

***ALAMEDA COUNTY COMMUNITY
CORRECTIONS PARTNERSHIP***

***PUBLIC SAFETY REALIGNMENT
YEAR ONE EVALUATION REPORT***



NOVEMBER 2012

***ALAMEDA COUNTY
COMMUNITY CORRECTIONS
PARTNERSHIP***

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Gregory Ahern, Sheriff
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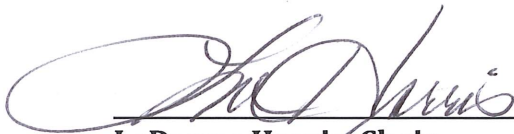
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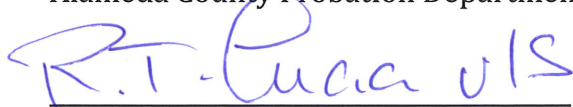
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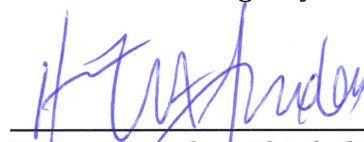
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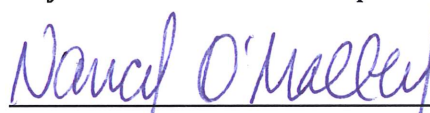
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ALAMEDA COUNTY PUBLIC SAFETY REALIGNMENT YEAR ONE EVALUATION REPORT

EXECUTIVE SUMMARY

The Public Safety Realignment Act of 2011 (AB 109 or Realignment), was signed into law in April of 2011 and became effective on October 1 of that year. As required by AB 109, implementation of Realignment in Alameda County has been directed by the legislatively created Executive Committee of the County's Community Corrections Partnership (CCP). The CCP met frequently with members of the community to craft an implementation plan that was focused on effectively, collaboratively and safely making Realignment work in Alameda County.

The Plan, submitted to and adopted by the Board of Supervisors in November 2011, emphasized individual accountability and research-indicated efforts to reduce recidivism for the three major population groups which AB 109 shifted from state to county responsibility. The realigned populations and the numbers who became Alameda County's responsibility in Year One were:

- 1) State prison inmates convicted of non-serious offenses, non-violent offenses or non-registerable sex offenses prior to October 1, 2011. These inmates, who previously would have been released to state parole, are instead to be supervised by county probation departments under what Realignment calls Post Release Community Supervision (PRCS).

The Alameda County Probation Department received, assessed, programmed and is supervising **695 PRCS** referrals.

The Alameda County Sheriff's Office has booked **112 PRCS** offenders into the County jail for new local criminal offenses or for violations of their PRCS supervision.

The District Attorney designated a deputy to handle each of the **112 PRCS** violations. This Deputy worked in conjunction with the designated Public Defender assigned to the PRCS violation calendar.

- 2) Felons convicted after October 1, 2011 of non-serious, non-violent, non-registerable sex offenses, referred to in this document as the 1170(h) population:

The District Attorney continued its commitment to the use of Probation in lieu of state prison for the 1170(h) population. Between October 2011 and August 2012, of the **2,823** persons sentenced within Realignment, **2,817** were granted probation.

The ACPD received, assessed, programmed and continues to supervise **7 'Split Sentence' or Mandatory Supervision (MS) clients** sentenced per **PC Section 1170(h)** to a term of jail followed by probation supervision.

The ACSO has booked **252** offenders sentenced to local custody per **PC Section 1170(h)**

- 3) Parole violators who are to be confined in county jails instead of being returned to state prison:

The ACSO has booked **1,065 parolees** for parole violations only and **388 parole violators** for new local charges; **1,590 parole violators** served time as a result of revocation hearings.

Throughout Realignment's first year, in keeping with its Plan, Alameda County has maintained secure custody and reentry-focused programming for incarcerated realigned offenders. At the same time, it has sought to strengthen proven public sector and community based services to reduce recidivism for realigned individuals under probation supervision. Programming has included life skills education, transitional jobs, job placement and post-placement services; transitional, supportive and subsidized housing; and screening and referral for health, mental health and/or substance use treatment.

Alameda County's major accomplishments in the first year of Realignment include but are not limited to:

- In support of its goal to increase public safety by reducing recidivism through reinvestment in community-based corrections programs and utilization of evidence based strategies, the CCP met every two weeks to oversee implementation and continue communication with the community.
- The District Attorney developed guidelines to allow more individuals into Realignment. 1,215 individuals who were initially ineligible for treatment under 1170(h) became or were made eligible through charging decisions or case resolution.
- The Probation Department, Sheriff's Office, Health Care Services Agency (HCSA), Behavioral Health Care Services (BHCS) and Community Development Agency (CDA) used Realignment funds, as well as existing networks and resources, to serve realigned populations.
- The Probation Department developed comprehensive Individual Achievement Plans (IAPs) with the majority of its PRCS and Mandatory Supervision 1170(h) clients to:
 - address each offender's identified risks, strengths and needs

- propose appropriate interventions, services, treatments and levels of supervision for each client
- Probation officers referred realigned clients to such services as Cognitive Based Therapies (CBT), GED preparation, life skills and literacy programming, substance abuse and relapse prevention, mentoring services, trauma informed counseling services, transportation assistance and community reintegration skills. In response to the large number of PRCS clients whose IAPs indicated workforce development needs, made 179 referrals to the America Works employment pilot program.
 - The Probation Department, Social Services Agency, Community Development Agency and four community based housing agencies partnered to address realigned clients' housing needs. A contract is now in place for a pilot program for realigned clients who are identified as homeless or who have a housing crisis.
 - The District Attorney's Office used its Corrective Intervention/Restorative Justice process to review nearly 6,000 probation cases for early termination. They continue to work with the court to establish a procedure for early termination of probation.
 - The Sheriff's Office has designated a housing unit at Santa Rita Jail specifically for realigned offenders. Housing Unit 25 houses:
 - the 1170(h) population awaiting trial or sentenced to either straight jail time or "split sentences" of jail followed by mandatory probation supervision
 - those who violate their PRCS or parole conditions

With a capacity of 165, Housing Unit 25 supports a variety of programs intended to prepare offenders to return to the communities from which they came.

