COUNTY OF LOS ANGELES
PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY – DOWNEY, CALIFORNIA 90242
(562) 940-2501

JERRY E. POWERS
Chief Probation Officer

June 11, 2012

TO: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: Jerry E. Powers
Chief Probation Officer

SUBJECT: **FEASIBILITY PLAN TO IMPROVE REHABILITATIVE SERVICES TO THE PUBLIC SAFETY REALIGNMENT (AB 109) POPULATION (APRIL 3, 2012 AGENDA, ITEM #45-A)**

On April 3, 2012, on motion of Supervisor Mark Ridley-Thomas, the Board directed the Chief Probation Officer, in consultation with the Chief Executive Officer to develop a feasibility plan to immediately improve the levels of rehabilitative services to released prisoners with the goal of ensuring 100% of persons requiring treatment and other services receive them. The plan should examine, but not be limited to, the following remedies:

1) Establish clear performance goals to ensure Departments and/or agencies make the appropriate referrals for mental health, substance abuse and job placement/housing services, including goals and timetables for ensuring that: (a) all Post-release Supervised Persons (PSPs) who require services are referred for such services, and (b) all PSPs are monitored for attendance and progress towards their prescribed services;

2) Locating the referring County agencies and/or service providers, both County agencies and Community-Based Organizations (CBOs) at the Probation HUB facilities;

3) Beginning the assessment and referral process prior to the prisoners' release, at the prison site, and possibility arranging for transportation directly to a service provider; and

4) Ensuring the broadest and most effective partnership and participation of Community-Based Organizations and Faith-Based Organizations through robust outreach and including performance goals in contract terms.

In addition, as amended by Supervisor Molina, the Board instructed the Chief Probation Officer to develop guidelines regarding the occurrences of mandatory condition violations, and that the Department document these discipline violations, and report them in the Countywide Criminal Justice Coordination Committee (CCJCC) Public Safety Realignment Implementation Update.

OVERVIEW

The following outlines Probation's response and key actions which focus on:

- Establishing clear performance goals and timelines to immediately improve the levels of rehabilitative services for the Public Safety Realignment (AB 109) population;
- Determining the feasibility or non-feasibility of various activities and options to improve such services;
- Cost estimates, funding mechanisms, and implementation timelines associated with these activities;
- Reviewing and updating existing "Intermediate Sanction Policy Guidelines", and documenting discipline violations and report them in the CCJCC Public Safety Realignment Implementation Update; and
- Remaining outstanding issues or questions that may require Board direction.

A summary of the feasibility plan is provided in Attachment I.

FEASIBILITY PLAN

I. ESTABLISH CLEAR PERFORMANCE GOALS TO ENSURE DEPARTMENTS AND/OR AGENCIES MAKE THE APPROPRIATE REFERRALS FOR MENTAL HEALTH, SUBSTANCE ABUSE AND JOB PLACEMENT/HOUSING SERVICES, INCLUDING GOALS AND TIMETABLES FOR ENSURING THAT: (A) ALL PSPs WHO REQUIRE SERVICES ARE REFERRED FOR SUCH SERVICES, AND (B) ALL PSPs ARE MONITORED FOR ATTENDANCE AND PROGRESS TOWARDS THEIR PRESCRIBED SERVICES

Probation HUBs are designed as multi-disciplinary assessment and orientation centers for Post-release Supervised Persons (PSPs) returning to county jurisdiction from State prison for supervision. As such, the primary goal of the HUB is to conduct initial orientations, initiate case plan development, and make referrals as indicated by assessment results. Thereafter, cases are transferred to Supervision field office DPOs responsible for tracking PSPs to ensure that connection is made to referred agencies.

During initial visits to HUB sites, DPOs review conditions of supervision, discuss specific requirements, and conduct initial drug testing. The Level of Service/Case Management Inventory (LS/CMI) risk assessment is administered to determine the PSP's risk for recidivism and need for treatment and/or other support services. Referrals are generated as DPOs identify mental health, substance abuse, housing, transportation, medical, or other needs. Department of Mental Health (DMH) clinicians direct PSPs with "mental health only" issues and co-occurring disorders (mental health and substance abuse) to local mental health facilities. When a mental health assessment determines that a PSP does not require mental health treatment, but rather "substance abuse only," DMH will refer PSPs to Community Assessment Service Centers (CASC) for substance abuse services. If a PSP does not have any mental health issues, the HUB DPO will refer the PSP to a CASC from the onset if substance abuse services are indicated. The Department of Public Social Services (DPSS) refers eligible PSPs to local DPSS offices for services. Future plans include the addition of CASC providers via the Department of Public Health – Substance Abuse Prevention Control (DPH-SAPC) to the HUBs to conduct substance abuse assessments, with implementation priorities being the highest volume HUB sites.

The Department continues to make operational and systemic improvements as we identify opportunities for enhancement. Based on nearly 7-months of program implementation, we believe the current HUB model as designed, serves as the best option to provide orientations, case plan development, assessments and referrals to the Post-release Community Supervision (PRCS) population.

Despite favorable progress, the current HUB model continues to evolve as we strategically monitor and assess our implementation efforts. Outlined below are various process improvements and other action steps we have taken in response to conversations with Community Based Organizations (CBOs), the Treatment workgroup, and internal observations:

In November 2011, the Department –

- <u>Mandated Mental Health Treatment, Substance Abuse Treatment and in April 2012 Employment/Job Training Services were also mandated</u> – The PRCS population is not one that is particularly amenable to treatment. Although our referral rates continued to increase, treatment participation has been lower than desired. In response, the Department began to mandate mental health and substance abuse treatment, and employment/job training services by adding these requirements to conditions of supervision. By mandating these services it removed the "choice" option from the PSP. It also allowed service providers more leverage when dealing with PSPs refusing treatment services. Moreover, this effort has allowed the authority to impose intermediate sanctions including flash incarceration, as well as revocation for those failing to comply with such mandates. DMH has indicated that the mandated conditions have helped them in gradually improving participation rates. DPH-SAPC believes that co-location of

CASC providers at HUB sites will result in increased participation in substance abuse treatment. This thought is based on the fact that a direct connection and link to substance abuse service providers will be provided during the PSP's initial visit to the HUB. Currently, PSPs are given a referral to an offsite CASC facility, who in turn gives the PSP another referral to an offsite service provider. The addition of the CASC provider at the HUBs would eliminate the need to provide the initial offsite referral to the CASC facility making it more likely that PSPs would make the connection to the service provider.

