County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

February 22, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

CALIFORNIA PAROLE REALIGNMENT PROPOSAL

The purpose of this correspondence is to delineate my plan to manage adult parole at the County level. This realignment of services was based on the Governor's proposal to shift the responsibility for parole from the State of California (State) to the County level for economic purposes. The attached plan details an enhancement of services beyond what the Los Angeles County Sheriff's Department (Department) has already been providing for more than a year.

In order to implement the Governor's proposal, the Department could create a County Parole Services Division (Division). The implementation strategy is transitional and would utilize a three tiered approach to occur during a three to four year period. A plan has been developed for the deployment of personnel and the equipment necessary to support this new Division. In Phase 1, an initial bureau sized unit is planned to manage this program. In Phase 2, a second bureau would be created, separating the County by north and south bureaus. The Division would become fully staffed in Phase 3, with the creation of a central bureau. The Department's Contract Law Enforcement Bureau (CLEB) and Financial Programs Bureau (FPB) reviewed the plan and submitted the relevant cost proposals. The State is expected to provide approximately $36.5 million for Phase 1 costs, $68 million for Phase 2 costs, and ultimately $132 million for Phase 3 costs.

The Department's Community Oriented Policing Services (COPS) Bureau has submitted the first set of estimated costs for each phase. The estimates are based on budgeted Salaries, Benefits, and Services and Supplies. Although these costs fall

within the estimated funding to be received from the State, the Services and Supplies funding is inadequate to pay for the total number of necessary vehicles. Additional funds will also be required from the State for startup costs. Without these funds, adjustments in the deployment of personnel or equipment could be made without significantly impacting the program.

The second set of estimated costs for each phase has been submitted by CLEB and produced by the Auditor-Controller. These estimates are based on the projected Fiscal Year (FY) 2011-12 cost models for Salaries, Benefits, Services and Supplies, Overtime, and Department overhead percentages. Although these costs fall within the estimated funding to be received from the State, the total equipment costs, specifically vehicles, are not fully covered. Even with utilizing the overhead revenue toward the equipment costs, additional startup funds will be required from the State. Without these funds, adjustments in the deployment of personnel or equipment could be made without significantly impacting the program.

FPB has submitted the third set of estimated costs for each phase. These estimates are based on FY 2011-12 Budget Request Worksheets and include Salaries, Benefits, Services and Supplies, and Capital Assets-Vehicles. These costs exceed the estimated funding to be received from the State; however, the estimated Services and Supplies and Capital Asset-Vehicles costs will cover the total equipment costs requested by COPS Bureau.

In summary, I am confident in our ability to successfully implement and manage an innovative adult parole program through a County Parole Services Division. The Division's goal will be to reduce recidivism amongst adult parolees. This will be accomplished by actively monitoring these men and women, while providing them with education-based resources and other alternative programs, which to a lesser extent, are already in place. The plan is expected to be more effective than current State practices in that it is tied to an education-based incarceration plan. Given that approximately 47 percent of parolees in Los Angeles County reside in the city of Los Angeles, I have approached the Los Angeles Police Department to consider a multi-agency partnership in order to share responsibilities in this endeavor.

Should you have any questions or require additional information, please contact me or Chief Cecil W. Rhambo, Jr., Field Operations Region II, at (323) 526-5582.

Sincerely,

LEROY D. BACA

ATTACHMENT

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
State Public Safety Realignment
County Parole Program
(based on L.A. County parolee population of 28,000)

	a = d + e	b	c	d = b + c	e
	State Funding Total	39% LASD Portion	14% Cities Portion	53% Subtotal LASD	47% L.A. City Portion
2011-12	$ 36,500,000	$ 14,235,000	$ 5,110,000	$ 19,345,000	$ 17,155,000
2012-13	$ 68,333,000	$ 26,649,870	$ 9,566,620	$ 36,216,490	$ 32,116,510
2013-14	$ 100,166,000	$ 39,064,740	$ 14,023,240	$ 53,087,980	$ 47,078,020
2014-15	$ 132,000,000	$ 51,480,000	$ 18,480,000	$ 69,960,000	$ 62,040,000

