COUNTY OF SOLANO

2011

PUBLIC SAFETY REALIGNMENT ACT IMPLEMENTATION PLAN

NOVEMBER 1, 2011

As approved by the Executive Committee of the Community Corrections Partnership on October 17, 2011, for recommendation to the Board of Supervisors

TABLE OF CONTENTS

EXECUTIVE SUMMARY…….....3
INTRODUCTION 5
SECTION 1: KEY ELEMENTS OF REALIGNMENT..... 6
CHANGES IN SENTENCING AND RELATED POPULATION PROJECTIONS..... 6
I. Post Release Community Supervision (PRCS)..... 6
II. Non-Non-Nons or 3/Nons..... 7
III. Parole Violators 7
EVIDENCE - BASED PRACTICES..... 8
REALIGNMENT FUNDING 8
REALIGNMENT PLANNING 9
SECTION 2: THE SOLANO COUNTY PUBLIC SAFETY REALIGNMENT PLAN 10
SOLANO COUNTY PLANNING PROCESS 10
MAJOR COMPONENTS OF THE SOLANO COUNTY REALIGNMENT PLAN 11
Component 1: Risk and Needs Assessment..... 11
Component 2: Community Supervision 12
Component 3: Alternatives to Custody 14
Component 4: Intermediate Sanctions 15
Component 5: Custody and In-Custody Programs 16
Component 6: Reentry 18
Component 7: Service Delivery Strategies 20
Implementation Element 1: Training..... 21
Implementation Element 2: Communication..... 22
Implementation Element 3: Evaluation and Ongoing Quality Control..... 23
Implementation Element 4: Funding Priorities 23
APPENDICES
Appendix A: Participants in Planning……...a
Appendix B: Background…….....e
Appendix C: Sanction Grid……..……....g
Appendix D: Realignment Flow Chart…….....i
Appendix E: Acronyms……..…k

EXECUTIVE SUMMARY

The State of California has adopted new legislation that will fundamentally change the delivery of services in the state and local corrections systems. This legislation, referred to as the 2011 Public Safety Realignment, is intended to cut down state prison crowding and save the state money by expanding local responsibility for custody and control of specified offenders.

As a result of the Community Corrections Performance Incentives Act of 2009, the Solano County Community Corrections Partnership (CCP) began meeting in May 2010 to focus on issues related to adult criminal offenders. Early in 2011, the CCP began to discuss the pending realignment legislation and took initial steps to prepare for the impact of passage of this legislation. In August 2011, the CCP's work intensified to develop a comprehensive yet phased plan for implementing the legislative mandates of the 2011 Public Safety Realignment Act (Assembly Bill 109 and companion legislation). To address the changes and challenges proposed by Public Safety Realignment, the CCP undertook a collaborative planning process to rethink, restructure and redesign the County's adult correctional capacity. This resulting Plan, which presents both short term, immediate steps necessary to implement realignment and the longer term work required to take realignment forward, is focused on maximizing public safety, enhancing necessary infrastructure, and expanding the criminal justice and human service practices and services which research indicates are essential for reducing offender recidivism.

The CCP considers this initial plan to be a ''living document,'' subject to ongoing modification and enhancement as data indicates emerging needs and experience suggests additional approaches and interventions. The Plan presents overarching concepts and strategies, rather than operational details, both because the law is still changing and because agency specific policies and procedures, as well as multi-agency protocols, will continue to be worked out as realignment continues. This Plan is the base and the springboard for continuous improvement; it is the County's roadmap for ensuring its realignment efforts maintain the agility necessary to dedicate appropriate resources and responses to realignment and realigned offenders.

For the first nine months of realignment, Solano County is due to receive a total of $4,362,824, which includes both recurring and non-recurring start-up support. This Plan recommends these funds be used first to address infrastructure needs so as to ensure Solano County's capacity to safely and effectively manage those offenders coming into local custody as well as those currently under correctional supervision who may be displaced by realignment offenders. The Plan also recommends funding to ensure the

availability of necessary treatment, services and programming and to secure essential equipment, tools and instruments necessary for initial operation.

The Plan describes the seven major components which comprise the core of Solano County's approach to realignment. These are:

1. Risk and Needs Assessments
2. Community Supervision
3. Alternatives to Custody for Unsentenced and Sentenced Individuals
4. Intermediate Sanctions
5. Custody and In-Custody Programs
6. Reentry
7. Proven Effective and Cost Effective Service Delivery Strategies

In addition, the Plan describes three major strategies vital to successful implementation. These are Training, Communication, and Evaluation/Ongoing Quality Control. Because Realignment is new, complex and evolving, it will necessitate ongoing training for the Courts, District Attorneys, Public Defenders, Probation Officers, Sheriff's personnel, Police Officers, service providers and others involved in its implementation. Therefore, continuous and ongoing training is built into the Plan.

Similarly, it is important that all the involved parties, partners, and stakeholders communicate with one another as realignment goes forward, the law is amended, and experience suggests new or modified approaches. Sharing information will continue to be vital in building this new way of doing business. Local police departments and the Sheriff's Office have convened a work group to develop systems and procedures to share data so that, among other things, officers on the street will know when they are dealing with realigned offenders. Public education will be undertaken as implementation goes forward to explain realignment and what is being done to ensure public safety during this correctional paradigm shift.

Consistent with the evidence-based approaches being used throughout Solano County's realignment efforts, this Plan calls for ongoing collaboration to ensure quality control and continuous improvement of programs and services provided as part of realignment. The CCP will monitor and track the implementation progress of and outcomes produced by its realignment efforts and will make adjustments as necessary to ensure that realignment is responsive to its intended goals.

SOLANO COUNTY 2011 PUBLIC SAFETY REALIGNMENT PLAN

INTRODUCTION

The 2011 Public Safety Realignment is a major paradigm shift, comprised of multiple pieces of legislation that together make fundamental changes to California's correctional system. Intended to cut down prison crowding and save the state money, Public Safety Realignment seeks to safely reduce prison crowding by expanding local responsibility for custody and control of specified offenders and provides funding to support counties' use of evidence-based practices (EBP) in that effort.

The realignment legislation changes the sentencing and supervision of people convicted of felony offenses and amends a number of statutes concerning definitions of felonies, where sentences are to be served, and how defendants are to be supervised on parole. The basic realignment elements are embodied in AB 109, signed by Governor Brown on April 5, 2011.[1] Technical and substantive amendments and funding issues are found in AB 117 and 118, signed June 30, and AB 116 signed July 27, 2011.[2]

Together, these measures:

- Realign custodial and community supervision responsibility for specified non-serious, non-violent, and non-sex offenders to counties,
- Realign the supervision of lower level adult parolees returning from state prison to counties,
- Require custody in county jails for specified parole violators,
- Enact financing and technical specifications,
- Require the Board of Supervisors to designate a county agency to be responsible for post-release supervision,
- Require creation of an Executive Committee of the Community Corrections Partnership (CCP) mandated by Penal Code section 1230(b),
- Determine the membership of the Executive Committee, and
- Require the Executive Committee to recommend a local plan to the Board of Supervisors for implementation of 2011 Public Safety Realignment.

