

The Public Safety Realignment Act

AB 109

Implementation Plan ~~2023-2024~~ – 910th Update

County of Fresno



Executive Committee of the Community Corrections Partnership

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AB 109
The Public Safety Realignment Act
~~Ninth-Tenth~~ Update to the 2011 Implementation Plan
County of Fresno
December ~~2023~~2024

Background

In the original legislation under AB 109 in 2011, Section 1230.1 of the California Penal Code was amended to read, “Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county’s Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, Presiding Judge, or their designee, and one department representative listed in either subparagraph (G) (H) or (J) of paragraph (2) of subdivision (b) of Section 1230 as designated by the County Board of Supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless the Board rejects the plan by a vote of four – fifths of the Board, in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources the plan may include recommendations to maximize the effective investment of criminal justice resources in evidenced-based correctional sanctions and programs including, but not limited to: day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitutions programs, counseling programs, community service programs, educational programs and work training programs.”

On August 19, 2011, the Fresno County Community Corrections Partnership (CCP) Executive Committee approved the Public Safety Realignment Act, Assembly Bill (AB) 109 Implementation Plan for 2011. On September 13, 2011, the CCP placed the Implementation Plan and associated Budget and Salary Resolutions on the Fresno County Board of Supervisors agenda for approval pursuant to Assembly Bill (AB) 117. On that date, the Implementation Plan and the associated budget and resolutions were approved. The Plan has been operational since that time.

Modifications to 2011 Plan

Due to the need for modifications of the original plan, in March 2013, the first amended plan was approved by the CCP and the updated plan and associated budget and salary resolutions were placed on the Board of Supervisors agenda and approved in April 2013. In October 2013, the second amended plan was approved by the CCP, placed on the Board of Supervisors agenda with the associated budget and salary resolutions, and approved in January 2014. The third amendment and associated budget and salary resolutions was approved by the CCP on November 14, 2014 and by the Board

of Supervisors on December 2, 2014. The fourth amendment and the associated budget and salary resolution were approved by the CCP on November 6, 2015 and by the Board of Supervisors on January 12, 2016. The fifth amendment and associated budget and salary resolutions were approved by the CCP on September 15, 2017 and by the Board of Supervisors on September 26, 2017. The sixth amendment and associated budget and salary resolutions were approved by the CCP on June 8, 2020 and by the Board of Supervisors on June 23, 2020. The seventh amendment was approved by the CCP on December 13, 2021 and by the Board of Supervisors on February 28, 2023. The eighth amendment was approved by the CCP on December 12, 2022 and by the Board of Supervisors on February 28, 2023. The ninth amendment was approved by the CCP on December 11, 2023 and by the Board of Supervisors on March 5, 2024

Modifications to the plan will continue to be needed to increase and maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs for public safety. This ~~ninten~~^{ninth} update to the original plan includes a status update on AB 109 funded programs and services.

Fresno County Probation Department

Pretrial Services Program

~~The Pre-Trial program aims to reduce pre-trial incarceration by providing comprehensive risk assessments, developing tailored release plans, and connecting individuals with appropriate services. By maximizing the use of alternatives to incarceration and ensuring compliance with court-ordered conditions, the program seeks to improve public safety and reduce recidivism. The CCP, at their June 13, 2022 meeting, received the Scope of Work to evaluate the CCP funded entities. The Research, Evaluation and Technology (RET) sub-committee of the CCP developed the Scope of Work in consultation with Kevin O'Connell and Ryan Souza from the California State Association of Counties (CSAC) Support Hub for Criminal Justice Programming. The CCP approved a motion that allowed the sub-committee to move forward with developing a Request for Proposal (RFP) to be issued by Fresno County's Internal Services, Purchasing Division with an annual budget of \$100,000. The Probation Administrative Services Division, with input from the RET sub-committee, developed the RFP and on March 15, 2023, the County of Fresno issued RFP No. 23-027 to vendors registered in Public Purchase. The RFP response period closed on April 13, 2023. An evaluation panel composed of representatives from the Probation Department, Department of Behavioral Health, District Attorney's Office, and the Sheriff's Office evaluated the proposal solely on the requirements of the RFP. The tentative award notice was issued on June 16, 2023, and the Probation Administrative Services Division finalized the contract with the recommended vendor. The department scheduled the contract on the December 12, 2023, Board of Supervisors calendar, and if approved, implementation can begin in January 2024.~~

