

Overarching Approach

Use collaboration, innovation, and ongoing evaluation
to foster safety and long-term liberty in Contra Costa County

Primary Approaches for Identifying Priorities

1. Is it consistent with the intent of AB 109?
 2. Does it appropriately reduce the jail population?
 3. Does it support and advance a sustainable reentry system?
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Agreements of Principle

1. Enhance public safety through reducing recidivism.
 2. Foster successful reintegration of individuals back into the community.
 3. Coordinate efforts to reduce duplication and increase efficiency.
 4. Identify additional resources to meet AB 109 objectives and maximize coordination.
 5. Explore options to maximize use of local jail facilities to serve the needs of the AB 109 population.
 6. Maximize public and private partnerships in all phases of implementation.
 7. Maximize interdepartmental and intergovernmental collaborations and partnerships at all phases of implementation.
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Agreements of Practice

1. Identify and define the AB 109 populations
 - a. Post Release Community Supervision (Cal. Dept. of Corrections and Rehabilitation (CDCR) custody to County Probation Supervision)
 - b. PC 1170(h) Sentenced to County jail with Mandatory Supervision upon release (Split Sentence)
 - c. PC 1170(h) Sentenced with no Supervision upon release
 - d. CDCR Parole Violators held in County jail
2. Identify the AB 109 population served by the AB 109-funded services and programs

3. Monitor AB 109 services and programs to ensure appropriate populations are served
4. Share assessment tools and methods and, as appropriate, develop coordinated use of tools, data systems and protocols across programs and agencies
5. Ensure that the service delivery network has adequate capacity to supply services to meet the needs of the AB 109 populations
6. Use evidence based practices, such as cognitive behavioral therapy, to fortify long-term self-sufficiency
7. Define recidivism and establish baselines to measure local progress and outcomes

Related Resources

1. SAMHSA grant
2. Second Chance grant
3. Facilities bond
4. In-custody portion of 52-week batterers' treatment program
5. Board of Community Corrections standards (forthcoming)
6. Court modifications to LJIS to capture some AB 109 sentencing data
7. Sheriff Department AB 109 activity reports
8. Probation Department case management system (in development)
9. Potential court and probation resources for 2013/2014?

Phase 1: Arrest and Pretrial

Objective 1.1. Increase public safety

Strategy a. Monitor the pretrial jail population, in-custody and in custody alternative programs, to track jail use, population baselines and outcomes

- i. Establish consistent definitions for inmate status throughout the arrest and pretrial process
- ii. Monitor the effects of pretrial services on the inmate population to evaluate the impacts on later phases

Objective 1.2. Following arrest, better identify persons who can safely be released and those who should be held in physical custody pretrial so as to reduce the pretrial jail population to maximize capacity for the sentenced AB 109 population

Strategy a. Fund a comprehensive pretrial services program that uses an evidence-based pretrial assessment tool

Activity i. Provide training to justice partners, including the bench and law enforcement, regarding the pretrial services program goals and objectives

Activity ii. Provide for early representation of arrestees at the first Court appearance

Activity iii. Increase opportunities for charged persons to make the first Court appearance out of custody via a notice to appear vs. an arrest warrant

Phase 2: Adjudication and Sentencing

Objective 2.1. Provide timely, informed and appropriate adjudication of all cases

Strategy a. Expand the west county Early Disposition Calendar (EDC) for use county-wide

Strategy b. Provide for an individual needs assessment at the time of adjudication that includes a social history

Strategy c. Where appropriate, encourage Courts to incorporate the recommendations of the needs assessment into the sentence through mandated participation in pre and post-release programs and services

Strategy d. Ensure that alternatives to physical incarceration are available and considered

Objective 2.2. Restructure specialized Courts and calendars to increase efficiency and maximize benefits for the AB 109 population

Strategy a. Evaluate the existing specialized Courts to identify ways to maximize access for the AB 109 population(s), to include homeless Court and reentry Court

Objective 2.3. Utilize evidence-based practices in sentencing

Strategy a. Explore best practices for evidence-based sentencing and adjudication

Strategy b. Provide training to all justice partners, including the bench, regarding evidence-based sentencing

Phase 3: Incarceration

Objective 3.1. Maintain safe facilities (in and out of custody) for inmates, visitors, and staff

Strategy a. To the extent that an increase in jail population is attributed to Public Safety Realignment, identify additional needs to maintain safe facilities