As there is undoubtedly more legislation to come, Solano County is including in its initial plan mechanisms for incorporating additional legislative directions as those emerge.[3]

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[1] Chapter 15, Statutes of 2011

[2] AB 117 is Chapter 39, AB 118 is Chapter 40 and AB 116 is Chapter 136 of the Statutes of 2011

[3] Please see Appendix B for additional background leading to realignment.

SECTION 1: KEY ELEMENTS OF REALIGNMENT

AB 109 calls for reinvestment of California's "criminal justice resources to support community corrections programs and evidence-based practices" by improving "public safety outcomes among adult felons…and [facilitating] their successful reintegration back into society." [4] Its provisions are prospective and apply to offenders sentenced or released to supervision on or after October 1, 2011.

Changes in Sentencing and Related Population Projections

AB 109 and its companion measures redefine many felonies, make certain crimes punishable by sentences to jail for more than one year, expand alternative custody for offenders under local jurisdiction, make changes to custody credits and eliminate state prison as a sentencing option for specified offenses.

The three major populations of felony offenders realigned from state to local control and the options available for their management are as follows.

I. **Post Release Community Supervision (PRCS)**
Lower-risk offenders who formerly would have been supervised by state parole will now come under the management of local correctional agencies. PRCS applies to all inmates released from state prison on or after October 1, 2011, except those whose commitment offenses are serious or violent, those who are third strikers, those who are high risk sex offenders and those who are Mentally Disordered Offenders (MDO) as defined by statute.

- ✓ People on PRCS are to be supervised in the community for up to three years and provided evidence-based services and intermediate sanctions to help prevent their recidivism.
- ✓ Those who comply with their case plans and have no violations can be discharged from supervision after 180 days and must be discharged after one year.
- ✓ Those who do not comply with the conditions of their release can be put in jail for flash incarceration (up to 10 days at a time).
- ✓ Although a pending rule (Pending Rule 4.540) prohibits filing a petition to revoke if an intermediate sanction would be an appropriate response to a violation, those who violate their terms can be referred to court and ordered into jail for up to 180 days (90 days with credits).

[4] AB 109, Title 2.05, Section 3450 (b) (4) and (5)

Solano County expects to receive 287 PRCS cases in the first 9 months of realignment and approximately 370 PRCS cases over the first three years, according to information provided to the County by CDCR.

II. Non-Non-Nons or 3/Non

This category is defined as those offenders who commit non-serious (1192.7(c) PC), non-violent (667.5(c) PC) and non-sex offenses that require registration under 290 PC. These offenders also cannot have committed prior serious, violent or 290 PC registration-required offenses, nor can they have committed offenses on the Exception List of 60 or so felonies, including stalking and crimes with gang involvement, which preclude offenders from being eligible for local control.

- ✓ Sentencing options available for the 3/Non population are:

  a. Felony probation with or without jail,

  b. Incarceration in jail (to be recorded as a prison sentence served in county jail) for the same period of time the person would have served in state prison, with no supervision upon release,

  c. Combined jail time as specified by the Court with the remainder of the sentence on mandatory probation (to be recorded as a prison sentence served in county jail). This so-called 'hybrid' or 'split' sentence cannot be longer than the time the person would have served if sentenced to prison.

  In each of these options, some or all of the jail time can be served through custody alternatives.

Solano County expects 146 3/Non cases in the first 9 months of realignment and approximately 324 3/Non cases over the first three years of realignment, according to information provided to the County by CDCR.

III. Parole Violators

All parole revocations for state parolees (except those with a life term) will be served in county jails:

- ✓ Parole revocation custody is capped at 180 days (90 days with credits).

- ✓ After parolees have completed their revocation time, they will return to state jurisdiction to complete any remaining parole time.

- ✓ Parole revocation hearings will continue to be conducted by CDCR's Board of Parole Hearings until 2013, after which time they will become the responsibility of the Superior Court.

Solano County expects to house an average daily population (ADP) of approximately 54 parole revocation cases in the Solano County Jail from the first year of realignment on, according to the Sheriff's data as to parole revocations and information provided by CDCR.

Evidence - Based Practices

Realignment does not intend for prison sentences to be simply replaced by jail sentences; rather it requires the use of proven practices that focus on identifying and targeting interventions to offenders' criminogenic needs. Evidence-based correctional sanctions and interventions include programming while incarcerated as well as alternatives other than incarceration alone. The evidence-based correctional sanctions and services named in AB 109 include, but are not limited to:

- Intensive community supervision
- Home detention with electronic monitoring (EM) or Global Positioning Satellite (GPS)
- Flash incarceration
- Cognitive Behavioral Therapy (CBT)
- Mandatory community service
- Restorative justice programs such as victim restitution or victim-offender reconciliation
- Work, training or education in a furlough or work release program
- Day reporting
- Mandatory random drug testing
- Mandatory residential or nonresidential substance abuse treatment programs and
- Community based residential programs.

Solano County will continue and expand its use of evidence-based sanctions, services and practices in the management of realigned offenders as well as those currently under the County's supervision.

Realignment Funding

The realignment legislation provides funding to counties for implementation of locally appropriate correctional service capacity and evidence-based programs including facility based and alternative kinds of custody as well as community based programs, services and interventions that help support law abiding behavior.

For the first nine (9) months of realignment (the October 1, 2011 start date means the first year is not a full fiscal year), Solano County is due to receive a total of $4,362,824, of which $3,807,662 is anticipated recurring program support; $136,487 is recurring funding for the District Attorney and Public Defender; $268,675 is non-recurring, one time start-up support; and $150,000 is non-recurring, one time support for the CCP for development of the local plan.

The CCP recommends that these funds be used first to address infrastructure needs so as to ensure Solano County's capacity to safely and effectively manage those offenders coming into local custody as well as those currently under correctional supervision who may be displaced by realignment offenders. Funding will also be dedicated to ensure the availability of necessary treatment, services and programming and to secure essential equipment, tools and instruments necessary for operation in the first nine months of realignment.

Realignment Planning

Realignment legislation not only mandates specific sentencing and correctional procedures, it also calls on counties to develop local plans that describe implementation strategies best suited to each jurisdiction's needs and approaches. These plans are to be recommended to the Board of Supervisors by an Executive Committee of the Community Corrections Partnership (CCP) defined in Penal Code Section 1230(b).

The Executive Committee is to be comprised of the Chief Probation Officer as chair, the Sheriff, the District Attorney, the Public Defender, the Presiding Judge, a Chief of Police, and a seventh member designated by the Board of Supervisors from among specified county agencies. The Solano County Board of Supervisors selected the Director of the Department of Health and Social Services (HSS) to serve in that capacity.[5]

[5] See Appendix A for the members of Solano County's CCP and its Executive Committee as well as others who have participated in development of the County's 2011 Public Safety Realignment Plan.

