



Board Agenda Item 8

DATE: June 23, 2020

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Office

SUBJECT: Update to Assembly Bill 109 Community Corrections Partnership Plan and Associated Salary Resolutions

RECOMMENDED ACTION(S):

- 1. Approve Update to the Community Corrections Partnership Plan as required by the Public Safety Realignment Act pursuant to Assembly Bill 109 (Chapter 15, Statutes of 2011)/Assembly Bill 117 (Chapter 39, Statutes of 2011); and**
- 2. Approve Amendment to the Salary Resolution deleting nine vacant positions from the District Attorney Org 2860, Public Defender Org 2880, Sheriff Org 3111 and Probation Org 3430 effective June 29, 2020 as reflected in the Appendix D.**

There is no Net County Cost associated with the recommended actions. On March 09, 2020, in order to reduce the usage of the Fund Balance in the Public Safety Realignment Act of 2011 (AB 109) fund, the Community Corrections Partnership Committee (CCP) eliminated and reduced programs beginning in FY 2020-21. The reductions will result in the deletion of vacant AB 109 funded positions from the District Attorney, the Public Defender, the Sheriff's Office, and Probation. The CCP Plan to implement AB 109 was originally approved by the CCP on August 19, 2011 and by the Board on September 13, 2011. The CCP Plan has been updated five times since the original approval date, and the first recommended action will approve a sixth update to the Plan. This update was approved by the CCP on June 8, 2020 and requires a 4/5 vote by the Board to reject it. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the updated Plan would be rejected by the Board and the components/programs included in the Plan would not be implemented. In addition, the AB 109 Fund Balance will be depleted at a faster rate which could necessitate more severe Program reductions. This would have an impact on the ability to adequately supervise and provide services to the AB 109 population. In addition, the CCP would be required to approve an alternative update to the Plan and return to the Board for approval.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The AB 109 Programs that recommended for reduction and elimination represent approximately \$2 million savings in AB 109 revenue for FY 2020-21. These changes will be reflected in FY 2020-21 requested budgets for District Attorney Org 2860, Public Defender Org 2880, Sheriff Org 3111, and Probation Org 3430. Due to current budget outlook, there is the potential for future reductions. If the CCP approves future program reductions, Probation will return to the Board for approval.

DISCUSSION:

AB 109 was signed into law on April 5, 2011 and went into effect on October 1, 2011 transferring responsibility for housing/supervising specified inmates and parolees from the California Department of Corrections (CDCR) to counties.

In accordance with AB 109/AB 117, the County created a CCP and developed a plan that will enable the County to meet the goals of the public safety realignment. The CCP Executive Committee (voting members) in Fresno County consists of seven members: the Chief Probation Officer (chair); the Presiding Judge of the Superior Court or designee; the District Attorney; the Sheriff; the Public Defender; the Director of Behavioral Health; and the City of Fresno's Chief of Police. This implementation Plan was approved by the CCP on August 19, 2011 and approved by the Board on September 13, 2011. The CCP and the Board have approved five updates to the CCP Plan since it was initially approved.

Approval of the recommended actions provides for the sixth update to the CCP Plan and includes the defunding of the Jail Transition POD and a reduction in funding for the Misdemeanor Offender Accountability and Rehabilitation Program and the Courthouse Park Patrol Unit beginning in FY 2020-2021. Deletion of these programs will reduce the reliance on Fund Balance to help ensure the availability of long-term funding of AB 109 programs. In order to decrease the impacts to departments, the reductions were made to a distribution of departmental programs. The CCP approved the revisions based on multiple factors such as a decrease in caseloads and cost effectiveness. The CCP requested all AB 109 funded programs to provide Outcome Measure reports to justify funding and provide documentation of the verifiable outcomes from County Departments as well as the community. After reviewing the reports that were submitted, receiving presentations from the programs identified for further review, the CCP Committee approved funding reductions for programs/services for FY 2020-21.

The second recommended action will delete vacant positions as follows:

- District Attorney - one Legal Assistant
- Public Defender - one Legal Assistant
- Sheriff's Office - one Correctional Sergeant, two Correctional Officers, one Deputy Sheriff, and one Social Worker
- Probation - two Deputy Probation Officers

REFERENCE MATERIAL:

BAI # 12, September 26, 2017
BAI # 6, January 12, 2016
BAI # 40, December 2, 2014
BAI # 21, January 14, 2014
BAI # 10, April 23, 2013
BAI #8, September 13, 2011

ATTACHMENTS INCLUDED AND/OR ON FILE:

Salary Resolution - Appendix D
On file with the Clerk -CCP Plan Sixth Update 2020
On file with the Clerk -CCP Plan Sixth Update 2020- tracked changes

CAO ANALYST:

Samantha Buck