

The Marin County Community Corrections plan is based on successful partnerships that are constantly reviewing the progress and effectiveness of program goals and objectives. The intentional collaborative structure has shaped the success of the transformation of Marin County's criminal justice system.

Marin County Realignment Report 2011-2014

Community Corrections Partnership

October 2014

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Table of Contents

Table of Contents	2
COMMUNITY CORRECTIONS PARTNERSHIP	3
Introduction	4
Realignment Overview	4
County Approach and Existing Structure/Services	4
Realignment Funding	6
Case Numbers and Trends	9
Offender Demographics	11
The AB109 Team	12
Supervision Officers	12
Alcohol & Drug Program Staff	12
Recovery Coaches	12
Mental Health Practitioner	13
Employment Development Counselor	13
Coordination of Probation Enforcement (COPE)	13
Law Enforcement Coordination	13
The Ritter Center	14
The Marin County Jail	15
Pre-Trial Release Program	15
Alternative Programs - Indigent Funding	15
Jail Pod Programming	15
Jail Medical Services	16
Health Care Enrollment	16
Reentry Team	17
Parole Population	17
Impacts to the Jail	18
Treatment and Support Programs	19
The Recovery Connections Center	19
Mental Health Treatment	19

Substance Abuse Treatment 20
Detoxification Services..... 20
Employment and Training Services Program 21
Subsidized Employment Opportunities 21
Housing 22
Case Management Events and Outcomes 23
Sanctions 23
Flash Incarceration..... 23
Marin County Superior Court Impacts 23
Program Completion Rates 24
Recidivism 25
Next Steps 26

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Introduction

Realignment Overview

The 2011 Public Safety Realignment Act transferred responsibility for a large segment of the state prison and parole system to the county system. This Act moves California away from a mass incarceration structure and toward a greater reliance on community based supervision and rehabilitative programs. It is hoped that this sweeping correctional shift would cut costs and help to reduce recidivism through increased use of community based programs and implementation of graduated sanctions.

Realignment brought three major groups of offenders under county authority for custody and rehabilitation:

- PRCS: those on Post Release Community Supervision (PRCS) who formerly would have been on state parole;
- Those convicted of non-serious (1192.7(c) PC), non-violent (667.5(c) PC) and non-register able (PC 290) sex offenses with no serious, violent, or register able sex offense priors and who are sentenced locally to either:
 - A Straight Sentence to be served in the County Jail or
 - A Split Sentence with time divided between custody and Mandatory Supervision (MS)
- State Parole Violators who must serve their revocation time in County Jail rather than prison.

Counties were provided funding for the new responsibilities and were given broad discretion in building a spending program to support and manage the realigned population specific to their local community. Implementation across the state has varied greatly, depending on the needs and philosophies of the local agencies.

As the three-year anniversary of implementation nears, Marin County has established an integrated and holistic approach to managing the realigned offender. A cross discipline team working collaboratively provides the realigned offender focused supervision, treatment, education and employment resources. The County works with offenders from pre-release through a successful completion from the program.

The following report provides a summary of the County's approach and philosophy, services provided, early outcomes and successes, and issues to focus on as we continue forward.

County Approach and Existing Structure/Services

The success of Realignment is based on strategies and interventions that use evidence-based correctional sanctions and interventions, while providing a supportive continuum of services to meet the local needs. At the onset of Realignment, the County of Marin had already implemented many of the recommended evidence-based correctional practices and found itself well positioned to meet the challenges of the incoming population.

In the Probation Department, a risk assessment tool was in place and staff was trained in evidence based supervision practices such as the use of Motivational Interviewing. Marin County Probation has been recognized for its efforts in evidence based practices by receiving a high performance allocation in

the SB 678, program which awards counties for maintaining low recidivism rates. Prior to Realignment, the Sheriff's Department utilized a comprehensive criminogenic classification process at the Marin County Jail, making them better prepared to facilitate the housing and management of an expanding and diverse custody population. The Jail also had a long history of providing treatment and education programs, and had an established jail re-entry team that worked with community partners to prepare inmates for release.

Based on the infrastructure in place, the Community Corrections Partnership (CCP) developed a strategic and fluid approach to implementation, which allowed for continued streamlining and prioritization of services to meet the varying needs of the growing specialized population. Creating a set of guiding principles that the Partnership could use to frame their discussions and decisions was important to the Marin County planning process. These guiding principles are as follows:

- *Emphasize and ensure public safety*
- *Utilize evidence-based practices*
- *Assist in behavior change*
- *Be collaborative*
- *Be data - driven*

With these principles in mind, the Marin County Plan is based on successful partnerships that are constantly reviewing the progress and effectiveness of program goals and objectives. The intentional collaborative structure has shaped the success of the transformation of Marin County's criminal justice system.

Realignment Funding

The 2011 realignment legislation provided a portion of the state's sales tax revenues to support county realignment efforts. Initial funding only provided a county allocation formula for the first year of the program, leaving future allocations to be determined by the Department of Finance (DOF). The initial formula was based on three factors:

- **Caseload.** Sixty percent of each county's allocation was based on DOF's projection of the number of offenders the county would be responsible for upon full implementation for realignment.
- **Population.** Thirty percent of each county's allocation was based on its population of adults ages 18 to 64.
- **Felony Probation Performance.** Ten percent of each county's allocation was based on its performance under the grant program established by Chapter 608, Statutes of 2009 (SB 678, Leno). Each county's performance under SB 678 is measured by its ability to reduce the rate at which it incarcerates felony probationers.

This formula resulted in a \$1.52 million allocation of funding for Marin for the first nine months of the program. Prior to Realignment, the Jail had a history of inmate treatment and education programs, and the Probation Department had years of experience utilizing risk assessments and evidence based supervision techniques. With a strong collaboration already existing between Health & Human Services and the criminal justice system, the Community Corrections Partnership (CCP) was able to focus funding on enhancing existing infrastructure and personnel, with faith that existing treatment programs and resources established for the SB 678 program would be available to the new population.

This resulted in a first year budget of primarily salary costs to add dedicated deputy probation officers to provide program focused supervision, and Deputy Sheriff's to help manage an expected increase in the complexity of the inmate population. Additional contingency funds were provided to allow the Probation and Sheriff Departments meet the needs of individuals as they arrived. With the security of Realignment funding still under question, the CCP also chose to maintain a healthy reserve.