SECTION 2: THE SOLANO COUNTY PUBLIC SAFETY REALIGNMENT PLAN

Solano County Planning Process

Having established its CCP in 2010 to implement the Community Corrections Performance Incentives Act (CCPIA),[6] Solano County engaged that body, as directed by AB 109, to address the changes and challenges proposed by Public Safety Realignment. The CCP undertook a collaborative planning process to rethink, restructure and redesign the County's adult correctional capacity. It established two committees – one to design a sanctions grid and the other to develop an assessment based protocol to increase the use of Alternatives to Custody for unsentenced inmates. The CCP also convened four focus groups – 1) Judges, 2) Attorneys mainly from the District Attorney's and Public Defender's offices, 3) Law Enforcement Commanders from police agencies throughout Solano County, and 4) members of the Reentry Council – to identify subject matter issues for inclusion in the County's realignment plan. Those recommendations were conveyed to the CCP at its August 22 meeting and were considered in development of this plan. In addition, several groups are continuing work on specific subject matter protocols and operational details in support of ongoing implementation of realignment.

In late August 2011, the planning process moved from information gathering to crafting an initial plan to address both short term, immediate steps necessary to be ready for October 1 and the longer term work required to take realignment forward. It was determined that the initial plan would be a ''living document,'' subject to ongoing enhancement and that it would present overarching concepts and strategies, rather than operational details, both because the law is still changing and because agency specific policies and procedures, as well as multi-agency protocols, will continue to be worked out as the first AB 109 offenders arrive. More information as to needed services will emerge as realigned offenders come to the County.

The draft plan was reviewed and discussed in detail at the CCP's September 9 meeting and the major priorities for initial funding for the first nine months of realignment, October 2011 through June 2012, were identified. These funding priorities were further discussed by the CCP at its meetings on September 28 and October 17. The draft plan was approved for recommendation to the Board of Supervisors on September 28, but due to the subsequent removal of the Community Supervision Sanction Grid on the advice of County Counsel, the Executive Committee approved the draft as revised on October 17.

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[6] Per SB 678, CHAPTER 608, Statutes of 2009

For the reasons noted above and because flexibility is prudent as well as necessary in dealing with such a complex undertaking, the CCP has determined to approach realignment in stages. It will present its initial plan as required by AB 109 and thereafter will periodically review, evaluate and revise the plan, seeking input from stakeholder groups, as part of its ongoing oversight of realignment in Solano County.

Major Components of the Solano County Realignment Plan

Seven major components seek to ensure an effective realignment process:

1. Risk and Needs Assessments
2. Community Supervision
3. Alternatives to Custody for Unsentenced and Sentenced Individuals
4. Intermediate Sanctions
5. Custody and In-Custody Programs
6. Reentry
7. Proven Effective and Cost Effective Service Delivery Strategies

In addition to the seven components, there are four key implementation elements:

1. Training
2. Communication
3. Evaluation and Ongoing Quality Control
4. Priorities for Funding

Component 1: Risk and Needs Assessment

Risk and needs assessments are a fundamental evidence-based practice and a core element of this plan. With research clearly demonstrating that effective treatment and reduction of criminogenic needs correlates to reduced recidivism, assessment is critical to identifying those needs as well as individual's risk levels.[7] Risk and needs assessments, as well as additional specialized assessments which may be necessary, such as those to identify mental health and/or substance abuse issues, will be used to

[7] Andrews, Don A., "Recidivism is Predictable and Can Be Influenced: Using Risk Assessments to Reduce Recidivism," Forum on Corrections Research, Risk Assessment and Prediction, December 1989, Volume 1, No. 2; Latessa. Edward J., PhD, "What Works in Correctional Intervention?" compilation of reports and material available at www.uc.edu/criminaljustice; the PEW Charitable Trusts, "The State of Recidivism: The Revolving Door of America's Prisons," wwwpewtrustsorg/Reports/sentencing_and_corrections/

guide the development and implementation of individualized case plans which may be refined and revisited over time.

The Solano County Probation Department (Probation) will assess realigned offenders at intake, and will involve partner agencies in specialized assessments as needed. Probation currently uses the validated Level of Service Inventory-Revised (LSI-R) and Level of Service - Case Management Inventory (LS-CMI) to determine risk and program needs and enable development of case plans. The LSI-R / LS-CMI scores identify the criminogenic risk, needs and responsivity factors to be taken into account in tailoring an appropriate case plan by which to address needed services.

When realigned offenders are involved in court processes, Probation will provide the risk/needs information generated by assessment to the Court after arraignment and before an individual's readiness conference. It will also provide the Court with assessment information relevant to alternatives to custody and terms and conditions of probation targeting criminogenic needs. Probation will additionally take the lead in developing and/or coordinating with relevant partners on case plans and will provide the levels of supervision indicated by assessment to realigned offenders under its authority.

Component 2: Community Supervision

Community supervision, the most frequently relied on correctional approach used to manage offenders throughout the nation,[8] is critical to the success of this plan.

Probation Department Capacity: Probation, which currently supervises 3,100 adult offenders (2,600 felons and 500 misdemeanants), will have primary responsibility for managing the 287 PRCS cases and some percentage of the 146 3/Non cases being realigned to Solano County in FY 2011-12.

It will supervise the PRCS and 3/Non populations in much the same way it supervises high risk offenders now, although it expects to rely on more collaborative additional compliance checks by local police departments and more involvement of service providers. Intake and assessment of PRCS will include initial contact prior to release from prison whenever possible, assistance with applications for services, risk and needs assessment, and connection to community support.

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[8] U.S. Bureau of Justice Statistics, Correctional Populations in the United States, 2009, http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2316; Public Safety Performance Project of the Pew Center on the States, "One in 31: the Long Reach of American Corrections," Perspectives, the Journal of the American Probation and Parole Association, Volume 33, Number 3, Summer 2009. Etc.

Probation's Supervision Strategies and Evidence Based Practices: Probation uses a range of evidence-based strategies, geared to the risk levels of those being supervised, to perform its correctional functions. Offenders who pose a low risk to the community may be placed on telephone reporting, while most moderate, high and very-high risk individuals are subject to regular, face-to-face contact with a probation officer trained to support and enforce compliance with offenders' case plans and terms of probation. Probation's caseload ratio for high risk supervision of 1 officer to 50 active probationers will be maintained for the PRCS and 3/Non offenders.

One example of the evidence-based practices that Probation uses with current probationers and will use as indicated with PRCS and 3/Non offenders is Motivational Interviewing (MI). MI is a directive, engagement-oriented, client-centered approach for eliciting behavior change that encourages people to rely on inner motivation rather than external control. Solano County Probation Officers have been trained in MI; a method of evaluating knowledge and skill in using MI is being built into the PO Tasks and Standards. Probation is developing training for trainers in Intermediate Level MI to further advance use of this proven practice. It is noteworthy too that MI, and the assessment tools, come with built in quality control, as they are both subject to ongoing review and quality improvement.

