

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

339



FROM: Executive Office

SUBMITTAL DATE:
September 9, 2014

SUBJECT: Response to the 2013-14 Grand Jury Report: Impact of AB 109 upon Riverside County Municipal Police Agencies

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve with or without modification, the attached response to the Grand Jury's recommendation regarding Impact of AB 109 upon Riverside County Municipal Police Agencies. Direct the Clerk of the Board to immediately forward the Board's finalized responses to the Grand Jury, to the Presiding Judge and the County Clerk-Recorder (for mandatory filing with the State).

BACKGROUND: On July 1, 2014, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding the Impact of AB 109 upon Riverside County Municipal Police Agencies. Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to the matters under the control of the Board and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

90dayf11responseAB109-09.14

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent ☐ Policy ☒
NET COUNTY COST	\$	\$	\$	\$	
SOURCE OF FUNDS:				Budget Adjustment:	
				For Fiscal Year:	

C.E.O. RECOMMENDATION: APPROVE

BY:

George A. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Positions Added



Change Order



A-30



4/5 Vote



Prev. Agn. Ref.: 3-2 of 07/01/14

District: ALL

Agenda Number:

3-9

RIVERSIDE COUNTY

STANLEY SNIFF, SHERIFF



Sheriff

P.O. BOX 512 • RIVERSIDE, CALIFORNIA 92502 • (951) 955-2400 • FAX (951) 955-2425

August 1, 2014

Honorable Mark A. Cope
Presiding Judge
Riverside County Superior Court
4050 Main Street
P.O. Box 431
Riverside, CA 92501

**Reference: Response to 2013-2014 Grand Jury Report: Impact of AB 109
Upon Riverside County Municipal Police Agencies.**

Dear Judge Cope:

Pursuant to California Penal Code Section 933 et. seq. please find enclosed the response of the Riverside County Sheriff's Department to the above entitled Grand Jury Report within the designated 90 day period.

The Riverside County Sheriff's Department concurs only in part with the Grand Jury's findings. We appreciate the Grand Jury's efforts in researching this topic and preparing the report for our review and response.

As always please feel free to contact me should you have any questions regarding this or any other matter. I may be reached at (951) 955-0147.

Sincerely,

A handwritten signature in black ink, appearing to be "Stan Sniff", written over a horizontal line.

STAN SNIFF, SHERIFF

CC: Clerk of the Board of Supervisors
County of Riverside

Mr. Jay Orr
County Executive Officer

SL:Sjth

Finding 1

Post-Release Accountability and Compliance Team (PACT) Program

Investigation revealed the PACT units have allowed Probation more time and resources to focus on case management and compliance checks on individuals on probation and parole. According to several chiefs of police, the PACT units shared information, served warrants, apprehended PRCS violators and reduced the number of PRCS offenders who abscond.

Further investigation revealed that the PACT units have been highly visible and hold individuals that break the law accountable, regardless of the level of offense. The participating police departments have worked to build infrastructures that support this type of critical enforcement. The police departments stated they have a responsibility to prevent the non-compliant PRCS individuals from re-offending and victimizing the communities.

Initially, when the PACT program began, only cities with their own municipal police departments could participate in PACT activities. With the additional funding from BSCC for the PACT program, the participation of cities who contract for their police services became eligible to participate in the PACT program. Two cities in PACT that contract for police services with the Sheriff's Department are Palm Desert and Moreno Valley. Current participating cities in PACT are shown on Chart B.

In order to be reimbursed for PACT funding and state funding, each of the participating agencies must have committed a full-time sworn officer for whom they are requesting reimbursement for the officer's salary, benefits and vehicle costs. The officer must serve the PACT unit for the entire period in which the agencies are seeking reimbursement. The city must provide the vehicle. The cars that were purchased for PACT activities by several municipal police departments cost \$50,000-\$60,000 when fully loaded with computers, radios, and other law enforcement equipment. Verification of expenditure(s) is required prior to reimbursement from the fiscal agent. In fiscal years (FY) 2012-13 and 2013-14 the allocated amount was \$200,000 for each officer/vehicle per fiscal year for PACT expenses. See Chart C for FY 2012-13 summary of actual reimbursed expenses that were requested by each city. Several cities provide more than one officer and a car, but do not request reimbursement from the fiscal agents. Chart C reflects the first full year CCPEC expenses were reimbursed. The FY for BSCC funding is still in progress.