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The Honorable Board of Supervisors
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383 Kenneth Hahn Hall of Administration
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Dear Supervisors:

GOVERNOR'S REALIGNMENT PLAN – LOW OFFENDER PROPOSAL

The Governor's budget calls for the realignment of various State programs to local governments. The programs proposed for realignment fall broadly into the category of public safety. This realignment is anticipated to cut $5.9 billion from the State Budget.

As part of this realignment, the Governor has proposed that all inmates convicted of a non-serious, non-violent, and non-sex offenses be housed in county jails. The plan for this change is to be made on a prospective basis only with no current State prisoners transferred to the counties.

The California Department of Corrections and Rehabilitation (CDCR) currently has about 162,000 inmates housed in California State prisons. On average, low offender inmates, as defined by CDCR, serve about two years in State prison, though many serve for much shorter periods. The most current proposal from the Department of Finance targets this population. This proposal would allocate $25,000 to house each offender for six months, which is equivalent to the marginal rate to house an offender in a CDCR facility. After serving this six month sentence, the State would give counties an additional $3,500 per offender for 18 months in order to provide supervision and monitoring of the parolee under an Electronic Monitoring Program (EMP). An additional $2,275 per offender would go to county community programs to assist with community program services (alcoholics anonymous, job training, drug treatment programs, etc.). This proposal offers no other details.

In order to properly assess the feasibility of this proposal, we have obtained statistics from several entities, including the District Attorney's Office (DA) and CDCR. These

numbers can vary dramatically from year-to-year and are in constant flux. The following Custody Division Operations Plan is based in part on 2010 statistics; however, due to the vagueness of the State's proposal numerous assumptions have to be made and will be explained.

CUSTODY DIVISION OPERATIONS PLAN:

According to the DA's Office, the number of defendants sentenced to State prison for two years or less for non-serious, non-violent, non-sex offenses in 2010 was 6,301 (males and females). The female population for State prison and our own county jail is approximately 10 percent. If current conditions remain the same, the State's proposal is manageable; therefore, we have concentrated on the male population. Although the DA's number includes females, we felt it best to work with this number to allow for the highs and lows that occur throughout the year.

The current male jail bed capacity for the Department's custody facilities is 20,273. In order to maintain optimal operations, a 15 percent vacancy rate is necessary to allow for day-to-day, as well as seasonal spikes, which have averaged 7.3 percent over the last few years. Applying this 15 percent to our male bed capacity gives approximately 17,232 beds available. Our current male population is 14,036 as of February 15, 2011, which gives approximately 3,196 available beds for State inmates.

Currently, we transport an average of 250 male and female inmates to State prison every week. Based on current trends and statistics, we are assuming 155 of these will be males who meet the non-serious, non-violent, non-sex offenses criteria. Should these inmates become our responsibility and remain in our custody, we would reach 3,100 within six months. Once we hit the six month mark, the first group of 155 inmates would now be eligible to begin their 18-month parole on EMP. The end of this first six month period is where we project our State population to plateau. The flow of incoming and exiting inmates should remain about the same, keeping this population consistent. Since each inmate is only in our custody for six months, we can expect to fill that same bed again for the remaining six months allowing us to potentially move 6,200 inmates through the system each year (refer to Attachment A).

FLEXIBLE DETENTION AUTHORITY

In order to implement this proposal and ensure inmates are housed for only the intended six months, the Sheriff should have absolute authority on this population. The ability to release an inmate early, if criteria is met, into EMP or some other community program, would ensure the success and feasibility of this proposal.

IMPACTS/CONCERNS:

FUNDING

- Funding must be constitutionally guaranteed or prepared on a contract basis.
- Proposal must guarantee annual increases for the life of the program.

