

# The Public Safety Realignment Act

## AB 109

### Implementation Plan 2015 – 4<sup>th</sup> Update

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#### County of Fresno



#### **Executive Committee of the Community Corrections Partnership**

Rick Chavez, Chief Probation Officer, (Chair) County of Fresno

Sheran Morton, Fresno County Superior Court

Sheriff Margaret Mims, County of Fresno

Lisa A. Smittcamp, District Attorney, County of Fresno

Elizabeth Diaz, Public Defender, County of Fresno

Jerry Dyer, Chief of Police, City of Fresno

Dawan Utecht, Director, Behavioral Health, County of Fresno



**AB 109  
The Public Safety Realignment Act  
Fourth Update to the 2011 Implementation Plan  
County of Fresno  
November 2015**

**Background**

In the original legislation under AB 109 in 2011, Section 1230.1 of the California Penal Code was amended to read “Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county’s Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, Presiding Judge or their designee, and one department representative listed in either subparagraph (G) (H) or (J) of paragraph (2) of subdivision (b) of Section 1230 as designated by the County Board of Supervisors for related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless the Board rejects the plan by four – fifths of the Board, in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources the plan may include recommendations to maximize the effective investment of criminal justice resources in evidenced-based correctional sanctions and program including, but not limited to: day report centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitutions programs, counseling programs, community service programs, educational programs and work training programs.

On August 19, 2011, the Fresno County Community Corrections Partnership (CCP) Executive Committee approved the Public Safety Realignment Act, Assembly Bill (AB) 109 Implementation Plan for 2011. On September 13, 2011 the CCP placed the Implementation Plan and associated Budget and Salary Resolutions on the Fresno County Board of Supervisors agenda for approval pursuant to Assembly Bill (AB) 117. On that date, the Implementation Plan and the associated budget and resolutions were approved. The Plan has been operational since that time.

**Modifications to 2011 Plan**

Due to the need for modifications of the original plan, in March 2013 the first amended plan was approved by the CCP and the updated plan and associated budget and salary resolutions were placed on the Board of Supervisors agenda and approved in April 2013. In October 2013 the second amended plan was approved by the CCP and placed on the Board of Supervisors agenda with the associated budget and salary resolutions and approved in January 2014. The third amendment and associated budget and salary resolutions was approved by the CCP on November 14, 2014 and by the Board of Supervisors on December 2, 2014.

Modifications to the plan will continue to be needed to increase and maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs for public safety. In keeping with the legislation as to reporting changes in county CCP operational plans and services, this fourth update to the original plan delineates a modification to the original 2011 plan for the County of Fresno with funding allocations by the CCP on November 6, 2015.

### **Program Changes to 2011 Original Implementation Plan**

Programs that were approved and funded in the original Implementation Plan of 2011 are ongoing and or expanded. Due to a modification that has occurred in the operation of AB 109 programming, a fourth update to the plan is required for the Community Corrections Partnership (CCP) as well as the attendant budget and salary resolutions that will be reviewed by the Fresno County Board of Supervisors following CCP approval.

Based on a determination of needs as ascertained through the supervision of AB 109 offenders, the following modification is made to the 2011 approved plan.

Fresno County Probation Department
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### **Post Release Supervision Model**

The initial Implementation Plan set a supervision ratio of one deputy probation officer per 50 offenders. This plan update increases the supervision ratio of one deputy probation officer to 35 offenders for designated specialized caseloads including domestic violence, sex offender and mental health. Based on experience with these three designated caseloads, they require enhanced supervision levels above the general AB 109 caseloads. The general caseloads will remain at a supervision ratio of one deputy probation officer to 50 offenders.

### **Status of Implementation Plan Programs: November 2015**

A review of the 2011 Implementation Plan for Fresno County at the present time reveals that programs slated for implementation have been or are being implemented and the overall tenure and direction of the CCP has been accomplished. Programs identified for initial implementation have been enacted in accordance with evidence based practices and principles consistent with public safety.

Since inception, the direction and goal of the Fresno County Community Corrections Partnership as established under AB 109, has been the successful implementation of the legislation with the consideration of the unique local issues that may impact offender achievements and public safety. A balanced approach has been struck that affords offender accountability with the development of community corrections fitting the needs

and identified correctional issues of this county. The new modification to the Fresno County AB 109 operational plan serves the needs of the County.

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