Post Release Community Supervision (PRCS) and Mandatory Supervision (MS)

AB 109 aims to enhance public safety by providing effective supervision, treatment, and employment services to individuals on post-release community supervision. Our data-driven, intensive supervision model focuses on individualized case planning and community-based strategies. This approach includes electronic monitoring, day reporting, substance abuse treatment, mental health services, residential programs, and 'flash' incarceration for violations of supervision conditions

Contracted Services

The Public Safety Realignment Act shifted responsibility for supervising many lower-level offenders from the state prison system to county jails and probation departments. To effectively manage this increased caseload, Probation has contracted with various service providers to offer a variety of services.

1. Housing

Transitional housing is a critical component of reentry programs for individuals leaving incarceration. Its primary purpose is to provide a stable and supportive living environment as individuals transition back into the community. By offering temporary housing and support services, transitional housing aims to reduce recidivism and increase the likelihood of successful reintegration.

Current Contractor: Turning Point of Central California

Key Goals of Transitional Housing:

- Stable Housing: Provide a safe and stable living environment to prevent homelessness and instability.
- Life Skills Development: Offer life skills training, such as job search skills and budgeting.
- Employment Assistance: Assist residents in finding and maintain employment.
- Case Management: Connect residents with essential services, respond to crises and provide support and assistance to residents.

2. Employment

Reentry employment readiness is needed to provide essential support and resources to individuals reentering the community after incarceration. This program aims to reduce recidivism and promote successful reintegration by addressing the challenges faced by formerly incarcerated individuals, particularly in securing stable employment.

Current Contractor: BI Inc. dba GEO

Key Objectives of this program include:

- Employment Readiness: Provide job readiness training, including resume writing, interview skills, and job search strategies.

- Skills Development: Offer vocational training and education to enhance participants employability
- Barrier Removal: Assist participants in overcoming barriers to employment, such as obtaining identification documents, transportation, or childcare.
- Job Placement: Connect participants with potential employers and provide job placement assistance.
- Post-Placement Support: Offer ongoing support to help participants maintain employment and achieve long-term stability.

3. Vocational Training

The Construction Apprenticeship program aims to provide reentry individuals with valuable skills and opportunities in the construction industry.

Current Contractor: Fresno Economic Opportunities Commission

Key Objectives:

- Skill Development: Provide comprehensive training in construction.
- Job Placement Assistance: Connect program participants with local construction contractors and employers.
- Mentorship and Support: Offer mentorship and guidance to help participants navigate the challenges of reentry and employment.

4. Counseling

This service aims to provide comprehensive counseling and mental health services to individuals involved in the criminal justice system. This service seeks to address the underlying issues that contribute to criminal behavior and promote positive change. By providing these services, Probation aims to reduce recidivism, improve public safety, and enhance the overall well-being of individuals involved in the criminal justice system.

Current Contractor: North Star Wellness Center (previously Sierra Education Research Institute)

Key objectives:

- Mental Health Treatment: Provide therapy and counseling services to address mental health conditions and substance abuse issues.
- Life Skills Development: Offer life skills training, such as anger management, conflict resolution, and decision-making skills.
- Reintegration Support: Assist individuals with reintegration into the community, including housing, employment, and education.

5. Parenting

Provide parents or expecting parents who are involved in the criminal just system educational and support services. This program aims to improve parenting skills and promote healthy family relationships.

Current Contractor: Central Valley Children's Services Network

Key Components:

- Parenting classes: Offer educational sessions on effective parenting strategies.

6. Data Collection and Program Evaluation

Assess the effectiveness of AB 109 programs and inform future policy and practice by collecting and analyzing data on program outcomes, such as recidivism rates, employment rates, and housing stability.

Current Contractor: RDA Consulting

Key Objectives:

- Measure Program Impact: Evaluate the effectiveness of AB 109 programs in reducing recidivism and improving public safety.
- Improve Program Delivery: Use data to identify areas for improvement and make adjustments to program implementation.
- Inform Policy Decisions: Provide evidence-based information to inform future policy decisions and resource allocation.

7. GPS and Alcohol Monitoring

To improve public safety, reduce recidivism and enhance the effectiveness of its supervision efforts, individuals on probation are monitored with GPS and alcohol monitoring technologies.

