

Merced County  
Public Safety Realignment  
&  
Post Release Community Supervision

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**2016 / 2017**

**STRATEGIES – YEAR 6**

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**Executive Committee of the Community Corrections Partnership**

Brian McCabe, Presiding Judge, Superior Court

Larry Morse, District Attorney

Vern Warnke, Sheriff

Scott Pettygrove, Director, Human Services Agency

Norman Andrade, Chief, Merced Police Department

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## I. Update on AB109 Programs and Activities

**The Trident Center:** The Center occupies employees of the Sheriff's Department, Human Services Agency, Mental Health, and Probation. Through evidence-based practices, the multi-disciplinary effort employs a three-pronged approach: public safety; reduced recidivism through rehabilitation; and alternatives to incarceration. Client services include the following, on-sight or through referrals:

- Dynamic Risk & Need Assessments
- Release from Custody Assessments
- Flash Incarceration for Violating Program Rules and Court Orders
- Alternative Sanctions through GPS Monitoring
- Community Supervision
- Warrant Apprehension
- Drug Testing
- Alcohol and Other Drug Counseling (Mental Health Department)
- Leadership for Life (Human Services / See Description Below)
- Child Support Collection Efforts (Department of Child Support Services)
- Literacy Referrals (Library – held at the County Library)
- Employment Testing (Workforce Investment Agency)
- Behavioral Health Client Services (MH)
- PACT Re-entry Meeting Representation (HSA, MH, Probation, DCSS, WIA)

**Leadership for Life:** "L4L" was developed by The Merced County Human Services Agency and is facilitated by employees of the Human Services Agency and Probation Department. Facilitators provide an array of one-stop-shop services: life skills; cognitive therapy; education and career assessments; referrals to homeless assistance; Section 8 housing assistance; general relief / food stamps; parenting skills; and assistance with obtaining driving licenses.

**Day Reporting Centers (Cities of Merced & Los Banos):** Behavioral Interventions, Inc. (BI) continues to serve clients with intensive rehabilitative treatment, educational services, and cognitive behavioral therapy. Identified in the 2015/2016 plan, enhancements were made to both the Merced and Los Banos Day Reporting Centers by adding ten (10) additional slots to the Merced Day Reporting Center and five (5) slots to the Day Reporting Center in Los Banos.

**Behavioral Health Court:** The specialty Court commenced in April 2012. The Probation Department's behavioral health caseload currently has 30 clients with mental health diagnoses. The Court is staffed by the Superior Court, including the Bench, Probation, Mental Health, District Attorney, and Public Defender employees.

**Residential Treatment:** Contract with Community Social Model Advocates (CSMA) for long-term, residential treatment for male and female clients with acute drug and alcohol diagnoses. The contract reserves 3,200 bed-days / year for adult clients.

**In Custody Risk and Need Assessments:** The Static Risk Offender Needs Guide (STRONG) was fully implemented in FY 12/13. Probation officers conduct the assessment on all incoming clients. A probation officer is assigned to the jail facilities to conduct the assessments, which enables probation officers to assign clients to services that fit their individual needs and to the most-appropriate levels of supervision.

**Flash Incarceration & Alternative Sanctions:** PRCS and Mandatory Supervision Clients in violation of conditions of supervision continue to be subject to up to 10 days in custody as an alternative to long-term sentences when violations are less-serious. In addition to flash incarceration, officers are utilizing options such as GPS monitoring and community service when violations are of less-serious nature.

**Warrant Reduction Advocates Program:** The program commenced in fall 2014 as part of a contract with Behavioral Interventions, Inc. A BI program facilitator serves as a nexus between the Probation Department and clients at-risk of being returned to Court and/or jail for violations of probation. Modeled after the highly successful Santa Cruz County program, it is anticipated that this effort will reduce the number of inmates being held in custody under pre-trial status.

