

2022702000—Probation-Adult & Pretrial Services

Law & Justice

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General Fund	2017-2018 Actual	2018-2019 Adjusted	2019-2020 Requested	2019-2020 Recommended	Increase/ (Decrease)
Expenditures					
Salaries & Benefits	\$10,232,122	\$12,305,757	\$13,150,805	\$13,150,805	\$845,048
Services & Supplies	1,455,978	2,143,740	2,118,684	2,118,684	(25,056)
Centrally-Budgeted Expenses	242,515	321,673	1,024,572	1,024,572	702,899
Fixed Assets	49,125	15,366	603,254	603,254	587,888
Operating Transfers Out	81,643	150,000	0	0	(150,000)
Total Expenditures	\$12,061,383	\$14,936,536	\$16,897,315	\$16,897,315	\$1,960,779
Expenditure Reimbursements	(1,548,532)	(2,152,568)	(2,297,467)	(2,297,467)	(144,899)
Total Appropriations	\$10,512,851	\$12,783,968	\$14,599,848	\$14,599,848	\$1,815,880
Earned Revenues By Source					
Fines/Forfeitures/Penalties	\$14,620	\$13,660	\$9,193	\$9,193	(\$4,467)
Interest/Rents	361	320	466	466	146
Aid From Other Governments	5,192,956	5,804,172	6,790,659	6,790,659	986,487
Charges For Services	329,041	323,576	284,191	284,191	(39,385)
Operating Transfers In	60,000	60,000	60,000	60,000	0
Total Revenues	\$5,596,978	\$6,201,728	\$7,144,509	\$7,144,509	\$942,781
Net County Cost	\$4,915,873	\$6,582,240	\$7,455,339	\$7,455,339	\$873,099
Staffing					
Allocated Positions	101.0	103.0	105.0	105.0	2.0
Temporary (Full-Time Equivalent)	0.7	5.3	5.8	5.8	0.5
Total Staffing	101.7	108.3	110.8	110.8	2.5

Purpose

The Adult Probation Division serves and assists the Court in matters concerning the supervision of adult offenders and performs other investigations as ordered. The Division is comprised of the following units: Investigations, Assessment, Proposition 36, Domestic Violence Field Supervision, Minimum Supervision, Intensive Supervision, Family Focused Intervention Team, and Central Support. Funding is also received from the California Community Corrections Performance Incentive Act, otherwise known as Senate Bill (SB) 678.

The Pretrial Services Unit provides information to the Court on defendants booked at the County Jail and is a major component in the management of the Jail population. This Unit processes and screens misdemeanors for possible release on citation, and provides screenings for probable cause

hearings on all non-warrant arrests. The Unit is responsible for locating, abstracting, and adding all outstanding warrants for the California Highway Patrol and Sheriff's Office bookings.

This narrative combines budgets for Adult Probation (#2022702000), Adult Probation-SB 678 (#2022702300), and Pretrial Services (#2021200000).

Major Budget Changes

Salaries & Employee Benefits

- \$622,792 Salary and benefits adjustments.
- \$307,353 Add two Probation Officer positions to the SB 678 budget and one Probation Officer position to the Pretrial Services budget.

2022702000—Probation-Adult & Pretrial Services

Law & Justice

- (\$102,928) Delete a vacant Probation Officer position from the Adult budget.
- \$14,445 Increase in extra-help.
- \$3,386 Increase in overtime.

Services & Supplies

- \$176,278 Increase in home detention Global Positioning Satellite (GPS) monitoring equipment costs.
- \$33,565 Increase in reimbursement to the Local Community Corrections budget for one-third cost of the a Deputy Chief Probation Officer and an Executive Secretary.
- \$21,832 Increase in communication costs.
- \$10,400 Increase in Domestic Violence Intervention program costs.
- \$4,270 Increase in fleet services costs.
- (\$171,060) Decrease in Pretrial Services system integration costs.
- (\$80,827) Decrease in training costs.
- (\$15,047) Decrease in facilities lease costs.
- (\$15,000) Decrease in social media costs.

Centrally-Budgeted Expenses

- \$14,450 Increase in radio maintenance costs.
- (\$44,188) Decrease in Workers' Compensation and Casualty insurance costs.
- \$726,377 Addition of Countywide Cost Allocation Plan charges.

Operating Transfers Out

- (\$150,000) Decrease in reimbursement to Capital Outlay Fund.

Expenditure Reimbursements

- \$160,265 Increase in reimbursement from Local Community Corrections budget for Pretrial assessment and monitoring.

- (\$15,366) Decrease in reimbursement from the California Department of Corrections and Rehabilitation Early Release program.