Strategy b. Continue to maximize alternatives to physical incarceration including electronic home detention

Objective 3.2. House AB 109 inmates in the rated facility appropriate for their classification

Strategy a. Move state prisoners out of county custody with expediency

Activity i. Develop agreements/systems to provide routine transportation to state prison

Activity ii. Lobby state representatives to change Contra Costa County's state prison reception center to a closer location

Strategy b. Explore additional and alternative sources of funding to develop facilities and programs, such as SB1022 funds

Activity i. Identify other funding opportunities for collective/joint consideration

Strategy c. Explore the need to expand services and programs to all three county jail facilities

Objective 3.3. Ensure that programs and services are responsive to individual needs

Strategy a. Align people, facilities and programs to ensure accessibility

Strategy b. Develop and enhance community-based and Office of Education services within the jail facilities to meet identified needs

Strategy c. Identify and support the use of community-based providers to deliver services to the incarcerated population

Strategy d. To the extent that an increase in jail population is attributed to Public Safety Realignment, address the increased burden on Detention Health Services

Strategy e. Foster continuity of services on transition from custody to community

Strategy f. Ensure the provision of behavioral and physical health care services to meet individual needs

Phase 4: Pre-Release

Objective 4.1. Establish and maintain an entry point to an integrated reentry system of care

Strategy a. Establish a formal pre-release assessment and planning process to ensure more successful reentry

Activity i. Prior to release from custody, assess individual barriers to successful reentry, such as educational, housing, employment, behavioral and physical health, and additional needs

Activity ii. Create a formal release and reentry plan that addresses the needs identified

Activity iii. Prior to release, assist the inmate in obtaining documents and/or identification needed to secure housing, employment, or public benefits

Activity iv. Where possible, connect inmates with needed services prior to release

Strategy b. Prior to release, establish a plan to connect the individual with transitional services that foster positive social networks and attitudes

Activity i. Help inmates identify and connect with positive social relationships

Activity ii. Expand access to cognitive behavioral treatment programs

Phase 5: Reentry and Reintegration

Objective 5.1. Maximize public safety, accountability, and service referrals

Strategy a. Ensure monitoring and compliance with terms and conditions of all mandated community supervision

Activity i. Employ evidence-based practices in community supervision

Activity ii. Enhance cognitive interventions and strengthen coordination with county and community partners

Strategy b. Engage local law enforcement in planning and enforcement

Activity i. Partner with local law enforcement for information sharing, compliance checks, and service referrals

Objective 5.2. Assist in providing access to a full continuum of reentry and reintegration services

Strategy a. Identify available resources throughout the county

Strategy b. Support planning and implementation of an integrated system of services that may include co-located, site-based resources and services.

Objective 5.3. Provide and enhance integrated programs and services for successful reentry of the AB 109 population

Strategy a. Assist the AB 109 populations to gain access to health care services

Activity i. Facilitate access to physical health services and medication

Activity ii. Facilitate access to behavioral health services and medication

Activity iii. Facilitate access to substance abuse treatment

Strategy b. Expand access to employment support and placement services

Activity i. Provide information and education to employers about existing subsidies and incentives to encourage job placement and employment

Activity ii. Encourage and/or support training and/or subsidized or transitional employment opportunities that address criminal records-based barriers

Activity iii. Expand access to job-specific training and certification programs

Activity iv. Expand access to clean slate services and other legal services to address legal barriers to successful reentry

Strategy c. Facilitate access to appropriate short and long-term housing

Activity i. Work with housing authority to foster access to public subsidies and remove potential barriers

Activity ii. Develop low cost and/or subsidized housing options

Activity iii. Facilitate access to sober living and other transitional housing

Activity iv. Address legal barriers to accessing post-release housing

Strategy d. Provide advocacy and services to foster financial self-sufficiency

Activity i. Improve financial literacy and planning capabilities

Activity ii. Facilitate enrollment in or reinstatement of public benefits including state and federal programs

Strategy e. Facilitate access to and expand educational opportunities

Activity i. Support GED and high school curriculum

Activity ii. Support access to higher education and financial aid

Objective 5.4. Increase mentoring, encourage family and community engagement in reentry and reintegration

Strategy a. Identify appropriate mentoring programs

Activity i. Identify promising and evidence-based practices for mentoring programs that serve formerly incarcerated individuals

Activity ii. Identify and obtain financial support to develop, evaluate and sustain mentoring programs

