



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager's Office



Date: August 29, 2013
Board Meeting Date: September 10, 2013
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: John L. Maltbie, County Manager
Connie Juárez-Diroll, Legislative Coordinator

Subject: County Manager's Report #7

RECOMMENDATION:

Accept this report on Public Safety Realignment Local Implementation Report, Number 3—April 2013 to June 2013

BACKGROUND:

Operative since October 1, 2011, the Public Safety Realignment Act of 2011 was enacted to reduce the number of offenders in state prison by shifting the supervision of the following offenders to counties:

1. Prison inmates convicted of non-violent, non-serious and non-high risk sex offenses released to the supervision of their county of residence rather than state parole, also known as, Post Release Community Supervisees (PRCS);
2. Offenders newly convicted of non-violent, non-serious, non-sexual offenses that will now serve their terms in County jail, also called 1170(h) while incarcerated after Penal Code 1170 (h) or Mandatory Supervisees (MS) while serving time out of custody;
3. Parolees who violate the terms of their parole and will serve their revocation term in a County jail for up to 180 days.

DISCUSSION:

Following approval of the County's Local Implementation Plan (LIP), your Board requested that impacted departments work with the County Manager's Office to provide quarterly reports on the implementation of public safety realignment in the County. This report provides information gathered by departments from the period of April 1, 2013 to

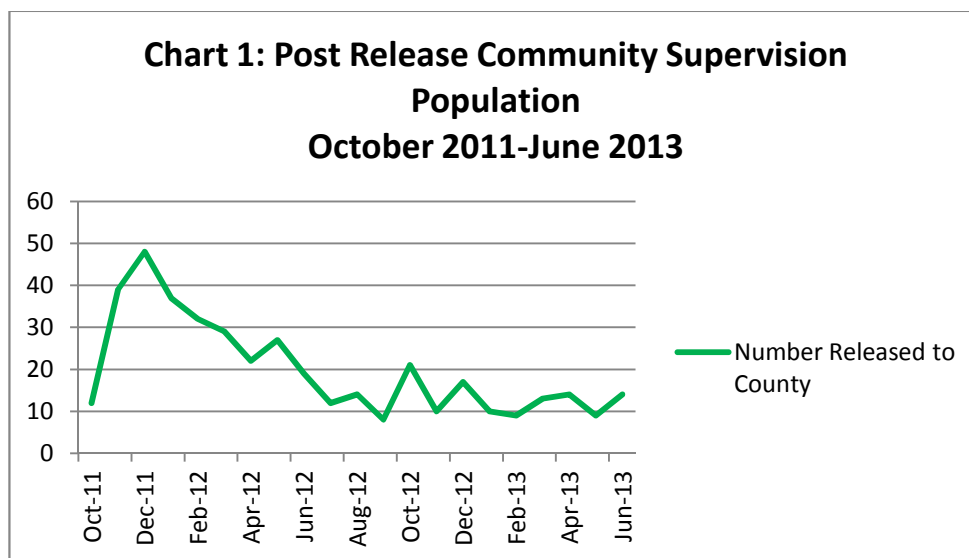
June 30, 2013 with a general overview of how implementation efforts have progressed nearly two years after the start of public safety realignment.