Revenues

- \$869,848 Increase in SB 678 revenue.
- \$226,371 Increase in Proposition 172 funding.
- (\$100,000) Decrease from Violence Against Women Act grant funding.
- (\$39,385) Decrease in charges for services.
- (\$17,565) Decrease in Superior Court Driving while Under the Influence (DUI) grant funding.
- (\$10,000) Decrease in reimbursement from the Assisting Re-entry for Co-occurring Adults Through Collective Support (ARCCS) program services due to the end of the grant.

Fixed Assets/Capital Improvements

- \$603,254 Day Reporting Center (DRC) programming rooms remodel.

Program Discussion

The 2019-2020 recommended budget for Adult Probation and Pretrial Services totals \$16,897,315, which is an increase of \$1,960,779 from the 2018-2019 adjusted budget. This increase reflects salary and benefits adjustments, the addition of three Probation Officer positions, increases in extra-help and overtime, GPS monitoring equipment costs, radio maintenance, communication, and fleet services costs, a one-time capital improvement cost for the DRC remodel, and the addition of the Countywide Cost Allocation Plan charges, partially offset by the deletion of a Probation Officer I position, decreases in system integration, training, facilities leases, and social media costs, and a decrease in allocated insurance costs.

Adult Division

The Adult Division is comprised of the following functional units:

2022702000—Probation-Adult & Pretrial Services

Law & Justice

- **The Investigations Unit** - prepares pre-plea and pre-sentence reports prior to sentencing felons and occasional misdemeanants, as well as Drug Court Reports and STATIC-99R (sex offender) assessments. The Unit contains an Officer who represents the Department in Court for Violation of Probation calendars. Conditional Restitution staff correspond with victims and submit restitution orders to the Court when a client receives a conditional sentence or is sentenced to State prison.

The Unit manages the Proposition 63 Program (enacted in January 2018), which mandates the Department to investigate all defendants convicted of felonies and specified misdemeanors to determine if there are firearms registered to them by checking the Automated Firearms System. The Unit is also responsible to collect a Prohibited Persons Relinquishment form for all defendants who do not have registered firearms as well as those who have relinquished their registered firearms verifying the firearms have been relinquished and the Automated Firearms System updated. The Unit also prepares a report for the Court indicating whether the defendant has complied with the Proposition 63 requirements and provides appropriate paperwork to the Department of Justice resulting in a tremendous increase in workload. A Probation Officer and two Probation Assistants oversee the Unit.

- **The Assessment Unit** - processes all new grants of formal probation, with the exception of Proposition 36 cases, and processes incoming jurisdictional transfer cases. Officers assess the client's risk to reoffend; determine the appropriate level of supervision; and review the terms and conditions of probation, determine restitution, and conduct victim lethality assessments. An Officer is assigned to the County Jail to provide assessments to clients in custody to assist with providing a warm hand-off as they transition back into the community.
- **The Proposition 36 Unit** - works collaboratively with Substance Abuse Services, Superior Court, District Attorney, and Public Defender to meet the State mandate of diverting drug offenders from incarceration and providing drug treatment services. Officers inform the Court of the client's progress. Although the Department no longer receives Proposition 36 revenue, services remain a State-mandated function.
- **The Minimum Supervision Unit** - provides an appropriate level of supervision to clients who score moderate or low-risk to re-offend, or have been transferred to a lower level of supervision after demonstrating satisfactory adjustment while on a higher

level of supervision. Officers use Offender-Link, a telephone reporting and case management system, as a tool for efficient caseload management and increased client compliance.

The Unit contains the Administrative Bank caseload for cases where the client has satisfactorily completed all terms and conditions of probation but still owes victim restitution. This caseload also has clients whose jurisdiction remains in the County, but are being supervised by another State.

The Unit has the Unsupervised caseload, which is comprised of clients who score as low-risk, with the exception of domestic violence, child abuse, elder abuse, and sex offenses. The Unit also monitors clients with active warrants and misdemeanor offenders that owe outstanding restitution but are not being provided supervision services.

- **The Intensive Supervision Unit** - provides enhanced supervision to clients on probation for sex-related offenses. The sex offenders are assessed using the State-mandated STATIC-99R risk assessment. Clients that score high-risk are monitored via GPS. As an added measure of accountability, some sex offenders may also be placed on OffenderLink. In addition to attending sex offender treatment, clients participate in Programming Passport to address their criminogenic needs.

The Unit has an Officer assigned to the Delta Regional Auto Theft Team, which is a collaboration of law enforcement agencies performing proactive activities to arrest auto theft offenders and combat auto thefts in San Joaquin County.

The Unit has two Office of Traffic Safety grant-funded DUI Officers. One of these Officers provides supervision services to felony and repeat misdemeanor DUI clients and attempts to reduce the number of clients having outstanding bench warrants by conducting bench warrant service operations in collaboration with local law enforcement agencies. The second Officer is funded by a grant overseen by the Superior Court. This Officer works in close collaboration with the Court case managers and attends weekly Court sessions to monitor progress and program completion for clients.

