

DEPARTMENT: Probation

BY: Pete Judy, Chief Probation Officer

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11-362

RECOMMENDED ACTION:

Designate the Mariposa County Probation Department as Mariposa County's agency to provide Postrelease Community Supervision (PCS) pursuant to California's adult public safety realignment addressed in AB 109 and AB 117.

REASON FOR RECOMMENDATION:

It is imperative that steps are taken for Mariposa County to be prepared for these shifting responsibilities which is scheduled to take place October 1, 2011.

BACKGROUND:

AB 109, titled "2011 Realignment Legislation Addressing Public Safety" was signed by the Governor on April 4, 2011. The bill is effective on October 1, 2011.

In summary, the bill realigns numerous responsibilities concerning adult felony offenders to the counties, including: specifying local jail custody only for certain offenders previously eligible for a commitment to state prison; and, specifying certain offenders, upon release from prison, are subject to community supervision and accountability by a local agency and Courts rather than state parole.

This agenda item concerns the latter, which is established within AB 109 by the enactment of the "2011 Postrelease Community Supervision Act." This act declares that certain offenders released from state prison for offenses which are not classified as violent or serious, or the offender is not classified as a high risk sex offender, shall be "subject to postrelease community supervision provided by a county agency designated by each county's Board of Supervisors which is consistent with evidence-based practices, including, but not limited to, supervision, policies, procedures, programs and practice demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision."

AB 109 also requires the local Community Corrections Partnership (CCP), chaired by the Chief Probation Officer with membership of local stakeholders established by law, to "recommend local plan to the county Board of Supervisors for the implementation of the 2011 public safety realignment."

In Mariposa County, the CCP has met and work is underway to develop our local "evidence-based" plan concerning public safety realignment. It is necessary at this time for the Board of Supervisors to designate the county agency to provide postrelease community supervision services. On October 1, 2011, offenders being released from prison will be returning to Mariposa County and must immediately be supervised to avoid a negative impact on public safety. Additionally, the California Department of Corrections and Rehabilitation has required the counties to notify them of the agency responsible for postrelease supervision by August 1, 2011.

JUSTIFICATION:

The Probation Department is the best qualified to provide these services as the department has in place policies, procedures, training, and evidence-based practices to most effectively address this population.

FUNDING:

No fiscal impact or change to net county cost.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes (X) No Current FY Cost: \$ _____ Annual Recurring Cost: \$ _____
 Budgeted In Current FY? () Yes (X) No () Partially Funded
 Amount in Budget: \$ _____
 Additional Funding Needed: \$ _____
 Source: Cash Match _____
 Internal Transfer _____
 Unanticipated Revenue _____ 4/5's vote
 Transfer Between Funds _____ 4/5's vote
 Contingency _____ 4/5's vote
 () General () Other

CLERK'S USE ONLY:

Res. No.: 11-362 Ord. No. _____
 Vote - Ayes: 4 Noes: _____
 Absent: Sanjin
 Approved
 () Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: [Signature]

Mariposa County Resolution N. 11-362
Designating the Mariposa County Probation Department
As the County Agency for the
Postrelease Community Supervision Program

WHEREAS, AB 109 titled "2011 Realignment Legislation Addressing Public Safety" was signed by the Governor on April 4, 2011. The bill is effective on October 1, 2011. Established within AB 109 is the enactment of the "2011 Postrelease Community Supervision Act;" and

WHEREAS, the 2011 Postrelease Community Supervision Act declares that certain offenders released from state prison for offenses which are not classified as violent or serious, or the offender is not classified as a high risk sex offender, shall be "subject to postrelease community supervision provided by a county agency designated by each county's Board of Supervisors which is consistent with evidence-based practices, including, but not limited to, supervision, policies, procedures, programs and practices demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision;" and

WHEREAS, the Probation Department is best qualified to provide these services as the department has in place policies, procedures, training and evidence-based practices to most effectively address this population; and

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of the County of Mariposa hereby designate the Mariposa County Probation Department as the county agency to have jurisdiction over and supervise postrelease community supervision programs and offenders.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California on the 26th of July 2011 by the following vote:

Ayes: STETSON, BIBBY, CANN, ALLEN

Noes: NONE

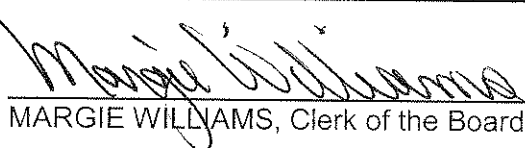
Absent: TURPIN



JIM ALLEN, Chairman

ATTEST:

APPROVED AS TO FORM:



MARGIE WILLIAMS, Clerk of the Board



STEVEN W. DAHLEM, County Counsel