- ACSO is utilizing reentry-focused educational, vocational, self-help and faith-based programs and services such as Deciding, Educating, Understanding, Counseling and Evaluating (DEUCE), GED Independent Studies, Adult Basic Education (ABE), Literacy, English as a Second Language (ESL), Anger Management, Employability and the Restorative Justice/Circle Project, among others.
- ACSO is providing realigned inmates transitional services and linkages that connect them to continuing services on the outside. Through its Reentry Based Incarceration (RBI) House and Operation My Home Town, ACSO provides educational and vocational services and links released offenders with their families.

- The HCSA and its BHCS division mobilized their extensive networks of community treatment and service providers¹ to work with the realigned population. All AB 109 clients, over 1,170 realigned people, were referred for enrollment into the County's HealthPAC (indigent health care program). This connected them to a primary care clinic in their geographic area for assessment and treatment of physical health problems and mild to moderate behavioral health issues.
- BHCS reports² having delivered 2,672 mental health services to 301 realigned individuals in custody in the Alameda County Jail (paid for entirely by General Fund dollars, not realignment funding) and 886 mental health services to 94 realigned individuals out of custody. Paid for by a combination of realignment funding, other BHCS funding streams and leveraged funding from grants and other sources, the majority of these services were delivered by community based providers.³
- BHCS also provided 470 substance use services to 23 realigned individuals out of custody; 100% of these services were delivered by community based service providers.
- The Social Services Agency (SSA) identified 195 of the 672 PRCS clients released to Probation between October 2011 and June 2012 who applied for SSA program services. Of these, 92 (13%) were currently active on CalWORKs, CalFresh, GA or MediCal when this data was submitted in October 2012.
- Community based service providers surveyed in October 2012 reported that at least 17 CBOs had provided direct services to realigned clients from October 1, 2011 through June 30, 2012. These services included case management and referral, employment and workforce development, education, substance abuse/behavioral health and additional services and supports such as basic needs, safety net and social services; shelter beds; benefits assistance; document support; health care screening and referrals; legal services and referrals; and financial counseling.
- The District Attorney initiated regular meetings with the Public Defender to address new and/or recurring issues arising in the courts, during the case disposition process and at other junctures in case adjudication. This proactive collaboration, which also includes Probation, has resulted in resolution of a number of issues, including the ability of the Public Defender to obtain statewide criminal history information essential to competent disposition of a case by negotiation or trial.
- The District Attorney's Office provided information to realigned defendants about opportunities to have certain non-serious, non-violent, non-sex related felony convictions set aside and worked with the Court to create a regular calendar to review such petitions.

¹ See Appendix II for a list of Community Based Service Providers utilized by HCSA and BHCS

² See Appendix I for description of BHCS services and service populations

³ See Appendix II for a list of Community Based Service Providers utilized by BHCS

- The District Attorney is helping to build an 'Ambassador Team' of representative agencies to reach out to the business community, job training programs and others to encourage the hiring and/or creation of opportunities for the realigned population.
- The CCP established work groups to facilitate ongoing planning and service delivery. These work groups will manage the CCP's efforts going forward, will help craft the Year Two and subsequent realignment plans and will focus on specific issues and tasks as they arise.

For Year One of Realignment, which was actually a partial year (from October 1 through June 30), the state provided Alameda County a funding allocation of \$9,200,000. Alameda County's actual Realignment expenditures totaled \$16,888,043, thus County agencies devoted nearly \$7.7 million additional dollars to augment the state's allocation to provide appropriate programs, services and resources for Realignment.

The CCP is committed to tracking and carefully assessing its processes, programs and outcomes related to Realignment. To this end, in order to learn how and how well Realignment is working in Alameda County, the CCP and its member agencies have initiated information gathering and data collection efforts. They have sought to define populations, define outcomes, manage and where possible coordinate the various information technology (IT) and data collection systems in place throughout the County and also comply with legislatively imposed data reporting requirements. Since the inception of Realignment, the Probation Department has produced and disseminated monthly reports describing the Post-Release Community Supervision (PRCS) population, its composition and movement through the justice system.

By Year 3, the CCP is committed to developing a shared information system that will allow for accurate data collection and information sharing to inform public, private and community activities in support of Realignment.

ALAMEDA COUNTY PUBLIC SAFETY REALIGNMENT YEAR ONE EVALUATION REPORT

I. Introduction

The Public Safety Realignment Act of 2011 (AB 109 or Realignment), signed into law in April of 2011, ushered in the most significant shift in correctional policy in California since enactment of determinate sentencing in the 1970s. Realignment shifts three major population groups to county responsibility: 1) state prison inmates convicted of non-serious offenses, non-violent offenses or non-registerable sex offenses prior to October 1, 2011 who previously would have been released to state parole, but instead are to be supervised by county probation departments under Post Release Community Supervision (PRCS); 2) felons convicted after October 1, 2011 of those non-serious, non-violent, non-registerable sex offenses, referred to in this document as the 1170(h) population; and 3) parole violators who are to be confined in county jails instead of being returned to state prison.

This Year One Evaluation Report outlines Alameda County's response to the challenges and opportunities presented by Realignment. The report reviews key elements of the County's Initial Implementation Plan and describes how the County's Community Corrections Partnership (CCP) has addressed implementation in keeping with its adopted guiding principles -- *to increase public safety by reducing recidivism of adult offenders through reinvestment in community-based corrections programs and utilization of evidence based strategies.*

The purpose of this document is to:

- review the strategies and activities undertaken in Year One
- provide an overview of what was accomplished in Year One
- identify lessons learned and gaps in service
- serve as a springboard to enhance strategies for the Year Two Plan and beyond

This report focuses primarily on implementation issues as it is too soon in the realignment process to have sufficient data with which to make assessments of results or outcomes. The CCP anticipates discussing data-driven outcomes as well as ongoing process and implementation issues, in future reports.

II. Implementation Approach

Implementation of Realignment has been directed by the Executive Committee of the County's CCP. The activities reflect the CCP's commitment to strong and ongoing collaborative partnerships among the County's many public safety and community service partners and stakeholders. As Alameda County mobilized to meet the requirements of the new legislation, the CCP met frequently with members of the community to craft an implementation plan that was focused on effectively, collaboratively and safely making Realignment work in Alameda County.