**Jail Re-Entry Program:** The program, which is facilitated by Behavioral Interventions, commenced in July 2014. It provides a wide-array of rehabilitative, cognitive, and educational services not unlike those provided in the community Day Reporting Centers. The program has already demonstrated success toward reducing expensive jail bed-days and supporting clients in transitioning from jail to community services. During the past year, the Jail Re-Entry program was expanded to add a correctional officer to serve as the Jail RE-Entry coordinator as well as additional substance abuse counseling services.

**Jail Pre-Trial Supervision Program:** The Probation and Sheriff's Departments continue to collaborate on a program intended to reduce the number of incarcerated individuals pending adjudication. Deputy Probation Officers utilize a nationally-recognized release assessment to determine which individuals are most likely to await adjudication without reoffending. Individuals in the program are supervised by the Sheriff's Department and are open to services offered within the Trident and Day Reporting Centers.

**Adult Services Committee of the CCP**

Formerly known as the Re-Entry Sub-Group of the CCP, the Adult Services Committee (ASC) meets quarterly and welcomes all members of the CCP, concerned citizens, County service providers, and community based organizations. Serving as official CCP meetings, the ASC complies with Brown Act requirements, including public posting in County Administration locations and on the Probation Department's website. The meetings serve

several functions, not limited to the following: report back on program outcomes and progress by probation personnel; opportunity for program facilitators to provide updates; information on related community activities; notices concerning program transition celebrations; consultation from County service providers; and the opportunity for citizens to receive information and provide feedback concerning Merced County CCP programs.

## **II. 2016/2017 Program Enhancements**

### **Re-entry and Rehabilitation Program Expansion**

Through a contract with Behavioral Interventions, the CCP successfully implemented in 2015 an expansion to our current Day Reporting Centers in both Merced and Los Banos. A recent needs-assessment involving staff and administrators of the Sheriff's and Probation Departments concluded the primary expansion needs for 16/17:

### **Transitional Services**

Sheriff's Department custodial personnel are demonstrating a cultural shift that was unthinkable prior to the implementation of Adult Realignment. Administrators and many correctional officers have embraced the core philosophies of evidence based practices and the impact of treatment versus punishment. The Re-Entry Program continues to show successful outcomes. A component that is missing is a transitional piece that will link the offender immediately to outside services. Research shows that the longer the gap in service the higher change for re-offending. This addition of services will work with the offenders shortly before and after their release to ensure their needs are being met and either provide the necessary services or refer to the needed services to aid in their rehabilitative efforts.

### **Responses to Increased Workloads**

Last Fiscal year, in response to increased workloads of Justice staff, the CCP Approved One Supervising Probation Officer, four Deputy Probation Officers, one Deputy District Attorney, one Deputy Public Defender and a Legal Process Clerk.

This year, the Deputy Probation Officer positions have allowed our staff to reduce their caseloads to approximately 45-55 cases per officer. Our administrative supervision caseloads have also decreased with the removal of most of our high and moderate risk offenders.

Based on an average caseload size, there is a need for one additional Deputy Probation Officer. We are seeing a rise in cases being ordered into residential treatment facilities which requires more travel, and that caseload can be reduced with one additional staff member.

### **Supervising Probation Officer**

With the addition of several new DPO's in the past year, one supervisor has been relegated to training many of our new staff. Based on rules and regulations, all new DPO's

must start in our Los Banos Satellite office, with many of them transferring back to Merced upon new officers being hired. Over the past year, the supervisor assigned to that office has been responsible for training and monitoring at least eight new staff during their one year probationary period. That, coupled with the initial training is taxing and leaves a minimal amount of time to supervise a unit of eight deputy probation officers. This position will be dedicated to training new staff as well as continued training when officers change assignments. In addition, this supervisor will assist in the development and implementation of a field training program to enhance the skills of our field staff.

