

# EL DORADO COUNTY GRAND JURY 2013-2014

## HOW HAS PUBLIC SAFETY REALIGNMENT (AB 109) AFFECTED EL DORADO COUNTY?

Case Number GJ-13-19

### Reason for Report

The California Public Safety Realignment Act (referred to commonly as “AB 109”) has had financial and social impact upon El Dorado County and will continue to do so in ways both known and unknown. During the course of the Grand Jury mandatory county jail inspections there were concerns raised which expanded the investigation to look into the function and operation of other county departments that are impacted.

### Discussion

The California Public Safety Realignment Act of 2011 (AB 109) resulted from a Federal Court Order to reduce the State’s overcrowded prison system. This legislation intended to reduce the State prison population by moving lower-level offenders to County jails. Counties became financially responsible for incarceration, parole and parole revocation including all ancillary services related to long-term incarceration.

Pertinent issues related to the effects of realignment were discussed with El Dorado County staff at both jails in Placerville and South Lake Tahoe, Probation Department, Placerville Police Department, Sheriff’s Department and Health and Human Services Department.

The most immediate issues among the staff was the number of additional inmates needing incarceration, parole and probation in a short period of time and the services attendant to them such as higher case loads and medical care. Additional issues are:

- Inmate length of stay can be dramatically longer; as much as 15 or 20 years, possibly more.
- The average age of the inmate population has increased, impacting acute and long-term medical care needs.
- The *sophistication* (i.e. incarcerated for more violent crimes) of inmates has grown and gang affiliation has increased, both requiring more attention to cell assignment and behavior in the general population.
- Jail staff safety training has not kept pace with the increase in more violent jail populations.

The County has established some promising programs using realignment funds.

- A new Community Corrections Center on Durock Road was recently opened providing a collection of services in one location. The Probation Department has oversight along with the Office of Education and Mental Health. Having just recently opened, there isn't enough information to evaluate its long term effectiveness.
- Several new positions have been established (4 Health Education Coordinators, a Public Health Nurse, 1.5 HS Technicians and 1 Mental Health Tech). Physicians, Mental Health Therapists and Pharmacy Services as contract service providers use the bulk of this funding. In an effort to provide seamless service to those being release from jail, two new positions assess inmate needs while still incarcerated to provide those services upon release.
- The Community Corrections Partnership (CCP) Board which has oversight responsibility continues to develop data for effective allocation and expenditure of realignment funds.
- Although HHS has reliable hard data to justify its funding, both local police departments need better data collection. Only by chance encounter are Police departments able to determine if an individual has been a recipient of AB 109 funds.

All Counties receive funding from the State, including El Dorado. The State Corrections & Rehabilitation website reports interesting information, paraphrased:

*A dedicated and permanent revenue stream has been provided by AB 109. Voter passed Proposition 30 created a constitutional amendment prohibiting the Legislature from reducing or removing realignment funding to the counties. The allocation of initial funding to individual counties is temporary. A one-time allocation for 2011-2012 came at the explicit request of the counties, who wanted to be able to assess whether the initial distribution of funds reflects the number offenders they receive.*

*\$400 million was provided to the counties in 2011-2012, \$850 million in 2012-2013 and more than \$1 billion in 2013-2014. In addition, a series of trailer bills, AB 111, AB 94, AB 118, SB 89 and SB 87, were signed in 2011 to secure sufficient funding for counties. Moreover, a permanent allocation of the ongoing revenues is expected to take place in 2014-2015.*

The dissemination of realignment funding within El Dorado County is managed by the Community Corrections Partnership (CCP) Board comprised of representatives from various departments involved including the Chief Administrative Office (CAO), Sheriff, Police Chiefs, Superior Court, District Attorney, Probation, and Director, Health and Human Services (HHS).

The upcoming 2014-2015 funding for the El Dorado County is \$4,100,000. The budget, by department:

Health & Human Services \$1,307,000 32%  
Probation 1,140,000 28%  
Sheriff 1,138,000 28%  
EDC Office of Education 340,000 8%  
Chief Administrative Office 125,000 3%  
PV & SLT Police Departments 50,000 1%

Until now, the primary issue for El Dorado County has been deciding how to effectively use the funds received from the State. The challenge will be to devise a plan for the future based upon the best perception of future needs, the reality of the past and the uncertainty of future funding. The CCP Board has been working on a 2 year budget projection. Current spending reserves now exist. However, in 3 years some projections show it may need general fund monies.

Despite the State's expectation that a permanent allocation of ongoing revenue for funding will take place for 2014-2015, it is uncertain that it will continue at current levels. Coupled with uncertainties of incarceration costs like medical care, it is extremely important that prudent planning takes place.

The need for Transitional Housing is identified by HHS. More than half of those released from county services have no place to live. **Adequate transitional housing is necessary to decrease recidivism.** It's tougher on rural counties where there are fewer service providers. Transitional Housing is greatly needed in El Dorado County and would be a next logical step in services, now that there is a new Community Corrections Center.

Safety training to provide more effective Staff response to prisoners and paroles of a more violent jail population would be an area needing review and revision.

**NO RESPONSE IS REQUIRED.**