More than a dozen meetings were conducted between August and November 2011 to incorporate public and private sector input into the County's initial implementation plan. Given the short start-up time and the phased arrival of realigned individuals, the CCP considered Realignment's first year to be foundational; a time for determining needed services, developing appropriate objectives and approaches, defining anticipated outcomes, clarifying roles and responsibilities and expanding partnerships and collaborations.

Realignment's fast roll out required 'learning on the fly;' looking for ways to expedite existing processes and streamlining information gathering and analysis. The CCP met every two weeks throughout Realignment's first year to develop clear roles for itself and to maximize the vitally important inclusion of the community and community based service providers. It sought to work through contracting and other fiscal constraints while trying to leverage and optimize available funding. At the same time, public and community agencies were seeking to expand evidence based programs, training staff in new approaches and developing quality assurance efforts to sustain what proves to work and eliminate what doesn't.

Populations Served:⁴ As noted above, three major populations were realigned to counties. Their impact on the Alameda County Probation Department and Sheriff's Office in Year One were as follows:

Probation Department Supervision Populations:

Initial projections by the California Department of Corrections and Rehabilitation (CDCR) were that Alameda County would receive 577 PRCS clients in the first year of Realignment and 848 over the first three years. Those projections have since been revised to estimate 720 PRCS clients in the first year and 1,253 over the first three years. Information gathered at the time of this report reflect:

⁴ Please see APPENDIX I, FIRST YEAR IMPLEMENTATION DATA for additional information as to realigned populations and Realignment's initial impact in Alameda County.

- In year one, the Probation Department received, assessed, programmed and supervised **695 PRCS** referrals.
- The Probation Department also received, assessed, programmed and continues to supervise **7 'Split Sentence' or Mandatory Supervision (MS) clients**, i.e., those sentenced per 1170(h) to a term of jail followed by probation supervision.

Sheriff's Office/In Custody Populations:

Initial projections by CDCR were that Alameda County would receive 47 inmates per month sentenced per PC Section 1170(h) and have a 267 inmate increase in jail population when Realignment was fully implemented.

- In fact, in Year One, **252 offenders were sentenced to local custody per PC Section 1170(h)**.
- Additionally, **112 PRCS offenders were booked into the jails**, for either a new local criminal offense or for violations of their PRCS supervision.

Sheriff's Office/In Custody Parolee Populations:

CDCR provided no projections of potential parolee populations for either Year One or for Realignment overall. In Year One:

- **1,065 parolees were booked for PC 3056(a), parole violations only**
- **388 parole violators were booked for new local charges**
- **1,590 parole violators served time as a result of revocation hearings**

Initial Implementation Plan: Each county's CCP was required to develop and submit to the county board of supervisors a plan for implementing Realignment. Each board of supervisors was required to accept the plan as submitted unless four of its five members were opposed, in which case the plan was to be returned to the CCP for revision. The Alameda County CCP developed its initial Implementation Plan and submitted it to the Board of Supervisors for adoption in November 2011. The Board approved the plan, and implementation went forward.

Alameda County's Plan focuses on individual accountability and stresses efforts to provide offenders "with the skills, tools and resources that a large body of research now

suggests are needed to reliably reduce recidivism."⁵ The Plan notes that research has shown the following to be the seven major criminogenic factors/domains of need most strongly affecting recidivism:

- Education
- Employment
- Anti-social Thinking / Anti-social Peers
- Drug Use
- Mental Health Challenges
- Housing
- Connections

The Plan therefore calls for assessments to identify each offender's primary domains of need. The assessment results will focus appropriate programming, services and interventions to address each individual's three areas of highest immediate need.

Initial Services and Programs: Because it realized it could not immediately develop all the programs and services likely to be needed by the realigned population, the CCP elected to focus first on three of the major areas most frequently associated with recidivism -- employment, housing and behavioral health (drug, alcohol, and mental health services). Throughout Realignment's first year, the CCP has sought to fund, support and expand public sector and community based services in these three domains, including but not limited to life skills education, transitional jobs, job placement and post-placement services; transitional, supportive and subsidized housing; and screening and referral for mental health and/or substance use treatment.

The somewhat cumbersome County contracting and procurement processes impeded the fast start up of new programs to provide some of these services, particularly in the housing and employment arenas. Nonetheless, the Probation Department, Sheriff's Office, Health Care Services Agency, Behavioral Health Care Services, Social Services Agency and Community Development Agency called upon existing networks and used existing resources to serve realigned populations throughout the first year. By the end of Year One, contracts were in place for both housing and employment pilot programs.

Probation Department (ACPD): The Plan requires Probation's work with PRCS and Mandatory Supervision (MS; aka "Split Sentence") clients to be driven by comprehensive Individual Achievement Plans (IAPs). The IAPs address each offender's identified risks, strengths and needs and propose appropriate interventions, services, treatments and levels of supervision. The initial Plan called for each realigned PRCS or MS client to be assessed pursuant to both a validated needs assessment and a "new validated actuarial risk assessment." The Probation Department is having

⁵ op.cit., Alameda Plan, page 4

considerable success conducting extensive interviews with each client to identify the individual's personal and family issues and maximize the client's involvement in and commitment to his or her IAP. Exploration of additional assessment instruments is under consideration in the Year Two Plan, as is assuring that *all* realigned Probation clients. Ultimately, all those under felony supervision in Alameda County will have, and be supervised pursuant to, Individual Achievement Plans.

It is noteworthy that IAP's for the first 238 realigned individuals indicated their primary service needs to be:

Workforce Development	78%
Additional Services	49%
Educational	39%
Behavioral Health	35%

In light of the large percentage reporting a need for "Additional Services," Probation is revising the IAP questionnaire to more specifically identify the services realigned individuals believe would be instrumental in keeping them crime free. Data as to these needs will be used to facilitate probation officers' interviews and inform the resulting IAPs so that additional, specific targeted services can be provided.