In January 2012, the Department –

- Executed a sole source contract with Haight Ashbury for housing, transportation and job readiness/placement services – The Department began drafting the Statement of Work for a sole source contact with Haight Ashbury in November of 2011. The Board of Supervisors (BOS) granted approval of sole source authority the following month in late December 2011. Throughout January and February 2012, the Department worked feverishly to complete the required background checks of over 400+ persons employed by various sub-contractors through Haight Ashbury. The Department exhausted every effort to expedite this process, which is still underway to-date.

  Initially, approximately only 35% of the staff applying to work under the contract passed and cleared background investigations. The remaining 65% failed to meet the Department's background criteria. The primary reason for failure was the requirement to "disclose" criminal information from their past, which resulted in an automatic disqualification. To remedy this issue without compromising the integrity of the process, we changed background eligibility criteria to reflect 3 years of no felony convictions verses 10 years as required by the prior criteria. This decision immediately improved the number of persons eligible to perform work under the contract as we experienced an approximate 18% clearance rate improvement. Consequently, we became more aggressive in making the appropriate referrals. Below, Table A illustrates current background clearance percentages.

Table A

Probation's Haight Ashbury Background Clearances	
Final & Clear	53%
Pending Investigation	17%
Disqualified	21%
Disqualified (In review)	4%
No Show for Live Scan	5%

Note: These percentages are cumulative as of 5/29/12. Also note that these percentages constantly fluctuate as investigation are completed, disqualifications are reviewed and overturned, and individuals report in for live scanning.

Treatment Participation Rates

As background clearances progressed, referrals for housing, transportation and job readiness/employment services increased dramatically. The need for housing services remained consistent with our initial projections of approximately 12% of the population, while the need for job readiness/placement service trended lower than anticipated. Moreover, as part of evidence-based case management, Probation HUB and Supervision DPOs primarily focus on the stabilization of mental health and/or substance abuse treatment, transportation and housing needs over job readiness/placement service. Job readiness/placement service referrals can be made during later stages of supervision as the PSP becomes stable within the community. Bus tokens are offered at Probation HUB sites and supervision area offices to assist PSPs with transportation. Our Mobile Assistance Team (MAT) also assists with transporting acute mentally ill PSPs to mental health treatment facilities and County hospitals as needed. Cal Fresh and General Relief services offered though DPSS have assisted PSPs with basic food and financial needs. These factors alone have impacted the number of referrals for job readiness/placement services. However, for those identified as fully capable of seeking and maintaining employment, we have enforced this condition of supervision and will continue with appropriate follow-up.

PSPs Connecting with Non- County Providers

Through field observations and interviews, we have discovered that PSPs appear to be connecting with past resources offered by Parole, prior to reporting to Probation HUBs, or shortly thereafter. This seems to be an area that is both comfortable and familiar to PSPs as they adjust to the nuances of AB 109. Consequently, participation rates have suffered as PSPs are stating that they do not need, or outright refuse particular services due to connecting with other non-County service providers. While we do not have the number of PSPs using non-County service providers, Table B provides PSP refusal rates for Mental Health treatment at Probation HUBs, and Table C provides referrals for substance abuse assessment and show rates. We believe that there is a correlation between refusal and show rates, and PSPs using other non-County services.

Table B – Mental Health Treatment Determinations and PSP Refusals (By Month of Release).

	OCT	NOV	DEC	JAN	FEB	MAR
Treatment needed	320	338	321	313	304	227
Number refusing mental health treatment at HUBs	51 **16%**	66 **20%**	74 **23%**	39 **12%**	40 **13%**	49 **22%**

Note: DMH was unable to provide updated data (April & May) at the time of the report.

Table C – Referrals for Substance Abuse Assessment and Show Rates (Cumulative).

Referrals to CASCs for Substance Abuse Assessment	OCT	NOV	DEC	JAN	FEB	MAR	APR	*MAY
	333	716	1066	1431	1815	2306	2819	3239
Number reporting to CASCs	9	65	265	495	770	1181	1420	1505
	3%	**9%**	**25%**	**35%**	**42%**	**51%**	**50%**	**47%**

*Note: May data reflects counts up to May 25, 2012.

In cases where Probation, DMH or DPH-SAPC deemed the non-County agency's services as unacceptable, we are still making the necessary County provided and/or contracted service referrals and conducting follow up with the expectation of compliance. An example of unacceptable services would be an agency that is providing services at lower dosage or frequency rates as recommended by County DMH clinicians or DPH-SAPC staff.

Moreover, some have declined "free" Haight Ashbury housing services as they seek alternative housing options like motels and transitional living homes that they can pay for themselves (Attachment II, Chart 1 shows Probation's Haight Ashbury referral and placement rates). Housing costs are covered with funds received from General Relief, vouchers from DPSS, and money earned while in State custody. They feel this is a safer option because of suspicion that "free housing" services means that Haight Ashbury is working for Probation to keep "tabs" on their behavior and whereabouts. As failing to accept a housing referral is not considered a violation of supervision, we do not currently track these occurrences. However, given the correlation between homelessness and recidivism, we will begin tracking the declination of housing referrals effective July 1, 2012.

PSPs Adjustment to Probation's Supervision Model

We have also discovered that some PSPs seem to have difficulty adjusting to the oversight of Probation as they become familiar with the requirements of supervision under AB 109. DPO's have experienced PSPs express that our (Probation's) approach to treatment and supervision is different from what they have experienced with Parole, and in fact more stringent. The HUB concept alone is not traditional in a sense that prior experiences with Parole did not include anything similar. During orientations with Probation HUB DPOs, PSPs have made statements similar to, "This new AB 109 supervision is much harder than Parole. Probation has way too many conditions and requirements. I'd rather be back on Parole."