For the second and third years of Realignment, counties were able to receive an allocation based on one of four allocation methodologies:

- Double the county's 2011-12 allocation.
- The 2011-12 formula with updated population and SB 678 performance data.
- A caseload-driven formula based on the number of offenders the county would be responsible for upon full implementation of realignment as estimated by DOF in 2011.
- A population-driven formula based on the county's population of adults ages 18 to 64.

Marin County Public Safety Realignment: 3 Year Review

For Marin, the population-driven formula provided the most favorable outcome at 4.56 million dollars. This allowed the CCP to begin broadening allocations to provide enhanced services to offenders, including expanding in-custody programs, as well as matching programs being delivered in community

locations for the AB109 and felony probation population. Additional programming included funding for the development of transitional

CCP APPROVED BUDGET	FY 11-12 BUDGET	FY 12-13 BUDGET	FY 13-14 BUDGET	FY 14-15 BUDGET
SALARIES	\$610,200	\$1,812,874	\$1,941,130	\$1,941,130
CONTRACTS	\$33,000	\$778,212	\$858,332	\$858,332
SUPPLIES	\$7,500	\$212,898	\$45,014	\$45,014
CONTINGENCIES	\$125,000	\$250,000	\$250,000	\$250,000
APPROVED BUDGET	\$775,700	\$3,053,984	\$3,094,476	\$3,094,476

housing situations, employment and employment training opportunities, and the addition of recovery coaches to provide peer support and guidance as well as assistance in obtaining services.

With allocations beyond FY 13-14 still unknown, the County continued to maintain a fiscally conservative approach, maintaining a strong and growing reserve. Fiscal prudence was advised even as funding in years two and three were good, due to

the concerns of what a long-term formula would mean for the County. Whereas Marin found itself well-resourced from the start, many counties, especially those in the Central Valley, were not feeling

Department	Budget	% Allocation
Probation Dept	\$958,976	31.0%
Sheriff & Police Depts	\$1,048,924	33.9%
Health & Human Services	\$1,086,576	35.1%

fairly compensated. The potential of having future allocations drop to help other agencies manage larger caseloads was a realistic concern. Having allocated a sound program of resources that were meeting the needs of offenders, the CCP maintained a core allocated budget at just 3 million dollars. This allotted for a reserve that could be used to scale programs to future population levels if allocations remained stable, or in worst case scenario, would allow for a glide period of service reduction if future allocations resulted in a decline of funding.

For FY 14-15, an appointed Realignment Allocation Committee (RAC), comprised of select County CAOs has proposed a new formula for both programmatic allocations and for the distribution of prior year growth revenue. The allocation methodology takes into account prior growth payments which were apportioned to alleviate a variety of inconsistencies in the second year formula that put some counties at a disadvantage. Combining this with a new workload based formula helped create an equitable formula for distribution of the statewide base revenue for each county.

For Marin, the projected programmatic base allocation is 4.9 million dollars plus a small growth allocation. In FY 15-16, the projected programmatic funding allocation falls to 4.16 million dollars, but the reduction is offset by a prior year growth and a one-time “transition” payment. This leaves Marin entering year four of Realignment richly resourced with the ability to consider large scale initiatives and proposals moving forward. In FY 16-17, Marin is expected to receive a base of 4.84 million dollars, plus

Marin County Public Safety Realignment: 3 Year Review

additional growth. The approval of this new approach provides a new level of certainty for the County and allows the CCP to move forward with the addition of further programming and to progressively utilize reserve funding to build additional infrastructure needs that can progress the system of care in the County for reintegrating offenders.

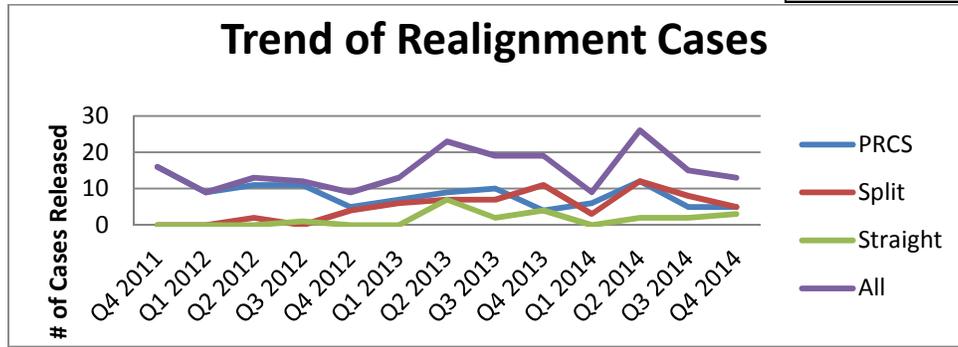
Marin County Public Safety Realignment	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17
Programmatic Base	1,304,178	4,563,074	5,408,045	4,900,330	4,165,280	4,842,177
Growth Allocation			287,360	162,745	925,161	TBD
Transition Payment					1,324,713	
Total Annual Allocation	1,304,178	4,563,074	5,695,405	5,063,075	6,415,154	4,842,177