Once developed, IAPs are carried out by the probation officer, working with SSA, CDA, HCSA and BHCS personnel. Additionally, community based treatment and service providers contribute to a unified effort to provide the resources that help each offender make a successful adjustment to crime-free life in the community. Such services include, but are not limited to, Cognitive Based Therapies (CBT); GED preparation; Adult Education programming focusing on life skills and literacy; substance abuse based programming such as education, prevention and relapse prevention; mentoring services; pro-social recreational activities; fatherhood skill development and coaching; parenting classes; trauma informed counseling services; transportation assistance and community reintegration skills with particular focus on securing documents that verify identity so as to remove barriers to employment.

In response to the large number of PRCS clients whose IAPs indicated workforce development needs, probation officers made 179 referrals to the America Works employment pilot program. Of those, 99 individuals enrolled in and successfully completed job readiness training and were ready for job placement; 27 clients had already been placed in jobs and many of them were approaching 30-to-90-day job retention milestones. Additionally, there were 9 clients enrolled in and scheduled for training and 13 more recent referrals were being enrolled.⁶ To address housing needs, 47 referrals were made to the PRCS Pilot Housing Program.

⁶ Of those referred to JRT, 20 did not complete the training and 35 failed to show up.

Sheriff's Office (ACSO): For realigned offenders in jail, the 1170(h) population awaiting trial and those sentenced to either straight jail time or "split sentences," and those who violate their PRCS or parole conditions, the Plan describes a wide range of programs and services to be provided by the ACSO directly or through partnerships with outside service agencies and community based organizations. These programs and services, like those for offenders under community supervision, are intended to address the major domains of risk and needs likely to affect recidivism. The ACSO's programs and services are reentry-focused educational, vocational, self-help and faith-based offerings, including but not limited to Deciding, Educating, Understanding, Counseling and Evaluating (DEUCE), Maximizing Opportunities for Mothers to Succeed (MOMS), Dads Acquiring and Developing Skills (DADS), GED Independent Studies, Adult Basic Education (ABE), GED, Literacy, English as a Second Language (ESL), Anger Management, Employability, Cosmetology (women), Barbering (men), Computers, Food Service, Restorative Justice / Circle Project, and Outside Partner Workshops.

ACSO's Inmate Services Unit works with the Classification Unit to identify realigned offenders who are eligible for group participation in programs. Group classes are offered to minimum and medium security offenders, with many classes occurring in the Reentry-Based Incarceration (RBI) Housing Unit or in the Sandy Turner Educational Center (STEC). Once an offender has been identified as eligible for group participation, he or she is interviewed by an Inmate Services staff person and/or someone from the Tri-Valley Regional Occupational Programs (TVROP). The various available programs are discussed with eligible offenders so each individual can make an informed decision about which classes to enroll in. For offenders who are unable to participate in group programs, a self-paced GED course is available.

ACSO has designated a housing unit, Housing Unit 25, specifically for realigned inmates. With a capacity of 165, Housing Unit 25 supports a variety of programs intended to prepare offenders to return to the communities from which they came. Realigned offenders receive the many programs and services listed above, in addition to post-release services identified below as part of Operation My Home Town (OMHT).

ACSO provides transitional services and linkages connecting sentenced offenders to continuing services on the outside. In January 2012, ACSO opened the Re-Entry Based Incarceration (RBI) House, which provides inmates access to reentry-oriented classes conducted in both Housing Unit 25 and the STEC. Through the RBI House and the OMHT Program, the ACSO provides educational and vocational services and links released inmates with their families. Each eligible inmate works with the on-site deputy probation officer, after which, he/she is assigned to a licensed Youth and Family

Therapist case manager. The case manager provides each offender with a case management plan based on the individual's risks and needs. The case management plan serves as a positive guide, helping the offender navigate complicated systems, post-release. Case managers meet each offender upon release and hold weekly meetings with each person to support adherence to the case management plan.

Through OMHT, the ACSO provides offenders with a program called Furthering Adult Motivation (FAM) and helps them access transitional housing, live-in substance abuse programs, continued mental health services and employability assistance. Additionally, the ACSO helps offenders access general assistance for items like driver's licenses, identification cards, copies of birth certificates, social security and other support, as needed.

An important recommendation in Alameda County's initial Realignment Plan is establishing a multi-agency Transition Center to "create a network of supports to connect [jail inmates] with [County agencies,] community-based organizations and outside service providers upon release." This continuum of supports and services is intended to "create a bridge of supportive contacts to improve [offenders'] likelihood of success post-release."⁷ A key element of this Transition Center will be continued collaboration among the ACSO, the Probation Department, the District Attorney's Office, the Public Defender's Office and case managers to link each inmate's pre-release programming and services with his/her post-release programming and services to help each offender make a successful transition from custody to life in the community. The CCP has made development of such a free standing, collaborative, multi-agency Transition Center a priority objective for Years Two and Three.

Health Care Services Agency/ Behavioral Health Care Services: HCSA and its BHCS Division used existing funding streams available for general population services, some non-exclusionary grant funding, leveraged funds and realignment dollars to work with out of custody realigned individuals who had health, mental health and/or substance use issues. Neither parole service funding nor Mental Health Services Act (MHSA) money was used for realigned individuals in Alameda County.

HCSA and its BHCS Division mobilized their extensive networks of community treatment and service providers⁸ to immediately begin working with the new populations during Realignment's first year. All AB 109 clients were referred for enrollment into the County's HealthPAC (indigent health care program). They were thereby connected to a primary care clinic in their geographic area for assessment and treatment of physical

⁷ op. cit. Alameda Plan, page 8

⁸ See Appendix II for a list of Community Based Service Providers utilized by HCSA and BHCS

health problems and mild to moderate behavioral health issues. Those with more serious mental health or substance use disorders were referred to BHCS's ACCESS referral hub for screening and referral. Those with emergent mental health or substance use disorders were referred directly to inpatient psychiatric or detox services. HCSA/BHCS sought to provide a full range of services including those designed to meet the needs of clients with extensive mental illness histories, clients with episodic difficulty functioning in the community due to mental illness, and clients with substance use or addiction disorders.

Because there are not enough resources to serve everyone across all populations, BHCS prioritizes its comprehensive array of services for those in most need. Going forward, BHCS wants to obtain AB 109 funding to augment some of its services in most demand by realigned clients so they can access those services more easily. Services include but are not limited to screening and referral, crisis stabilization, medication support, wraparound case management teams, residential substance use disorder treatment, and sober living environments linked with outpatient substance use disorder treatment.