These kinds of attitudes and ideas have resulted in PSPs "testing" the system. For example, some PSPs have opted to "self-parole," which means they are not required to give an address prior to or upon release from State prison. Upon reporting to HUB sites, they have indicated that they are homeless. As HUB

DPOs initiate housing referrals, they have made statements similar to the notion that they are stable for the moment but will be moving to a new permanent residence in the coming weeks. This behavior is an intentional attempt to remain "unsupervised." This kind of manipulation is adversely affecting referrals and participation rates, as these kinds of individuals have no intention to participate from the onset. Yet some agree during the orientation phase in order to "go along" with the process. This behavior illustrates the sophistication and experience some have in dealing with law enforcement agencies. While we have not quantitatively tracked these various occurrences, they are provided to demonstrate the challenges we face in dealing with the referral process and required participation. Accordingly, we are taking proactive steps to ensure compliance with all conditions, with an emphasis on treatment compliance. The increased use of TCPX to monitor treatment participation, and the increased use of intermediate sanctions, leading up to revocation are clear examples of our proactive efforts.

It should be noted that these findings do not reflect the majority of the PRCS population, but rather a smaller segment of the population.

In February 2012, the Department –

Implemented the use of TCPX to track referrals and treatment progress – In November 2011, the Treatment workgroup, a sub-committee of the Public Safety Realignment Team (PSRT) began discussions regarding the use of Treatment Court Probation Exchange (TCPX) system to manage the referral process for the PRCS population. The workgroup recommended TCPX as the primary system to be used in sharing treatment participation and progress for the PRCS population. The Treatment workgroup initiated this process by identifying what system modifications would be required to support this effort, and a time-frame for completion. We also met with and reviewed a system maintained by Haight Ashbury to better understand the requirements associated with tracking participation rates for the AB 109 population.

For background, TCPX is a DPH-SACP web-based information system that tracks referrals to contracted support services, mental health, and substance abuse treatment providers. TCPX data entry is performed by HUB and Supervision DPOs, as well as DPH-SAPC and DMH contracted providers. HUB DPOs provide PSPs with printable referral forms (see Attachment III) they can take directly to service providers, which clearly identify them as AB 109 participants. Based on routine data downloads into the TCPX system, field office DPOs will be able to generate treatment compliance reports, including attendance and progress, that will be discussed during the PSP's subsequent field office visits. As we continue to work with the PRCS population, on-going modifications and system enhancements will be made. Those modifications include adjustments to capture the N3 population, capturing contracted services

such as housing, employment, and transportation, and refining reports to capture data more accurately. We anticipate completion and implementation within the next 90 days.

After various follow-up meetings outlining system parameters and requirements, ISD programmers began modifications in December 2011. In February 2012, several segments of the TCPX system were complete and available for use. Training was initiated by ISD, as Probation, DMH and DPH-SAPC providers learned the system and its many additions.

Implementation moved forward with the understanding that as the workgroup identified errors, system glitches, and/or recommend additional modifications, those would be vetted, and changes would be made in order of priority. Initial production efforts focused on completing the following tasks:

- Completion of the HUB segment of the system to allow Probation to begin capturing 100% of the population reporting to a HUB site.

- Reconciling PSP treatment and referral data gathered from Probation, DMH and DPH-SAPC between the months of October 2011 – December 2011, and entering the data into the system.

- Completion of the printable referral forms generated by HUB DPOs for PSP to be taken directly to treatment service providers.

- Completion of various report types to be used by each agency, as well as the Countywide Criminal Justice Coordination Committee (CCJCC) for reporting to the BOS on AB 109 implementation progress.

The TCPX system is one of many systems that will be used to track the PRCS population. DPOs will employ the use of several systems to aid in their duty to provide case management services.

- Adult Probation System (APS) – APS is Probation's primary system used to track all adult clients including AB 109 participants. Pre-release information, supervision conditions, progress notes, and field contacts are all examples data and information maintained in APS. APS is still being modified to address the need to capture other relevant AB 109 data such as pre-release packet information and intermediate sanctions.

  Timeline: Currently underway and will be completed in phases with implementation beginning by August 31, 2012.

- Trial Court Information System (TCIS) – TCIS is the Superior Court's system used to maintain criminal court cases and information. Minute orders, transcripts, and warrant information are examples of data and information maintained in TCIS.

- Consolidated Criminal History Reporting System (CCHRS) – CCHRS is a system maintained by the Department of Justice (DOJ) that brings together computerized information from more than a dozen computer systems used by the Sheriff, District Attorney, Public Defender, Probation, Municipal and Superior Courts and other departments to obtain an offender's criminal history.

- Centralized Excel Spreadsheets and Access Databases – Currently, a centralized group of Program Analyst are using Excel spreadsheets and Access databases to track contracted services such as housing, and job/readiness placement services. Additionally, they are tracking warrant requests, revocation, intermediate sanction and pre-release information.

Currently, each of these systems functions independently and do not interface, with exception to TCPX and TCIS. We have developed plans which will allow TCPX to capture data elements from APS to assist in the automation of printable treatment referrals. We anticipate this feature being fully functional within 60 – 90 days of this report. As it stands, DPOs are required to log into these various systems individually and research the case related information they need. Collectively, these systems will allow the DPO to provide the most comprehensive level of case management and supervision in their effort to ensure accountability and compliance with treatment and supervision requirements. They will also allow for management oversight as various reports on population demographic and other trend data can be generated. Additionally, as detailed below, we have further developed specific tasks and established timelines directly related to the efforts of ensuring that those who require services receive them:

A. **The Department's AB 109 budget requests for the current and next fiscal year includes an allocation for TCPX systems enhancements, site maintenance, and on-going server cost** – Internal Services Department (ISD) will continue with system modifications, which include, but will not be limited to, the tracking of services rendered by contractors (i.e., housing, employment, and transportation). We anticipate that system modifications will continue throughout the next fiscal year as we identify additional system needs, enhancements, and improvements.

   Timeline: The system is fully functional and available for use. On-going modifications will occur throughout fiscal year 2012-13 as we continue to work with the AB 109 population.

B. **Establish guidelines to ensure timely use of TCPX System by DMH, DPH-SAPC and Probation which will be memorialized in a Memorandum of Understanding (MOU)** – The MOU will establish requirements for each of the agencies' utilization and ensure accountability for the data entered and utilization of that data.

   Timeline: The MOU will be executed by July 15, 2012.