#### **D.A. Investigative Assistant**

With AB 109 implementation five years ago, it was an unknown whether or not prosecutions would increase. Over the course of five years, the District Attorney's office has had to be involved in more court hearings, due to violations of probation, PRCS court hearings, etc. Last year, a Deputy District Attorney was funded with AB 109 funding due to the increased workload. This year it is recommended that a District Attorney's Investigative Assistant be funded. The increased workload of the attorneys trickles down to their investigative staff. The investigative staff has not seen much of an increase in several years.

#### **Deputy Sheriff/Coroner**

Over the course of five years, AB 109 has provided funding to the Sheriff's Office due to the increased workload placed on them. Correctional Officers as well as Deputy Sheriff's positions have been funded to deal with the increased workload. The Deputy Sheriff's positions are generally used to deal with pre and post-trial electronic supervision as well as work with the Probation Department to provide support in supervising higher risk caseloads. With gang violence on the rise, an additional Sheriff Deputy would provide beneficial services to assist in enforcement as well as prevention efforts already taking place in the County. It would be recommended that this position be dedicated to the Merced Area Gang/Narcotic Enforcement Team (MAGNET).

#### **Pre-Trial Services**

The probation department conducts pretrial release investigations and utilizes the Virginia Pretrial Risk Assessment Instrument (VPRAI) to determine the risk related to release of an offender from detention. The Pretrial Service Report provided to the courts includes information related to the defendant's ties to the community, potential danger to the community, reliability for attending court dates, and a recommendation for the court's consideration. The program utilizes electronic monitoring and supervised released under the supervision of the Sheriff's office. The Probation Department requests to hire an additional Deputy Probation Officer to be stationed at the jail to assist with the reduction of the inmate population and hopefully expand the Pretrial Services Program to pre-arraignment defendants.

The Sheriff's Office has identified a need for additional MH services for in-custody individuals as well as those released who require mental health services. After meetings

with the SO, we have identified a plan to provide additional services to the populations mentioned. The correctional officer, Dual Diagnosis Specialist and Mental Health Worker will provides services to the in custody population as needed and will also provide MH services to those clients that are released on pre-trial supervision. In addition, the two MH staff will assist with transition to MH services in the community in order to prevent a lapse in service for these high need individuals. In speaking with SO and CFMG officials there are several individuals that “could be released” during pre-trial confinement if there were services in the community that the individuals could be directed to for MH services. These individuals would continue to be supervised by the Sheriff’s Office, but a dedicated Dual Diagnosis Specialist and MH case manager would also be added to assist in community supervision (provide services, reminders for court dates, etc.)

### **Leadership for Life**

Currently we have two individuals employed to coach our leadership for lie program at the trident center. Both are extra help employees. One of the individuals also assists with the peaceful warrior program at JJCC. It is difficult to find coaches for this program due to the nature of the program, background that is preferred, and the limited hours that can be worked. If a full time position would be available, it would allow us to continue with the L4L program as well as expand the interaction with our clients during the program.

### **Educational/Vocational Services**

Many of our clients have limited education and job skills. Our DRC provides laboratory skills to assist in job searches and role-playing to help them navigate the application and interview process. We are lacking hands on training and career assessments for difficult to employ clients. MCOE has two programs that provide vocational training as well as job placement. The Empower program works with 18-24 year olds to provide job assessment, job preparation training and placement at local employers. The ROP program provides hands on job training in auto mechanics, warehouse (forklift) certification, and construction. This program has a paid internship component with a high success rate for permanent placement with an employer.

After continued meetings with MCOE, it was agreed for MCOE to provide an educational/vocational assessment program to work with our clients. This program will be a structured classroom setting, 2 days a week in Merced and two days a week in Los Banos. Clients will be assessed on career readiness and abilities as well as provided referrals to needed educational services, if required. This will be an open class throughout the year. Clients that meet the criteria for ROP and/or the Empower program will be referred to those programs based on assessments.