Community supervision programming for realigned offenders will use the principles of another evidence-based practice, Cognitive Behavioral Therapy (CBT). CBT

> …focuses on patterns of thinking and the beliefs, attitudes and values that underlie thinking. It has been shown to be reliably effective with a wide variety of personal problems and behaviors, including those important to criminal justice such as aggression, substance abuse, being anti-social and persistent delinquent and criminal behavior. …CBT places responsibility for thinking in the hands of the client and supplies him or her with the means of solving problems in everyday living, focusing on the present rather than the person's past. CBT has been shown to reduce recidivism … even with high risk offenders. … It also appears that CBT is more effective in reducing further criminal behavior when delivered with other program items such as supervision, education and training and with other mental health counseling.[9]

As assessments of realigned populations indicate their criminogenic needs, Probation will work with the Department of Health and Social Services (HSS) and

[9] Patrick M. Clark, "Cognitive Behavioral Therapy: An Evidence-Based Intervention for Offenders," Corrections Today, February/March 2011

with community based and other agency providers to deliver needed cognitive behavioral services in such areas as substance abuse reduction, anger management, parenting, and decision making skills. In order to continue being agile and adaptive in addressing offender needs, Probation and HSS will work with the CCP to develop additional services as realignment goes forward.

Component 3: Alternatives to Custody

Alternatives to custody are a key component of community supervision. The Court releases low risk offenders on Own Recognizance (OR) without formal supervision and on Supervised OR under the supervision of Probation. Sentenced offenders are subject to the Sheriff's Office alternatives to custody,[10] which include Home Detention with Electronic Monitoring (EM) and a Global Positioning Satellite (GPS) program. AB 109 extends the Sheriff's authorization to use both of these alternatives without voluntary agreement by offenders and without dependence on offenders' ability to pay for monitoring equipment.

Additional alternatives to custody will be necessary to make jail space available for realigned populations and flash incarceration.[11] To this end, the Sheriff, working with justice system partners, has developed an Alternatives to Custody (ATC) Program_for pre-adjudicated offenders. Designed to manage the population of unsentenced, low to medium risk offenders currently being housed in the jail, the ATC will allow those awaiting trial and/or sentencing to be conditionally released from custody and, in lieu of incarceration, be supervised in the community by the Probation Department or the Sheriff's Office. The program offers direct, immediate and cost-effective relief to jail overcrowding while creating space to house sentenced offenders and offenders deemed to be high risk.

ATC procedures will begin after arraignment, with offenders potentially eligible for release being screened by the Probation Department. Probation will interview the offender to assess the person's suitability for possible release and to make a recommendation to the Court. At the readiness conference, if the person is found appropriate for release, Probation will submit a report requesting release on OR/SOR or on one of the following programs at the Sheriff's discretion:

- Voice ID
- Alcohol monitoring

[10] The Sheriff's Office reports having operated alternatives to custody for 30 years.

[11] See the following section on Custody and In-Custody Programs for data about the County Jails' capacity and populations.

- Electronic Monitoring (EM)
- Global Positioning Satellite (GPS)

The type of release requested will be based on the assessment using the validated tool described previously (LSI-R / LS-CMI) as well as an interview and investigation to determine the individual's: prior criminal history, outstanding charges, failures to appear, substance abuse history, personal and family information including address, employment history, medical information and any other relevant data.

Offenders released on Sheriff's ATC programs will be subject to intensive supervision to ensure compliance with the conditions of release pursuant to the laws governing pretrial release programs.

Supporting the Realignment Plan's focus on protecting public safety, the Sheriff is working with local police departments to ensure a coordinated law enforcement effort to conduct random compliance checks and other forms of surveillance and monitoring of realigned offenders.

Component 4: Intermediate Sanctions

Intermediate sanctions are interventions that fall between standard probation and incarceration and are used to help reduce recidivism by targeting what recidivism research calls 'criminogenic factors,' i.e., the behaviors that lead people to commit crime. Intermediate sanctions include, but are not necessarily limited to, the following:

- Use of sanction grid
- Flash incarceration for a period of not more than ten days
- Intensive community supervision
- Mandatory community service
- Home detention with EM or GPS
- Work, training or education in a furlough program pursuant to Section 1208
- Work, in lieu of confinement, in a work release program pursuant to Section 4024.2
- Day reporting
- Mandatory residential or nonresidential substance abuse treatment programs
- Mandatory random drug testing
- Community based residential programs

A sanction grid for offenders on PRCS was developed by the CCP to provide consistent sanctions for technical violations that do not rise to the level of filing a petition to revoke with the Court. This grid is attached as Appendix C.

Component 5: Custody and In-Custody Programs

Custody and in-custody programs are essential to the success of Solano County's Realignment Plan. Custody capacity is needed to house realigned offenders in the Solano County Jail. There must be space for flash incarceration as well as for housing unsentenced and sentenced 3/Nons and those whose PRCS, parole, and/or probation have been revoked. Adequate, fully staffed jail space is necessary, as is appropriate programming for those who are incarcerated.

Jail Capacity: The most recent State Corrections Standards Authority (CSA) jail inspection report set the Board Rated Capacity (BRC) of Solano County's jail system at:

- Main Jail 702 beds
- Claybank Jail 379 beds
- Total 1,081 beds

Parts of the Claybank Jail are not being used due to budget cuts and related staffing reductions.

Jail Population: In August 2011, the average daily population (ADP) of Solano County's jails was 768 inmates. As is true in most California jails these days, the great majority – 602 inmates (78.3%) – of those in Solano County's jails were unsentenced while only 166 inmates (21.7%) were sentenced. Of the incarcerated population, 92% had felony charges and 8% were charged with misdemeanors only.

Solano County has received notice of an AB 900 grant award for construction of a new 362-bed jail at Claybank and is proposing a staffing plan that provides for a gradual increase in staff over a period of several years. Barring any unexpected delays, the new jail is expected to open in 2014, increasing the number of available beds at approximately the same time the number of inmates transitioned to Solano County under Public Safety Realignment will reach its peak.

In-Custody (Jail) Programming: A large number of in-custody programs are available to inmates in Solano County with some provided by outside organizations and others provided by the Sheriff's Custody Division.