C. **Training of ALL AB 109 Deputy Probation Officers (DPOs) and Supervising Deputy Probation Officers (SDPOs) on TCPX –**

   Timeline: Training has already begun. ISD has trained Probation trainers who will train the remaining AB 109 staff by July 30, 2012.

D. **The Department will develop and implement quality controls to ensure that DPOs continue to use the system to generate and track referrals for services** – Once in place the quality controls will assist us in:

   - Monitoring site usage;
   - Identifying number of referrals and referral type generated from any particular user;
   - Comparing assessment results with actual referrals generated;
   - Comparing referrals for services with treatment conditions; and
   - Tracking attendance and timeliness of service delivery.

   Timeline: Quality controls for TCPX usage will be in place by July 1, 2012.

E. **Review and update our current Intermediate Sanction Policy Guidelines** – The Probation Department will review and update our Intermediate Sanction Policy Guidelines that clearly identify required action for refusal and/or failure to attend treatment as ordered or referred. The Department will provide a copy of that stated guidelines under a separate confidential report.

   Timeline: Currently underway and will be completed by June 30, 2012. Thereafter, the policy and guidelines will be reviewed quarterly to ensure they are effective and timely.

As previously mentioned, the PRCS population has historically been resistant to treatment. While there are no known national or statewide treatment participation rate standards for this population or one similar, Attachment II, Chart 2 outlines our overall treatment participation goals for PRCS population.

As we move forward, we will continue to employ corrective action for PSPs who fail to comply with mandated treatment requirements. We anticipate that by end of fiscal year 2012-13, we will have met and/or exceeded our targeted goals, as 100% of the

treatment population will be addressed either through participating in treatment or addressed through the use of intermediate sanctions and/or revocation. **We believe that the goals of Item I are feasible and can be accomplished with the above actions.**

II. LOCATING THE REFERRING COUNTY AGENCIES AND/OR SERVICE PROVIDERS, BOTH COUNTY AGENCIES AND COMMUNITY-BASED ORGANIZATIONS (CBOS) AT PROBATION HUB FACILITIES

There are over 200 potential service providers for this population in Los Angeles County. This results in significant logistical barriers associated with accommodating all potential service providers within Probation HUBs. Some of the barriers include space considerations, as well as public versus private monetary and liability concerns. Going forward, as we pursue our pending Request for Proposal (RFP) for services, we will consider exploring opportunities with the selected providers for co-location of services among the primary referring agency so as to allow for a one-stop service environment.

Currently, we are accommodating co-location of DMH and DPSS, and have plans to include DPH-SAPC and Department of Children and Family Service (DCFS) at our highest volume HUB sites, as space allows. We have conducted initial meetings and discussions with DPH-SAPC's and Probation's Information Technology (IT) staff to identify IT and security requirements. We have also completed a "walk-through" and mapped out a space plan for co-location at the Lynwood and DRC HUBs. We are currently pending an update from DPH-SAPC to determine when/if they are able to install a Digital Subscriber Line (DSL) line for data. We have also learned that DPH-SAPC may need to amend their CASC contract to accommodate this effort. We are monitoring progress towards this effort with an implementation date no later than July 31, 2012, barring any unforeseen IT or contractual challenges.

However, conversely, with the limited available funding provided by the State, the County's objective is to maximize those funds through direct support, mental health, and substance abuse treatment services that are local and easily accessible to the PSP. **We believe co-location of additional County agency staff is feasible. However, due to the issues outlined above, we do not believe co-location of private providers is feasible.**

III. BEGINNING THE ASSESSMENT AND REFERRAL PROCESS PRIOR TO THE PRISONERS' RELEASE, AT THE PRISON SITE, AND POSSIBLY ARRANGING FOR TRANSPORTATION DIRECTLY TO A SERVICE PROVIDER

Probation and several County departments have been working with the CDCR on several potential options to facilitate PSP's transition from State prison back to their communities. Despite these efforts, CDCR has made it clear that they are unable,

at this time, to accommodate some of the creative options proposed by the County. Currently, CDCR is dealing with restructuring efforts, population reductions, staffing considerations, and budgetary restraints which prohibit their ability to take on these additional tasks.

CDCR has only agreed to transport acute mentally ill PSPs who are unable to navigate public transportation, to local CDCR prison sites for pick-up by Probation. In exploring various options, we have learned that CDCR does not release LA County PSPs from any specific prison site in significantly large enough numbers to out-station staff to conduct pre-release assessments. Releases tend to be evenly disbursed throughout the 33 State prison sites. Despite these initial barriers, we explored the following additional options:

A. **Request CDCR transfer Los Angeles County releases to local CDCR facilities 60 days prior to release so that assessments can be conducted prior to release and/or CDCR provide release transportation to Los Angeles County upon release** – CDCR management believes that at this time, it is not possible to accommodate the transfer of Los Angeles County PSPs to State institutions or neighboring County State facilities to assist in a plan to initiate assessments and referrals pre-release. The logistics of its 33 prisons as well as the possibility of accommodating request from other 57 counties made it impractical for them to do so.

B. **Contracting with CDCR to initiate assessments** – Attachment II, Chart 3 illustrates the anticipated population for FY 2012-13, which shows 6,751 individuals would need an assessment at a total minimum cost to CDCR of approximately $675,000, which only includes basic risk assessments, excluding mental health and substance abuse assessments. **CDCR has indicated that it is not feasible to take on this additional responsibility at this time**.

C. **Placing Los Angeles County Probation, DMH and DPH-SAPC employees in State facilities to conduct pre-release assessments** – The logistical considerations are significant and would include attempts to hire staff to work in out-of-County prison locations. Due to the multiple assessments that are required of many of these individuals for risk, mental health and substance abuse, there would be a need to have multiple staff available to conduct the appropriate assessments. Given that there are 33 prisons statewide and Los Angeles County receives individuals from all 33, the expense to have sufficiently trained staff in every facility would be prohibitive in comparison to the current HUB approach.

   Probation, DMH and DPH-SAPC estimate minimum personnel costs of approximately $15.2 million that could be funded by Los Angeles County AB 109 General Funding Allocation (see Attachment II, Chart 4); however, this

would necessitate a reallocation of resources that may not be likely to occur. **Given these concerns, we have concluded that this option is not feasible**.