Total Allocation		\$1,304,178	\$4,563,074	\$5,408,045	\$5,063,075
DEPT	EXPENSE	FY 11-12 ALLOCATION	FY 12-13 ALLOCATION	FY 13-14 ALLOCATION	FY 15-16 ALLOCATION^{est}
PROBATION	DEPUTY PROBATION OFFICER III 2 FTE	\$122,528	\$245,057	\$250,939	\$250,939
	DEPUTY PROBATION OFFICER II	\$57,078	\$114,155	\$116,895	\$116,895
	LEGAL PROCESS SPECIALIST	\$41,560	\$83,120	\$87,276	\$87,276
	DEPUTY PROBATION OFFICER IV	\$64,231	\$128,462	\$131,545	\$131,545
	SERVICES CONTINGENCY FUND	\$75,000	\$150,000	\$150,000	\$150,000
	PRE-TRIAL SUBSIDY	\$25,000	\$50,000	\$50,000	\$50,000
	PROBATION SUPERVISOR		\$76,804	\$157,307	\$157,307
	RENT		\$15,014	\$15,014	\$15,014
SHERIFF	JAIL CONTINGENCY FUND	\$50,000	\$100,000	\$100,000	\$100,000
	DEPUTY SHERIFF (3 FTE)	\$219,952	\$439,904	\$450,729	\$450,729
	COPE SERGEANT, DEPUTY SHERIFF		\$319,783	\$327,458	\$327,458
	PAROLE BED RECOVERY		\$49,000	\$49,000	\$49,000
	COPE SUPPLIES		\$167,884		
	COPE Rent		\$15,314	\$15,314	\$15,314
SRPD	BAIR ANALYTICS CONTRACT			\$65,000	
NPD	COPE OFFICER	\$31,483	\$125,931	\$128,953	\$128,953
HHS	ON THE JOB TRAINING SUBSIDIES	\$7,500	\$30,000	\$30,000	\$30,000
	OJT EMPLOYMENT DEVELOPMENT COORD	\$24,088	\$104,383	\$113,207	\$113,207
	TRANSITIONAL HOUSING	\$8,000	\$50,000	\$100,000	\$100,000
	LICENSSED MENTAL HEALTH PRACTITIONER	\$32,560	\$120,934	\$126,981	\$126,981
	IN CUSTODY CRISIS SPECIALIST (0.5 FTE)	\$16,720	\$54,339	\$57,056	\$57,056
	IN CUSTODY TREATMENT PROGRAM		\$320,000	\$320,000	\$320,000
	COMMUNITY BASED THINKING FOR CHANGE		\$165,532	\$165,532	\$165,532
	DETOXIFICATION SERVICES		\$29,280	\$87,600	\$87,600
	RECOVERY COACH		\$114,400	\$114,400	\$114,400
	MARIN SERVICES FOR MEN - OUTPATIENT			\$34,464	\$68,928
Budget Allocation		\$775,700	\$3,069,298	\$3,244,670	\$3,214,134
Reserve Funding		\$528,478	\$2,037,568	\$4,200,943	\$6,049,884

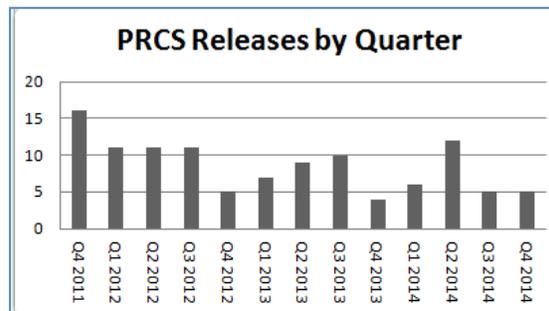
Case Numbers and Trends

Since the inception of the Realignment in October 2011, Marin County has had 112 clients released to the Probation Department on the PRCS program; and sentenced 88 new cases to serve a prison term in the County Jail under 1170(h) for a total population of 200 offenders.

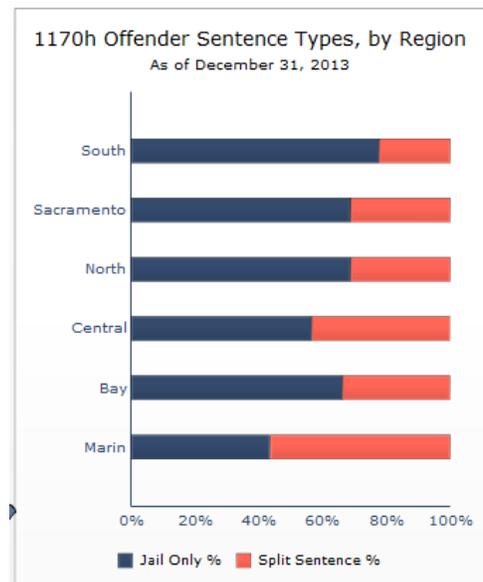
Case Type	
PRCS	112
SPLIT	65
STRAIGHT	23
Grand Total	200



¹The PRCS population count was expected to be on a continuous decline as fewer inmates released from prison meet eligibility requirements for the program. While Marin has experienced a decrease in PRCS releases over time, we continue to see an average of five cases per quarter three years into the program. This is in line with statewide trends where most counties are experiencing a leveling out of PRCS numbers, but not a significant drop as originally expected. (California State Association of Counties, 2014).



Since the inception of Realignment, the Marin County Superior Court has sentenced a total of 88 cases to a prison sentence to be served in the local jail. Of the 88 sentenced to the County Jail, 65 (74%) were ordered to serve split sentence and 26% of these cases have been sentenced to straight time, well below the statewide average for utilization of straight sentences. Straight sentences result in custody time only, with no "tail" of supervision. Prior to Realignment, these offenders would have had a period of supervision by State Parole following the completion of their full prison term. State Parole officers would have assisted the released offender in accessing treatment and assistance. An offender sentenced to a straight sentence receives none of these



¹ <http://www.cpoc.org/assets/Realignment/dashboard.swf>

services, and once custody time is completed, the offender is fully released without any transition or treatment provided.

It is worth noting that in several Marin cases the ordered sentence time was at or near the total custody credit the defendant already had deemed “time served.”

Split sentencing is a primary tool in the goal of Realignment legislation which explicitly states that it was “not intended to alleviate state prison overcrowding”. A split sentence allows the judicial officer some discretion in the crafting of a sentence to meet the unique needs of an offender, by ordering mandatory supervision which includes enhanced supervision by the probation department and access to the full resources of the AB109 program, including housing, employment assistance, and ongoing treatment and support. Despite the enhanced programming available to the realigned population, it costs more to house a person in jail than it does to supervise them in the community. Additionally, what is possible in terms of rehabilitation and treatment under supervision, granted enough time, is far more powerful in recidivism reduction than jail time.

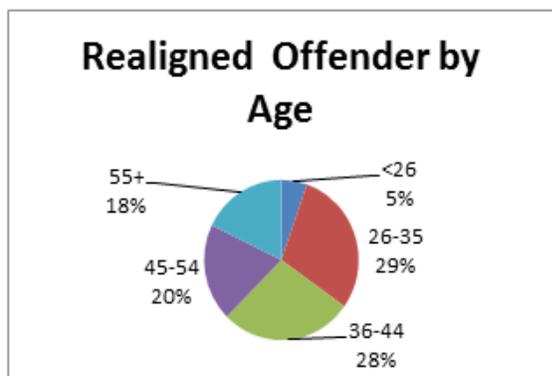
Prison Sentence	Straight	Split
Less than 2 years	12	17
2 - 5 years	11	44
5 years or longer	0	2

Statewide, concerns have been raised regarding the potential duration of offenders serving prison terms in the county jail. This has not been an issue in Marin where the longest straight sentence ordered has been 3 years. Split cases have largely resulted in ordered custody time of less than three years as well. The Marin County Jail also enjoys an average daily population number that is actually lower than the start of the Realignment Act.