BHCS has an ongoing contract to provide mental health services in Alameda County's jails. Realigned inmates, along with all other non-realigned inmates, are served pursuant to that contract. There is a concern that a pre-existing dire need for more mental health staff in the jails to provide necessary assessment, counseling and treatment will be further exacerbated as Realignment's implementation continues and additional numbers of more volatile 1170(h) and parole violator inmates require longer term treatment.

District Attorney: The Plan tasks the District Attorney with continuing to provide victim notification and restitution services; continuing sentencing negotiations when appropriate to facilitate such alternatives to incarceration as formal felony probation, providing information to offenders about opportunities to have certain non-serious, non-violent, non-sex related felony convictions set aside; and working with the Court to create a regular calendar to review such petitions "so that individuals who have suffered felony convictions can seek employment and participate in other programs that support successful rehabilitation." ⁹

In pursuit of these ends, the District Attorney initiated a regular meeting between her and her staff and the Public Defender and her staff. The meetings, which also include Probation, were designed to anticipate issues arising from Realignment and find

⁹ op. cit. Alameda Plan, page 10

common grounds to resolve those issues. The meetings were held approximately every three weeks.

The District Attorney expanded its victim notification and restitution services to victims of persons released on PRCS. From October 2011 to March 2012, the DA investigated a total of 287 cases of defendants released to PRCS. Of that group, 19 cases involving 23 victims were identified as having outstanding restitution owed to the victim. The District Attorney provided each with resource information on how to collect the restitution.

Additionally, the District Attorney wrote legislation which was subsequently passed into law that amended Penal Code Section 2085 to enhance collection of victim restitution from inmates realigned to local custody. Pursuant to this legislation, every county Board of Supervisors can authorize their County Sheriff to deduct monies from inmate trust accounts and redirect those monies to crime victims with outstanding restitution orders.

The District Attorney also worked with Alameda County ITD to write changes into the County's Inmate Locator program so that crime victims can receive email notifications from the County of an inmate's impending release from custody prior to that release. Victims can also obtain email updates of all court proceedings for a specific case as it works its way through the criminal justice system. These modifications help effectuate the crime victim's rights as guaranteed by Article I, Section 28 of the State Constitution.

The District Attorney has continued her commitment to use probation in lieu of state prison for the 1170(h) population and furthered this commitment by expanding the number of people sentenced under Realignment. Between October and August, 2012, of the 2,823 individuals sentenced within Realignment, 2,817 were granted probation. During Realignment's first year, 1,215 individuals initially ineligible for treatment under 1170(h), were made eligible through charging or case resolution.

The Plan further notes that the DA is helping to build an 'Ambassador Team' of representative agencies to reach out to the business community, job training programs and others to encourage hiring and/or creating opportunities for the realigned offenders, including "formerly incarcerated individuals convicted of a felony or felonies and/or those who are on active probation or parole."¹⁰ The DA has begun these conversations and will continue to reach out to community and business leaders to gain the support of local business in providing employment to the reentry population.

¹⁰ DA's Office Report to CCP, "Realignment: The DA's Update," September 2012, page 4

The District Attorney's Office reports that, during the first year of Realignment, it has utilized its Corrective Intervention/Restorative Justice process to review nearly 6,000 probation cases for early termination. This program involved a specially assigned DA who reviewed individual cases wherein the offender had successfully served at least 36 months of the 60 month probation period to determine suitability for early termination. The DA continues to work with the court to establish a procedure for early termination of probation. Additional DA staff has reached out to trade schools, community colleges and work sites to inform convicted felons about the right to have convictions set aside under PC 1203.4 and/or to file for a Petition for Pardon and Rehabilitation. As of September, 2012, the Office has talked with approximately 300 individuals and has facilitated petitions to set aside convictions in 89 cases. the court granted the petition(s) in 19 cases.

Public Defender: The Public Defender is charged by the Plan with representing realigned individuals subject to Realignment law, including individuals in revocation proceedings. The Public Defender maintains a high level of service by providing ongoing training to staff on new and evolving legal processes created by Realignment and by working collaboratively with County agencies, community partners and other service providers to ensure the application of evidence-based practices and appropriate placements for realigned individuals.

Additionally, the Public Defender and her staff have convened regularly scheduled meetings with the District Attorney and DA staff, as well as Probation personnel, to address new and/or recurring issues arising in the courts, during the case disposition process, and at other junctures in the adjudication of cases. This proactive collaboration has resulted in resolution of a number of issues, including those pertaining to the ability of the Public Defender to obtain statewide criminal history information essential to the competent disposition of a case by negotiation or trial. It is the Public Defender's Year Two goal to expand capacity for matching clients to appropriate, needed services and placements at *pre-adjudicatory* stages of the process.

Evaluation: The final element of the initial Implementation Plan stresses that the CCP is committed to tracking and carefully assessing its processes, programs and outcomes related to Realignment. The stated intention is to "track the services and outcomes of each individual in the realigned population and to assess the efficacy of the programs those individuals are referred to." Additionally, it is intended that the CCP will track and assess "the recidivism and re-incarceration rates of new populations to be served under Realignment."¹¹

¹¹ op. cit. Alameda Plan, page 11

To this end, in order to learn how and how well Realignment is working in Alameda County, the CCP and its member agencies have initiated information gathering and data collection efforts. They have sought to define populations; define outcomes; manage and where possible coordinate, the various information technology (IT) and data collection systems in place throughout the County; while also complying with legislatively imposed data reporting requirements of the:

- Administrative Office of the Courts (AOC)
- Board of State and Community Corrections (BSCC)
- California State Association of Counties (CSAC)
- California State Sheriffs Association (CSSA)
- Chief Probation Officers of California (CPOC)

Since the inception of Realignment, the Probation Department has produced and disseminated monthly reports describing the PRCS population, its composition and movement through the justice system.