D. **Transfer of PSPs to Los Angeles County Jails prior to release from CDCR** – Early in realignment discussions, CDCR advised that they would pay approximately $39.5 million in annual revenue to the County for housing PSPs in County Jail for 90 days. According to LASD, it would cost approximately $46.9 million. Consequently, this would likely result in a minimum of $7.4 million in net County cost increase (see Attachment II, Chart 5). Housing PSPs in County Jail for 30 days would be estimated at $13.2 million and 60 days would be estimated at $26.4 million.

   Additionally, LASD believes that with over 5,000 PSPs currently under County supervision, and approximately 4,000 N3's in custody, housing this additional population would be a significant and immediate strain on the Sheriff's Department's ability to manage the jail population, and would likely result in greater County expense than the current model. **For these reasons, we do not believe this option is feasible**.

E. **Arranging transportation directly to a service provider** – The Sheriff's Department conducts routine transportation of inmates to two reception and receiving centers for drop-off rather than transporting to facilities all over the State. The inability to predict when and where releases will occur, and with approximately 1,000 releases per month, the transporting department could be expected to potentially be at 33 different locations each day to pick up individuals released from State custody. Ultimately in the next 24-30 months, as the in-custody PRCS population begins to decrease, the individuals released from prison will be reduced to a trickle, and all of the infrastructure and expense associated with on-site assessments and transportation will be unnecessary. **This option would likely result in a significant cost increase, and therefore, was determined not feasible**.

IV. ENSURE THE BROADEST AND MOST EFFECTIVE PARTNERSHIPS AND PARTICIPATION OF COMMUNITY-BASED AND FAITH-BASED ORGANIZATIONS, THROUGH ROBUST OUTREACH INCLUDING PERFORMANCE GOALS IN CONTRACT TERMS

In March 2012, the Department hosted the Post-Release Community Supervision Outreach Forum to seek input and expertise from CBO and FBO community regarding housing and employment services for the AB 109 population. Accordingly, feedback was obtained and used in developing the Statement of Work for both housing and employment service contracts. An example of such would be our decision to change the payment model from fee-for-service to cost reimbursement. In addition, we have participated in over 20 community forums and events (see Attachment IV) delivering presentations and responding to inquiries

regarding our implementation efforts and future plans with the AB 109 population. These meeting have result in the following:

- The Department plans to incorporate the CBO community into future Probation trainings. This will allow the DPO to gain a broader perspective from the treatment community regarding how the DPOs supervision techniques and strategies affect the PSPs successful community transition. The training will also focus on impressing upon the DPO the teamwork that is required that heavily influences a client's in reintegration efforts.

- We have addressed concerns regarding compliance checks and began dialogs regarding the development of protocols for law enforcement agencies when conducting compliance checks.

- We have initiated the process of issuing bus tokens to the PRCS population at HUB and Supervision field offices.

- We have modified our background criteria from 10 years of no felony convictions to 3 years, as to allow more contractors to provide services.

These outreach efforts will be ongoing as we aim to ensure the broadest most effective partnerships. **We believe the efforts undertaken so far will assist in accomplishing this goal and thus, it is feasible.**

SUPERVISOR MOLINA'S AMENDMENT: CHIEF PROBATION OFFICER TO DEVELOP GUIDELINES REGARDING THE OCCURRENCES OF MANDATORY CONDITION VIOLATIONS, AND DOCUMENTATION OF THESE DISCIPLINE VIOLATIONS AND REPORTING THEM IN THE COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE (CCJCC) PUBLIC SAFETY REALIGNMENT IMPLEMENTATION UPDATE

The Department plans to review and revise existing policy and guidelines regarding the violation of mandatory conditions as previously indicated above. In doing so, we will work in consultation with DMH when deciding and imposing intermediate sanctions on PSPs with mental health conditions. Currently, we are tracking the number of revocations, flash incarcerations, and new law violations. We will expand this to ensure that we know what behaviors are leading to these actions, such as, positive drug tests, failure to attend counseling, failure to meet with the Probation Officer or other behaviors. Ultimately, in those instances where sanctions are imposed, we will be able to report how many times we imposed sanctions, what the sanctions were, and the types of violations that led to the imposition of sanctions. In conjunction with the TCPX tracking system, we will ultimately have a much better picture of the treatment outcomes, or lack thereof, as well as the behavior outcomes of the AB 109 population. **We believe this is feasible.**

CONCLUSION

The Probation Department certainly supports the goal of 100% participation in treatment for this population, as well as the other actions contained in the Board motion. However, we also know that this population is particularly resistant to treatment and achieving a 100% compliance rate with treatment conditions given the resources available is not likely. Therefore, we must have a balanced approach that also provides for monitoring and sanctions of those individuals who do not comply with mandatory treatment and supervision terms. This will enable public safety to be better served and resources more effectively utilized, and will result in better outcomes for all. In addition, although not specific to any part of the Board's motion, but assisting in the overall goal, we will be restructuring internal operations to establish a bureau specific to AB 109 services. This will help to focus on the services and needs of the population, as well as our partners and communities in dealing with this unique population.

Please contact me if you have any questions or require additional information, or your staff may contact Reaver Bingham, Deputy Chief, Adult Field/Placement Services, at (562) 940-2513.

JEP:RB:BF:cc

Attachments (5)

c: Honorable Leroy D. Baca, Sheriff
William T Fujioka, Chief Executive Officer
Georgia Mattera, Public Safety, Chief Executive Office
Sachi A. Hamai, Executive Officer, Board of Supervisors
John Krattli, Acting County Counsel
Tom Tindall, Director, Internal Services Department
Dr. Marvin J. Southard, Director, Department of Mental Health
Dr. Jonathan E. Fielding, Director, Department of Public Health
Justice Deputies

SUMMARY OF PROBATION'S AB 109 FEASIBILITY PLAN TO IMPROVE REHABILITATIVE SERVICES TO THE PUBLIC SAFETY REALIGNMENT (AB 109) POPULATION (APRIL 3, 2012 AGENDA, ITEM #45-A)