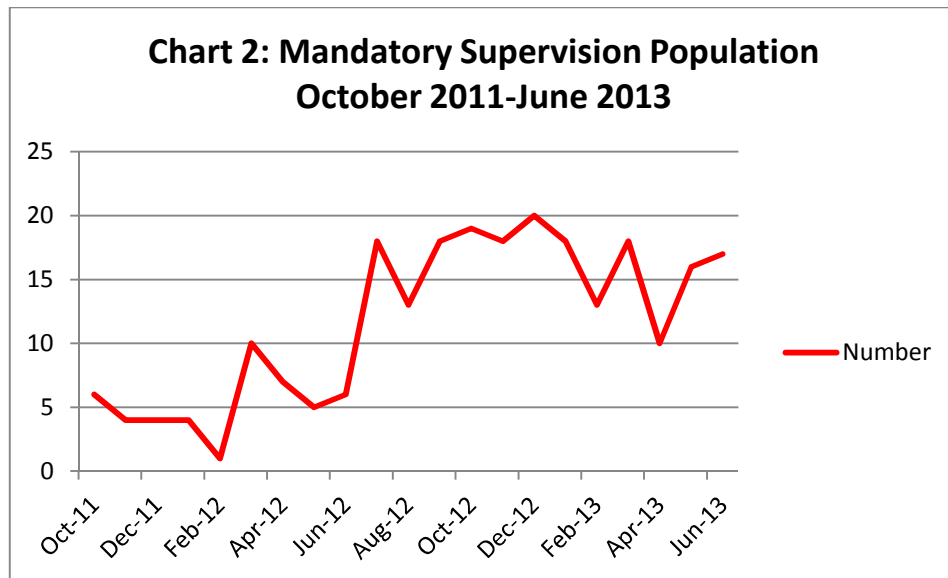
The following are key findings during the reporting period:

- The numbers of PRCS supervisees has begun to drop with MS supervisees now becoming the majority. In time, the numbers of MS supervisees will surpass the PRCS numbers, as will the numbers of 1170(h)'s serving time locally.
- A majority of PRCS supervisees now reside in the North County and a higher percentage than ever before are from out-of-County.
- The Probation Department is in the process of implementing an expanded array of evidence-based supervision techniques, including Cognitive Behavioral Therapy, to facilitate supportive interactions with supervisees.
- The locally sentenced 1170(h) population is more criminally sophisticated and present higher security risks for correctional staff.
- The County is expected to receive an estimated \$444,643 in AB 109 growth funding in September 2013, and a more permanent statewide funding formula for FY 2014-15 and beyond is currently being developed.

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

Since the start of Realignment, the Probation Department has assumed responsibility for the supervision of **670** supervisees. The department assumed supervision of **79** new supervisees (36 PRCSs and 43 MSs) in the reporting period. Beginning in June 2012, PRCS supervisee numbers began to drop and Mandatory Supervision (MS) numbers (i.e., those supervised by Probation as part of a split sentence) began to increase. The current caseload ratio of supervisee to Probation Officer is 56 to 1.





A total of **101** PRCS and **22** MS supervisees have been successfully terminated from supervision since the start of Realignment with 25 PRCS and 6 MS supervisees released during the reporting period.

Demographics

Gender, Age and Racial/Ethnic Profile

The combined PRCS and MS populations continue to be overwhelmingly male (86 percent). Women represent 14 percent of all supervisees. Supervisees continue to range in ages (from 20 to 65 years of age) with a large majority of PRCS and MS supervisees in their late 20's and early 30's. Racial composition continues to hold steady with 32 percent of all supervisees identifying themselves as White, 30 percent as Latino, 20 percent as African American, and 14 percent as Asian and/or Pacific Islander and Other.

Residential Information

Current data indicate a shift in the residential distribution of PRCS and MS supervisees with a majority now living in the Northern part of the County. The current residential distribution of the overall population is as follows:

- 26 percent North County (Colma, Daly City, San Bruno, South San Francisco)
- 9 percent Central County (Belmont, Burlingame, San Mateo)
- 23 percent South County (East Palo Alto, Menlo Park, Redwood City)
- 5 percent Coastsides (El Granada, Half Moon Bay, Pacifica)
- 10 percent Transient and/or Homeless
- 27 percent out-of-County (Nearly 50 percent of those residing outside the County live in San Francisco)

City of residence numbers for the supervisee population reflect the concentration of the supervisee population in both the North and South County with 13 percent residing in Daly City; 11 percent in Redwood City; 9 percent in South San Francisco; and 8 percent in East Palo Alto.

Assessments and Referrals

Correctional Assessment and Intervention System (CAIS) Assessments: Risk Levels, Classification and Reclassification

The Probation Department completed a total of **30** initial CAIS assessments in the reporting period and roughly **289** assessments this calendar year. CAIS assessments are typically conducted within two weeks of a supervisee reporting to their Probation Officer as per departmental policy. CAIS results have consistently shown PRCS supervisees to be in the high and moderate risk classification levels and 97 percent of the supervisees assessed in the reporting period were found to be at high and moderate risk levels.

