

DEPARTMENT: Administration

BY: Rick Benson

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Establish a Community Corrections Partnership (CCP) to be chaired by the Chief Probation Officer as required by SB 678; establish an Executive Committee from this Partnership as required by AB 109; and select a Board member or the County Administrative Officer to the CCP.

Please see the attached memorandum for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Staff Memorandum
Source:		SB 678
Internal Transfer _____		Analysis of AB 109
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
() General () Other		

CLERK'S USE ONLY:

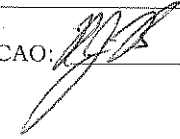
Res. No.: 11-295 Ord. No. _____
 Vote - Ayes: 4 - Noes: _____
 Absent: Langston
 Approved
 Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

CAO: 



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JIM ALLEN, CHAIR
JANET BIBBY, VICE-CHAIR
LEE STETSON
LYLE TURPIN
KEVIN CANN

DISTRICT V
DISTRICT III
DISTRICT I
DISTRICT II
DISTRICT IV



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Establish a Community Corrections Partnership (CCP) to be Chaired by the Chief Probation Officer as Required by SB 678; Establish an Executive Committee from this Partnership as required by AB 109; and Select a Board Member or the County Administrative Officer to the CCP

RES. 11-295

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

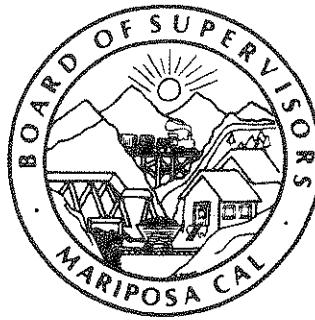
ADOPTED THIS Order on June 14, 2011

ACTION AND VOTE:

- 5 **Administration**
Establish a Community Corrections Partnership (CCP) to be Chaired by the Chief Probation Officer as Required by SB 678; Establish an Executive Committee from this Partnership as required by AB 109; and Select a Board Member or the County Administrative Officer to the CCP
BOARD ACTION: Rick Benson reviewed the request, and he advised of changes in the legislation to remove the County Administrative Officer or County Supervisor from the Executive Committee. Discussion was held. Pete Judy, Chief Probation Officer, provided input and responded to questions relative to the committee and membership. (M)Cann, (S)Bibby, Res. 11-295 was adopted establishing the CCP and selecting Supervisor Allen as the Board member representative/Ayes: Stetson, Bibby, Cann, Allen; Excused: Turpin.

Cc: Pete Judy, Chief Probation Officer
File

Mariposa County Board of Supervisors



RICHARD J. BENSON
County Administration Officer


MARGIE WILLIAMS
Clerk of the Board

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www.mariposacounty.org/board

District 1 LEE STETSON
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4 KEVIN CANN
District 5 JIM ALLEN

June 14, 2011

To: Rick Benson, County Administrative Officer

From:  Mary Hodson, Deputy County Administrative Officer

Subject: Community Corrections Partnership

Recommendation: Establish a Community Corrections Partnership (CCP) to be chaired by the Chief Probation Officer as required by SB 678; establish an Executive Committee from this Partnership as required by AB 109; and select a Board member or the County Administrative Officer to the CCP.

Justification: The passage of Senate Bill (SB) 678 established specific funding to alleviate criminal recidivism by improving local probation supervision practices and capacities. The bill further required counties to establish a CCP to advise on the development and implementation of community corrections programs. The CCP is to be chaired by the Chief Probation Officer and have the following membership:

- Presiding Judge of the Superior Court or their designee
- A County Board of Supervisor or the County Administrative Officer
- District Attorney
- Public Defender
- Chief of Police
- Sheriff
- County Department Head of Social Services
- County Department Head of Mental Health
- County Department Head of Employment
- County Department Head of Alcohol and Substance Abuse Programs
- The head of the County Office of Education
- A representative from a community-based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense
- An individual who represents the interests of victims

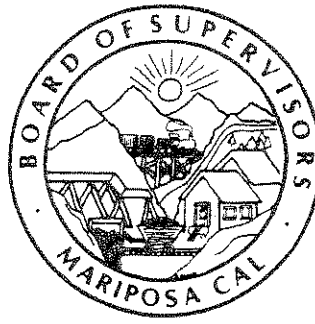
The recent passage of Assembly Bill (AB) 109 further amended the Penal Code by adding Section 1230.1 requiring the CCP to recommend a plan to the Board of Supervisors for the implementation of the 2011 Public Safety Realignment. This section also establishes an Executive Committee from the CCP for purposes of relating to the development and presentation of the plan to the Board of Supervisors. The Executive Committee will consist of the following members:

- Chief Probation Officer
- Chief of Police
- Sheriff
- A County Board of Supervisor or County Administrative Officer
- County Department Head of Social Services

The CCP will begin meeting in the month of June in anticipation of receiving funding in the next fiscal year that will be used for local supervision, treatment, confinement programs, and rehabilitative services to a population previously served by the State prison system. The Chief Probation Officer is setting his meeting and agenda for the CCP and needs to know which Board member to invite or if the County Administrative Officer will be attending.

mbh

Mariposa County Board of Supervisors



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RICHARD J. BENSON
County Administration Officer

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Senate Bill No. 678

CHAPTER 608

An act to add and repeal Chapter 3 (commencing with Section 1228) of Title 8 of Part 2 of the Penal Code, relating to probation.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 678, Leno. Criminal recidivism.

Existing law authorizes the Department of Corrections and Rehabilitation to oversee programs for the purposes of reducing parolee recidivism.

This bill would authorize each county to establish a Community Corrections Performance Incentives Fund (CCPIF) and would authorize the state to annually allocate money into a State Corrections Performance Incentives Fund to be used for specified purposes relating to improving local probation supervision practices and capacities, as specified. This bill would require the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, to calculate the amount of money to be appropriated from the state fund into a CCPIF. This bill would specify that the calculation would be based on costs avoided by the Department of Corrections and Rehabilitation because of a reduction in the percentage of adult probationers sent to prison for a probation failure, as specified. This bill would also require each county using CCPIF funds to identify and track specific outcome-based measures, as specified, and report to the Administrative Office of the Courts on the effectiveness of the programs paid for by the CCPIF.

This bill would require the community corrections programs to be developed and implemented by the chief probation officer, as advised by a Community Corrections Partnership. This bill would require specified local officials to serve as part of that Community Corrections Partnership. Because this bill would increase the duties for certain local officials, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

BILL ANALYSIS

AB 109
Page 1

CONCURRENCE IN SENATE AMENDMENTS
AB 109 (Budget Committee)
As Amended March 17, 2011
Majority vote

ASSEMBLY:	(February 22, 2011)	SENATE:	24-16 (March 17, 2011)
(vote not relevant)			

SUMMARY : This is the 2011 Public Safety Realignment bill containing necessary statutory and technical changes to implement changes to the Budget Act of 2011.

The Senate amendments delete the Assembly version of this bill, and instead:

- 1) Expand the authority of local correctional administrators to use alternative custody methods and establishes day for day credit for offenders serving time in a jail facility.
- 2) Make various changes to the Post-Release Supervision statutes as follows:
 - a) Specify the population to be released onto post-release supervision (non-violent/serious, no third strike conviction, no high risk sex offenders);
 - b) Require the Local Corrections Community partnership to create an implementation plan for post release supervision of offenders and establishes an executive committee within the partnership to make recommendations to county board of supervisors;
 - c) Require the county board of supervisors to designate a county agency to be responsible for post-release supervision;
 - d) Require notification by the California Department of Corrections and Rehabilitation (CDCR) to counties regarding who is being released into post release supervision;
 - e) Require offenders to enter into a post-release community supervision agreement, which includes terms and conditions;

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Page 2

- f) Require the court to establish a process to determine violations of conditions of post-release supervision and revocations; and,
- g) Set parameters for one time offenders to be on post-release supervision and provides authority for release.
- 1) Make various changes to State Parole statutes as follows:
 - a) Specify who remains on state parole (violent/serious conviction, third strike conviction, high risk sex offenders);
 - b) Specify that only lifers can be returned to state prison for a parole violation;
 - c) Specify CDCR's jurisdiction over all offenders currently on parole; and,
 - d) Add the courts as the authority for determining revocations.
- 1) Make various changes to Low Level Offender statutes as follows:
 - a) Redefine a felony to include imprisonment in a county jail for more than a year;
 - b) Change all enumerated penalty code sections to include the phrase "pursuant to subdivision (h) of Penal Code Section (PC) 1170;"
 - c) Amend PC Section 1170 to include (h), which provides 16 months, two, or three years if the punishment is specified to be served in county jail unless the person has a prior

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violent, serious, or sex offense (in which case they serve time in state prison); and,

d) Provide that counties can contract with the state to house felony offenders.

1) Stop state intake and allows local agencies to contract with CDCR for housing juvenile offenders.

AB 109
Page 3

2) Stipulate that this act will become operative only upon creation of a community corrections grant program and upon an appropriation to fund the grant program.

AS PASSED BY THE ASSEMBLY, this bill expressed the intent of the Legislature to enact statutory changes relating to the 2011 Budget Act.

Analysis Prepared by : Joe Stephenshaw / BUDGET / (916)
319-2099

FN: 0000087

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