kevin Raney	
6 Mark Refowitz	
7 Steve Sentman	
8 Steven Yonemura (Alternate)	
(1st number = Moved by; 2nd number = Seconded by)	
	STEVE SENTMAN
	Chair
Jamie Ross, Deputy	
Clerk of the Partnership	

7-26-12 #2

### **BY-LAWS**

### OF THE ORANGE COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

### ARTICLE I

### **NAME**

The name of this organization shall be THE ORANGE COUNTY COMMUNITY CORRECTIONS PARTNERSHIP.

### **ARTICLE II**

### **AUTHORIZATION**

This organization is authorized by Penal Code Section 1229, et seq.

### ARTICLE III

### **PURPOSE**

The Orange County Community Corrections Partnership shall play a critical role in developing programs and ensuring appropriate outcomes for low-level offenders. Pursuant to Penal Code Section 1230, the Partnership shall provide advice concerning Probation's community corrections program as defined in subdivision (c) of Penal Code Section 1229 and shall recommend a local plan to the Orange County Board of Supervisors for the implementation of the 2011 Realignment Legislation addressing public safety as expressed in AB 109, AB 117 and AB 118 of 2011.

### ARTICLE IV

### **MEMBERSHIP**

1. The Partnership shall consist of the Chief Probation Officer, serving as the Chairperson of the Partnership and the presiding judge of the superior court, or his or her designee, a county supervisor or the chief administrative officer for the county, the district attorney, the public defender, the sheriff, a chief of police, the head of the county department of social services, the head of the county department of mental health, the head of the county department of employment, the head of the county alcohol and substance abuse programs, the head of the county office of education, a representative from a community-based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense, an individual who represents the interests of victims.

2. The Partnership shall have an Executive Committee designated as follows: the chief probation officer of the county (chairperson), a chief of police, the sheriff, the district attorney, the public defender, the presiding judge or his or her designee, one department representative from one of the following, as designated by the county board of supervisors: (1) the head of the county department of social services; (2) the head of the county department alcohol and substance abuse programs.

The Executive Committee shall vote on the local plan to be recommended by the Partnership to the Orange County Board of Supervisors

- 3. The Partnership may also consist of non-voting members as follows: a representative from the Board or CEO's office; a representative from the County Department of Education; a Non-Profit Community based social service/rehabilitation service organization representative; a representative from the Workforce Investment Board; an individual who represents the interests of victims; and a representative from the Social Services Agency, Health Care Agency Mental Health Services and Health Care Agency Drug and Alcohol Services if not appointed to the Executive Committee.
- 4. Partnership membership may be terminated upon a motion from the Partnership Chairperson and a majority vote of the Partnership members present and approval of the Board of Supervisors. Failure to attend three (3) consecutive Partnership meetings without an authorized absence or attendance by an alternate shall result in termination of Partnership membership.
- 5. A member may resign at any given time by giving written notice to the Partnership. The resignation shall take effect as of the date the notice is received or at a later time specified in the notice; the resignation need not be accepted to be effective.
- 6. Replacement of Partnership member:
  - a. Upon resignation or termination of an appointed Executive Committee Partnership member, the Partnership Chairperson shall notify the Board of Supervisors and make recommendations for appointment.
  - b. If a Partnership member is unable to attend a meeting of the Partnership, he or she may designate, in writing, an alternate who shall attend in his or her behalf.
  - c. Alternates of Executive Committee Partnership members shall not have a vote on specific issues unless authorized by the Executive Committee Partnership member in writing.

### ARTICLE V

### **OFFICERS**

1. Officers of the Partnership shall be a Chairperson, a Vice-Chairperson, and an Acting Chairperson and such other officers as the Partnership may choose to elect.

### 2. Responsibilities of Officers:

- a. Chairperson In accordance with Section 1230(b)(2) of the Penal Code, the Chief Probation Officer shall serve as the Partnership Chairperson. The Chairperson shall supervise and direct the Partnership's activities, affairs, and officers. The Chairperson shall preside at all Partnership meetings. The Chairperson shall have such other powers and duties as the Committee By-laws may prescribe.
- b. Vice-Chairperson In the absence or disability of the Chairperson, the Vice-Chairperson shall perform all duties of the Chairperson. When so acting, the Vice-Chairperson shall have all the powers of, and be subject to, the restrictions of the Chairperson. The Vice-Chairperson shall have such other powers and perform other duties of the Partnership or the Bylaws prescribe. The Probation Department's Chief Deputy Probation Officer Operations Support Bureau shall serve as Vice-Chairperson.
- c. Acting-Chairperson –In the event of the temporary absence of the Chairperson and Vice-Chairperson, another Partnership member may be designated to serve as the Acting-Chairperson to preside at Partnership meetings.

### 3. Term of Office:

The term of office for the Partnership Chairperson shall be concurrent with his/her term as Chief Probation Officer. Each Partnership member shall serve an indefinite term; concurrent with his/her service to the organization he/she represents, until membership is terminated, or the Partnership member resigns.