CAIS Reassessments

The Probation Department has conducted **35** reassessments of both PRCS and MS supervisees in the reporting period.

Approximately 49 percent of these supervisees showed an improvement in their risk level after their reassessment. Thirty-four percent showed no improvement and 17 percent increased their risk level. Generally, reassessment results are indicating a drop in risk levels for both PRCS and MS supervisees.

Supervisees Multidisciplinary Team Reviews (MDTs)

All PRCS and MS supervisees are assessed by an MDT. The MDTs continue to find their main challenge is engaging supervisees in treatment programs and services as many are resistant to treatment.

Provision of Treatment and Services to Supervisees at Service Connect

- 100 percent of appropriate supervisees were referred to Service Connect by Probation
- 67 percent of all supervisees have been seen by Human Services staff at Service Connect since the start of Realignment
- 50 percent of all supervisees have been seen by Health System staff at Service Connect since the start of Realignment

The discrepancy in the number of supervisees seen by the Health System staff versus Human Services staff continues to be a combination of factors, including re-arrests,

transfers to other counties and/or supervisee treatment disinterest. HSA and Health System staff continue to work together to encourage higher rates of supervisee participation in all facets of treatment assessments and rehabilitative services.

Currently, 71 percent of supervisees assessed by Service Connect staff are indicating a need for substance treatment and 28 percent a need for mental health treatment. Of this number, all have received substance abuse treatment and all have received mental health services.

Supervisees Not Receiving Services

According to HSA, their current inactive caseload is approximately 21 percent. The Health System did not provide their inactive caseload numbers.

Benefits Eligibility

More than 200 supervisees have been screened for eligibility and approved for benefits including County's Access and Care for Everyone (ACE) or MediCAID Coverage Expansion (MCE) programs since October 1, 2011. The chart below provides approval totals:

Table 1—Number of Supervisees Enrolled in ACE/MCE in FY 2012-2013

ACE / MCE Approvals FY 2012-2013	Total
Quarter 1	16
Quarter 2	36
Quarter 3	37
Quarter 4	34
Total	123

The Affordable Care Act is not likely to have an effect on the number of people covered for medical care in the County; however, the program under which they are covered will most likely change. Thus, those who are currently covered through MCE will likely be covered under Medi-Cal starting in January 2014.

Other Services

Since the start of Realignment, 102 supervisees have reported to Service Connect that they are working in either subsidized or community employment. HSA's 550 Jobs Program, which began operation in the second quarter of FY 12-13, has also provided 24 supervisees with subsidized transitional part-time employment in the reporting period.

The following are continuing emergency, short-term services provided by HSA to supervisees in FY 2012-13:

Table 2—Numbers of Supervisees Receiving Emergency Short-Term Services in FY 2012-13

Number	Type of Assistance
1086	Days of temporary housing assistance (hotel/motel)
2,025	Instances of transportation assistance (bus passes and round-trip tickets)
43	\$10 Phone Cards
15	Community Voice Mailboxes
321	\$20 Clothing vouchers
556	\$25 Safeway gift card

Supervisees interested in receiving longer-term social services continue to be referred to the following programs: Job Train for employment training; EPA Re-entry; Star Vista for parenting classes and family therapy; Second Harvest Food Bank for food assistance, as well as the Catherine Center at St. Vincent de Paul and Shelter Network for housing services.

Health System staff continue to refer supervisees seeking mental health and substance abuse treatment services to the following programs: Asian American Recovery Services; East Palo Alto Parole/Probation Re-entry Program, El Centro de Libertad; First Chance Sobering Station; Free at Last; Hope House (Service League); the Latino Commission; Our Common Ground; Project Ninety, Inc.; Palm Avenue Detox/Horizons, Inc. Sobering Station; Pyramid Alternatives; Strike Counseling Center; STARVISTA (Archway) DUI school; Telecare; Voices of Recovery; Women's Enrichment Center; and Women's Recovery Association.