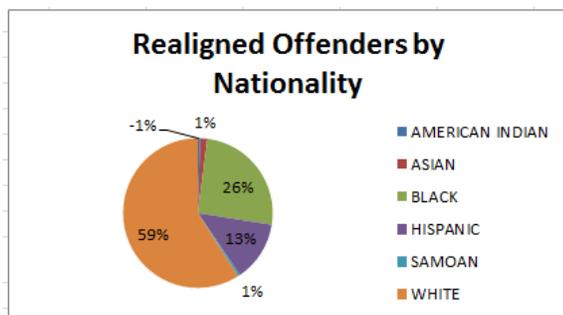
Offender Demographics

Overall, the realigned population in Marin is largely comprised of white males over the age of 36. Over 71% of the realigned population in Marin has a High School Diploma, General Education Diploma (GED) or higher level of education. Offenders are predominantly precariously housed upon release and are largely unemployed with few resources. A risk assessment is completed on all PRCS offenders when released to PRCS or Mandatory Supervision.

Gender	PRCS	SPLIT	STRAIGHT
FEMALE	6	8	5
MALE	106	57	18
TOTAL	112	65	23



Age	PRCS	SPLIT	STRAIGHT
<26	6	3	6
26-35	33	16	8
36-44	31	20	3
45-54	22	15	4
55+	20	11	2
Total Cases	112	65	23



Nationality	PRCS	SPLIT	STRAIGHT
AMERICAN INDIAN	0	0	1
ASIAN	0	3	0
BLACK	36	10	5
HISPANIC	13	9	4
SAMOAN	0		1
WHITE	63	43	12
Total Cases	112	65	23

Education Level	PRCS	SPLIT	STRAIGHT
No Formal Education	3		
Some High School	16	12	7
High School	38	14	8
GED	21	13	3
Some College	10	17	4
Bachlors Degree	5	6	1
Unknown	18	3	
Grand Total	112	65	23

The AB109 Team

There is a core team of personnel that work closely together to oversee the management and rehabilitation of the realigned client base. The team meets bi-monthly to review active cases. They work collaboratively on modifying case plans based on the clients progress and adjustment in the community as well as the availability of resources intended to address his/her criminogenic needs.

Supervision Officers

The Probation Department's AB109 Unit is responsible for the supervision and rehabilitation of all PRCS and Mandatory Supervision Clients. The Unit is staffed by two Deputy Probation Officers (DPOs) who provide dedicated case management to PRCS and Mandatory Supervision Clients, and one DPO providing pre-release case management for those serving a term of custody under 1170(h)(5)(b). DPOs include clients in their case planning and utilize motivational interviewing techniques to enhance communication and promote their recognition and understanding of those issues impacting their reentry success. DPOs work with the larger AB109 team and service providers to create collaborative case management plans based on a validated risk and needs assessment tool, unique case factors, mental/medical health issues, prior performance on probation, and other variables specific to the individual.

DPOs begin building relationships with clients prior to their release from custody, working to establish housing arrangements, eligibility for social service programs such as general assistance and Medi-Cal, and make contact with family members who may provide a support structure. The DPO may recommend special conditions for upcoming supervision, treatment and services to be accessed upon release. In the case of PRCS clients, the DPO will, whenever possible, pick the client up from the prison upon their release and escort them to the County.

Once a client is in the community, the DPO develops a case plan specific to the client's criminogenic needs. The DPO provides integrated case management of the offender, providing referrals to services and works directly with service providers to manage all aspects of their rehabilitation. DPOs hold the offender accountable for meeting the conditions of their probation and may use both sanctions and rewards to help motivate clients to achieve goals.

Alcohol & Drug Program Staff

The Alcohol, Drug and Tobacco Division of Health and Human Services provides professional contract development and oversight for all treatment services for the realigned population. This includes the coordination of outpatient and residential treatment programs, sober living environments and jail and community based behavioral treatment programs.

Recovery Coaches

Recognizing that realigned offenders would be at greater risk of failing to meet supervision requirements, the CCP approved funding for a full time Recovery Coach. The intention of the recovery

coach is to focus on the dynamic factors that are correlated with recidivism such as antisocial attitudes, antisocial peer associations, and substance abuse. Recovery Coaches work closely with the offenders and Deputy Probation Officer to assist in identifying and obtaining support needs, from driving them to treatment to going to purchase basic necessities. While connecting clients to services and resources, recovery coaches work with offenders in a one-on-one atmosphere on developing cognitive social awareness including recognizing apathetic tendencies, identifying problem solving and self-control deficits that prove to be barriers to employment, safe and stable housing, and relationships.

Mental Health Practitioner

As part of the system of care designed for the AB109 population, the Division of Mental Health and Substance Use Services hired a Clinical and Forensic Mental Health Practitioner. The Practitioner is responsible for completing a thorough psychological evaluation by utilizing a clinical interview and mental status exam and various empirically based testing measures². She also is able to provide weekly therapeutic check-ins for those in custody. For those released to MS or on PRCS, the Practitioner provides clinical and forensic tests, referrals to services, and acts as their mental health case manager throughout their supervision.

Employment Development Counselor

An Employment Development Counselor was added to the team to focus on building and expanding employment and training services to support successful community integration for realigned clients. An array of tools is utilized to determine the client's need for training or immediate placement into job search. The Counselor works with each client to develop an individualized job search plan tailored to their personal situation and accounts for their criminal background, creates a job search portfolio and provides post-employment support.

Coordination of Probation Enforcement (COPE)

The County's COPE Team provides support to the AB109 team by and providing field support for enforcement activities across the County including home visits and fugitive apprehension.

Law Enforcement Coordination

Coordination among the Sheriff's Department, local law enforcement, and Probation is a critical component of AB109 implementation. The AB109 Unit Supervisor is responsible for the overseeing the AB109 Unit and ensuring timely and appropriate communication with all stakeholders. In this role, the Supervisor coordinates the bi-monthly meetings

Story of Success

During my experience with Marin Employment Connection, specifically with Rebekah Reali, I have felt nothing but absolute comfort and accomplishment. As a result of this interaction, my life has changed in leaps and bounds for the good. I will be forever grateful for all that has been provided to me by MEC and Rebekah.

Joshua Burnham

² Types of testing include: MCMI-III, Corrections Report, SIRS-2, WAIS-IV, and others.

of the larger AB109 team and acts as the central agency contact for all law enforcement inquiries regarding Marin County realigned offenders. A Legal Process Specialist supports the AB109 Unit and is responsible for the production of the weekly offender notification list that is issued to local law enforcement and details location and status of each Active AB109 Offender.