### ARTICLE VI

### **MEETINGS AND PROCEDURES**

The Partnership and its Committees shall be governed by the Brown Act and all meetings shall be open to the public.

### 1. Regular Meetings

Regular meetings shall be set by the Partnership and are to take place on the fourth Thursday of the month at 2: 00 p.m. unless an alternate date and time is announced in advance. The regular meeting location shall be at the Probation Department training facility, located at 1001 S. Grand Avenue, Santa Ana, California 92705, unless an alternate location is announced in advance. Any scheduled meeting may be canceled upon order of the Chair, or a majority of the Executive Committee members of the Partnership.

### 2. Special Meetings

Special meetings may be called at any time by the Committee Chair. Each member of the Committee shall be given adequate written notice of such meetings.

### 3. Quorum and Voting Procedure

- a. A simple majority of the Executive Committee members of the Partnership shall constitute a quorum for the transaction of business at any meeting of members.
- b. Decisions shall be reached through majority voting which is defined as a majority of the quorum members present.
- c. The Partnership shall use parliamentary procedures (the current edition of Robert's Rules of Order) to conduct business.

### 4. Setting the Agenda

The Chairperson and Vice-Chairperson shall designate items on the agenda. Anyone wishing to provide input shall request inclusion on the agenda by contacting the Chairperson and the Vice-Chairperson no later than one week prior to the scheduled meeting.

### 5. Public Comments

Public comments at meetings are limited to three (3) minutes for each agenda item for individuals and five (5) minutes for each agenda item for representatives of organizations. The Chairperson has the discretion to extend the time based on the complexity of the issue.

### **ARTICLE VII**

### COUNCILS, COMMITTESS AND TASK FORCES

- 1. Standing Committees may be created by vote of the Partnership Executive
  Committee to perform on-going functions. The Chairperson of a Standing
  Committee will be appointed annually by the Partnership Chairperson and must be a
  member of the Executive Committee. Each Standing Committee shall report to the
  Partnership on a regular basis.
- 2. Task Forces may be formed to deal with a specific need or issue as approved by the Partnership. When their objectives are met, they will be disbanded. The Task Force Chair shall be appointed by the Partnership Chairperson.
- 3. Membership on Standing Committees and Task Forces may include non-voting Partnership members, technical consultants and/or citizens from the community at large.

### ARTICLE IX

### **AMENDMENTS**

These By-laws may be adopted, amended or repealed by a majority vote of the Partnership Executive Committee after written proposal for such action has been in the hands of the Partnership for thirty (30) days.

# FY 12-13 Proposed AB 109 Allocation

# The Final State Budget includes \$56,302,998 in AB109 funding for Orange County (A)

Department	FY 11-12 Allocation	Proposed FY 12-13 Allocation	Amount Included in FY 12-13 Base Budget	Amount Included in FY Proposed Allocation to 12-13 Base Budget
Sheriff	11,083,628	27,040,078	26,366,274	673,804
Probation	6,692,733	14,346,340	000'000'6	5,346,340
HCA (In-Custody)	2,532,623	6,178,691	7,200,000	(1,021,309)
HCA (Post-Custody)	2,077,055	5,067,270	4,446,937	620,333
Local Law Enforcement	692,354	692,354	N/A	N/A
Total	23,078,393	53,324,733	47,013,211	
	Balance	2,978,265		
Balance Allocation (Allocation of the balance is considered one-time)	of the balance is consider	red one-time)		
HCA (Risk Pool/Stop Gap Insurance)	ance)	1,478,265		
Sheriff (Deputy Recruitment/Academies)	ademies)	1,000,000		
District Attorney (Realignment S	Services)	250,000		
Public Defender (Realignment S	Services)	250,000		
	<b>Total Balance Allocation</b>	2,978,265		
To	otal Proposed Allocation	56,302,998		
		(A)		

### NOTES:

- 1] Total In-Custody allocation is \$33,218,769 (Sheriff = \$27,040,078; HCA = \$6,178,691)
- 2] FY 11-12 Daily Jail Bed Rate = \$136.79 (060 = \$111.33; 042 = \$25.46); FY 12-13 rate still under review
- [3] The unspent Local Law Enforcement (LLE) balance carries over from year-to-year; the estimated balance that will carry over from FY 11-12 is \$612,534; the carryover and FY 12-13 altocation will be appropriated in Probation's budget in the 1st Quarter Budget Report to allow for payment to LLE
  - [4] District Attorney and Public Defender FY 12-13 allocation (Government Code Section 30025) = \$477,083 each, or a total of \$954,166 (amount prior to allocation of \$250K each)
    - [5] \$200K was allocated by the State for CCP costs, including possible use to address Grand Jury recommendation

7-26-12 #4

### PROPOSED RESPONSE TO GRAND JURY REPORT: AB109: PUBLIC SAFETY: A PARADIGM CHANGE

### **Background**

The 2011-2012 Orange County Grand Jury issued a report on June 29, 2012 entitled *AB109: Public Safety: A Paradigm Change*. The report directed responses to Findings 3 and 4 (F3 and F4), and Recommendations 3 and 4 (R3 and R4) to the Community Corrections Partnership. The Findings and Recommendations and the proposed responses are provided below.