### **Transitional Housing**

During the course of the past year at the Adult Services CCP meetings and discussions with the partner agencies, it has been noted there is a lack of housing opportunities for the clients we deal with on a daily basis. The clients we supervise at times are in need of a structured living environment during transition in their lives. Many are not in need of

treatment program, but a short stay in a situation that will allow them to be stable and seek employment and/or education. This could provide a living situation to individuals that would otherwise be homeless. CSMA has recently added a certified Sober Living Environment for men and women.

### **Data Analyst**

A continued unmet need is the addition of a full time data analyst. The need for a dedicated position strictly used for data analysis and reporting has become increasingly evident as realignment reporting has changed throughout the inception of AB 109 and SB 678. This position would perform research, statistical, and other analytical work related to juvenile and adult public safety data; provide timely information and recommendations to public safety operational and administrative personnel regarding, patterns, series, and crime trends; and to fulfill other assignments in functional areas such as project manager, and other areas for the department. This can be accomplished by the addition of a Management Analyst I/II/III.

### **Body Scanner**

The juvenile justice facility has seen an increase in contraband due to the sophistication of the youth housed. The intelligence obtained indicates that the contraband is being brought in through body cavities. Currently, we do not have a way to determine if a youth is concealing contraband in this manner. The MSO purchased a similar product last year for their adult facility. Many of the youth we house are pending adult court charges and will be transferred to the Jail upon their 18th birthday. Much of the contraband found has been associated with these individuals.

### III. Realignment Data & Outcomes to Date

October 2011 through July 2016

#### Caseload Impact

Total Merced Co. Adult Population	3507	5266 (+34%)
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AB109 Cases	Estimated	Actual
PRCS		480*
1170		(No Count)
		891
		415

\*Does not account for subsequent early releases from CDCR to meet prison reduction threshold.

#### Local 1170 Sentence Data

Merced Co.

Jail Only (No Sup or Re-entry)*	6
Split (Jail Followed by Services)	415

\*This area has been modified due to improved data collection efforts.

#### PRCS Recidivism (Felony Conviction during Period of Supervision)

Total Closures	619
Total Felony Convictions	138
<b>*Outcome</b>	<b>22%</b>

### IV. AB109 Allocation for 2016/17

- Community Corrections Sub-account: Approximately \$2 billion will be allocated to counties during 16/17. This is based on adding programmatic allocation of \$1.19 billion and estimated growth of \$85.1 million.
- Community Corrections "Growth" Account: \$125 million will be allocated to counties in the fall of 2016.

### V. County In-Kind Expenses 2016/17

- |   |                  |
|---|------------------|
| • Deputy Probation Officer (Mental Health Dept) –               | \$135,058        |
| • District Attorney & Public Defender (Mental Health Dept.) –   | \$66,927         |
| • Dual Diagnosis Specialist & Clinician (Mental Health Dept.) – | \$247,171        |
| • Personnel & Equipment (Human Services Agency) –               | <u>\$52,400</u>  |
| <b>Total –</b>  | <b>\$501,556</b> |

## **VI. Recommended 2016/2017 Strategies**

### **1. Maintain Existing Programs**

### **2. Expand Program Services**

- Cognitive Behavioral Therapy Case Managers (2)
- Regional Occupational Program
- Empowerment Program
- Sober Living Treatment

### **3. Expand Personnel to Respond to Workload Increases and**

- District Attorney Investigative Assistant
- Deputy Sheriff/Coroner (2)
- Supervising Probation Officer
- Deputy Probation Officers (2)
- Management Analyst
- Probation Assistant

## **Local Community Corrections Partnership**

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Scott Pettygrove, Director, Human Services Agency

Larry Morse, Merced County District Attorney

James Brown, County Executive Officer

Hubert "Hub" Walsh, Chair, Board of Supervisors

Yvonnia Brown, Director, MH and Substance Abuse Services

Robert Morris, Director, Workforce Investment Agency

Steve Gomes, Superintendent, Merced County Office of Education

Sharon Wardale-Trejo, Director, Child Support Services

Lisa DeSantis, Victim / Witness Assistance Program of Merced County

Lamar Henderson, Community Based Programs Representative