Strategy b. Foster family readiness, health, safety, and receptivity during reentry and reintegration

Strategy c. Support peer-driven case management to facilitate transition and reintegration

Phase 6: Coordination and Administration of AB 109 Programs

Objective 6.1. Use and encourage professional training to advance system-wide knowledge

Strategy a. Develop comprehensive, coordinated training for service providers and county agencies regarding AB 109 objectives and goals

Activity i. Identify best practices in other jurisdictions regarding AB 109 populations

Activity ii. Support and provide trainings for reentry services provided as appropriate, to foster core competencies

Strategy b. Regularly convene county-wide stakeholders for information sharing and professional development

Strategy c. Encourage development and use of continuing professional education related to AB 109 service delivery

Objective 6.2. Maximize interagency coordination

Strategy a. Explore appropriate relationship of the CCP to the reentry council

Strategy b. Foster community collaboration and input, including through the Community Advisory Board

Strategy c. Establish additional standing committees to address:

- i. Programs and Services
- ii. Data and Evaluation

Strategy d. Improve coordination among different departments, agencies, and service providers

Activity i. Provide resources, such as a reentry coordinator, to support inter-organizational coordination

Objective 6.3. Institute use of data collection and analysis across system of care

Strategy a. Develop standardized metrics and assess impacts on departments and service providers

Strategy b. Capture data and information necessary to measure outcomes that can be readily available to all partners in the county and community

Strategy c. Maximize easy access to key data and information when data/case management systems are developed including, but not limited to, the ability to track:

- i. Recidivism over time
- ii. Demographics of AB 109 and other sub-populations
- iii. Program participation, completion, and outcomes

Strategy d. Facilitate access to and sharing of inter-agency data, as appropriate

Strategy e. Provide for analysis of collected data to measure effectiveness of strategies and interventions

Activity i. Maximize timely and regular analysis to identify areas of strength and/or concern such that early intervention and correction is possible

Activity ii. Provide resources, such as a countywide data analyst, to support data collection and analysis.

Objective 6.4. Develop and use evaluation practices to assess progress and needs

Strategy a. Develop robust, independent evaluation of AB 109 implementation

Activity i. Engage evaluation partners from local universities or other appropriate partners

Glossary of Terms Used in the AB 109 Operations Plan

AB 109	Formally known as the Criminal Justice Realignment Act, Assembly Bill 109 (AB 109) was signed into legislation in April 2011 and went into effect on October 1, 2011. It is the cornerstone of California's efforts to reduce the number of inmates in the state's 33 prisons to 137.5 percent of design capacity by June 27, 2013, as ordered by the Three-Judge Court and affirmed by the U.S. Supreme Court. The primary objective of the realignment legislation is to change the place where many felony sentences are served in cases when the defendant is not granted probation. Instead of being sentenced to state prison, many defendants will be serving their "prison" term in county jail. Realignment does not change any law or procedure up to the point sentence is pronounced. The length of the possible custody terms remain unchanged. Rules regarding probation eligibility remain unchanged. Alternative sentencing programs remain unchanged. What changes have been made to sentencing procedures relate to the fact that defendants now may be sentenced to 58 different county custody facilities, rather than one state prison system.
Behavioral Health (concept)	"Behavioral health" describes the connection between an individual's behaviors and the health and well-being of the body, mind, and spirit. Typically, behavioral health relates to issues of mental health and substance abuse.
Behavioral Health (county department)	Contra Costa's Behavioral Health department was formed in by combining the Mental Health, Homeless, and Substance Abuse departments into one entity.
Board of State and Community Corrections	The Board of State and Community Corrections (BSCC) is a formal state body of 12 members that works in partnership with local corrections systems and assists efforts to achieve continued improvement in reducing recidivism through evidence based decision making. Statutes relating to the authority, programs and mandates of the BSCC are contained in the California Penal and Welfare and Institutions Codes. It operates independently of CDCR.
CDCR	The California Department of Corrections and Rehabilitation (CDCR) is the agency responsible for managing all of the state prisons in California.
Community Corrections Partnership	As an element of Realignment, each county's local community corrections partnership is required to recommend a local plan to the county board of supervisors for the implementation of the Realignment Act. By state mandate, this process is managed by an executive committee consisting of the chief probation officer of the county (as chair), a chief of police, the sheriff, the district attorney, the public defender, the presiding judge of the superior court (or his or her designee), and specified county representatives.
Early Disposition Proceeding	Early disposition proceedings are not common to every courthouse, nor will every court require it as a hearing. An early disposition proceeding is more informal than a trial or official hearing before a Judge in criminal court. There is no Judge present. The early disposition proceeding is an opportunity for both parties to settle the case without having to litigate the issues in trial. During the proceeding, the attorneys will discuss the facts, negotiate the possible consequences and make a determination as to whether they should settle the case or proceed to trial.
Evidence-Based Practices	Evidence-Based Practices (EBP) are approaches to prevention or treatment that are based in theory and have undergone scientific evaluation. "Evidence-based" stands in contrast to approaches that are based on tradition, convention, belief, or anecdotal evidence.
Flash incarceration	Flash incarceration is a type of punishment for violation of the conditions of the terms for someone on PRCS (see below). Flash incarceration is an immediate return to jail for a period of up to 10 days. There is no court involvement in cases of flash incarceration.
Mandatory Supervision	Under Realignment, judges have the discretion to impose "hybrid" or "split sentences" in which offenders serve part of their sentence in county jail and the rest on what is called "mandatory supervision," overseen by probation officers. (See Split Sentences, below)