The County Executive Office (CEO) coordinates the submittal of a response to the Grand Jury. Responses to the Grand Jury require Board of Supervisors approval. Responses to the Findings and Recommendations are due to the CEO no later than August 15, 2012 to allow for Board consideration and approval at the September 25, 2012 Board meeting.

California Penal Code Section 933.05 details the manner in which responses are to be made. Options for responses to Findings include the following:

- 1) Agrees with the finding
- Disagrees wholly or partially with the finding (in this case, the response shall specify the portion of the findings that is disputed and shall include an explanation of the reasons therefore)

Options for responses to the Recommendations include the following:

- 1) The recommendation has been implemented (in this case, a summary regarding the implemented action must be included)
- 2) The recommendation has not yet been implemented, but will be implemented in the future (in this case, a timeframe for completion must be included)
- 3) The recommendation requires further analysis (in this case, the following must be included with the response: an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion; this timeframe shall not exceed six months from the date of publication of the Grand Jury report)

### PROPOSED RESPONSE TO FINDINGS AND RECOMMENDATIONS

### <u>F3</u>

Restrictions on the use of AB109 state funding fails to recognize the increase in crime in communities and the additional demands placed on local law enforcement agencies.

Proposed Response: Disagrees partially with the finding

The restrictions on the use of AB109 funding are statutorily mandated. The Legislature has disallowed the use of AB109 funding in any manner that would supplant existing funding.

However, AB109 funding may be used for costs associated with the supervision of persons on postrelease community supervision and those on mandatory release pursuant to AB 109 which should allow for the use of AB109 funds to reimburse local law enforcement for assistance in the supervision of these populations.

### F4

Insufficient time has elapsed since the passage and implementation of AB109 to provide comparison of crime rates before and after the passage of the bill.

Proposed Response: Agrees with the finding

### R3

The Orange County Community Corrections Partnership (OCCCP) Executive Committee should explore a means to modify or work around the restrictions on compensating local law enforcement agencies for manpower expenses for ordinary enforcement of the law with regard to the PCS population and their communities. (See F3)

Proposed Response: The recommendation has been implemented

A working group, including members of local law enforcement (LLE), has been formed to determine how the funding allocated to LLE can best meet their needs within the parameters of the law.

### **R4**

Initiate a study by the Orange County Community Corrections Partnership (OCCCP) to compare crime rates in Orange County for the periods of October 2010 through September 2011 and October 2011 through September 2012. The comparison study to be completed by December 2012 with a copy of the study directed to the Orange County Grand Jury on or before December 31, 2012. (See F4)

Proposed Response: The recommendation has been implemented

On July 26, 2012, the OCCCP approved the use of one-time AB109 funding to conduct such a study. While every attempt will be made to complete and provide a copy of the study to the Grand Jury by December 31, 2012, any delays with completion of the study will be reported to the Grand Jury and a copy of the study will be provided when available.



### Orange County Probation Department

Steven J. Sentman, Chief Probation Officer



### PostRelease Community Supervision Monthly Stats June, 2012

### June, 2012

### Releases from Prison

124

(Based on CDCR's projected release dates and are subject to change. Cumulative numbers reflect the most current release date information.)

### Flash Incarceration

Total\*

152

### Percent of Individuals with Flash

Revocations	<u>Total</u>
With NLV Arrests	56
Tech Only	<u>17</u>
Total*	73

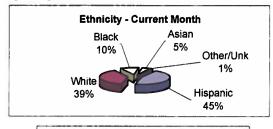
### Percent of Individuals with Revocations

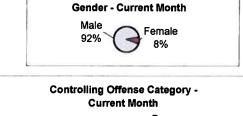
### Warrants

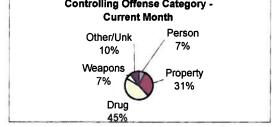
	Never Reported	<b>Reported</b>	<u>Total</u>
ICE	10	0	10
PCS Warrant	<u>5</u>	<u>85</u>	<u>90</u>
Total*	15	85	100

### Individuals with Active Warrants as of 5/31/2012

### Average Age 37.65







\* A total count of flash/revocations/warrants, not individuals

### **Cumulative (from October 1, 2011)**

1896

677

25.9%

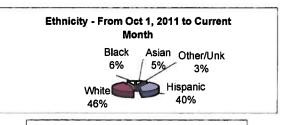
<u>Total</u> 269 <u>55</u> 324

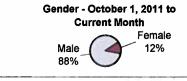
15.5%

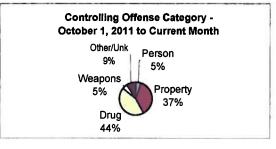
Never Reported	Reported	<u>Total</u>
90	0	90
<u>131</u>	<u>407</u>	<u>538</u>
221	407	628

195

36.94









### **Orange County Probation Department**

Steven J. Sentman, Chief Probation Officer

### PostRelease Community Supervision Monthly Stats May, 2012



May, 2	0	1	2
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### Releases from Prison 133

(Based on CDCR's projected release dates and are subject to change. Cumulative numbers reflect the most current release date information.)