Programs provided by outside organizations include:

- Health and mental health treatment provided through a contract with the California Forensic Medical Group (CFMG). Solano County Jail Alcohol and Drug Residential Programs, provided by Anka Programs, include: “Tools for Transformation” for both men and women; anger management; trauma and recovery groups; parenting skills groups; and individual counseling based primarily on co-occurring issues.
- Youth & Family Services provides community resource services, including case management for male or female inmates who will be homeless upon release; information and referrals; assistance linking with emergency shelter, sober living residences, domestic violence shelters; health insurance, health and mental health appointments, and other basic needs.
- Women's Reentry Achievement Program (WRAP) - WRAP case managers provide pre-release services in the jail 30 – 60 days prior to a woman’s release; services include individual risks/needs assessments, reentry planning, “Helping Women Recover” empowerment groups, Reading Legacies (a program helping incarcerated women stay connected with their children), and peer mentor support. Intensive case management services are provided after release.

In-custody programs provided by the Sheriff’s Custody Division include:

- Jail Counseling Program is a collaboration between the Sheriff’s Office and the Wright Institute, a professional school of psychology in Berkeley, California through which interns provide counseling to selected inmates during the academic year.
- Custody Inmate Program: “Recovery Too” (“R2”) is a self-run therapeutic community, housed in one 20-bed module at Claybank Jail, primarily for unsentenced men. Participants are involved in one peer-led group a day. Program staff of Sheriff's Office facilitates two group sessions weekly. Focus is on substance abuse recovery and personal development, and the process of changing negative behavior.
- Weekly Discussion Groups occur in both Medium and Minimum Security Sections in Fairfield Jail. The topics discussed focus on gaining insight into causes of negative behavior, and learning how to change behavior in positive directions.
- The Angry Heart Group is a volunteer run group in the protective custody unit; a volunteer also sees individuals there and throughout the jail. Treatment focuses on issues relating to anger, trauma, abuse, borderline behavior and substance abuse. Planning for utilization of community resources post-release is provided to inmates as well as family members.

- The Chaplain provides religious programs in the jail. In cooperation with local religious leaders and chaplain volunteers, weekly Bible studies and religious faith group rites and prayers are offered to some housing units. The Chaplain also coordinates distribution of religious reading materials, conducts weddings, and provides personal counseling services.
- Community volunteers facilitate groups such as AA, NA, and Religious Services.
- Veterans Justice Outreach Program is provided by a VA social worker who comes to the jail every other Friday to help inmates who are veterans access VA and community resources; the social worker assists in establishing eligibility, discharge and transition planning, health and housing services, etc.
- Inmate Library Services include legal reference services provided by Legal Research Associates (LRA), an outside service; recreational and self-help books are also available, as are lists of programs by county.
- GED/Literacy Program is run by the Solano County Office of Education for male and female inmates, with or without a high school diploma. Focus is primarily on math, writing, and English skills; students also can work on science and social studies; and can be preparing for GED exam, as well as other types of tests such as those for vocational training or college. Students stay in class as long as they continue to be productive.

Alternatives to Jail Custody: In addition to the alternatives described previously, the Sheriff's Office also operates a Work Furlough and a Work Release program by which properly screened inmates are released from jail to perform work at either their regular, paying jobs or at public service work sites in the community. The Sheriff's Office will expand the existing Recovery Team to find and return to custody those who abscond from these and other community supervision programs.

The Sheriff's Office, like other departments involved in realignment, will continue to identify and flesh out the myriad realignment-related operational issues facing it while trying to stay abreast of the legislative changes that keep modifying the process.

Component 6: Reentry

Reentry is the sixth essential element of this plan because it is a bridge from correctional supervision to productive, crime-free life in the community. Intended to ensure a ''warm handoff,'' reentry is comprised of multiple processes, services and supports which are the result of thoughtful planning by and for each individual returning to the community. Ideally, reentry planning begins when a person comes into custody.

Reentry encompasses coordinated and integrated pre-release planning, case management, and assistance and support from a variety of agencies and individuals. Reentry can involve linkage to any or all of the following:

- Provision of required medications at release,
- Health and/or mental health treatment,
- Substance abuse treatment,
- "Rapid referral" protocols that line up appointments for offenders to meet with providers of health, mental health, substance abuse, employment, housing and/or other needed services immediately after release,
- Investment in education, vocational training and employment,
- Assistance finding and securing either independent or supported housing,
- Family reunification and/or parenting services,
- Help with transportation to needed services, such as bus passes, for example, and
- Assistance securing identification cards and registering for benefits.

For reentry as well as to serve those PRCS and 3/Non offenders who come to Solano County with mental health conditions requiring attention, mental health treatment is an important priority for funding in the initial year of realignment.

For reentry as well as to serve those PRCS and 3/Non offenders who come to Solano County with substance abuse issues requiring attention, substance abuse treatment is also an important priority for funding in the initial year of realignment.

For reentry as well as to serve those PRCS and 3/Non offenders who come to Solano County unemployed, education, training, and employment-related services are an important priority for funding in the initial year of realignment.

Effective reentry planning incorporates input from offenders, their families, members of the faith Community and those who have successfully left incarceration behind. Reentry services will be offered not only to those returning to the community from prison

or jail, but also to those on community supervision who may need assistance and support.

Solano County established a Reentry Council in 2006 that remains active and will serve as a liaison with the faith community and other volunteers to identify resources and needed support for realigned offenders. The Reentry Council will be called on to assist with a coordinated reentry approach that can be adapted and/or modified to meet the specific needs of individual offenders while presenting a consistent statement of Solano County's reentry goals and principles.

The Reentry Council has developed a handbook of local reentry resources. The HSS Director is exploring ways to make use of an electronic directory produced by the United Way's 211 Project that identifies needed resources. Solano County's page on that directory can be found at http://211bayarea.org/solano/.

Agencies involved in realignment have said it would be beneficial for there to be a single point of contact for realignment, a person responsible for reentry coordination, to whom they could go for information about programs and resources that might be used for recommendations and referrals as well as for reentry. The CCP supports the creation of this position.

Component 7: Service Delivery Strategies

Solano County is committed to using proven effective and cost effective service delivery strategies to manage offenders realigned to its custody. **Service Centers and Day Reporting Centers** are among the most widely researched, proven effective and cost effective rehabilitative service delivery strategies in use today.[12]

Service Centers and Day Reporting Centers provide:

- Pre-trial programming to better maintain defendants on bond,
- An alternative to detention and residential confinement for appropriate, lower risk criminal offenders,
- A step-down program for high risk offenders leaving jail or prison, and/or
- An intermediate sanction for probation violators in lieu of custody

[12] See, for example, Joan Petersilia, PhD, When Prisoners Come Home: Parole and Prisoner Reentry, Oxford University Press, 2003 and Reforming Probation and Parole in the 21st Century, American Correctional Association, 2002.

Service Centers and Day Reporting Centers serve a variety of correctional populations, including:

- Offenders released from jail or prison,
- Repeat/chronic offenders,
- Parole and probation violators,
- High-risk offenders; pre- and post-sentence,
- Drug offenders who have relapsed or reoffended, and
- Offenders who do not respond effectively to traditional supervision methods.