There is still a significant amount of work required to clarify and strengthen data collection efforts and develop and/or improve coordination of agencies' various data collection and reporting systems. To most effectively continue its focus on information gathering, analysis and dissemination, the CCP has created a Data Work Group. The CCP made clarifying definitions, goals and data collection strategies, and enhanced its data management capacity as key goals for Year Two and beyond. By Year Three, the CCPEC is committed to developing a shared information system that will allow for accurate data collection and information sharing to inform public, private and community activities in support of Realignment.

While the initial Plan said the County would contract with a research firm to help analyze and evaluate Realignment data, that has not yet occurred, nor has the development of an also anticipated comprehensive "Evaluation Plan." Both of these efforts are slated to be dealt with in the CCP's Year Two Plan, currently under development.

III. Overview of Fiscal Impact

The Year One Realignment funding formula, crafted by the Legislature and the State Department of Finance, has been considered by jurisdictions statewide to be deficient in enabling adequate resources for community-based services and supports for realigned populations. Because Alameda County is committed to providing a wide range of

services and supports, it devoted significant resources to Realignment implementation beyond those afforded by the state.¹²

The Year One Plan budget allocation, along with corresponding actual expenditures, is as follows:

Realignment Implementation Plan Component	Initial Funding Level	Actual Expenditures
In-Custody Supervision (ACSO)	\$4,000,000	\$11,801,576
Community-Based Supervision (Probation)	\$2,500,000	\$1,303,148
Community-Based Services and Supports	\$2,200,000	\$3,117,468
District Attorney Services	\$250,000	\$262,086
Public Defender Services	\$250,000	\$332,204
Totals	\$9,200,000	\$16,816,482

In-custody supervision expenses reflect the direct staffing and operational costs associated with housing and programming the realigned populations - 1170(h) offenders, PRCS and parole violators.

Community-based supervision expenses reflect staffing and operational costs associated with the establishment of a dedicated supervision unit for the PRCS population.

Community-based services and support expenses reflect costs associated with each of the three primary service areas prioritized under the Plan – employment services

¹² The County's commitment includes expenditures made on behalf of realigned clients by Behavioral Health Care Services, the Health Care Services Agency, the Probation Department and the Social Services Agency.

(\$500,000), housing services (\$500,000), SSA services (\$547,468) HCSA Public Health services (\$806,000) and HCSA Behavioral Health Care services (\$1,200,000).

District Attorney and Public Defender expenses reflect staffing and software costs.

IV. Next Steps

The CCP has established work groups to facilitate ongoing planning and service delivery. The work groups, which will manage the CCP's efforts going forward, and their respective missions are:

- 1) Process - Diane Bellas, Chair
Articulate the goals of realignment in Alameda County, clearly define service populations and outcomes and streamline planning processes
- 2) Data and Information Management - Nancy O'Malley, Chair
Identify short and long term data objectives and identify, coordinate and streamline communication of realignment data among agencies
- 3) Fiscal - Rich Lucia, Chair
Craft annual funding recommendations for submission to the Board of Supervisors; identify and report 'total expenditures' for realignment, showing all resources -- realignment dollars and others -- used to accomplish outcomes
- 4) Procurement - Alex Briscoe, Chair
Streamline procurement processes to expedite funding for CBO providers; enhance accountability in terms of outcomes, performance and reporting
- 5) Programs and Services -- La Donna Harris, Chair
Catalogue existing evidence based and other programs and services available for realigned clients; identify and seek to fill gaps to improve outcomes by addressing the range of client needs
- 6) First Year Evaluation Report -- La Donna Harris, Chair
Report the strategies, activities and accomplishments in Alameda County's first year implementation of Realignment; develop Year Two Plan for CCP referral to the Board of Supervisors

The CCP will utilize these work groups to address specific issues and tasks. In Year Two, the CCP will:

- Clearly define realigned populations, as well as intended outcomes and measures of success

- Craft a long term implementation plan with quality assurance steps
- Develop and implement a comprehensive Realignment evaluation plan and determine the viability of contracting for an external evaluation
- Continue to protect the public through transparent and accountable administration and service focused on developing infrastructure to enhance capacity for supervision, custody, service delivery, data management, communication and feedback processes
- Focus on ensuring effective and supportive transitions from custody to the community, including but not limited to creating a one stop, community based, multi-agency transition center
- Develop and/or expand innovative and therapeutic supports for clients focused on health, housing, education and improving access to family sustaining employment; maximizing partnerships with and funding for community based service providers in these and other areas of client need.

APPENDIX I

FIRST YEAR IMPLEMENTATION DATA

This Appendix presents an overview of data describing Alameda County's first operational year of Realignment -- from October 1, 2011 through June 30, 2012. As noted previously, this data is preliminary and summary. It focuses on the numbers of realigned individuals in Alameda County and the key services and/or interventions provided to realigned offenders.

Alameda County Probation Department (ACPD)

[Source: ACPD Data Analysis Research & Reporting Team (DARRT)]

In the first year of Realignment, Alameda County received:

- **695 PRCS** referrals. Of these,
 - ◇ 639 (91.9%) were male
 - ◇ 56 (8.1%) were female

 - ◇ 422 (60.7%) were Black
 - ◇ 130 (16.7%) were Latino
 - ◇ 104 (15.0%) were White
 - ◇ 22 (3.2%) were Other
 - ◇ 17 (2.4%) were Asian

 - ◇ 335 (54.2%) were between the ages of 21 and 34

 - ◇ 559 (80.4%) had between 1 and 9 prior convictions

 - ◇ 499 (71.8%) had previously been under formal adult probation supervision
 - ◇ 55 (7.9%) were transferred to other counties and
 - ◇ 72 (10.4%) were transferred in from other counties

- Of the 695 PRCS clients sent to Alameda County:
 - ◇ The majority -- **501 (72%) had NO violations** filed in Year One
 - ◇ Of those who did have violations,
 - 65 (9.4%) were No Show Violations (did not appear for first appointment)
 - 62 (8.9%) were AWOL Violations (did not report after first appointment)
 - 82 (11.8%) were New Arrests and

7 (1.0%) were New Arrests coupled with No Show Violation

- ✧ **37 cases (5.3%) were closed per Early Termination at 6 Months**
- ✧ **There are an additional 100 cases pending potential Early Termination at One Year** in October 2012.