### Flash Incarceration

Total\* 136

Percent of Individuals with Flash

Revocations	<u>Total</u>
With NLV Arrests	31
Tech Only	<u>11</u>
Total*	42

Percent of Individuals with Revocations

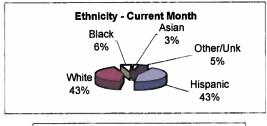
### Warrants

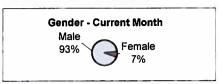
	Never Reported	Reported	lota
ICE	19	0	19
<b>PCS Warrant</b>	<u>16</u>	<u>69</u>	<u>85</u>
Total*	35	69	104

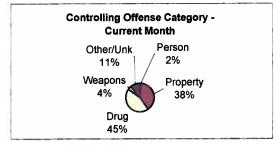
Individuals with Active Warrants as of 5/31/2012

### Average Age

37.66







\* A total count of flash/revocations/warrants, not individuals

### Cumulative (from October 1, 2011)

1772

523

22.6%

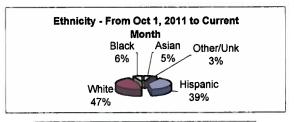
<u>Total</u> 211 <u>37</u> 248

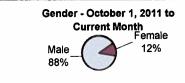
13.7%

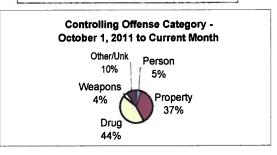
Never Reported	<u>Reported</u>	Total
80	0	80
<u>126</u>	<u>322</u>	<u>448</u>
206	322	528

177

36.81









Release date: July 26, 2012

Contact: Matt Moore, Regional Director, GEO Care, 559- 355-0800

### BI Incorporated to open Day Reporting Center for offenders in Orange County

**SANTA ANA, Calif.—July 26, 2012**— BI Incorporated and the Orange County Probation Department to open the Orange County Day Reporting Center (DRC) for offenders under post-release community supervision or mandatory supervision as a result of Assembly Bill (AB) 109, commonly known as "prison realignment." BI will provide treatment, training and case management services at the Orange County DRC for offenders with a significant risk of recidivating and returning to jail. The center opens July 30.

Orange County is using funding as part of AB 109 to open the center. Enacted in 2011, AB 109 was implemented to reduce state prison crowding and shift the responsibility for the treatment, supervision, and incarceration of many low-risk inmates from the state to counties. The Orange County DRC is a statutorily and research supported alternative to custody and will relieve pressure on the Orange County Jail while also sending offenders through a multi-phased program designed and proven to change criminal behavior. The DRC will serve up to 60 offenders at any given time with the flexibility to increase capacity based on demand for services.

Offenders sent to the DRC will go through a program that includes regular reporting to the center, intensive treatment and training, employment training, and ongoing drug and alcohol education and testing. Offenders also participate in cognitive behavioral classes proven to change criminal behavior. "Our team is excited to support Orange County Probation as it takes steps to reduce recidivism, change criminal behavior, and relieve overcrowding in the jail," said Matt Moore, Regional Director of GEO Care Community-Based Services, which oversees BI.

Offenders will go to the Orange County DRC for 90 to 180 days based on their overall progress and compliance. Failure to comply with DRC rules and guidelines may result in increased sanctions, such as additional classes, more frequent reporting, house arrest or incarceration. When offenders complete the program, they will return periodically for Aftercare.

BI operates day reporting center programs for probationers in many other California counties, including Fresno, Kern, Sonoma, Lake, Mendocino, Solano, Tulare, Tuolumne, Napa, Monterey, Merced, and Madera. BI also operates centers for higher risk parolees for the California Department of Corrections and Rehabilitation in Compton, Stockton and San Diego. BI also provides electronic monitoring equipment for many California counties.

### About BI Incorporated (www.bi.com)

Established in 1978, BI Incorporated is a wholly-owned subsidiary of The GEO Group (NYSE: GEO), a global leader in the delivery of correctional, detention, and residential treatment services to federal, state, and local government agencies. BI provides a full continuum of offender monitoring technologies and community reentry services for parolees, probationers, pretrial defendants and illegal aliens involved in the U.S. immigration court process. BI also owns and operates an ISO-certified national monitoring center, providing 24/7 expert support supervision services exclusively to governmental agencies. BI works closely with corrections officials to cost effectively reduce recidivism, promote public safety, and strengthen the communities they serve.



Chief Probation Officers of California

### CPOC ISSUE BRIEF REALIGNMENT PERSPECTIVE

A First Look at Statewide Data Trends and Impacts

Volume I Issue I



California enacted historic criminal justice system changes to respond to a variety of factors present in 2011: a significant U.S. Supreme Court decision which could have led to arbitrary early release of tens of thousands of prison inmates; years of state and local government budget deficits; and an unacceptably high recidivism rate for criminal offenders. The plan resulted in what is commonly called "Public Safety Realignment," enacted through California Assembly bills AB 109 and AB 117. As a result, in the first six months of Realignment, over 38,000 individuals who would have been the responsibility of the State prior to these changes were instead being supervised and housed by local county probation and sheriff departments.