Supervisee Engagement

Supervisee engagement has been, and continues to be, a challenge. As the numbers of supervisees increase, new engagement methods must be implemented. Thus, the adoption of evidence-based supervision practices that provide consistency of supervision practices and better guidance to the Probation officer on the best balance of rewards and sanctions is important. The Probation Department is in the process of implementing more evidence-based supervision techniques. These include, Cognitive Behavioral Therapy (CBT) training and crisis intervention training (CIT) to facilitate

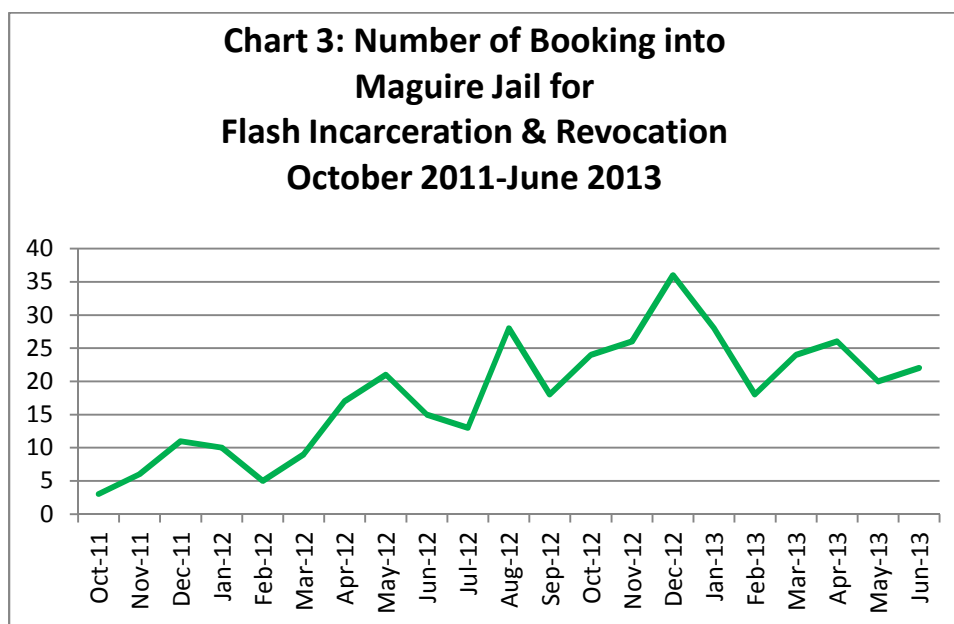
supportive interactions with supervisees. CBT training should give officers better tools to support supervisees.

Intermediate Sanctions and Violations

The Probation Department tracks data on arrest warrants, revocations, re-arrests and other supervisee enforcement efforts. The following are the numbers for the reporting period:

- **42**—Number of flash incarcerations
- **32**—Number of warrants issued
- **57**—Number of revocation processes that were initiated with the following outcomes:
- **68**—number of supervisees re-arrested

Since realignment began in October 2011, 172 individuals have been booked in the San Mateo County jail for flash incarceration or revocation a total of 380 times.



Terminations/Discharges

Since the start of Realignment, 101 PRCS and 41 MS supervisees have successfully completed supervision. In the reporting period, 25 PRCS and 13 MS supervisees have successfully completed supervision.

In addition and since the start of Realignment, there have been 29 unsuccessful PRCS terminations and 19 unsuccessful MS terminations in which supervisees were returned to custody. Nine of the PRCS and 5 of the MS unsuccessful terminations occurred in

the reporting period. By law, PRCs who have completed 12 months of supervision with no violations resulting in custody time are to be discharged from supervision within 30 days.