Current Contractor: Satellite Tracking of People (STOP)

Key Objectives:

- Ensure compliance: Monitor individual's adherence to court-ordered conditions.
- Enhance Public Safety: Protect the community by tracking the whereabouts of individuals and ensuring they are not engaging in criminal activity.
- Provide Evidence-Based Supervision: Utilize the technology to collect data and inform evidence-based decision making.

Adult Compliance Team (ACT)

The mission of ACT is to provide an additional layer of offender supervision to ensure offender accountability, surveillance, and supervision through mobile, intensive, and evidenced-based practices leading to enhanced public safety and compliance.

Current Partnerships:
Fresno County Probation
Fresno County Sheriff
Fresno County District Attorney
Fresno Police Department
Clovis Police Department
Selma Police Department
Reedley Police Department
Kingsburg Police Department
Kerman Police Department
Sanger Police Department

Key Objectives:

- To reduce the occurrence of new criminal acts by focused attention to offenders on local supervision with concentrated surveillance by peace officers dedicated to enforcement of conditions of release.
- To identify supervised offenders who are not meeting their conditions of release in order to ensure compliance.
- To mitigate the need for custodial for custodial sanctions through appropriate early interventions.
- To document trends in the realignment population and respond efficiently to emerging trends that adversely affect public safety.
- To act as the point of contact for dissemination of offender information to law enforcement.
- To respond rapidly to emergency situations with knowledge and information about the offenders.
- To provide other public safety responses including searches as authorized by the terms of release and warrant services, as needed.

<u>Fresno Sheriff's Office</u>

Community Corrections Patrol Unit

Since the implementation of AB 109, Fresno County Sheriff's Office has assumed responsibility for a larger inmate population, including those who would have previously been transferred to the California Department of Corrections and Rehabilitation. This increased population, which has at times exceeded 800 individuals, includes a higher percentage of hardened criminals.

As a result, the jail has experienced increased incidents of violence and calls for service, leading to more arrests and investigations. Additionally, there has been a rise in crime in the downtown area, including shootings and disturbances in Courthouse Park. The deployment of CCP-funded deputies has been crucial in addressing these challenges. These deputies have been instrumental in responding to calls within the jail, providing security for the Board of Supervisors and county employees, and maintaining

order in the downtown area. Without these additional resources, the Sheriff's Office would be stretched thin, impacting its ability to respond to calls for service in the community.

Sheriff's Office Jail Transportation Unit (CRMC)

The Sheriff's Office Transportation Unit is dedicated to the safe and secure transport of incarcerated individuals. The priorities are the safety of officers, incarcerated individuals, and the public. Due to California's realignment of prisoners, the County has seen an increase in the transportation of incarcerated individuals to and from the jail and hospital. This has heightened security concerns, as incarcerated individuals may attempt acts of violence, escape, or contraband smuggling. Correctional Officers play a vital role in safeguarding incarcerated individuals during transportation. They are responsible for maintaining security and preventing incidents while transporting individuals to and from medical facilities.

Sheriff's Information Technology Analyst

The IT position supports the Sheriff's Office's compliance with AB 109 by developing custom reports and integrating data from various systems, including OffenderTrak. This includes generating reports on ACT, AB 20 bookings, flash incarcerations, PRCS violations, MSR violations, AB 109 parole violators, and sentenced felons. Additionally, the position created an interface for daily jail booking and release data and developed a new app for pre-trial release decisions.

Jail Records Unit

Performs paraprofessional work involving the review, processing, and maintenance of court documents. Interprets and applies department policies, rules, and procedures. Assists in preparing statistical data, reports, and correspondence. Provides input on program policies and procedures. The goal is to process incarcerated person records efficiently and accurately.

Jail Operations for State Inmates

The Fresno County Sheriff's Office operates three jails in downtown Fresno, adjacent to the main Fresno County Criminal Courthouse. As of July 18, 2023, the North Annex Jail, with a capacity of 1696 beds, houses 219 AB-109 inmates. The physical layout of the jail limits the ability to segregate inmates based on their classification. Inmates are assigned to housing units based on factors like gender, crime type, and gang affiliation, rather than their specific funding source. The jail's objective classification system ensures the safety and security of all inmates.

<u>District Attorney</u>

Misdemeanor Offender Accountability and Rehabilitation

The District Attorney's Office established a Misdemeanor Offender Accountability and Rehabilitation Program to address the increased caseload resulting from Prop 47, which

reclassified many non-violent felonies to misdemeanors. This program provides additional staff to handle the influx of misdemeanor cases, ensuring that these cases are processed efficiently and that offenders receive appropriate assessments and referrals to services.