Instead of serving their parole time on state parole jurisdiction, 23,000 are now under the supervision of local probation departments as "Post Release Community Supervision" (PRCS) offenders. These individuals are eligible for local supervision if their most recent conviction was a non-violent, non-serious, and non-sexual offense. It is important to note that while the PRCS population may not have a recent conviction of a serious, violent or sex offense many are still assessed as high risk. These offenders could also have a sex offense in their criminal history and be placed on PRCS as long as they are not currently assessed as a high risk sex offender. While probation departments are equipped to handle this population, they often fall into a high need and higher level of supervision.

In addition to those being supervised by probation as a PRCS, an additional 15,000 offenders are serving their sentences in local jails, rather than state prison, under the new Penal Code section 1170(h). Many of these offenders will eventually serve a portion of their local time under the supervision of the probation department, on "Mandatory Supervision" (MS). It is clear that Realignment is dramatically changing criminal justice in California with the state prison population under 140,000 for the first time since 1996, and the state parole supervision population is under 70,000. The key question moving forward -- how are communities responding to the populations that are no longer under the state responsibility and must be addressed locally?

Every community has the flexibility to develop their local Realignment plan, and collect their data in a manner that addresses local priorities and needs. In order to best measure, plan, and manage this historic

### Future Editions of Realignment Perspectives

- A Closer Look at Split Sentences
- Regional Perspectives on PRCS Supervision
- PRCS Offender Outcomes

### Chief Probation Officers of California

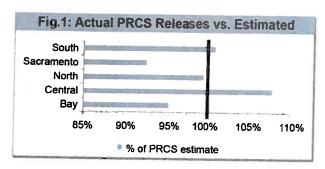
1415 L Street, Ste. 1000 Sacramento, CA 95814 (916) 447-2762 change, the Chief Probation Officers of California (CPOC) agreed to collect data from all 58 counties. It is with recognition of the significance of this change that all counties agreed to collect common information, to ensure statewide understanding of Realignment impacts, and inform further policy decisions. This brief is the first of a series that will analyze trends and outcomes as Realignment progresses.

### Realignment and Probation's Role

The expansion of local control and resources provides counties with an opportunity to improve offender outcomes. In addition to saving lives and preventing future victims, lowering criminal recidivism saves taxpayer dollars, by reducing societal costs of crime, and costly attempts to address criminality. To respond to this significant change, localities have created collaborative decision making bodies known as Community Corrections Partnerships (CCPs), chaired by the county Probation Chief. These bodies bring together county and other agencies to develop local fiscal and strategic policies, based on local realities. CCPs assist jurisdictions by ensuring that justice agencies work together in the creation of county plans, and by supporting the delivery of practices that have been scientifically shown to reduce risk, and improve outcomes.<sup>1</sup>

### Post Release Community Supervision Offenders

As part of the AB109 planning process, each county received estimates of the number of offenders anticipated to be placed on PRCS in their communities after serving their full prison term.



Data for the first six months demonstrates that, on a statewide basis, the estimates closely approximated the actual numbers (23,100 predicted by the state, compared to 22,500 actual releases). However, the statewide average obscures the experiences of individual counties. As shown in Figure 1, counties in California's central region received 8% more offenders than expected, while counties in the Sacramento and Bay Areas received approximately 5% fewer than expected.

A community corrections agency can only effectively supervise and case-manage offenders who are engaged with their probation officer. Once the PRCS offender is released from prison, s/he is mandated to check in at the local probation office within two business days. Seven percent of PRCS releases from state prison have had a warrant issued

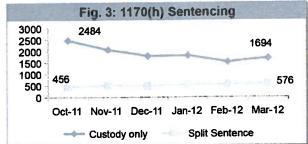
### Post Release Community Supervision (PRCS)

is provided by local Probation Departments. Eligible offenders who would have previously been under parole supervision will now be supervised by Probation. PRCS can last for up to 3 years, but can end earlier if the offender does not violate terms of supervision resulting in a return to custody.

begin to exit custody and start mandatory supervision, they will also start taxing probation resources. The impact is not consistent across the state, due to the uneven use of split sentences made by courts, as well as the length and number of offenders serving custody terms. Even more so than with PRCS numbers, variables that are predictive of offenders receiving 1170(h) sentences are complex, and are still being assessed.

Statewide, the number of split sentences ordered per month has stayed relatively constant over the first six months of Realignment. However, as the monthly

number of 1170(h) sentences overall has declined, the percent that are receiving split sentences has risen from 15% in October 2011, to 24% in March 2012.