The Ritter Center

Located in downtown San Rafael, the Ritter Center has been a key partner in meeting the needs of the homeless and low income realigned offenders. These services are at no cost to those who meet the financial requirements. The Ritter Center makes basic services such as showers, laundry and mail services available to all in need. The Center also offers a medical clinic and psychological assessments on an as needed basis.

The Marin County Jail

Built in 1994, the Marin County Jail (MCJ) facility consists of 222 medium-security, direct supervision cells arranged in six pods. Pod configurations include three general population male pods of 41 cells each, one general population female pod of 35 cells, one pod of 14 protective custody and 14 administration segregation cells, and one medical/mental health pod of 36 cells. With double bunking in cells, MCJ has a total bed capacity of 376 beds.

	2009	2010	2011	2012	2013	2014
Average Daily Population	304	284	293	290	285	290
% of Capacity	81%	76%	78%	77%	76%	77%

One of the early concerns of realignment was the capacity for local jails to absorb the new realigned population. In Marin, this has not been a major concern. The County already had established alternative custody programs in place and the average daily population prior to 2011 was less than 80% of capacity. Preparing for a changing population that would include higher-risk felons serving longer custody times, the County took several steps to manage the existing population that would be displaced, or impacted by the incoming population.

Pre-Trial Release Program

At the onset of realignment, 82% of the daily population in Marin County Jail was awaiting trial. Enlisting Leaders in Community Alternatives (LCA), pre-adjudication inmates are interviewed to determine their potential for release until trial. LCA may recommend to the Court that an inmate be released on their own recognizance or placed on electronic monitoring with conditions such as the Global Position System (GPS) ankle bracelet.

Alternative Programs - Indigent Funding

To increase the number of inmates accessing pre-trial release and alternative custody programs, the CCP provided funding to cover the application and daily monitoring fees for indigent persons who would otherwise have the financial inability to be released on the pre-trial monitoring program or under the supervision of the County Parole Board.

Jail Pod Programming

Provider: Bay Area Community Resources (BACR)

A critical element of Realignment is the coordination and provision of rehabilitative services to facilitate offenders reentry. Realigned offenders sentenced to confinement in the County Jail are able to take part in a comprehensive set of programs to help them start down the path to recovery. With the provision of CCP funding, the Jail has been able to establish drug treatment and recovery services within the pods along with the provision of several evidence-based treatment workshop series including:

- “Thinking for Change” (T4C) A cognitive Behavioral treatment program which addresses social and emotional criminogenic needs in order to produce behavioral change.

- “Making It Work” A work readiness workshop series that assists a person in changing thinking patterns, setting goals and responding to negativity in a productive and social way.
- “Seeking Safety” A treatment curriculum for Post-Traumatic Stress Disorder (PTSD) and substance abuse.

As a continuation of in-custody services, many of the custody programs are also provided in the community in three convenient locations across the County, allowing for fluid community transition. Although priority in the jail is given to realigned inmates, other inmates can participate if space is available. The community programs are available to the realigned population and to the larger supervised probation population.

<i>Thinking for a Change - Cognitive Behavioral Therapy</i>		
<u>Participant Outcomes</u>	<u>July 2012 to 2013</u>	<u>July 2013 to 2014</u>
# of AB109 Clients who Participated in T4C	13	49
# Attended T4C – In-custody	1	39
# Attended T4C – Novato	3	2
# Attended T4C - San Rafael	4	4
# Attended T4C - Marin City	5	4
*** # Graduated T4C Program	4	

In addition to treatment programs, the jail provides an opportunity for inmates to attain a GED, improve their literacy and to receive certified training in the Jail’s kitchen. A bakery was added to the Jail in 2013 to provide another job training/work opportunity for inmates.

Jail Medical Services

Realignment impacts the medical and dental needs of inmates. MCJ faces an aging and sedentary inmate population. These inmates may initially enter the Jail with compromised health. Therefore, long-term jail sentences increase the need for healthcare services and preventive care services which the current facility is limited in providing, requiring that inmates be transported to outside doctors for medical care and dental care. Preexisting medical issues and procedures have to be continued without interruption i.e. dialysis, pre natal care, rehabilitation, diet, etc. This has put a strain on the Transportation Unit and has tripled the workload.

Health Care Enrollment

In January of 2014, the Affordable Healthcare Act expanded Medi-Cal coverage. Expanded Medi-Cal now includes preventative services and funding for substance abuse treatment and psychotropic pharmaceuticals. To ensure that all eligible justice involved individuals are enrolled in Medi-Cal upon release, a Certified Enrollment Counselor (CEC) reviews the monthly pre-release report and works with the County Eligibility Department to identify anyone who may be eligible but is not currently enrolled. The CEC meets with each potentially eligible inmate and helps them get enrolled. This allows the re-entry team to help establish a healthcare home and continuation of medication that may have been prescribed in the County Jail. Since the start of 2014, 84 inmates have been successfully enrolled in Medi-Cal.

Reentry Team

In 2009, the Marin County Jail Re-entry Team was created to focus on assisting offenders being released from incarceration and re-entering the community. Participants included the Marin County Sheriff's Office, Probation Department, Health and Human Services and representatives from community based organizations available to assist with a healthy transition into the community. The Re-entry Team has been successful in preparing persons for their release by connecting them to programs that will make a difference as they leave the structured environment of the Jail. This may include ensuring they have attended workshops while in custody as well as assisting inmates in signing up for general assistance and providing clothing and shelter arrangements. The re-entry term provides support to all offenders being released, working closely with probation officers for a warm handoff of offenders on Mandatory or General Supervision and providing a safety net for those leaving Jail with no supervision to follow.

Story of Success

Demarquis Mchenry, was sentenced to a 2 year straight term in the Marin County Jail. While in custody he attended the “*making it work*” and “*thinking for change*” courses. The re-entry team assisted Demarquis in preparing a resume prior to his release and coordinated his return home. Six months following his release Demarquis remains clean and sober and has not had any new charges filed.

Early Transfer of PRCS Release

The County recently signed into an agreement with the California Department of Corrections and Rehabilitation (CDCR) to transfer “realigned” inmates who are within sixty days of release to the custody of the Jail for the purpose of participating in the local re-entry process and community transition programs. The agreement provides that no more than 10 eligible PRCS offenders will be released to the Marin County Jail at any one time and provides a daily rate to the County for housing the offender for the last 60 days of their prison term that would have otherwise been served in a State Prison. It is expected that by being exposed to local programming opportunities and being able to work closely with Probation and the Re-entry Team, these offenders will have a higher level of success resulting in reduced recidivism and less subsequent local jail time.