Service Centers and Day Reporting Centers have been shown to produce such positive outcomes as:

- Reductions in recidivism,
- Reductions in average daily jail populations,
- Increases in successful completion of probation or parole and
- Successful reintegration into the community.

Service Centers and Day Reporting Centers are one-stop community centers designed to serve judges, jail administrators, state parole, and local probation officers by providing multidisciplinary treatment and rehabilitative services to offenders who have been determined through assessment to be at risk of recidivism. These Centers provide access to comprehensive services, help develop community collaboration and connect formerly incarcerated and at-risk individuals to rehabilitative and support services including job preparation and search, and cognitive behavioral interventions that target negative offender behaviors known to promote recidivism. The Day Reporting component requires offenders to appear in person (report) to the Center several days or every day of the week, depending on the level of supervision necessary for the offender to receive a wide range of supervision and intervention services.

Implementation Element 1: Training

Realignment is new, complex and evolving, and therefore will necessitate ongoing training for the Courts, District Attorney's Office, Public Defender's Office, Probation officers, Sheriff's personnel, Police officers, service providers and others involved in its implementation. The CCP supports continuous and ongoing training.

Individual agencies are already in the process of training their staffs and will maintain continuous contact with their partners with a view toward having everyone on the same page, using the same language as realignment goes forward. As agencies and various task groups, develop operational policy, procedures and protocols, ongoing training will be developed to ensure all their staffs are familiar with realignment and the implementation steps.

Local police agencies are seeking to develop in-house training to enable briefings for line officers, dispatchers, records personnel and others about the full scope of AB 109, including the details of implementation.

Staff of the various partner agencies are involved in trainings being offered by the Administrative Office of the Courts (AOC), the Chief Probation Officers of California (CPOC), the California State Association of Counties (CSAC), the California State Sheriffs Association (CSSA), and others, singly and in concert, to prepare for implementation and identify emerging issues and legislative changes in the realignment package. Each of these organizations maintains web sites and will continue to provide its members with new information as it becomes available.

The California Department of Corrections and Rehabilitation (CDCR) has launched a web site for training and implementation issues. It can be accessed at: http://www.cdcr.ca.gov/realignment/ .

The Administrative Office of the Court (AOC), through its CJER/Education Division, is developing various written materials, broadcasts, webinars and live programs regarding revocation hearing procedures, sentencing updates, and models of implementation. In addition, the AOC has launched an online Criminal Justice Realignment Resource Center at www.courts.ca.gov/partners/realignment.htm. The web site contains information about criminal justice realignment funding, proposed rules of court and forms, pending and enacted legislation affecting realignment, and other resources.

Implementation Element 2: Communication

As implementation goes forward it will be important to maintain communication among all partners and stakeholders. The Courts, the District Attorney, the Public Defender, the Sheriff's Office, HSS and other service providers will need to be working closely together and sharing updates as the law is amended and rules of court change. Consideration may want to be given to consolidating the multiple sources of information into a regular bulletin that is available to all partners, since shared information will be especially useful in the early stages of building this new way of doing business.

In terms of the communication of specific information needed by agencies to coordinate with one another, local police departments and the Sheriff's Office – have convened a work group to develop systems and procedures to share data so that, among other things, officers on the street will know when they are dealing with realigned offenders.

Public education will be undertaken as implementation goes forward to explain realignment and what is being done to ensure public safety during this correctional paradigm shift. Among other public education strategies, the HSS Director and the Reentry Council are working to bring the E. J. Lilly Foundation's Community Conversations about Reentry to Solano County to help the public understand the ramifications of Public Safety Realignment. The Lilly Foundation's forums cover Transportation, Housing, Employment and Public Protection, and presented by a nationally known speaker on each topic area.

Implementation Element 3: Evaluation and Ongoing Quality Control

Consistent with the evidence-based approaches being used throughout Solano County's realignment efforts, the CCP supports ongoing collaboration to ensure quality control and continuous improvement of programs and services provided as part of realignment. The CCP will monitor and track the implementation progress of and outcomes produced by its realignment efforts. It will track the recidivism outcomes required by AB 109 and will monitor and report data about offenders on PRCS similar to what is required to be reported about CCPIA (SB 678) clients, including but not limited to:

- The number who successfully complete their PRCS
- The number with new offenses
- The number with new felony convictions
- The number of revocations.

The CCP sees this initial plan as a living document and intends to review, revise and update it as realignment evolves and legislative and operational modifications emerge. With input from affected stakeholders, the CCP will seek to ensure that the County's realignment plan maintains the flexibility and agility necessary to dedicate appropriate resources and responses to realignment and realigned offenders.

Implementation Element 4: Funding Priorities

The CCP established a list of priority items for funding in the first year of realignment. The funding priorities, in alphabetical order and not in order of priority, are:

District Attorney
Employment Services
Law Enforcement Task Force
Mental Health Services
Probation Supervision
Public Defender
Reentry Specialist
Service / Day Reporting Center
Sheriff's Programs – In-Custody and Alternatives
Substance Abuse Treatment

These funding priorities were used as the basis for a budget recommendation which is being presented to the Board of Supervisors for approval in conjunction with this plan.

APPENDICES

APPENDIX A

PARTICIPANTS IN PLANNING
FOR
2011 PUBLIC SAFETY REALIGNMENT

PARTICIPANTS IN PLANNING FOR 2011 PUBLIC SAFETY REALIGNMENT

CCP Members:

Isabelle Voit *	Chief Probation Officer, Chair
Robert Bloom	Executive Director, Workforce Investment Board
Lesli Caldwell*	Public Defender
Mark Corioso	Victim's Representative
Carolyn Wold	Victim's Representative, Office of Family Violence Prevention
Birgitta Corsello	County Administrator
D. Scott Daniels*	Presiding Judge, Superior Court
Donald du Bain*	District Attorney
Patrick Duterte*	Director of Health and Social Services
Lloyd Gieg	Executive Director, Genesis House
Halsey Simmons	Deputy Director, Department of Mental Health, HHS
Christiana Smith	Deputy Director, Employment and Eligibility Services, HHS
Jay Speck	Superintendent, Solano County Office of Education
Gary Stanton*	Sheriff / Coroner
Richard Word*	Chief of Police, Vacaville
Andrew Williamson	Clinical Supervisor, Substance Abuse Division, HSS

Executive Committee Member

Partner Agency and Community Members:

Christina Arrostuto	First 5 Solano
Kelley Baulwin-Johnson	Probation Department
Emily Bauer	CAO
Paul Beeman	Judge, Superior Court
Stephen Betz	Health and Social Services
Brandon L. Berks	Conflict Defender
Don Bevins	Sheriff's Office
Steven Bird	Dixon PD
Tracy Blunt	Department of Mental Health, HSS
Oscar Bobrow	Public Defender's Office
Pamela Boskin	Public Defender's Office
Robert Bowers	Judge, Superior Court
Patrick Cannon	Conflict Defender