As of March 31, 20% of offenders given a split sentence have finished their custody time and are currently being supervised by probation departments on mandatory supervision. In the coming year, the number of offenders supervised by probation under mandatory supervision will continue to rise, as offenders receiving split sentences finish their custody terms. It will be crucial to assess whether actual 1170(h) sentences and the average daily population are continuing to trend above projections, to ensure local jurisdictions have the appropriate resources to make Realignment successful.

### **Impacts on Traditional Felony Probation Sentences**

Probation supervises adult criminal offenders within local communities, using a balance of supervision techniques involving offender accountability, enforcement, and rehabilitation, to protect public safety, and reduce recidivism. By focusing on approaches that are evidence based, probation is able to identify the risk of reoffending, provide supervision intensity and interventions that effectively reduce recidivism, hold offenders accountable, and reduce the movement of offenders in and out of very costly incarceration options.

Probation has been the most commonly used sanction within the criminal justice system prior to Realignment, with roughly 70% of convictions including probation as part of the sentence.<sup>3</sup> That reliance makes probation a unique and critical partner in the justice system. The actions of local agencies, particularly in the area of probation, effect state-level public safety programs.

During the first six months of Realignment, the monthly amount of felony probation grants has declined by 20%. This may reflect

changes occurring in the wake of the new sentencing options; however, prior to October, there had already been a trend of decreasing felony probation grants. It is expected that Realignment will have an impact on regular felony grants of probation, but it is too early to draw conclusions. The first six months of Realignment has already seen some decline in total 1170(h) sentencing, and the relationship between 1170(h) sentencing and traditional probation will be an area for further study. As with other parts of Realignment, there is great variability when looking at this from a regional and county-by-county perspective.

In 2009, Senate Bill 678 supported probation departments' use of evidence based practices to achieve greater success with their offenders. To the extent fewer probationers fail and are sentenced to state prison, the state achieves significant savings. The act mandated the state share between 40-45% of the savings with counties who were successful at reducing the rate at which they revoke probationers to state prisons. After the first year of implementation in 2010, probation departments reduced their revocations to state prison by 23%, from baseline years of 2006-2008. Fifty county probation departments used Senate Bill 678 funds to invest in practices that reduce recidivism, such as risk-needs assessment, and the targeted lowering of caseload ratios for high risk offenders. These efforts allowed probation departments to create foundational pieces that prepared them as they were presented with the challenges of Realignment. Building on these strategies from this program, and broadening the lessons to the greater county's efforts through its CCP (as envisioned by Realignment legislation) could lead to similar success with the newly realigned population. This could generate county general fund savings when local programs are successful in reducing recidivism and preventing excessive increases in jail population.

### What's Next?

The \$375 million allocated to Realignment in year one will be followed by an allocation of \$842 million in year two. Protecting this funding on an ongoing basis is imperative to ensure that strategies planned by CCPs can be implemented, and allowed to bear fruit. Each county has established a Community Corrections Partnership of key criminal justice, health, human service, and education leaders to work as a collaborative group to put actions to strategies. In addition, probation departments across the state have imposed upon themselves a statewide data collection effort. As more data is gathered we will be able to analyze how probation strategies will benefit local communities and the state, by working to ensure public safety and improve offender outcomes, in a cost effective way.

<sup>1</sup> County Re-alignment plans can be found at http://cpoc.org/php/realign/countyplans.php

<sup>&</sup>lt;sup>2</sup> http://www.cdcr.ca.gov/COMPSTAT/docs/DAPO/COMPSTAT\_DAPO\_Statistical\_Report\_04\_12.pdf

<sup>3</sup> http://oag.ca.gov/sites/all/files/pdfs/cjsc/prof10/table6.pdf?

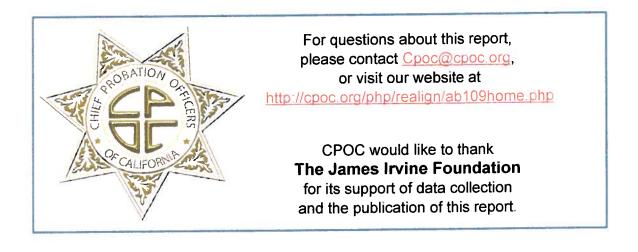
<sup>4</sup> http://www.courts.ca.gov/documents/SB678-Year-1-Report-FINAL.pdf

### To interact with the statewide data from this report in a dashboard:

http://www.cpoc.org/php/realign/dashboardinfo/dashboard.swf

### California Realignment Dashboard Get the Raw Data Key Metrics Q4-2011 Q1-2012 % of PRCS Actual Monthly Release to Estimate Choose a metric October 2011 to March 2012 atal PRCS Received 12,346 4 10,138 22,484 **900** PRCS FTA Before Amiva 692 1,592 120.050 7.721 ¥ 7.248 14,969 Total 1170(h) Sentences 4 3,169 1170(n)(a) 3ad Only 5,696 10,864 100 0% 1170(h)(b) Split Sentence 1.465 4 1.694 3.159 1170(h)(b) Supervision Only 560 60.0% PRCS Warrants 50.016 Oct-11 Nov-11 Dec-11 Jan-12 Feb-12 Mar-12 Proportion of PRCS cases, by region % PRCS Offenders on an Active warrant, by region As of March 31, 2012 As of March 31, 2012 Bay Click to learn more about: Central Northern Statewide Trends Sacramento North Southern 1170(h) Sentences Show County Info This data is current through March 31, 2012 Print the Data