Parole Population

In addition to the realignment of offenders entering and leaving the prison system, Realignment resulted in the local jail having responsibility to house state parole violators. Prior to Realignment, local jails would receive reimbursement for the housing of state parole violators until they could be transported to their parole revocation hearing. Parole revocations are now served in the County Jail but may not exceed 90 actual days. With 408 offenders booked on a PC 3056 parole violation since October 2011, the population has not been a significant enough number to impact the population count at the Jail given the measures taken to divert pre-sentenced offenders from awaiting trial in jail and low level offenders to the alternative custody programs. However, like the other realigned offender populations, the state parole population represents a more institutionalized population that increases the complexity of offender classification and management.

Impacts to the Jail

Since the inception of Realignment, the County has implemented sufficient programs that have actually resulted in a slight decline of adult daily population. However, while the County has been able to manage the additional population, realigned offenders are slowly changing the composition of the jail population. While the realigned offender's most recent offense is nonviolent, non-serious, and non-sexual, they may have a past history of crimes that are very violent, very serious and sexually motivated, making it a very dangerous environment and creating a change in criminal and institutional sophistication. These inmates present dangers to themselves, to other inmates and to Jail staff. So, while average daily population in the jail has declined slightly since the inception of realignment, the MCJ is at full capacity for specialty beds for the mentally ill, administrative segregated inmates and disciplinary problems.

Due to the higher level of criminal sophistication and needs of the new population, a more detailed classification system of inmates has been implemented to separate incompatible groups to minimize violence and intimidation. The MCJ is experiencing a higher level of stress and conflict among the inmates and a higher level of criminal sophistication. There has been a slight increase of violence both inmate to inmate and on staff. To manage the changes in population, the Jail has increased correctional staffing for pod oversight and inmate movement.

The County has been able to manage population numbers and is fortunate to have a modern jail facility. With cells clustered for inmate separation by population type, and room for treatment and programming, the Jail is capable of handling the challenge they have been presented with thus far. However, it is important to note that these long-term commitments are ill suited for the Marin County Jail facility. The Jail lacks proper recreation and outdoor space, medical facilities and long-term programming appropriate for a population that may be facing lengths of stays beyond one year.

Treatment and Support Programs

Over the three years of Realignment thus far, treatment and supportive services have been provided to 109 of the 112 PRCS (97%) and 76 of the 88 offenders released to Mandatory Supervision (MS) or released on a Straight Sentence (86%) who act independently on referrals received from the Re-entry Team .

The Recovery Connections Center

Provider: Bay Area Community Resources (BACR)

The Recovery Connections Center (RCC) is a centralized assessment center located at the Marin County Health and Wellness campus in San Rafael, Ca. The RCC provides AB109 offenders with priority services who will be given an appointment within two days of outreach. The RCC also provides an Assessment Counselor for AB109 offenders who still reside in custody. The Counselor conducts the assessment inside the Marin County Jail site pre-release.

<i>GAIN Assessments</i>		
<u>Participant Outcomes</u>	<u>July 2012 to 2013</u>	<u>July 2013 to 2014</u>
# of AB109 Clients Assessed with the GAIN	35	24
# Linked to Mental Health Treatment	9	15
# Linked to Substance Abuse Treatment	16	19
# Linked to Other Community Resources	10	13

The assessment tool that is used is the Global Appraisal of Individual Needs (GAIN). This tool is a comprehensive bio-psychosocial assessment tool. It uses the client’s background information to assess substance use, physical health, risk behaviors, mental health, environmental factors, legal status and vocational information. Training in the use of GAIN is required, and the counselors at the RCC are trained specialists.

Mental Health Treatment

An increasing number of the AB109 population are presenting with Mental Health issues. The Clinical Mental Health Practitioner provides weekly support to those who are incarcerated and mental health case management for the PRCS and Mandatory Supervision. The Probation Department has accessed their contingency funding to provide individual mental health therapy for those offenders with a higher level of need. The need to have this budgeted in Health and Human Services is probable.

<i>County of Marin - Mental Health Services Referrals</i>		
<u>Participant Outcomes</u>	<u>July 2012 to 2013</u>	<u>July 2013 to 2014</u>
# of AB109 Clients Served	22	23
# Referred to County Medical Clinic	9	18
# Referred to Individual Therapy/ Psychotherapy	10	12

Substance Abuse Treatment

Primary Providers: Center Point, Inc., Marin Services for Men

Using SB 678 funding, the County had committed to a contract for offender substance treatment and residential services with Center Point. At the onset of Realignment, the Centerpoint contract was utilized to provide necessary treatment services. As the primary provider for treatment for all persons on probation, the incoming realigned population began to exceed the capacity of Centerpoint’s program.

The County established relationships with additional providers to provide more choices and the ability to match offenders’ needs to available programs. Marin Services for Men has stepped in to provide additional treatment services options, serving the growing number of clients in treatment.

<i>Residential Detoxification</i>		
<u>Participant Outcomes</u>	<u>July 2012 to 2013</u>	<u>July 2013 to 2014</u>
# of AB109 Clients Served	27	33
# Admitted to Substance Abuse Services	13	28
# Did Not Attend Substance Abuse Treatment	14	5
# With Repeat Episodes	17	16
# With Repeat Episodes / Did Not Attend Substance Abuse Treatment	13	1

Detoxification Services

Provider: Helen Vine Detox

The CCP has invested in dedicated bed space at the local detoxification center. This allows Probation and law enforcement to focus on a graduated sanction management platform by allowing an alternative to booking the offender at the County Jail for a

relapse, motivating the client to take positive steps and enter treatment. The detox center has also been utilized to provide an emergency sober living environment for a client awaiting placement in a residential program or Sober Living House (SLH).