Probation provides PRCS and Parole non-compliance information to the PACT units. These PACT units are involved in non-compliance sweeps and provided support in conjunction with other PACT units, other task force teams, and also operate in the county's unincorporated areas. PACT member cities also support cities that do not have a PACT member on the PACT. (See Chart E)

Investigation revealed non-reimbursable costs were incurred by the cities to provide an officer to PACT activities (e.g. financial operational support, workers compensation costs and claims processing of PACT officers as well as personnel to process requests for reimbursement funds for the officers). The cities provided these auxiliary services without any compensation due to the specific guidelines between the PACT cities and Probation. Some cities provided a sergeant with a higher salary rather than a lower ranked officer with a lesser salary.

Charts A and O show the percentage of population of a city to the county's total population versus the percentage of the total supervised individuals of a city to the total supervised population in the county. The following cities that have a significantly higher percentage of supervised individuals versus percentage of population are: Riverside, Indio, Hemet, Lake Elsinore, Perris, Palm Springs and Desert Hot Springs. All of these cities provide one or more PACT officers except the City of Perris and Lake Elsinore.

Response:

Respondent agrees with Grand Jury finding 1.

The Riverside County Sheriff agrees AB 109 shifted the State's responsibility for the incarceration and rehabilitation of certain convicted felons to the County, and in doing so placed new and extraordinary demands on the Sheriff and Riverside County law enforcement in general. The Riverside County Sheriff also agrees the State inadequately funded the new responsibilities and demands, and much of the AB 109 created burden is borne by pre-existing resources.

Grand Jury Recommendation

1. The Community Corrections Partnership Executive Committee (CCPEC) should invite the City of Perris and Lake Elsinore to join the Post-Release Accountability and Compliance Team (PACT) program.

Response to recommendation:

The Riverside County Sheriff defers to the CCPEC for response to this recommendation. The Sheriff supports the contract law enforcement service needs in the cities of Perris and Lake Elsinore, and would provide any contract service support for a city decision to allocate additional law enforcement personnel to a PACT. But this remains an individual city-by-city decision in how their scarce fiscal resources are used.

Finding 2

Data Sharing and Supervised Offender Tracking

In February, 2012, the ARCCOPS requested that Probation regularly share PRCS offender data with the county's 11 municipal police departments and with the Sheriff who oversees 17 contract cities and unincorporated areas of the County. This information is released minimally on a monthly basis. The list includes the offender's name, address, city, most recent offense and probation officer contact information. The implementation of AB 109 prompted local law enforcement agencies to recognize that they have an important collaborative role to play in support of Probation's efforts to ensure the successful reintegration of this population back into local communities. Currently, Probation provides all local law enforcement agencies a weekly PRCS "Warrant List" for non-compliant probationers as well as monthly reports on all active PRCS and MS individuals. Probation communicates daily with the PACT members as there is a full-time probation officer assigned to each of the three teams. (See Chart B)

California Penal Code §13300 (a) (b) states that the chiefs of police, as well as local law enforcement agencies, have a "need to know" for criminal history information to ensure the safety and security of their duly respective communities.

In March 2013, Probation advised the Riverside County Board of Supervisors via an Update of the local Community Corrections Partnership Public Safety Realignment and Post-release Community Supervision Implementation Plan Update of AB 109 Criminal Justice Alignment, that the Sheriff and Probation developed a joint database system that reduced labor and information technology costs.

Investigation revealed as of the date of this report, there was no county-wide updated and centralized data base for tracking PRCS, MS, and re-arrested probationers. Some police departments have developed their own stand-alone system for their city to internally track repeat offenders as well as non-compliant PRCS and MS individuals. Testimony indicated released offenders frequently travel from city to city and from county to county once they are released from jail. Further testimony indicated that "data sharing is inadequate between Probation and the municipal police departments as well as between contiguous counties." Inconsistent data sharing prevents cities and other entities impacted by AB 109 to ascertain what programs and processes are successful and which ones are not successful.