To obtain the county level data: http://www.bscc.ca.gov/resources



### Realignment) has two types of supervision: Assembly Bill 109 (California Prison

- 1.) Offenders released directly from prison under Postrelease Community Supervision (PCS or PRCS) per Section 3450(a) PC.
- in the county jail with supervision is known as Mandatory Supervision or Supervised Release (also 2.) Offenders sentenced at court to serve a sentence called "split sentence") under Section 1170(a)(1) PC.

Both types of supervision will be provided by Probation and Deputy Probation Officers.

### AFTER RELEASE FROM PRISON YOUR FIRST APPOINTMENT

The office location of your first visit is 909 N. Main within 48 hours of release from prison. If that falls St., Santa Ana, CA 92701. High-Control offenders are mandated by law (Section 3060.7 PC) to report on a holiday or weekend you will report to Orange County Juvenile Hall located 331 City Drive, Orange CA 92828. All others have (2) "business" days to eport to 909 N. Main St., Santa Ana, CA 92701.

What to bring to your first appointment:

- Birth Certificate and/or documentation of citizenship
- California Driver License or California ID
  - Current address and phone number
- 11590 H&S registration or appointment if required
- Employer Information

If you do not have all of this information, have an idea or a plan as to when you will have it.

### ORANGE COUNTY PROBATION OFFICE LOCATIONS

909 N. Main Street, Suite 1, Santa Ana, CA 92701 (714) 569-2000

### Manchester Office Building 4th & 5th Floor

301 The City Drive, Orange, CA 92868 (714) 935-7411

### Juvenile Hall

331 The City Drive, Orange, CA 92868 (714) 935-6660

# **North County Field Services**

1535 E. Orangewood Avenue, Anaheim, CA 92805 (714) 937-4500

# West County Field Services

14180 Beach Boulevard, Westminster, CA 92683 Juvenile (714) 896-7878 Adult (714) 896-7500

### South County Field Services

23141 Moulton Parkway, Suite 110 Laguna Hills, CA 92653 (949) 707-3660

### San Juan Capistrano Office

32118 Paseo Adelanto, Suite 1-A San Juan Capistrano, CA 92675 (949) 248-3220

# Adult Day Reporting Center (DRC)

901 Civic Center Street, Santa Ana, CA 92701 Fax (714) 542-0179 (714)415-7400

# Center for Opportunity, Reentry and Education

2823 S. Bristol Street, Santa Ana, CA 92704 (714) 769-8740 (CORE)

### 7-2/6-12, partnership Comments ORANGE COUNTY DEPARTMENT **PROBATION**

### COMPLETION OF TO SUCCESSFUL POSTRELEASE SUPERVISION GUIDELINES COMMUNITY



Chief Probation Officer Steven J. Sentman

This pamphlet explains what is expected of you and to assist you on successful completion of Postrelease Community Supervision (PCS).

# GUIDELINES TO SUCCESSFUL COMPLETION OF POSTRELEASE COMMUNITY SUPERVISION (PCS)

The terms and conditions of PCS are set by law (Section 3453 PC). Additional conditions may be added by your assigned Probation Officer based upon your current offense & prior record.

- Know your terms and conditions of PCS.
- If you follow the rules and are cooperative, you will successfully discharge.
- Talk to your Probation Officer if you have any questions or problems. Communication is very important in any success.
- Have a positive attitude and an open mind. We want to help you to help yourself.
- Keep your appointments. Failure to report to your Probation Officer or Court could result in negative consequences.
- Complete all counseling and community service as directed.
- Do not use drugs or abuse alcohol. If you have a substance abuse problem, admit it and seek treatment.
- Maintain a legitimate residence. Avoiding supervision and not living where you say you do is a common mistake. You will end up in custody. Prior to release, make sure your family, relatives, or friends know you will be supervised and it is O.K. for you to live in their home upon release. Plan ahead!
- Don't hang out with negative "old friends".
   Surround yourself with positive people.
- Do not break the law. If you do have police contact or arrest, report it immediately to your Probation Officer.

One of the Probation Department's main goals is to protect the community. If you violate PCS in a way that indicates you are at risk to reoffend, your probation officer may arrest you to protect the community.

If you violate your terms & conditions of PCS, you will be held accountable. Your Probation Officer can increase your level of supervision including testing, reporting, outpatient program, residential program, community service, GPS, or referral to a Day Reporting Center. You are also subject to additional custody time if you violate including:

Flash: 1-10 days in local jail. No formal hearing is required and is at the discretion of the Probation Officer.

Formal Revocation: similar to a formal probation or parole violation and requires a Court hearing (180 day maximum lid per occurrence and is served at local jail).