The data this year shows a dramatic increase in the AB109 clients who utilize detox being connected with substance abuse treatment services. The highest need clients are those with repeat episodes in detox. The data shows 94% of those clients with repeat episodes continuing with an admission into a substance abuse treatment program

<i>County of Marin - Marin Employment Connection</i>		
<u>Participant Outcomes</u>	<u>July 2012 to 2013</u>	<u>July 2013 to 2014</u>
# of AB109 Program Participants	59	81
# Referred to Training	13	8
# Successfully Employed	32	51
# Enrolled in Subsidized Employment	9	12
# Of Work Exempt	8	2
# Refused to Participate or Returned to Custody While Receiving Services	8	3

Employment and Training Services Program

The program begins with a referral and intake process designed to set goals and build a case plan for each client in conjunction with their Deputy Probation Officer. Employment Counselors gather information on personal, educational, employment, drug/alcohol and medical history during the intake process. The intake is used to assess housing, transportation, legal assistance, child care, and other critical needs that must be addressed in order for a client to successfully obtain and retain employment. The Marin Employment Program (MEC) collaborates with local community resources to meet each individual need.

As part of the job placement services, each client is given an array of vocational assessments. The vocational assessment tools that are used are CASAS, Myers Briggs, MEC's career assessment workshop and The Offender Reintegration Scale which determines their need for training or immediate placement into job search. Training services include support with researching training programs, enrollment, tuition assistance, transportation, and needed supplies including tools and uniforms.

Subsidized Employment Opportunities

Marin Employment Connection (MEC)

Subsidized employment provides multiple benefits such as the opportunity for AB109 clients to become reacquainted with the workplace, sharpen existing skills, learn new skills, gain an employment reference, and earn income. The Employment Counselor works in tandem with the Marin Employment Connection's Business Services Unit to identify local employers interested in employing AB109 clients. Efforts focus on finding entry-level positions and/or labor-oriented positions that accept clients with criminal backgrounds and are not in conflict with offender stabilization and community integration. Current employers that participate in the subsidized employment program are Goodwill Industries of San Francisco, San Mateo and Marin Counties; Educational Tall Ships; and Epicurean Group. This kind of collaboration helps to establish positive community ties and personal accountability for the realigned population. These employers have placed a total of 12 clients, and six have gone on to obtain regular hire status.

"Marin Employment Connection (MEC) provided us with a reliable, honest employee who has been very enthusiastic about working as a part of our team. He has been a positive addition to our construction crew, and we have been very pleased with his work. The staff at Marin Employment Connection has been very supportive of both our company and the subsidized employee in this work arrangement. We had some concerns about involving the re-entry population with our educational nonprofit, which the MEC staff were more than willing to address and alleviate. We feel comfortable with the level of safety and support that MEC provides to both our company and the subsidized employee. Educational Tall Ship looks forward to continuing its relationship with MEC and providing more work experience opportunities in the future."

Sam Schow- Director of Education, Educational Tall Ship

Housing

Lack of housing has been the most prominent issue for the entire realigned population. Marin has taken an aggressive approach to ensuring that all realigned persons have a roof over their head. Only 12 of the 200 realigned clients have had family homes to return to. The remaining 94% have been housed in transitional or treatment housing based on their needs.

At the onset of Realignment, providers and housing options were essentially nonexistent. Relationships were established with multiple local hotels to house many offenders. Placements in residential treatment programs outside of the county also were utilized. As needs grew, community providers began to develop sober living environments (SLE) to fill the gap in available services. Marin Services for Men has been the primary provider for taking in the realigned population, with 63 persons placed into their program. Eleven clients received services at out of county residential drug treatment programs. The programs include Bay Area Rescue Mission in Contra Costa County, Father Alfred's in San Francisco County, and Turning Point in Sonoma County.

Based on the imminent need of most realigned offenders, a Request for Information (RFI) was issued during FY 2013/14, however, no additional SLE agencies responded. Several SLEs have recently been organized and have begun taking additional clients. Health and Human Services is working with Probation to maintain standards at non-contracted facilities and will issue a second RFI to increase contractual services with those organizations that are providing significant services to the population.

Case Management Events and Outcomes

Sanctions

While directing an offender down the rehabilitative path, a DPO may use a series of “graduated sanctions” to manage offender’s behavior. In the event of concerning behavior, the DPO uses a Behavior Response Matrix to determine the appropriate level of sanctions. The Matrix takes into account several factors including:

- Seriousness of the offense
- Risk level of the participant
- Compliance while on PRCS supervision
- Public safety

Graduated Sanctions may include utilizing the detox center to sober up from a relapse rather than booking them in jail, or implementing the use of electronic monitoring to provide a closer level of supervision. Officers also have the discretion to utilize “Flash Incarceration” with an offender, ordering them to serve up to ten days in the County Jail without a court order³. A Flash Incarceration is a last resort sanction for someone who has become an immediate threat to themselves, the community and/or the public, but who is not ready to be terminated unsuccessfully from the program. If all sanctions fail, an officer may file a Petition to Revoke, thereby terminating their PRCS or Mandatory Supervision Sentence. To date Petitions to Revoke have been imposed on 14 of the realigned population.

Flash Incarceration

To date, 25 of the supervised offenders have been flashed a total of 88 times, with one offender counting for 16 of those instances. 56% of those flashed have been flashed two or fewer times while 20% have been flashed six or more times.

Marin County Superior Court Impacts

The transfers of responsibility under Realignment primarily dealt with the incarceration, supervision and housing of offenders post sentencing, which has minimized impact on the Marin Superior Court caseload. As previously mentioned, new sentencing guidelines have produced a learning curve for the courts.

The use of sanctions and Flash Incarceration has helped to limit an increase in court events for the PRCS population, by providing tools to Deputy Probation Officers to manage behavior before needing to bring it back into the Court. The PRCS population only enters back into the local court system if they have a new case, or the Deputy Probation Officer files a Petition to Revoke. The Court reports a total of 94 court events in the last year for PRCS offenders.

³ California Penal Code 3454(C)

For the Court and justice departments, the largest impact of realignment is with the state parole population. Beginning in July of 2013, state parole violation hearings became the responsibility of the local jurisdiction. In the first year of the County handling parole revocation hearings, the court has had 47 petitions filed to revoke/modify parole. This has resulted in 118 calendar events and a total of 35 state parole cases that have been revoked and reinstated.

Program Completion Rates

For persons on Mandatory Supervision, closure comes at the end of the sentenced time, whether served in the jail or on community supervision. For those on PRCS, they must meet one of three criteria:

- The offender who has been compliant with all terms of their release and has received no violations (flash or revocations) may be terminated after 6 months of successful completion of PRCS.
- After one year the supervising agency *shall* terminate the offender if he/she has no violations and has met all terms of PRCS. Or
- After three (3) years of supervision by operation of law, the PRCS offender will be discharged.