Before Prop 47, these cases were handled by felony courts, which had more resources to address offender needs. By dedicating specific staff to misdemeanor cases, the District Attorney's Office can better assess the needs of these individuals and connect them with appropriate services, such as substance abuse treatment, mental health counseling, or job training.

Trust But Verify Program

The District Attorney's Office's "Trust but Verify" Program collaborates with the Public Defender's Office's "Clean Slate" Program to reduce recidivism and enhance public safety, aligning with the goals of AB 109.

The "Clean Slate" Program provides free legal services to eligible individuals seeking record clearance. The "Trust But Verify" Program expedites this process by verifying eligibility and responding to petitions in a timely manner. This streamlined approach reduces the need for court hearings and expedites the granting of relief.

Public Defender

Misdemeanor Offender Accountability and Rehabilitation

Proposition 47, passed in 2014, reclassified certain nonviolent felonies to misdemeanors. This shift has significantly impacted the workload and focus of misdemeanor units. Below are some strategies to address the challenges posed by Proposition 47.

Streamline Case Management:

- Implement efficient case management systems to handle the increased caseload.
- Utilize technology to track cases and ensure timely access to services and court proceedings.

Foster Community Partnerships:

- Encourage community participation in initiatives aimed at reducing crime and supporting offenders.
- Advocate for policy changes to secure additional funding and resources for misdemeanor units and support services.

Data-Driven Approach:

- Collect and analyze data on post-Proposition 47 misdemeanor case outcomes to identify trends and areas for improvement.
- Use data-driven insights to inform policy decisions and enhance program effectiveness.

Clean Slate

The Clean Slate program provides free legal services to indigent individuals convicted of crimes in Fresno County who are eligible for record clearance. This program assists clients throughout the entire process, from initial application to final court order. By assisting eligible individuals with record clearance, the program aims to:

- **Reduce Barriers:** Remove obstacles to employment, housing, and education.
- **Promote Reintegration:** Facilitate successful reentry into the community.
- **Enhance Public Safety:** Reduce recidivism by supporting individuals' rehabilitation and reintegration efforts.
- **Case Processing:** Work closely with individuals throughout the record clearance process, from initial application to final court order.
- **Community Outreach:** Provide education and outreach to the community about post-conviction relief options.
- **Collaboration:** Partner with community-based organizations to provide comprehensive support services.

Social Worker Unit

Defense social workers conduct comprehensive biopsychosocial assessments to inform case strategies. These assessments are used to develop recommendations for pretrial release, sentencing, probation conditions, and post-sentencing plans. Social workers are assigned cases by the Social Work Supervisor and work closely with attorneys to advocate for clients' best interests.

Key Responsibilities:

- **Case Management:** Work closely with AB 109 clients, providing case management and ensuring compliance with pre-trial obligations to reduce incarceration.
- **Client Support:** Provide direct support to clients, including contact, outreach, and assistance with court appearances, treatment programs, and securing housing, employment, education, and training.
- **Legal Advocacy:** Collaborate with attorneys to advocate for alternative sentencing options and provide mitigation information to the court.
- **Community Engagement:** Educate the community about social services and criminal justice issues.
- **Interdisciplinary Collaboration:** Build strong relationships with stakeholders, including attorneys, judges, DAs, family members, and social service providers.
- **Supervision and Training:** Provide supervision and training to BSW and MSW social work interns.
- **Data Collection and Analysis:** Collect and analyze data to evaluate program effectiveness and inform future strategies.

<u>Department of Behavioral Health</u>

Contracted Agreements:

1. First Street Center Outpatient Program

The First Street Center Outpatient Program offers substance use disorder and mental health services to adults on post-release community supervision and pretrial supervision. The program serves individuals with substance use disorders and/or mild to moderate health symptoms referred by AB 109 Community Probation, Pretrial Office, and Mental Health Diversion Court.

2. Full Service Partnership (FSP) Specialty Mental Health Services

The program serves adult males and females aged 18 and older who are diagnosed with Serious Mental Illness (SMI). Eligible participants include individuals on AB 109 post-release supervision, AB 1810 (MHD) Pre-Trial Supervision, and SB 317 Misdemeanor IST Pre-Trial Supervision who meet FSP/ACT criteria.