SUPERVISOR RIDLEY-THOMAS' BOARD MOTION, AS AMENDED BY SUPERVISOR MOLINA	FEASIBILITY	COST ESTIMATES	FUNDING SOURCE	IMPLMENTATION TIMELINE	COMMENTS
Direct the Chief Probation Officer, in consultation with the Chief Executive Officer, to develop a feasibility plan to immediately improve the levels of rehabilitative services to released prisoners with a goal of ensuring 100% of persons requiring treatment and other services receive them; and provide a written report back to the Board within 14 days. The plan should examine, but not be limited to, the following remedies: 1) Establish clear performance goals to ensure Departments and/or agencies make the appropriate referrals for mental health, substance abuse and job placement/housing services, including goals and timetables for ensuring that: (a) all Post Supervised Persons (PSPs) who require services are referred for such services, and (b) all PSPs are monitored for attendance and progress towards their prescribed services;	**Feasible**	$120,000 Budgeted Annually	AB 109 Probation Funding Allocation	Various dates (see comments)	Probation will make the Treatment Court Probation Exchange (TCPX) system the primary system used in tracking treatment attendance and progress with the AB 109 population. Probation has developed the following specific performance goals and established timelines related to the effort of ensuring that those who need services receive them: • Increasing TCPX budget allocation request to allow for systems enhancements, site maintenance, and server cost. • Probation will enter into a Memorandum of Understanding with the Departments of Mental Health (DMH) and Public Health (DPH) to establish guidelines and timely use of TCPX by June 15, 2012. • Probation will train **all** AB 109 Deputies on TCPX and implement written policy to ensure system use by July 15, 2012. • Develop and implement quality controls to ensure TCPX System usage by June 1, 2012. • Review and update the existing "Intermediate Sanction Policy Guidelines" by May 1, 2012.

SUPERVISOR RIDLEY-THOMAS' BOARD MOTION, AS AMENDED BY SUPERVISOR MOLINA	FEASIBILITY	COST ESTIMATES	FUNDING SOURCE	IMPLMENTATION TIMELINE	COMMENTS
2) Locating the referring County agencies and Community-Based Organizations, at the Probation HUB facilities;	**Referring County Agencies, Feasible** **Referring CBOs, Not Feasible**	--	--	Co-locating DPH personnel by August 2012.	• DMH and DPSS personnel are currently located at the Probation HUBs. Probation is working towards the co-location of DPH personnel to provide substance abuse assessments. • With over 200 service providers, Probation cannot accommodate space at the HUBs for CBOs. Barriers include space considerations, as well as public vs. private monetary and liability concerns.
3) Beginning the assessment and referral process prior to the prisoners' release, at the prison site, and possibility arranging for transportation directly to a service provider; and	**Not Feasible**	$22.6 Million	LA County AB 109 Funding Allocation, which will require a reallocation of resources that may not be likely.	Not Applicable	• The logistics of 33 prisons and the nature of dealing with the other 57 counties make it impractical for CDCR. • Probation, DMH or DPH cannot logistically meet this request. • County would need to hire staff to work in out of county prison locations. The County may be required to hire multiple county staff in these facilities or at minimum regionally. • LASD cannot assist unless PSPs are transported to local State facilities. • CDCR cannot transport PSPs to local facilities; too expensive. • LASD only transports to State reception centers, not all State facilities. Consequently, such transportation is also not feasible.

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4) Ensuring the broadest and most effective partnership and participation of Community-Based Organizations and Faith-Based Organizations through robust outreach and including performance goals in contract terms.	**Feasible**	--	--	Upon implementation of new contracts. Ongoing	• PRCS Outreach Forum for Housing and Employment Services held in March 2012. • Conducted PRCS Forum Survey and provided Email for comments and suggestions. • Statement of Work for Employment and Housing services drafted with input from CBOs and FBOs. • Performance goals are included in existing contract and will be included in new contracts. • Ongoing participation in various community events and forums.
Supervisor Molina's Amendment Instruct the Chief Probation Officer to develop guidelines regarding the occurrences of mandatory condition violations, and that the Department document these discipline violations, and report them in the Countywide Criminal Justice Coordination Committee (CCJCC) Public Safety Realignment Implementation Update.	**Feasible**	--	--	By May 1, 2012	• Review and update the existing Intermediate Sanction Policy Guidelines.

FEASIBILITY PLAN TO IMPROVE REHABILITATIVE SERVICES TO THE PUBLIC SAFETY REALIGNMENT (AB 109) POPULATION COST ESTIMATES FOR OPTIONS CONSIDERED

Chart 1

Probation's Haight Ashbury Referrals					
	FEB	MAR	APR	MAY	TOTAL
Total Referrals	108	304	1,134	470	**2,016**
Total Referrals + Pending Placement (PP)	112	309	1,506	554	**2,481**
No. of PSP's	89	304	1,405	507	**2,305**
Pending Placement (PP)	0	5	376	84	**465**
Pending Employment Start Date	0	0	423	101	**524**
Sober Living	2	6	8	6	**22**
Sober Living w/child	0	0	1	0	**1**
Transitional Living	69	131	169	125	**494**
Transitional Living w/child	2	2	3	1	**8**
Shelter	1	1	9	4	**15**
Transportation	10	5	2	0	**17**
Job Readiness Referrals	24	159	942	334	**1,459**
Job Readiness Referrals (w/ start date)	0	0	519	233	**752**

Note: Chart reflects data through May 25, 2012.

Chart 2

FISCAL YEAR 2012-13
TREATMENT PARTICIPATION GOALS

Oct 2011 - May 25, 2012	Probation Referrals		Participation Rates		Targeted Participation Goals			
	# of referrals	# required per condition	# required per assessment	# participating	End of Q1	End of Q2	End of Q3	End of Q4
Substance Abuse Treatment	3,278	**4,480	887	251 (28%)	55%>	60%>	65%>	70%>
Mental Health Treatment	*1,982	**1,452	†2,130	1,363 (64%)	65%>	70%>	75%>	80%>
TOTAL:	**5,260**	**5,932**	**3,017**	**1,614 (53%)**	**40%>**	**50%>**	**60%>**	**70%>**

* Data includes PSPs referred to DMH at the HUB for initial orientation and assessment (October 2011 - May 25, 2012).

** Data includes PSPs that reported to a HUB, as well as those still in State custody with an added condition based on information contained in the pre-release packet.