A PRCS “Review Board” made up of senior Probation management has been used to review PRCS clients at the six month mark if the Deputy Probation Officer recommends an early discharge. The offender must not have had any major violations resulting in a jail sanction, including Flash Incarcerations, and must be on their way to achieving a stable life in the community. The client is a part of the review process so they can speak personally to their accomplishments and goals for the future. While not all those that are recommended for early discharge are granted it, the Review Board provides a positive place for the offender to recognize the changes they have made and to encourage them to stay on the right path while continuing to receive the support of the team.

DISCHARGED CASES	PRCS	MS	Total
Jur. Transfer	20	5	25
Deceased	3	3	6
Deported	2	0	2
Closed Neutral			33

Of the 177 realigned offenders serving a term of PRCS or Mandatory Supervision, Marin has had 84

TERMINATION FROM PROGRAM	PRCS	MS	Total
1 year no new offense	22		22
Early Discharge	8		8
Full Term	2	7	9
Terminated Resulting No New Conviction	4	4	8
Cases Closed Successful	47		87%
Terminated New Felony Conviction	5	3	8
Cases Closed Unsuccessful	8		15%

people who have had their cases closed.

25 of the 88 cases have actually been transferred to other counties for serving of their term, six clients passed away during the course of their term, and two were deported.

Successful completion has been very high in Marin County. Eight PRCS offenders were granted early release while another

22 completed a year with no new violations resulting in a successful completion. Overall 87% of those released from PRCS and Mandatory Supervision have completed the program successfully.

Recidivism

AB 1050 passed in January of 2014, and amended Section 6027 of the Penal Code to require the Board of State Community Corrections (BSCC) to: “Develop definitions of key terms, including, but not limited to, ‘recidivism,’ ‘average daily population,’ ‘treatment program completion rates,’ and any other terms deemed relevant in order to facilitate consistency in local data collection, evaluation, and implementation of evidence-based practices, promising evidence-based practices, and evidence-based programs.” After months of work, the BSCC announced a final statewide definition for recidivism:

- Recidivism is defined as a conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.⁴

The BSCC notes that while this will be the definition for recidivism in statute, it does not preclude agencies from keeping additional measures for offender outcomes, and notes that while three years will be the standard, rates may also be calculated over other time intervals such as one, two, or five years. It is too soon to be able to calculate recidivism rates using the three year standard.

⁴ “Committed” refers to the date of offense, not the date of conviction

Next Steps

As we enter year four of Realignment, Marin County finds itself in a positive position. With funding now stabilized for the foreseeable future, the CCP can move forward with more aggressive spending plans to address the ongoing needs of the realigned population and the larger criminal justice system. It is expected that the ongoing allocation of funding in Marin will be approximately 5 million dollars a year. This allows for existing programs that have been in the pilot phase to be scaled to meet needs and for the County to invest in new initiatives. Areas of focus for future spending include:

- **Treatment Programs:** The County has a good variety of providers for substance abuse treatment and prevention. However, continued expansion of treatment programs to include additional evidence-based, trauma-informed, gender-specific treatment is recommended.
- **Mental Health Support Services.** Currently the County is utilizing several providers who primarily provide counseling through interns. With years of institutionalization under their belt, the realigned population is not the appropriate population for these providers. Contracts with professional Mental Health Therapists prepared to meet the needs of this unique population should be found
- **Employment:** Marin has had a fair amount of success in getting the realigned population ready for work and gainfully employed. Increased funding for employment subsidy programs, work tool assistance and training is recommended to increase the number of realigned offenders who are getting meaningful outcomes.
- **Housing:** Providing safe environments conducive to rehabilitation is a primary need for the realigned population. While every attempt is made to reunite offenders with their families, in hopes that they can provide support and a home, more often than not, offenders are returning to the community with no home or with a home environment that contributed to the criminogenic behavior. The County has struggled getting appropriate transitional housing in place. Requests for Proposals (RFP) have been issued, but the response has been lacking. The housing market, community concerns and zoning regulations in Marin make it extremely difficult for a non-profit provider to establish themselves in the County.
- **Jail Facility.** Marin County is not in a position to build a new jail as the current population is below the capacity of the existing facilities. However, the changing atmosphere and the limited capacity for segregating the mentally ill and dangerous offenders is a real concern. The County should monitor and support legislation that relieves local jails of responsibility for seriously mentally ill offenders falling into the Realignment population and legislation that amends eligibility for Realignment by taking into account level of past crimes when determining eligibility.
- **Jail Term Length.** The increasing length of terms and the aging offenders' health needs are another area of large concern for the Jail. The Jail has done a great job providing rehabilitative programs within its walls, but the Jail does not have programs and recreational opportunities appropriate for a long-term offender. The County should support legislation that caps the number of years to be served in a county jail.

- **Jail Medical.** Longer-term, aged inmates are becoming an issue with the Realignment population. This is creating a strain on the Jail's medical program and on the Transport Unit who is seeing a sharp increase in transports for medical and dental procedures. It will be important to track the increasing costs associated with healthcare in the Jail. Serious illnesses and procedures could quickly eat into the budget allocation. Legislation may again need to be looked to help alleviate this issue. A recent proposal that would have allowed local jails to "trade" longer-term offenders for prison inmates with a shorter sentence, potentially could have presented a solution to this problem, by allowing counties to redirect more seriously ill offenders back to CDCR who are more prepared to handle them, while still achieving the population reduction at the prison by sending a more appropriate offender to serve their term in the County Jail.
- **Data Collection:** With current case management systems lacking, the ability to track and maintain data on the new population has been difficult. Much work has been done to create standalone databases and spreadsheets to capture data. This leads to conflicting information at times and no central agency that can review, report and analyze data regarding the totality of the weaknesses and strengths of the Realignment Program being developed. Improved data collection and outcome reporting is necessary in order to create a more robust understanding of how the current services are working. The Probation Department is currently working with the County Information Technology Department to enhance the existing case management system to include PRCS and Mandatory Supervision clients as well as a new reporting repository. It is hoped that a module for shared input of all AB109 partners can be leveraged off of the new case management system to allow a single tracking database.

On a more positive note, BAIR Analytics has been fully implemented, and more robust data will be derived from this source in the coming month.

With the ability to expand programs up to a new base level, the CCP now has a large reserve that can be utilized to address larger issues. With the broad discretion provided to the CCP in spending the funds, there is a possibility to use reserves to address County issues that impact the entire criminal justice system and not just the realigned population.