- In addition to its 695 PRCS cases, the Probation Department is supervising **7 'Split Sentence'/Mandatory Supervision clients**, i.e. realigned individuals who were sentenced per 1170(h) to jail followed by probation supervision

Alameda County Sheriff's Office (ACSO)

[Source: ACSO Records Office]

In the first operational year of Realignment, the impact on Alameda County Jails included the following:

- The Sheriff's Office reports an average daily population (ADP) of approximately **130 realigned individuals**
- **252 offenders were sentenced to local custody per PC Section 1170 (h)**
 - ✧ the average number of 1170(h) offenders in custody per month was 28
 - ✧ of the realigned offenders sentenced per 1170(h), none was released to a sheriff's alternative custody program or returned to custody for a violation of conditions of a program or for a new criminal offense while on such a program.
- **112 PRCS offenders were booked into the jails.** Of these:
 - ✧ 84 were detained for a new local criminal offense
 - ✧ 28 were detained pursuant to PC 3455(a), for violations of their PRCS supervision
 - ✧ 0 were booked per PC 3454 (c), for flash incarceration only.
 - ✧ There was an average of 4.4 PRCS offenders per month serving time as a result of revocation hearings, with the largest number (15) in custody during the month of May 2012.

The realigned population group which had the greatest impact on the jail in Realignment's first year was the parolee population. As the following numbers indicate, parole violators accounted for more than four times as many bookings as the 1170(h) and PRCS populations combined, and more than five times as many parole violators served jail time as 1170(h) and PRCS violators combined.

- **1,065 parolees were booked for PC 3056(a) parole violations only**
 - ✧ the average number of Parole Violator bookings per month was 118
 - **388 parole violators were booked for new local charges**
 - ✧ the average number of Parole Violators booked for new local charges per month was 43
 - **1,590 parole violators served time as a result of revocation hearings**
 - ✧ the average number of parole violators serving time per month was 176
 - **No parole violators served time as a result of a new local sentence.**
-

District Attorney

[Source: District Attorney's Office]

During the first operational year of Realignment, the District Attorney's office:

- filed **5,665 felony cases**. Of these cases,
 - ✧ **2,737** had charges, clauses and/or prior convictions making the defendant eligible for treatment under 1170(h).
 - ✧ **2,928** had charges, clauses and/or prior convictions making the defendant ineligible for treatment under 1170(h).
 - ✧ **1,215 defendants** in the initially ineligible cases became or were made eligible for treatment under 1170(h) at the time of disposition.
 - Of the **4,504 felony cases** resolved between October 1, 2011 and August 1, 2012,
 - ✧ **2,823 defendants** were sentenced within Realignment;
 - ✧ **2,757** of these were placed on probation with some jail time,
 - ✧ **6** were sent to a drug program
 - ✧ **17** are involved in Prop. 36 programs and
 - ✧ **60** are on probation with no jail time."¹³
-

¹³ op. cit. Realignment: The DA's Update, page 2

Health Care Services Agency (HCSA) Public Health

[Source: HCSA HealthPAC AB 109 Utilization Report]

HCSA's Indigent Care HealthPAC reports having served over **1,170 realigned people** in the first operational year of Realignment; however, it got sufficient identifying data to ensure accuracy and non-duplication for only 53% of those served. Estimating HealthPAC utilization only for those it could fully identify, HCSA reports that HealthPAC provided:

- Health care services to **87 realigned individuals** out of custody. Of these:
 - ✧ 76 (87%) were male
 - ✧ 11 (13%) were female

- Services provided to these patients, mainly through clinics in the community, included:
 - ✧ 41 inpatient days (13 individuals)
 - ✧ 168 outpatient visits and
 - ✧ 108 emergency visits

HCSA / Behavioral Health Care Services (BHCS)

[Source: BHCS AB 109 Utilization Report]

In the first operational year of Realignment, BHCS reports having delivered:

- **2,672 mental health services to 301 realigned individuals in custody** in the Alameda County Jail. Paid for entirely by General Fund dollars, not realignment funding, those services included:
 - ✧ Assessment and Evaluation
 - ✧ Individual therapy
 - ✧ Medication support
 - ✧ Crisis Intervention
 - ✧ Crisis Stabilization
 - ✧ Inpatient care provided in-county at John George Hospital (to 11 realigned individuals)
 - ✧ Inpatient care provided out-of-county at Santa Clara County Jail's psychiatric care center (to 17 of Alameda's realigned offenders)

- **886 mental health services to 94 realigned individuals out of custody**. The majority of these services were delivered by community based providers.¹⁴ Paid

¹⁴ See Appendix II for a list of Community Based Service Providers utilized by BHCS

for by a combination of realignment funding, other BHCS funding streams and leveraged funding from grants and other sources, these services included:

- ✧ Mental Health assessment
- ✧ Plan development
- ✧ Individual therapy
- ✧ Individual rehabilitation
- ✧ Medication support
- ✧ Crisis stabilization/crisis intervention/Mobile Outreach
- ✧ Housing
- ✧ Family therapy
- ✧ Education
- ✧ Vocational/individual employment services/job placement
- ✧ Acute and sub acute mental health services
- ✧ Residential mental health services/crisis residential/adult residential day care
- ✧ Laboratory tests
- ✧ Pharmacy services

▪ **470 substance use services to 23 realigned individuals out of custody**; 100% of these services were delivered by community based service providers. These services included:

- ✧ Treatment planning
- ✧ Sober Services
- ✧ Individual counseling
- ✧ Group therapy
- ✧ Residential detoxification
- ✧ Methadone and
- ✧ Methamphetamine detoxification

Social Services Agency (SSA):

[Source: SSA/CWS]

Of the 672 PRCS clients released to Probation between October 2011 and June 2012, SSA identified:

- **197 who had applied for SSA program services.**
- Of these, **92 (13%)** were currently active on CalWORKs, CalFresh, GA or MediCal when this data was submitted (in October 2012).