† Data includes PSPs originally assessed at the HUB, as well as those that were later referred to DMH from Supervision.

Chart 3

FISCAL YEAR 2012-13
ESTIMATED CDCR ASSESSMENT COST

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	TOTAL
Anticipated Assessment Needs (PSP population)	1,982	1,763	1,537	1,469	6,751
ESTIMATED ANNUAL COST (MINIMUM)	$198,000	$176,000	$154,000	$147,000	**$675,000**

(Costs are calculated at a minimum rate of $100 per assessment for 2 hours as indicated by CDCR, and do not include training and start-up costs.)

Chart 4

FISCAL YEAR 2012-13
ESTIMATED COST TO LOCATE COUNTY STAFF IN STATE FACILITIES

ANTICIPATED COST	ITEMS	COSTS
PROBATION:		
Program Director	1	
Support Staff	1	
SDPO	3	
DPO II	33	
		4,296,000
Services & Supplies		380,000
TOTAL	38	**$4,676,000**
MENTAL HEALTH:		
DMH Program Head	1	
Mental Health Clinical Supervisors	5	
Psychiatric Social Worker (PSW) II	33	
		3,721,000
Services & Supplies		1,028,000
TOTAL	39	**$4,749,000**
PUBLIC HEALTH:		
DPH Program Managers	4	
Certified Substance Abuse Counselors	33	
		5,194,000
Overhead & Employee Benefits		538,000
TOTAL	37	**$5,732,000**
ESTIMATED TOTAL	**114**	**$15,157,000**

(Note: Probation and Mental Health cost does not include overhead or other administrative cost. Additionally, Probation cost does not take into account a relief factor, which would include an additional 17 DPO II items and 2 SDPO items at an additional estimated cost of $2,716,000.)

Chart 5

FISCAL YEAR 2012-13
PRE-RELEASE HOUSING IN LOS ANGELES COUNTY JAILS

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	TOTAL
Anticipated Population	1,982	1,763	1,537	1,469	6,751
LASD COST	$13,766,000	$12,245,000	$10,675,000	$10,203,000	$46,888,000
CDCR PAY RATE	$11,595,000	$10,314,000	$8,991,000	$8,594,000	$39,493,000
EST. NET COUNTY COST	**$2,171,000**	**$1,931,000**	**$1,684,000**	**$1,609,000**	**$7,395,000**

(Methodology: LASD cost of $77.17 per day for 90 days; CDCR pay rate of $65.00 per day for 90 days.)

COUNTY OF LOS ANGELES - PROBATION DEPARTMENT HUB REFERRAL **ATTACHMENT III**

Public Safety Realignment Act - Assembly Bill 109

Post Release Community Supervision

APPOINTMENT INFORMATION			
CDCR/County Jail Discharge Date:	HUB Location:	Program Type:	☐ Walk-In Applicant

PARTICIPANT INFORMATION				
PSP / Defendant Name:	Date of Birth:	Gender:	Ethnicity:	☐ Veteran ☐ Indigent

PERSONAL IDENTIFIERS			
X Number:	PB / County Case #:	CDC #:	CII #:

SUPERVISING DPO CONTACT INFORMATION		
Deputy Probation Officer's (DPO) Name:	DPO Phone #:	DPO Fax #:

ONSITE TEST INFORMATION				
Narcotic Testing: YES ☐ NO ☐	Test Date:	Test Result:	Drug Name:	Confirmation Ordered YES ☐ NO ☐
LSCMI Assessment: YES ☐ NO ☐	LSCMI Score:	LSCMI Rank:	☐ Override High Risk	☐ Override Medium Risk ☐ Override Low Risk

TREATMENT REFERRAL DETAILS		
Referral Date:	PSP / Defendant Treatment Referral Decision:	☐ PSP / Defendant Refused Treatment Services

IDENTIFIED NEEDS:

☐ MediCal ☐ General Relief ☐ CalFresh ☐ CalWorks/CalFresh ☐ Healthy Way LA Screening

☐ Housing ☐ Food Stamps ☐ Transportation ☐ GED ☐ Employment

☐ Veteran Services ☐ Narcotic Testing ☐ DPSS ☐ Walden House Other: _____

Department of Public Health Substance Abuse Prevention And Control

☐ Call the identified Community Assessment Services Center (CASC) within 48 hours of your HUB assessment to make an appointment.

I promise to make and keep an appointment at the Community Assessment Service Center (CASC) indicated above.

I understand that my failure to make and keep an appointment as referred by my DPO may result in revocation in this matter. I further understand that my failure may be a factor considered by my DPO in setting or modifying the terms and conditions of my supervision or terminating supervision.

X27: Submit to periodic anti-narcotic tests/alcohol tests as directed by the Probation Officer or any Peace Officer.
X85: Cooperate with Probation Department and Department of Mental Health in a plan for mental health treatment.
X88: Cooperate witht the Probation Officer in a plan for substance abuse counseling/treatment.

PSP / Defendant Signature: _____ Date: _____

HUB DPO Signature: _____ Date: _____

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ATTACHMENT IV

PROBATION DEPARTMENT'S PARTICIPATION IN COMMUNITY FORUMS AND EVENTS SINCE AB 109 PROGRAM INCEPTION IN OCTOBER 2011

The following is a list of forums and events the Probation Department has participated in since AB 109 program implementation:

10/26/11 –Long Beach Community Peace and Justice Reentry Summit
Long Beach Convention Center
300 E. Ocean Blvd.
Long Beach, CA 90802
Organizer: Tonya Martin (562) 570-6816

11/07/11 –League of Women Voters of Los Angeles
California Endowment Center
1000 N. Alameda Street
Los Angeles, CA
Organizer: Jean Thomson (818) 346-1745

11/14/11 –Goodwill Speaking Tour
Crenshaw Christian Center
7901 South Vermont Ave.
Los Angeles, CA 90044
Organizer: Wendy Stallworth-Tait w/Probation Dept. (562) 940-2812

11/17/11 –Supervisor Mark Ridley-Thomas' Ladera Heights Civic Association Annual Hall Meeting
Knox Prebyterian Church
5840 La Tijera Blvd.
Los Angeles, CA 90056
Organizer: Ann Gomez w/HR (213) 974-2423