Local Law Enforcement

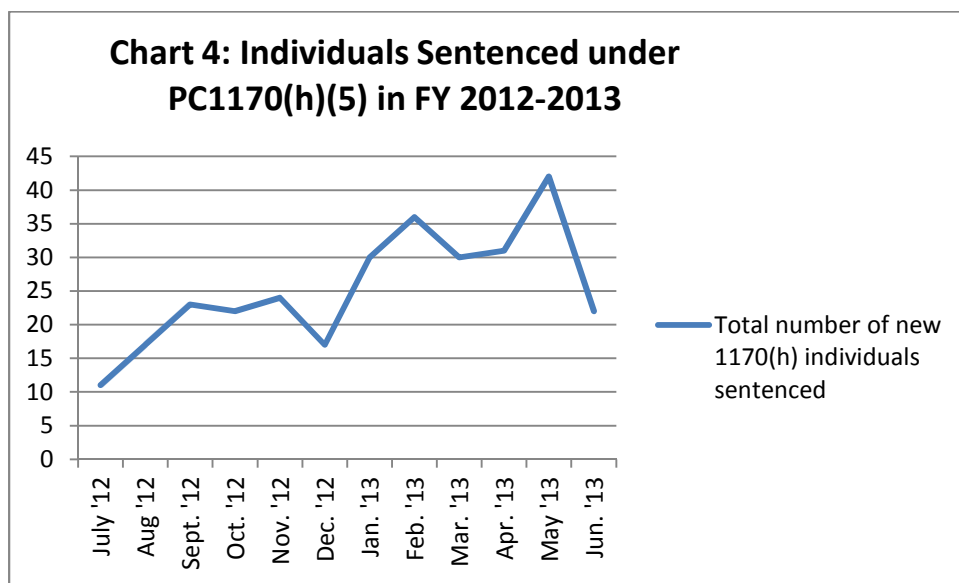
In June seven Probation Officers, including the Probation Services Manager and Chief Deputy Director, conducted a field operation in conjunction with seven Daly City police officers. The operation lasted 8 hours and included 20 scheduled home visits. The County-wide Commanders Meeting is scheduled for mid-September.

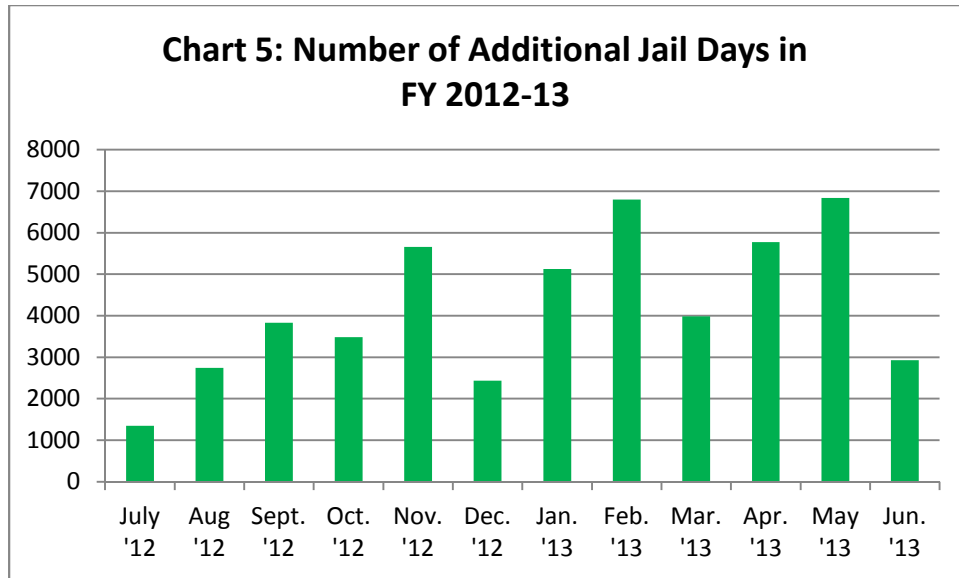
In the months before realignment, law enforcement, and community groups expressed concern that realignment may increase crime rates in our communities. However, crime data shows that this does not appear to be the case in San Mateo County.