# FREQUENTLY ASKED QUESTIONS

### Who will supervise me?

You are under the jurisdiction of the Probation Department and will be supervised by a Deputy Probation Officer for up to 3 years after your release.

In addition to my Probation Officer, can the police check on me or conduct a search at my residence? Yes, you are subject to "search" by ANY peace officer.

### Can I do "mail-ins"?

Based upon your overall <u>POSITIVE</u> progress, your Probation Officer may decrease your level of supervision which could include phone call, mail-in, or "kiosk" reporting. This must be earned after a sufficient period of supervision and you must be in compliance with the overall terms and conditions of your PCS supervision.

### Can I live in a different county?

Yes. Your PCS case will be assigned to the appropriate jurisdiction based upon verified, approved, and documented residence. You will be required to report to your Probation Officer regularly until your case is transferred. Plan ahead and confirm your residence prior to your release.

### Can I move to another state?

Your request to live outside of CA in another state is governed by Federal Law (Article I, § 10 of the United States Constitution and pursuant to Title 4, Section 112(a) of the United States Code). You must have a legitimate reason AND receive prior permission from the receiving state prior to your move. This formal process can take up to 6 months including verification of residence in the other state. You will remain in CA under PCS supervision and report to your Probation Officer until the other state says "yes" you can move there.

### When am I discharged from PCS?

You have up to 3 years of supervision. You are eligible for discharge after 6 months of successful supervision at the <u>DISCRETION</u> of the Probation Officer. The law <u>MANDATES</u> "discharge" upon successful completion of 12 months of continuous supervision ("successful" is defined as no custodial sanction). It is in your best interest to cooperate in your rehabilitation prior to and after your release.

## MISSION STATEMENT OF ORANGE COUNTY PROBATION DEPARTMENT

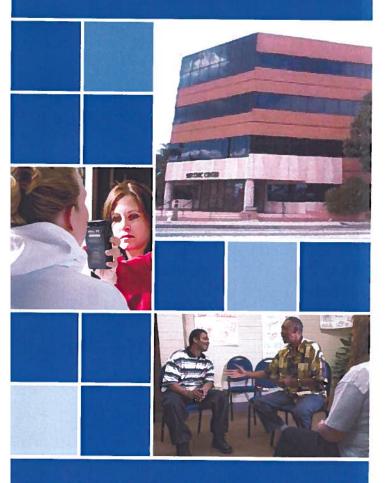
As a public safety agency, the Orange County Probation Department serves the community using efficient and research-supported corrections practices to:

- \* Reduce Crime
- Assist the Courts in managing offenders
- \* Promote lawful and productive lifestyles \* Assist Victims



### **BI Incorporated**

Orange County
Day Reporting Center
901 Civic Center Drive West, Suite 100
Santa Ana, CA 92703



Supervision · Education · Employment · Treatment Technology · Community Connections

"Drugs and crime . . . that was my life. At the BI program, staff were teaching us, listening to us and understanding our language . . . They were equipping us with the skills to stay out of prison and to have confidence and control with ourselves."

BI DRC Program Graduate
 Speaking at the Graduation Ceremony

In Partnership with Orange County Probation

### Day Reporting Center (DRC) Orange County

### **BI Incorporated**

BI Incorporated's Day Reporting Centers provide individually tailored programming for each participant. Each participant will progress through three levels of treatment and supervision at their own pace and based on their own behavioral improvements (monitored and measured through group attendance and participation, drug and alcohol abstinence, verifiable employment and/or income, stable housing, and compliance with parole board orders).

Each participant will participate in a multi-phase program. Participants must attend services 20 hours per week in one of 2 tracks - Day Track (9 AM to 1 PM) or Evening Track (4 PM to 8 PM). The participant will receive services from the following list based on their risk needs assessment:

- Orientation & Assessment
- Development of a Behavior Change Plan
- Daily Check-Ins
- Alcohol & Drug Testing
- Substance Abuse Counseling
- Anger Management
- Parenting & Family Reintegration

- Job Readiness & Employment Assistance
- Lifeskills & Cognitive Restructuring
- Aftercare
- Community Connections
- Education Services

"If I was talking to a fellow participant that was . . . enrolling in the program, I would say: be honest, take this program seriously . . . They're here to help you."

- BI DRC Program Graduate

Southern California Area Manager: Rachel Kienzler

Program Manager: Wendy Reyes

### **BI Incorporated**

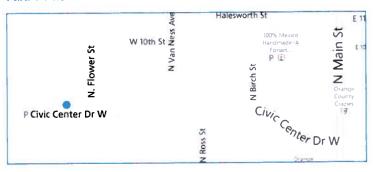
901 Civic Center Drive West Suite 100

Santa Ana, CA 92703

Phone: 714.415.7400 Fax: 714.542.0179

Office Hours:

Mon - Fri: 8:00 am - 8:00 pm Saturday: 8:00 am - 12:00 pm Holidays: 12:00 pm - 5:00 pm



### **Referrals**

Probationers are assigned by their Probation Officer. Appropriate referrals are high-risk pcs and probationers identified due to their needs.