PC 1170(h)	As of October 1, 2011, California Penal Code 1170(h) provides that some felony defendants must be sentenced to county jail (assuming that probation has been denied). People sentenced under section 1170(h) to county jail are not released to parole or postrelease supervision (PRCS) upon completing their term – unlike those who serve time in state prison. Once the sentence has been fully served, the defendant must be released without any restrictions or supervision.
PC 1170(h)(5)	Also known as "split sentences" (see below), PC 1170(h)(5) gives the sentencing judge discretion to impose a sentence in which the defendant serves some time in county jail and then additional time under mandatory supervision. Once both the custody and the supervision terms have been fully served, the defendant must be released without any restrictions or supervision.
Post-Release Community Supervision (PRCS)	As an element of the Realignment process, the state created a new type of supervision program, called Post-Release Community Supervision (PRCS). People on PRCS are supervised by county agencies (usually the county probation department), not by the parole division of CDCR. People on PRCS are generally released to the county of their last legal residence. PRCS can last from six months to three years, but a person may be released earlier if there are no violations of the conditions of release. People who violate the terms of PRCS are returned to custody in the county jail, not state prison. The only people who are eligible for PRCS are those whose current offense is non-serious, non-sexual, and non-violent (known as "triple nons"). Inmates who do not fit this category are not included in AB109 and are not eligible for PRCS; instead, when they are released from custody they are supervised by state parole.
Realignment	Realignment is the informal name of the Criminal Justice Realignment Act, Assembly Bill 109. (See AB 109, above).
SAMHSA	Substance Abuse and Mental Health Services Administration (SAMHSA, at http://www.samhsa.gov/) is a federal agency that provides research and education about issues of behavioral health (substance abuse and mental illness) and also provides grants to help meet the needs of people with behavioral health issues. It also compiles a searchable database of evidence-based practices (EBP, see above) to address behavioral health issues; you can find it at the National Registry of Evidence-based Programs and Practices (http://www.nrepp.samhsa.gov/)
Second Chance Act	Signed into federal law on April 9, 2008, the Second Chance Act is intended to improve outcomes for people returning to communities from prisons and jails. This first-of-its-kind legislation authorizes federal grants to government agencies and nonprofit organizations to provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce recidivism
Split Sentence	Split sentences give the sentencing judge discretion to impose a sentence in which the defendant serves some time in county jail and then additional time under mandatory supervision. Once both the custody and the supervision terms have been fully served, the defendant must be released without any restrictions or supervision. See above, PC 1170(h)(5)
System of Care	The system of care model is an organizational philosophy and framework that involves collaboration across agencies, community resources, families, and involved individuals to meet the need of a specific population. A system of care can be thought of as "one system with many doors," meaning that services are integrated and coordinated. SAMHSA (see above) says that a Comprehensive, Continuous, Integrated System of Care (CCISC) model is designed to improve service effectiveness and increase capacity for providers operating within the system of care.
Triple Nons	AB 109 applies only to people whose current offense is considered non-serious, non-sexual, and non-violent. As a result, these offenders are sometimes referred to as "triple nons." These are lower-level offenders who would previously have been sentenced to state prison; however, under AB 109 these triple nons come under the jurisdiction of the county, not the state.