11/30/11 –Breakfast Meeting with Supervisor Antonovich
Duarte Community Center
1600 Huntington Drive
Duarte, CA 91010
Organizer: Brenda Daniels (909) 394-2264

12/13/11 –Department of Public Health
1000 S. Fremont Ave.
Alhambra, CA 91803
Organizer: Linda Dyer (626) 299-4109

01/03/12 –Lancaster Neighborhood Revitalization Commission
Lancaster City Hall

44933 N. Fern Ave.
Lancaster, CA 93534
Organizer: Norm Hickling, Deputy to Supervisor Antonovich (661) 726-3600

01/10/12 –Department of Public Health
1000 S. Fremont Ave., Bldg. A9
Alhambra, CA 91803
Organizer: Jimmy Singh w/Substance Abuse Prevention and Control
(626) 299-4143

01/20/12 –Department of Public Health Quarterly Townhall Meeting
1000 S. Fremont Ave., Bldg. A7
Alhambra, CA 91803
Organizer: Donna Lee (626) 299-4595

01/24/12 –Bethel AME Church AB109 Meeting
7900 S. Western Ave.
Los Angeles, CA 90047
Organizer: Cherlybranch@aol.com

01/25/12 –Michell Cerveza, Supervisor Molina's New Senior Legislative Deputy
HOA, Rm. 864
(213) 974-4111

01/27/12 -Tarzana Treatment Center
18646 Oxnard Street
Tarzana, CA 91356
Organizer: Jose Rodriguez (818) 756-8409

02/16/12 -Personal Involvement Center
8220 S. San Pedro Street
Los Angeles, CA 90003
Organizer: Loranda (323) 565-2302

02/22/12 -Walden House Haight-Ashbury
California Endowment Center
1000 N. Alameda Street
Los Angeles, CA
Organizer: Demetrius Andreas (213) 741-3731

03/08/12 -Breakfast Meeting w/Supervisor Antonovich
Arcadia City Hall
210 W. Huntington Drive
Arcadia, CA 91007
Organizer: Anna Pembedjian (213) 974-5555

03/13/12 -Shields for Families
w/William Spriggs, Assistant Secretary of Policy for the Depart. of Labor
Jericho Training Center
322 N. Alameda Blvd., Ste. K
Compton, CA 90222
Organizer: Dr. Kate Burkhardt (323) 242-5000 x3301

03/20/12 -Senator Lowenthal's Realignment Townhall Meeting
District Office
16401 Paramount Blvd.
Paramount, CA 90723
Organizer: Keith Higginbotham (562) 529-6659

04/10/12 -Torrance City Hall
3031 Torrance Blvd.
Torrance, CA 90503

04/12/12 -Community Coalition Townhall Meeting
8101 S. Vermont Ave.
Los Angeles, CA 90044
Organizer: Karren Lane (323) 750-9087 x244

04/19/12 –California Mental Health County Council
Sheraton Gateway Hotel
6101 West Century Blvd.
Los Angeles, CA 90045
Organizer: Andi Murphy (916) 651-3806

05/02/12 -Breakfast Meeting with Supervisor Antonovich
Pasadena City Hall
100 North Garfield Ave., Rm. S-038
Pasadena, CA
Organizer: Anna Pembedjian (213) 974-5555

05/16/12 -Breakfast Meeting with Supervisor Antonovich
Bradbury City Hall
600 Winston Ave.
Bradbury, CA 91010
Organizer: Anna Pembedjian (213) 974-5555

05/16/12 -South Bay Inns of Court
Delzano's Restaurant
179 N. Harbor Drive
Redondo Beach, CA 90277
Organizer: Judge Kathleen O. Diesman (310) 419-6707

POSTRELEASE COMMUNITY SUPERVISION (PCS)

1. State CDCR sends pre-release packet

2. Probation Pre-Release Center (with co-located staff from DMH) receive packet
   - Packets sent to Law Enforcement
   - Conducts Eligibility Screening

3. Eligibility Screening
   - PCS eligibility confirmed
   - Supervision conditions may be added
   - Initial visit location determined (Probation Office/HUB - Locations TBD)
   - Address verified (Probation may request assistance from Law Enforcement)
   - Mental Health history determined and issues raised

4. Probation sends additional conditions and reporting instructions

5. CDCR secures signature on PCS Agreement Form

6. Postrelease Supervised Person (PSP) released with $200

7. PSP has 2 business days to appear to assigned location (HUB or PO)
   - Probation conducts due diligence & report "No Shows" to Law Enforcement (LE)

8. HUB/PO: Orientation
   - Full Orientation
   - Identify emergent issues - Including CBO services (ex. transportation & housing)
   - LS/CMI
   - Initiate Risk Level Determination
   - Assign DPO

   [a] HUB: Behavioral Health Screening
   - No Treatment Needed → Informs Case Plan
   - Substance Abuse Only
   - Co-Occurring Disorder
   - Mental Health Only

   → Assist PSP in accessing Community Based Services (DMH/DPH) → Informs Case Plan

9. Screening, Intake and Assessment
   - Case Plan Development
   - Individualized treatment plan
   - Initiates "Courage to Change"
   - Provides Referrals - Including CBO Services (ex. vocational training)

10. Risk Level Determination
    - Tier I (High), Tier II (Medium), Tier III (Low)
    - Probation updates APS
    - Law Enforcement may provide additional information that may influence a change in Risk Level (RL)
    - Probation reviews and makes final RL determination

11. PSP Supervision & Monitoring

12. No Violations
    - 6 month evaluation → Discuss Early Discharge
    - 12 month evaluation → Automatic Discharge → 14 PSP Completes Program

13. Violation(s)[b]
    - Modify terms or additional supervision[c] → If the violation continues → Probation may initiate Revocation process & notifies Public Defender → Agreement is reached
      - YES → Supervision Continues
      - NO → Schedule Revocation Hearing in 45 days (Max. 180 days in County jail) → Supervision Continues
    - AND/OR
    - Flash Incarceration (up to 10 days) → Process TBD

14. PSP Completes Program and LE is notified

[a] Co-located DPSS staff at HUB

[b] Probation to provide access to Law Enforcement to Adult Probation System to monitor for potential and verified violations of 109 supervised individuals

[c] Probation may request that LE provide additional monitoring of PSP

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