The breakdown by program and current status is as follows:

STATUS	CalWORKs	CalFresh	GA	MediCal	Unduplicated persons TOTAL
Active	4	71	42	14	92
Discontinued	6	49	66	3	96
Denied	8	53	24	39	85
Pending	2	5	8	6	13
Total	20	178	140	62	197

Realignment Services by Community Services Providers:

[Source: ACPD Data Analysis, Research & Reporting Team (DARRT)]

In October 2012, the Probation Department, through an on-line survey, requested feedback from community based service providers who had served realigned clients in Year One or who are willing to serve realigned clients going forward.

The survey was sent to **over 100 service provider** contacts. **Thirty (30) agencies** responded as of October 29, 2012. Of these,

- **17 agencies (57%)** provided direct services to realigned clients from October 1, 2011 through June 30, 2012
- **7 agencies (23%)** had not served realigned clients
- **6 agencies (20%)** were unsure whether they had provided services to realigned clients.
- **Special adult populations** served included those with issues of:
 - ✧ Homelessness
 - ✧ Substance abuse
 - ✧ Chronic unemployment
 - ✧ Violent offenses
- **Services the responding agencies provided** and/or have available for realigned clients include:
 - ✧ Case management and referral
 - ✧ Employment / workforce development
 - ✧ Education

- ◇ Substance abuse / behavioral health
- ◇ Additional services and supports such as
 - ◇ basic needs, safety net and social services
 - ◇ shelter beds
 - ◇ benefits assistance
 - ◇ document support
 - ◇ health care screening and referrals
 - ◇ legal services and referrals
 - ◇ financial counseling
- Of the **17 agencies** that reported providing services, **4 (24%) receive one or more forms of funding**. Funding sources included:
 - ◇ Federal, e.g., Federal Department of Labor, Centers for Disease Control
 - ◇ Local (County) e.g. Alameda Reentry Court, SSA, ACPD, BHCS
 - ◇ Local (Other) e.g., Cities
 - ◇ Private / Foundations, e.g., San Francisco Foundation
 - ◇ Grants, e.g., AARP, Wells Fargo
 - ◇ Contracts
 - ◇ Fee for service
- These agencies estimated their total **cost of services to Realigned clients** for the period October 1, 2011 through June 30, 2012 to have ranged from **\$25,000 to \$375,000** and **individual per client costs** to have ranged from **\$53 to \$8,000**

APPENDIX II

**COMMUNITY BASED SERVICE PROVIDERS
USED BY HCSA / PUBLIC HEALTH AND
BEHAVIORAL HEALTH CARE SERVICES (BHCS)
FOR
HEALTH, MENTAL HEALTH AND SUBSTANCE USE TREATMENT**

Alameda County Medical Center (ACMC)

BAART Methadone Maintenance

Bay Area Community Services (BACS)

BACS Woodroe Place

Berkeley Addiction Treatment

Berkeley FSP TAY

BI BETT - Orchid

Bonita House Choices Service

BOSS Oakland Service Team

Choices (Recovery Innovation)

CONREP Mental Health Services

East Bay Community Recreation Project

FFYC Stay Mental Health Services

HAART - Maintenance

HAART - Detox

Horizon Services

Latino Commission El Chante

Mental Health Court Advocates

Native Clinic

Options Recovery Adult Service Team

Pathways to Wellness

Save a Life Clinic

Second Chance - Hayward

Second Chance - Tri-City

South County Crisis Response, Fremont

STARS Adolescent Mental Health Services for Transition Age Youth

TELECARE Strides Adult Service Team

Tri-City Clinic

West Oakland Adult Service Team

APPENDIX III
COMMUNITY BASED SERVICE PROVIDERS
USED BY THE
ALAMEDA COUNTY PROBATION DEPARTMENT

ADULT SERVICES						
FAMILY SERVICES	HOUSING	EMPLOYMENT	EDUCATIONAL SUPPORT	DRUG TREATMENT	MENTAL HEALTH	CONNECTIONS
Pathways to Wellness	City Team Ministries	America Works	East Bay Asian	East Oakland	Asian Community Mental Health Services	Eastbay Community
Healthy Oakland	Allied Fellowship	Cypress Mandela Training Center	Next Step Learning Center	Salvation Army Adult Rehabilitation Center		Mentoring Center (18 – 24 yrs)
La Clinica Alta Vista	Crossroads Homeless Shelter	CIVICORP (18 – 24 yrs)	Oakland Unified School District - Adult & Career Education	East Bay Community Recovery Project		Healthy Oakland
	Beyond Emancipation	Youth Employment Partnership, Inc. (YEP)	Beyond Emancipation			Allen Temple, Dr. J. Alfred Smith Sr., Training Academy (DIASSTA)
OAKLAND						

				One Stop Employment Center -Oakland Private Industry Council	Anger Management & Beyond			Youth Alive
HAYWARD	La Familia Counseling Service	Spectrum Community Services, Inc.	East Bay Works, One-Stop Career Center	Hayward Adult School	Terra Firma	La Familia, Counseling Service	East Bay Community Law Center	
	Spectrum Community Services, Inc.	Beyond Emancipation	Beyond Emancipation	Chabot Community College	Magnolia Women's, Recovery Program	The HOPE Program	Victory Outreach Church of Hayward	
			Hayward Day Labor Center	Beyond Emancipation			Glad Tidings Church	
NORTH COUNTY	Coalition for Alternatives	Youth Engagement, Advocacy & Housing	The Bread Project	Inter-City Services	New Bridge Foundation	Berkeley Mental Health Clinic	East Bay Community Law Center (Clean Slate Program)	
		Berkeley Food & Housing Project		Young Adult Project	Options Recovery Services		Young Adult Project	
		Beyond Emancipation		Beyond Emancipation			Oakland Parks & Recreation Department	

SOUTH COUNTY		Second Chance	Second Chance	Tri-Cities One Stop Career Center	Castro Valley Adult School	C.U.R.A.	Associated Counseling Services	Ashland-Cherryland, Garden & Arts Network
			Beyond Emancipation		Beyond Emancipation			
		Peace Creations	Shepherd's Gate	Tri-Valley One Stop Career Center	Tri-Valley One Stop Career Center		AXIS Community Health	St. Matthew's Baptist Church
		AXIS Community Health	Tri-Valley Haven		Beyond Emancipation		Valley Mental Health Services	
			Beyond Emancipation					
EAST COUNTY								