When state prisoners are paroled, a parole officer confirms the parolees' residential address before prisoners are paroled. When the state prisoners are released from a state correction facility, all law enforcement agencies are notified statewide. If a state prisoner is released from a state facility to PRCS or MS under county probation, the county supervising agency

oversees any special conditions for the prisoner's release and notifies all law enforcement agencies. However, when a prisoner is released from a county jail on PRCS or MS, no immediate notification is made to local law enforcement agencies.

Testimony confirmed that currently, when local law enforcement detains a PRCS or MS re-offender, the arresting officer attempts to verify criminal history with the department's "dispatch officer." If the offender is on supervised release and a warrant has been issued for their arrest for non-compliance, they are immediately arrested and the probation officer contacted. At the time of this report the police departments did not immediately receive a formal notification from Probation or Sheriff on offenders who were just released into their cities. This release information is given to the municipal police agencies in the weekly update.

Investigation revealed one of the biggest problems the cities and the County faced when AB 109 was enacted, was that there "wasn't any preparation for a uniform or standardized statistical tracking system." Additional testimony revealed that data sharing is not consistent between Probation and the police departments as well as between counties because the PRCS and MS people moved around and no agency had a centralized database to keep track of these later arrests.

The California Department of Justice has developed a new program that is designed to enable public safety officers to collaborate and share information between all counties and state agencies in tracking individuals on supervised release. Probation is aware of the new program; however, it has not yet met the final data requirements, but is "actively developing measures to become ready."

Response:

Respondent agrees in part and disagrees in part with Grand Jury finding 2.

The Riverside County Sheriff agrees AB 109 increased the number of certain convicted felons in the community. The Sheriff also agrees AB 109 shifted the State's responsibility for supervision and reintegration of those felons to the County. The Sheriff agrees the new burden included inadequate funding for the development and implementation of information management systems that may help the County manage its new responsibilities for the new classification of offenders.

The Sheriff's Department is currently reviewing requirements to become a participant of the newly created California Department of Justice's SmartJustice offender data sharing system.

Grand Jury Recommendation

2. Both the Sheriff's Department and the Probation Department shall communicate information on released prisoners placed on Post-Release Community Supervision (PRCS) or Mandatory Supervision (MS) from county jails to all law enforcement agencies at the time of the prisoners'

Revised 8/1/14

release including local police agencies and adjoining counties. An updated summary of prisoner release information shall continue to be communicated to law enforcement agencies weekly and monthly. Probation shall finalize its interface system with the state-wide program for tracking released prisoners on PRCS and MS.

Response to recommendation:

The Sheriff will continue to work cooperatively with Probation to improve the collection and sharing of offender information in a manner that best serves the community and offender reintegration.

Finding 3

Probation Officers at Jails

Due to overcrowding in the county jails, prisoners are released from the jails at varying times of the day. The deputy sheriffs at the jails are responsible for reviewing the terms and conditions of release which were laid down at the time of a prisoner's sentencing. This meeting to review the terms of release with the prisoner is done at the jail. No discussion of a case plan" while on probation is made at this time. A case plan may include follow-up meetings, evaluations needed for re-integration, residency reports and other requirements dictated by the Probation officer. The prisoner is released based on the last known address in the prisoner's file.

The information for prisoners released on PRCS is communicated to Probation after the prisoner is released. This information includes the prisoner's residence and contact information at the time of sentencing. There is a disconnect between the time the prisoner is released from jail and when the prisoner makes contact with Probation, sometimes more than two days. Investigation revealed that many times the prisoner's residence and contact information changed after time was served in jail. Once Probation has the released prisoner's (now probationer's) information, it is up to the probationer to contact Probation. If the probationer has not reported into Probation, then a warrant is issued for the probationer for non-compliance of his probation for failing to report in. The warrants for non-compliant probationers are sent from Probation to the respective PACT units for follow-up, adding workload to the team.

Response:

Respondent agrees in part and disagrees in part with Grand Jury finding 3.