1170(h) Population

Inmate Numbers

Since the start of Realignment on October 1, 2011, the Sheriff's Office has assumed responsibility for **464** inmates sentenced under PC 1170(h)'s. These 464 inmates are expected to serve **79,485** jail bed days. In the reporting period, **95** individuals were sentenced to time in the County jail. They are expected to serve 15,543 days, an average of 164 days each. The following charts provide a snapshot of the numbers of individuals sentenced under PC 1170(h)(5) and their additional jail bed days in FY 2012-2013:





Sentencing

The following are the sentencing numbers for the reporting period:

- **53** split sentences were issued by the Superior Court from April to June 2013
- **164** days is the average length of sentences, including straight, split or mandatory supervision, after credits

Alternative Custody and Early Release

The following are the alternative custody and early release numbers for the reporting period:

- **4** 1170(h) inmates in alternative custody
- **4** 1170(h) inmates modified out of custody ahead of scheduled release and into a residential treatment program per the judge's sentencing orders

During the reporting period, all offenders in alternative custody maintained good standing and were not terminated unsuccessfully.

Treatment and Program Services at Correctional Facilities

During the reporting period:

- **150** 1170(h) inmates met with Correctional Health Services to discuss their needs and voluntary treatment services
- **69** 1170(h) inmates received full mental health and chemical dependency assessments

Correctional Health Services does not currently have the capacity to systematically and individually follow up on referrals. Therefore, it is difficult to know the impact of their

work. The new Social Solutions database system will facilitate effective follow up so that inmates' progress can be accurately monitored.

Those with an indicated need received referrals for both in-custody and out-of-custody agencies including Achieve 180, Veterans Affairs, Project 90, Our Common Ground, Service League, Department of Child Support Services and the Social Security Office.

Service Connect Contacts Prior to Release

- **32** 1170(h) inmates seen by Health System staff; or 52 percent
- **12** 1170(h) inmates seen by Human Services staff, or 19 percent

The Health System continues to make every effort to ensure they are present on the day of release for potentially high-risk cases that could use additional support transitioning into community-based supervision.

Custody Impact

Average Daily Population (ADP)

Approximately, 22 percent of the average daily population is comprised of realignment offenders. The inclusion of realigned offenders in the jail is changing the composition of the inmates serving local sentences. Realigned offenders are oftentimes more criminally sophisticated and present higher security risk levels that can make the supervision of this population more challenging for correctional staff.

Parole Revocations and Flash Incarcerations

- **989**—parole revocation hearing since October 2011
- **117**—parole revocation hearings held between April 1 and June 30, 2013
- **104**—inmates receiving parole revocation sentences between April 1 and June 30, 2013
- **42**—flash incarcerations between April 1 and June 31, 2013

Issues to be Monitored

The new correctional facility, with an estimated opening date of 2015, is expected to ease overcrowding within the existing correctional system. It will also allow more space for programming that will help all inmates, including the 1170(h) population. In-custody program participation will be monitored and tracked through the new Social Solutions database, the new jail management system, along with other programming oversight and coordination by case managers.

AB 109 Financial Report

AB 109 Actuals in FY 2012-13 and FY 2013-14 Funding

In FY 2012-13 the County received the following funding for AB 109 implementation:

Table 3: FY 2012-13 County Allocations for Public Safety Realignment	
Local Community Corrections Fund*	\$13,453,508
DA/Private Defender Fund	\$181,697
CCP Planning Grant	\$150,000
Total	\$13,785,205

*Funding is available for supervision and programming for the PRCS and 1170(h) populations.

In addition to the above allocation, the County will carry forward \$2,795,260 in Fund Balance from unspent AB 109 funds in FY 2011-12. The Fund Balance includes one-time training and implementation funds in the amount of \$144,295; CCP planning funds in the amount of \$83,405; and local community corrections funds in the amount of \$2,567,560.