Kurtis Cardwell	DA's Office
John Carli	Vacaville PD
Mary Carnahan	Superior Court
Terry Cates	Vacaville PD
Eric Charm	DA's Office
Raymond Courtemanche	Mission Solano
Elena D'Agustino	Public Defender's Office
John Daugherty	DA's Office
Janeene de Martinez	Child Support Services, HSS
John Ellis	Judge, Superior Court
Gary Elliott	Sheriff's Office
Bill Fenton	Probation Department
Thomas Ferrara	Sheriff's Office
Peter Foor	Judge, Superior Court
Susie Foreman	Youth and Family Services
Ruth Forney	Reentry Council
Robert Fracchia	Judge, Superior Court
Andrew Ganz	DA's Office
Sabine Goerke-Shrode	Board of Supervisors, District 3
Ronald Grassi	CAO
Tom Harris	Reentry Council
Dan Healy	Judge, Superior Court
Sharon Hoover	Superior Court
Nancy Huston	County Administrator's Office
Tim Kam	Judge, Superior Court
Kevin Kahn	Probation Department
Scott Kays	Judge, Superior Court
John Kealy	DA's Office
Rosemary Kennedy	Children's Network
Bob Lawton	CAO
Kitt Lee	Workforce Investment Board
Glenda Lingenfelter	Department of Mental Health, HSS
Rod Marsh	Solano Sheriff's Office
Mitchell Mashburn	Solano Sheriff's Office
Tanya Mashburn	CDCR, Solano State Prison
Mike Mattice	Judge, Superior Court
Tim Mattos	Suisun PD
Tarita Moehrke	Solano Probation Peace Officer Assoc
Darrin Moody	Fairfield PD
Brad Nelson	Judge, Superior Court
Pat Nicodemus	Youth and Family Services
William Pendergast	Judge, Superior Court
Pamela Posehn	Department of Child Support Services
David Power	Judge, Superior Court
Leslie Prince	Private Criminal Defense Attorney
Cathy Raymos	Solano Sheriff's Office

Terry Ray	DA's Office
Donna Robinson	Probation Department
Ian Schmutzler	Vacaville PD
Belinda Smith	Board of Supervisors, District 2
Donna Stashyn	Judge, Superior Court
Brian Taylor	Superior Court Executive Officer
Walt Tibbet	Chief of Police, Fairfield
Jennifer Washington	Probation Department

APPENDIX B

BACKGROUND

Background of Realignment

- In 1977, California enacted the Determinate Sentencing Law (DSL)[13] which declared the purpose of prison to be punishment and sought to move sentencing "away from reliance on 'a medical model' in which the length of incarceration is based on individual 'needs' and rehabilitation toward a system designed to promote equity, procedural fairness, and just punishment."[14]

- Since that time, California has continued to struggle with prison crowding and resulting litigation concerning medical and mental health care and the appropriate management of prison inmates.

- In 2009, a panel of three federal court judges ordered California to reduce its prison population from 156,000 to 110,000, i.e., to 137.5% of the system's design capacity, within two years. In May 2011, that decision was upheld by the United States Supreme Court.[15]

- An important precursor to realignment, continuing in tandem with it, is the Community Corrections Performance Incentives Act (CCPIA) of 2009 (Senate Bill 678, Chapter 608, Statutes of 2009) signed by then-Governor Schwarzenegger in October, 2009. The CCPIA (SB 678) calls for reductions in recidivism among felony probationers through the use of evidence-based practices (EBP) to improve probation supervision and services. The CCPIA (SB 678) provides incentive funding for adult probation services to improve probation outcomes as measured by a reduction in probation failures committed to prison.

- In 2010, the CCPIA (SB 678) was credited in the LAO's report on the State Budget with reducing the number of probation failures sent to prison by 6,182. In that year, Solano County reduced its probation failures committed to prison by 10% and therefore was awarded $334,000 to continue its efforts in FY 2011/12.

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[13] Chapter 1139, Statutes of 1976

[14] Lipson, Albert J. and Peterson, Mark A., California Justice Under Determinate Sentencing: A Review and Agenda for Research, Rand Corporation, June 1980, page 1

[15] Brown v. Plata, No. 09-1233

APPENDIX C

SANCTION GRID

ADMINISTRATIVE SANCTIONS FOR VIOLATIONS OF TERMS OF POSTRELEASE COMMUNITY SUPERVISION

It is the intent of the Solano County District Attorney, Chief of Probation, Public Defender and Sheriff to facilitate successful completion of postrelease community supervision for offenders under their supervision by imposing graduated sanctions in response to technical violations in lieu of filing a petition for revocation with the court.

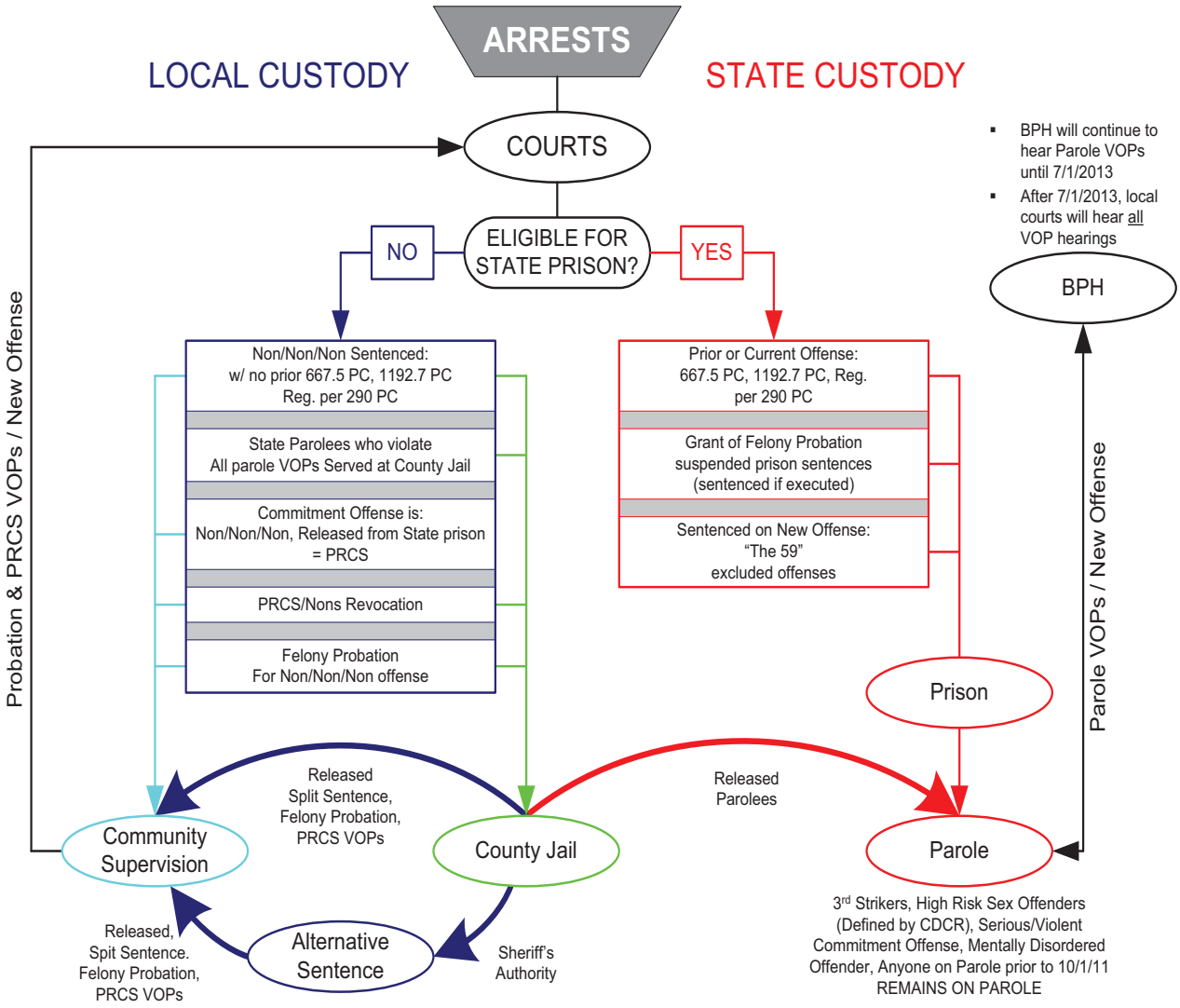
Below are guidelines for response to technical violations of postrelease community supervision relating to the imposition of graduated sanctions. The Level 1, 2, and 3 violations listed are not all-inclusive and may include other behaviors regarding noncompliance with terms and conditions of post release community supervision. Violations will be considered on a case-by-case basis consistent with risk level. The following list of sanctions consists of actions available to be utilized proportionately by your Probation Officer in response to your action(s). The sanctions are community-based interventions and are considered swift and certain consequences to your behavior as delayed response encourages violations. Sanctions do not always occur in a linear fashion.