PROPOSAL- AS WRITTEN

- The State currently identifies non-serious, non-violent, non-sex offenses as those defined under Penal Code Sections 1192.7, 1192.8, 667.5 and 290. These definitions differ than the DA's standards and would include what we consider to be serious offenses (i.e., Solicitation to Murder, Arson, and Felony Child Abuse). Our analysis requires that should the State send a violent offender that is unsuitable for re-entry at the county level, the Sheriff is authorized to return the prisoner to the State.
- If the State's definition is applied, the inmate population would rise significantly and may quickly become unmanageable. Estimates from the DA's office have been as high as 13,550 per year or 6,775 within six months.
- The State's proposal includes only those sentenced to 24 months or less and assumes they would only serve six months in jail; anything more would make this proposal unacceptable, as it would surpass our bed capacity.
- The State does not address the Valdivia/Morrissey Hearings - this is a court mandated program and whether the Department will be given the responsibility or if the State will continue is not yet known.

PROGRAMMING

- The $2,275 currently allotted for programming goes to the county. We believe this number is insufficient to provide support for successful programming.
- We recommend this money be redirected to the Sheriff. If an appropriate amount is allotted, it would allow the Department to fully implement the Education Based Incarceration Program (EBI) and allow us to participate in the much needed follow-up after incarceration.

HOUSING

- All current housing locations and facilities closed for curtailments or for budgetary reasons would have to be reopened.

STAFFING

- All staffing curtailments would have to be refunded. The proposed State funds for six months incarceration costs ($25,000) is sufficient to accomplish the re-opening of closed jail space.

- Additional new hires would be needed due to personnel transfers to patrol, discharges, and retirements.

ELECTRONIC MONITORING PROGRAM

- The $3,500 currently proposed by the State would only cover minimal costs included for a low-end, non-GPS enabled device. However, funds for the six months of detention could be realigned to the electronic monitoring devices through appropriate prisoner evaluation procedures.

- Those inmates who may not qualify for the 18-month EMP due to ICE or other Federal holds are not addressed. We believe these inmates should remain in State custody.

- The Sheriff needs to be given absolute control over county parole in order to facilitate release of inmates early for reasons such as medical issues.

FINANCIAL ANALYSIS

The State's realignment proposal indicates a set amount of funding for daily rate and EMP (refer to Attachment B).

Should you have any further questions or concerns, please contact me at (323) 526-5000 or Chief Dennis H. Burns at (213) 893-5001.

Sincerely,

LEROY D. BACA
SHERIFF

ATTACHMENT A

SIX MONTH INCARCERATION - 15% VACANCY RATE

	MALES
BED CAPACITY	20,273
BEDS NEEDED FOR 15% VACANCY	3,041
NEW CAPACITY	17,232
POPULATION 02/15/11	**14,036**
CURRENT AVAILABLE BEDS	3,196
ESTIMATED INMATES RECEIVED PER WEEK	155
STATE INMATE POPULATION AT 6 MONTHS	3,100
TOTAL VACANT BEDS*	**3,137**

* Vacant beds includes 15% vacancy rate and allows for 7.3% seasonal population variances.

Population stabilizes at 6 months if bookings and releases remain consistent.

ATTACHMENT B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
State Public Safety Realignment
Financial Analysis

County State-Sentenced Inmates (Non-Serious, Non-Violent, Non-Sex offenders)

$	25,000	State Proposal for 6 months ($136.99 per day)
	3,100	Projected Daily Inmate Population (for County State-Sentenced Inmates)
$	77,500,000	State payment for 6 months
$	**155,000,000**	State payment over 12 months

Electronic Monitoring Program for Non-Serious, Non-Violent, Non-Sex Offenders

$	**3,500**	State Proposal for 18 months ($6.39 per day)

Electronic monitoring could cost as much as $10.00 per day ($5,475 for 18 months)
Proposed amount does not allow for personnel costs