For FY 2012-13, County departments have utilized AB 109 Local Community Corrections funding for the following:

- \$6.5 million or 48 percent for salaries/benefits and operating costs that include 26.7 full-time equivalents and other general costs to support staff. This includes \$3.1 million allocated to the Sheriff's Office, which will be used on an as needed basis to meet the demands of this new population.
- \$1.8 million or 13.5 percent for client needs and services that include medical care, mental health services, residential treatment, emergency safety net services, vocational training, employment services, mentorship, and family reunification.
- \$1 million or 7.4 percent for the CCP 2012 Competitive Matching Grant Program.
- \$150,000 or 1.1 percent in training costs for local law enforcement.
- \$502,326 or 4 percent is designated for program evaluation.

The balance of AB 109 funding that has not been allocated in FY 2012-13 is \$3,600,776 or 26.4 percent. Total unallocated AB 109 funding is \$6,396,036 or 35 percent of all AB 109 funding received to date excluding the DA/Private Defender Fund. This is the anticipated Fund Balance to carry forward to FY 2013-14.

Additionally, the County received \$181,697 for revocation activities to be allocated equally among the District Attorney's Office and the Private Defender Program.

In FY 2013-14 the County is scheduled to receive the following funding for AB 109 implementation:

Table 4: FY 2013-14 County Allocations for Public Safety Realignment	
Local Community Corrections Fund*	\$13,453,508
DA/Private Defender Fund	\$181,697
Total	\$13,635,205

*Funding is available for supervision and programming for the PRCS and 1170(h) populations.

In addition to the allocation above, the County will carry forward \$3,750,776 in Fund Balance from unspent AB 109 funds in FY 2012-13. The Fund Balance includes CCP planning funds in the amount of \$150,000 and local community corrections funds in the amount of \$3,600,776.

For FY 2013-14, County departments have utilized AB 109 Local Community Corrections funding for the following:

- \$7.7 million or 58 percent for salaries/benefits and operating costs that include 34 full-time equivalents and other general costs to support staff. This includes \$3.1 million allocated to the Sheriff's Office, which will be used on an as needed basis to meet the demands of this new population.
- \$2.6 million or 19.2 percent for client needs and services that include medical care, mental health services, residential treatment, emergency safety net services, vocational training, employment services, mentorship, and family reunification.
- \$1 million or 7.4 percent for the CCP 2012 Competitive Matching Grant Program.
- \$502,326 or 3.7 percent is designated for program evaluation.

In FY 2013-14, County departments added eight positions to provide services to the new realignment population:

- The Sheriff's Office added one Lead Case Manager and one Case Manager to monitor inmate cases while in custody. The positions will provide support, cultivate a behavior of change, reward pro-social behavior, and propose ideas for re-entry throughout the inmates' time in custody.
- The Probation Department added one Deputy Probation Officer one Legal Office Specialist and one Fiscal Office Specialist in the Realignment and Re-entry Unit to assist in the additional caseload associated with the realignment population as well as providing additional clerical support to the unit.
- The Health System added one Supervising Mental Health Clinician and one Marriage and Family Therapist to conduct needs assessments of inmates and connect them to community resources upon discharge.

The balance of AB 109 funding that has not been allocated in FY 2013-14 is \$1,494,069 or 11.7 percent. Total unallocated AB 109 funding is \$7,890,105 or 25 percent of all AB 109 funding received to date excluding the DA/Private Defender Fund. This is the anticipated Fund Balance to carry forward to FY 2014-15. A portion of these funds have been earmarked to the Sheriff's Office for costs associated with managing the expanding 1170(h) population in the new jail.

Additionally, the County received \$181,697 for revocation activities to be allocated equally among the District Attorney's Office and the Private Defender Program.

Recommended AB 109 Growth Allocation

The Realignment Allocation Committee (RAC), the CAOs group tasked with proposing a permanent formula for AB 109 funding, is recommending to the California Department of Finance (DOF) the following formula for the distribution of AB 109 growth funding for FYs 2012-13 and 2013-14:

Table 5: Elements of RAC Growth Recommendation		
Category	%/\$ dedicated	Description
Caseload issues <ul style="list-style-type: none"> Caseload per capita Total actual v. total estimate \$/caseload 	42.5% <ul style="list-style-type: none"> 16.5% 10.0% 16.5% 	Three elements to address various caseload impacts on individual counties based on first 12 months of 1170(h) and PRCS headcount
County minimum	27.5%	Distributed on each county's adult population (aged 18-64)
SB 678 performance	25%	County's 2012 SB 678 performance as proxy for legislative intent/community corrections practices
Small county accommodation	2.5%	For counties with up to 30K in adult (aged 18-64) population
Prison impacts	2.5%	Per-inmate impact

Based on this proposed formula, the County could expect to receive \$444,643 in AB 109 growth funding in September. A total of \$45.3 million is expected to be distributed statewide. The DOF is currently considering the RAC's recommendation and has final authority to determine the allocation schedule. Next, the RAC will begin meeting to develop a long-term allocation formula for FY 2014-15 and beyond.

Community Corrections Partnership (CCP), 2012 Competitive Matching Grant Program

A multi-departmental team consisting of staff from the County Manager's Office, the Probation Department, the Sheriff's Office, the Health System, and the Human Services Agency developed and issued a Request for Proposals (RFP) in July making a total of \$1 million in AB 109 programming funding available to community based organizations to fund projects and / or programs that are directed at reducing the recidivism rate of both the PRCS and 1170(h) populations. The RFP requires that programs: 1) focus on reducing recidivism, successful reentry and public safety; 2) include collaboration

between two or more agencies; 3) use evidence-based practices; and 4) include agreed upon measurable outcomes. Agencies must also provide a 15 percent match for grants above \$25,000 or an in-kind match for those below \$25,000.

The Team determined that the County's matching grant program would be rolling, allowing for proposals to continue to be brought forward as innovations and gaps in services are identified, rather than on a strict annual deadline. As a result, the Team recommended and the Board of Supervisors approved funding seven grants for a total amount of \$681,270.

Table 6: CCP 2012 Competitive Matching Grant Program Award Recipients		
Organization	Service	Grant Amount
One East Palo Alto, City of East Palo Alto, Free At Last, Bread of Life Church, El Concilio	Transitional Housing	\$72,270
InnVision Shelter Network, El Centro, Project Ninety	Supportive Employment	\$39,000
JobTrain, Service League, Sheriff's Office	Supportive Employment	\$100,000
Public Works, Parks Department, Human Services Agency	Supportive Vocational Training	\$100,000
One New Heartbeat, Sheriff's Office, The Center	Wellness Recovery Services	\$25,000
Service League, Sheriff's Office, Achieve 180 Reentry Program	Purchase of a Transitional Supportive Housing for Homeless Supervisees	\$300,000
Total Impact Advisors / Samaritan House	Social Impact Bond Feasibility Study	\$45,000
Total		\$681,270

Contracts for FY 2013-14 have been set up these CBOs through the County Manager's Office with administration by the Probation Department. CBOs will be required to meet specific performance measures that align with the goals of the County LIP and report these through the Social Solutions web based software.

MAPLE STREET CORRECTIONAL CENTER CONSTRUCTION

The project continues on time and within budget. Pile driving is on schedule and several "soft zones" may require more reinforcement. The project is also on track for LEED solar designation. We have now completed 80 percent of the design phase work.

OTHER

In addition to participating in the development of Social Solutions, the Sheriff's Office is

implementing a new Jail Management System that will go online in January of 2014 which will increase tracking capability for all inmates, including the realigned population.

In 2012, the San Mateo County Sheriff's Office formed the Jail Programming Committee to review existing inmate programs and services currently being provided at our adult correctional facilities and offer recommendations to enhancements, modifications, and additions to those programs and services delivered to our inmate populations.

Over the next year, the Sheriff's Office expects to expand our inmate services to include case management and a new service needs assessment to shed light on the individual programming and service needs of our inmate populations. In the second year, they will introduce an array of new programs and the requisite measurements to evaluate progress.

As the prisoner re-alignment population continues to grow, the timing is essential to align the inmate programming and services with a continuum of care philosophy in order to meet the goal of having a positive impact on recidivism rates and public safety in San Mateo County.

Next Report

My next report to your Board will be in December.