- **The Domestic Violence Field Supervision Unit** - is responsible for certifying domestic violence treatment providers and monitoring their compliance. Officers monitor attendance and completion of the mandated 52-week Batterer Intervention Programs and provide supervision services to domestic violence clients. The Officers conduct monthly office and home visits to monitor compliance with court-ordered conditions of

2022702000—Probation-Adult & Pretrial Services

Law & Justice

probation. The Unit contains an Officer who represents the Department in Court for Violation of Probation calendars. All clients supervised by the Unit attend the Programming Passport and once Phase 2 is completed, are eligible to attend Department sponsored Batterer Intervention Program classes.

- **The Central Support Unit** - provides clerical support to the Division by establishing and maintaining case files, processing violations of probation, bench warrants, supplemental reports, scanning numerous documents into the County's case management system, and processing reports for the Court. The Unit also compiles and reports mandated statistics to the DOJ.

Collaborative Services

The Department continues to collaborate with other agencies to improve the delivery of services to the Court, clients, and community. Adult Division Officers are involved in numerous Collaborative Courts, such as the Felony Drug Court, two DUI Courts, Accountability Court, and Veterans Court. The Department collaborates with other agencies to sustain services previously provided by the ARCCS grant. Officers regularly participate in multi-agency missions and operations with other law enforcement agencies by conducting searches and bench warrant service operations. Officers represent the Department at a variety of community events and conduct presentations throughout the County. Additionally, the Adult Division continues to help maintain the Statewide Deoxyribonucleic Acid (DNA) database at the County level by collecting DNA on qualifying offenders that have not yet had their samples collected. The recommended budget adds four additional part-time Probation Assistants to assist with the increased workload.

Senate Bill (SB) 678

The Probation Department receives SB 678 funds, which assist in providing Evidence-Based Programming (EBP) resulting in a reduction of adult State prison commitments for violations of probation. The current funding formula allows for some stability of funding by rewarding past performance while continuing to incentivize counties for ongoing reductions in State prison commitments. SB 678 requires the Department to identify and track specific outcome-based measures specified in legislation, and to allocate a minimum of 5% of allocated funding to data collection and evaluation of EBP programs and practices.

SB 678 funding is used to develop effective EBP throughout the County to meet the diverse needs of the community. Program development includes training staff, purchasing curricula and materials, and contracting with community-based organizations to provide EBP to probationers.

In 2019-2020, SB 678 funding will be used to operate the following:

- **The Adult Probation Day Reporting Center (DRC)**, which provides intensive rehabilitative services to moderate-high or high-risk clients. DRC is a collaborative effort between the Probation Department, Victor Community Support Services, Behavioral Health Services (BHS), the Northern California Construction Training (NCCT), and the San Joaquin County Office of Education.

The DRC provides expanded EBP offerings, a phased program, and allows completion of the program within six months based on the client's participation. Additionally, clients in aftercare are referred to case management services to assist in the transition from the structured DRC to a lower level of supervision. The NCCT program uses a core-curriculum involving classroom and hands-on instruction under the supervision of a journeyman carpenter. The NCCT vocational educational training program is also available to other adult clients upon completion of Phase 1 of the Programming Passport.

- **The Intensive Programming Unit (IPU)**, which supervises high-risk felony offenders. Officers conduct monthly visits both in the office and at clients' homes to monitor compliance with court-ordered conditions of probation. An Offender Needs Guide is completed for each client to determine criminogenic needs and targeted interventions. Clients participate in the Programming Passport to address their criminogenic needs.

This Unit also supervises high-risk offenders who participate in the Drug Court process. Working in collaboration with BHS and the Court, enhanced supervision is provided and probationers appear weekly in court to provide updates to the judge on their progress.

- **The grant for the ARCCS Officer**, which ended in 2017-2018. The Department and its partners remain committed to sustaining this ARCCS program. A Probation Officer III assigned to the Adult Division's Intensive Supervision Unit, as well as data collection efforts, are funded through SB 678. Additionally, BHS continues to have a clinician provide mental health and substance abuse services at the Jail. The Sheriff's Office continues to have a dedicated housing unit for these dual-diagnosis offenders. The ARCCS Officer monitors a caseload of adults with co-occurring disorders, who have been sentenced to at least 90 days in jail and three to five years supervised probation, with enhanced in-custody screening, assessment, housing,

2022702000—Probation-Adult & Pretrial Services

Law & Justice

treatment, and recovery services. In 2017-2018, the Department published a tool-kit with the Crime and Justice Institute so the ARCCS program can be replicated in other jurisdictions.