Level 1 Violations	**Level 1 Sanctions**
Failure to Report – Arrest/Citation Failure to Report – As Instructed Failure to Report – Address/Telephone Number Change Failure to Register – 11590 HS Failure to Pay Fines/Fees Failure to Complete Community Service 1st positive Drug/Alcohol Test Refusal to Drug/Alcohol Test Missed Treatment/Program Group Possession of Prohibited Items (non-weapons)	Verbal Warning Written Letter of Apology Referral to Education/Employment/Life Skills Program Develop Relapse Prevention Plan Educational / Home Study Activity Increased Drug Testing Increased Alcohol Testing Referral to Drug/Alcohol Treatment Community Service with Probation (Complete up to 24 hours within 30 days)
Level 2 Violations	**Level 2 Sanctions**
Multiple Level 1 Violations Failure to Comply with Level 1 Sanction 2nd Positive Drug/Alcohol Test Offense Related Violation Continued Missed Treatment/Program Group Contact with Restricted Person/Place Possession of Prohibited Items (weapons) Failure to attend Offense-Specific Treatment Failure to follow Electronic Monitoring program rules Failure to follow Work Release program rules	Any Level 1 Sanction Multiple Level Sanctions in combination Referral for Treatment Assessment Increased Drug/Alcohol Testing Increased Reporting as Directed Modification of Treatment Plan Work Release with Sheriff's Office (Complete up to 48 hours within 30 days) Alcohol Monitoring with Sheriff's Office Curfew with Restriction using Voice ID System
Level 3 Violations	**Level 3 Sanctions**
Multiple Level 2 Violations Failure to comply with Level 2 Sanction Non-Threatening contact with victim Misd. Behavior (non–offense related) Leave State of CA without permission	Any Level 1 or 2 Sanction Multiple Level Sanctions in Combination Modification of supervision terms and conditions Electronic Monitoring for up to 30 days Flash Incarceration up to 10 days

Multiple or severe violations such as but not limited to the following will result in immediate incarceration and will be reported to the court through the filing of a petition for revocation of community supervision: absconding/terminating from a residential treatment program; escaping from an Electronic Monitoring Program; threatening contact with victim; a new law violation and any continued Level 3 sanction violation.

APPENDIX D

REALIGNMENT FLOW CHART


ARRESTS
LOCAL CUSTODY
STATE CUSTODY
COURTS
ELIGIBLE FOR STATE PRISON?
NO
YES
BPH will continue to hear Parole VOPs until 7/1/2013
After 7/1/2013, local courts will hear all VOP hearings
BPH
Probation & PRCS VOPs / New Offense
Non/Non/Non Sentenced: w/ no prior 667.5 PC, 1192.7 PC Reg. per 290 PC
State Parolees who violate All parole VOPs Served at County Jail
Commitment Offense is: Non/Non/Non, Released from State prison = PRCS
PRCS/Nons Revocation
Felony Probation For Non/Non/Non offense
Prior or Current Offense: 667.5 PC, 1192.7 PC, Reg. per 290 PC
Grant of Felony Probation suspended prison sentences (sentenced if executed)
Sentenced on New Offense: "The 59" excluded offenses
Parole VOPs / New Offense
Prison
Released Split Sentence, Felony Probation, PRCS VOPs
Released Parolees
Community Supervision
County Jail
Parole
Released, Spit Sentence. Felony Probation, PRCS VOPs
Alternative Sentence
Sheriff's Authority
3rd Strikers, High Risk Sex Offenders (Defined by CDCR), Serious/Violent Commitment Offense, Mentally Disordered Offender, Anyone on Parole prior to 10/1/11 REMAINS ON PAROLE

APPENDIX E

ACRONYMS

ACRONYMS

ADP	Average Daily Population
AOC	Administrative Office of the Courts
ATC	Alternatives to Custody
BPH	Board of Parole Hearings
BRC	Board Rated Capacity
CBT	Cognitive Behavioral Therapy
CCP	Community Corrections Partnership
CCPIA	Community Corrections Performance Incentives Act (SB 678)
CDCR	California Department of Corrections and Rehabilitation
CPOC	Chief Probation Officers of California
CSA	Corrections Standards Authority
CSAC	California State Association of Counties
CSSA	California State Sheriffs Association
DRC	Day Reporting Center
EBP	Evidence Based Practice
EM	Electronic Monitoring
GPS	Global Positioning Satellite
HSS	Department of Health and Social Services
LS/CMI	Level of Services Case Management Inventory
LSIR	Level of Services Inventory Revised
MI	Motivational Interviewing
3/Non	Non-serious, Non-violent, Non-registerable sex offense
OR	Own Recognizance
PRCS	Post Release Community Supervision
SCSO	Solano County Sheriff's Office
SOR	Supervised Own Recognizance
VOP	Violation of Probation or Parole