- **The Transitional Age Youth (TAY)** for 2019-2020, the Department will enhance services currently being provided to clients aged 18-25, commonly referred to as TAY. Research on adolescent brain development indicates that the brain is still developing through the age of 25 and this population continues to be impulsive. As evidenced by data, this population continues to have the highest rates of recidivism as well as the highest rates of admission into State prison. The Department will be forming a new TAY Unit and will be adding two new Probation Officer I/II positions.

State funding to support the SB 678 costs is received in the Probation SB 678 Fund (#12108), which as of March 31, 2019 had a balance of \$3,391,586. Over the past two years, annual revenues have averaged \$2.4 million. For 2019-2020, the recommended budget appropriates \$4.1 million in SB 678 funds.

Pretrial Services

In 2014-2015, a Pretrial Assessment and Monitoring Program was implemented to better utilize the County's Jail capacity by reserving detention for individuals who pose a significant risk to the community or are at risk for failing to appear in Court. Use of a validated Pretrial Assessment tool assists in determining whether offenders should be released or remain detained pending a court proceeding.

Pretrial Services includes the following functional units:

- **The Pretrial Assessment Unit** - interviews all eligible bookings and completes the Virginia Pretrial Risk Assessment Instrument (VPRAI). Staff verifies and provides information to the Court regarding the

defendant's community ties, residence information, family ties, employment/education information, failures to appear, financial status, prior record, risk assessment score, and recommendation regarding pretrial release. The Unit also provides information to Probation Officers for the purpose of placing violation of probation holds, and networks with State and local law enforcement agencies.

- **The Pretrial Monitoring Unit** - provides a continuum of services based on the offender's risk to re-offend and likelihood to appear in Court. Services are based on risk, special needs, and court-ordered conditions and may include telephone reminder calls, office visits, individualized case management, drug testing, curfew restrictions, and GPS monitoring. Offenders may also be referred to a variety of community-based organizations for other services including substance abuse services, mental health services, and EBP.

In 2016-2017, a transdermal monitoring component was added for those offenders booked for a DUI offense. During 2017-2018, the Department entered into a contract with the Crime and Justice Institute to conduct: 1) an assessment of the Pretrial Services Unit that focuses on how the unit may better incorporate best practices and latest research; 2) an assessment of the larger pretrial system to examine the extent to which the system as a whole is as efficient and effective as possible; and, 3) a validation study to determine if the VPRAI is properly predicting failure for the County's pretrial population. Due to significant challenges and delays in receiving data for the norming and validation of the tool, this project is expected to be completed at the end of 2018-2019, at which time the Department will consider implementation of the proposed recommendations to the Pretrial Assessment and Monitoring Program. The recommended budget adds one new Probation Officer I/II position to assist with increased caseload.

2022702000—Probation-Adult & Pretrial Services

Law & Justice

Workload Data

	-----Actual-----			Est./Act. 2018-2019	Projected 2019-2020
	2015-2016	2016-2017	2017-2018		
<u>Adult Division</u>					
<u>Referrals</u>					
Conditional Restitution	1,723	2,368	1,952	2,502	3,000
Domestic Violence	592	585	644	912	1,000
Drunk Driving	102	87	97	96	100
Proposition 36	375	425	204	180	175
<u>Reports to Court</u>					
Drug Court Reports	20	0	0	0	0
Penal Code 1203(c)	646	638	706	540	575
Pre-Plea	25	23	27	24	25
Pre-Sentence	382	286	271	192	185
Static-99R	120	72	107	108	110
Supplementals/Memos	6,386	3,128	6,519	5,952	6,250
Violations of Probation	3,214	3,037	3,207	2,796	3,000
<u>Caseloads</u>					
Administrative Bank	175	142	154	150	145
Assessment (Intake)	614	730	425	450	400
Bench Warrant	4,654	4,285	4,004	4,000	3,950
Conditional Restitution	928	1,927	1,096	1,400	1,300
Domestic Violence	292	340	463	450	425
Driving Under the Influence	72	86	98	80	85
Mental Health	0	0	28	30	30
Minimum Supervision	973	1,140	1,178	1,400	1,500
Proposition 36 Drug Oversight	487	372	244	125	120
Sex Offenders	140	100	98	120	125
Unsupervised	441	628	507	510	525
<u>Senate Bill 678</u>					
Day Reporting Center	55	25	22	23	30
Intensive Programming Unit	377	479	488	425	400
Supervision Referrals	1,036	1,186	507	792	825
<u>Pretrial Services</u>					
Risk Assessments Completed	7,240	7,525	7,156	6,912	7,000
% Released Pending Arraignment	10%	9%	12%	11%	12%
Citation Release Evaluations	5,558	5,929	5,508	4,690	4,750
Total Citation Releases/Percent	4,779/86%	4,957/84%	4,491/82%	3,809/82%	3,943/83%
Probable Cause Hearings	2,064	2,002	1,856	2,124	2,200
Pretrial Monitoring Unit Caseload	164	164	376	450	465