The Riverside County Sheriff agrees generally with the Grand Jury's description of the Sheriff's jail release practices; however, the Sheriff disagrees with the implication that the release practices have material relevance to mitigating AB 109 challenges. The Sheriff's Department will continue to work collaboratively with the Probation Department and our local allied law enforcement agencies.

Grand Jury Recommendation

3. An officer of the Probation Department shall meet with prisoners prior to release and confirm the case plan, residential address and review terms of release at the time of sentencing, and confirm first appointment with Probation officers.

Response to recommendation:

If Probation chooses to explore reallocation of their resources to work in the Sheriff's jail release process, the Sheriff will certainly work cooperatively with them, but this is primarily a matter for the Probation Department.

Finding 4

Public Safety Enterprise Communication (PSEC)

According to Grand Jury investigation the County's public safety radio network is obsolete and does not reach newer neighborhoods. Today, County law enforcement and other safety officers use the radio more frequently to talk and send data. The Public Safety Enterprise Communication (PSEC) system, recently launched by the Sheriff, has expanded prior coverage and built radio links to other agencies that support the public and safety agencies. This system is not used in all cities in Riverside County.

The new communication system is more comprehensive than the existing systems. When AB 109 was enacted, the public safety agencies throughout the County began seeing an increase in law enforcement activities. Many cities reported a sharp increase in property crimes and a decrease in violent crimes. Criminals and re-offenders crossed city boundaries and often County boundaries. In some areas, the improved communication system of PSEC enabled faster apprehension and arrests of these offenders. Many of the local law enforcement agencies within the County are still using radios with different frequencies and different bands than their neighboring communities. The resultant lack of contact with neighboring law enforcement agencies and counties has resulted in numerous unsuccessful operations. Communication among some County agencies is often lost due to patchwork coverage.

Grand Jury investigation revealed that the PACT was active in the recent pursuit of accused officer Christopher Dorner. WEST-PACT provided communication equipment for many Riverside personnel involved in the investigation and pursuit. This additional equipment allowed Riverside County personnel to communicate with San Bernardino agencies. During the pursuit, many agencies who followed this suspect only had cell phones to call in their location and/or status to local police agencies.

All PACT officers have the PSEC system. However, at the time of this report, non-PACT officers in Palm Springs, Desert Hot Springs, Cathedral City and Murrieta did not have PSEC accessibility. This digital network, which handles voice and data transmissions, has roughly tripled the number of radio towers of the prior analog system and

provides coverage to 95 percent of the County, compared to 60 percent under the old network.

Investigation showed that portions of Riverside County currently operate on an 800 MHz radio system that is lacking in full coverage and functionality. Population growth within the County has necessitated the expansion of the coverage footprint. Several smaller cities often have no wide-area coverage. Sometimes different departments in the same city are out of contact.

The Riverside County Information Technology Department oversaw the PSEC rollout, which took seven years to achieve. Many cities that contract with the Sheriff for police services have PSEC, although non-contract cities have limited accessibility to PSEC in event of emergencies.

Response:

The Respondent partially agrees and disagrees with Grand Jury finding 4.

The Riverside County Sheriff agrees PSEC vastly improved County radio communications and was a significant advancement in regional radio interoperability. As of this response, the system has been fully rolled out to all participants and is ready to support new participants.

The Sheriff disagrees that PSEC improvements have proven to be a material variable in managing or mitigating the AB 109 challenges.

Grand Jury Recommendation

4. Municipal police agencies in Riverside County without direct Public Safety Enterprise Communication (PSEC) capability shall develop and implement a consistent communication system to ensure reliable and seamless coverage between the cities, the Sheriff's Department, and the safety agencies of other counties.

Response to recommendation:

The Sheriff supports PSEC partnerships with municipal police departments, but these decisions are under the purview of each of those communities and how their scarce resources are to be used.

Finding 5

**Transitional
Housing**

In the past two years, approximately 4,500 prisoners have been released from the County jails on some type of supervised release. Investigation revealed that when an inmate had problems with housing, physical or mental issues, it resulted in difficulty in re-entering a community. There is a lack of transitional housing and services for assisting these types of released prisoners who are in need of daily assistance transitioning back into the community.

Revised 8/1/14

The California Department of Parole has a system of half-way houses for released paroled offenders who had nowhere to go or needed time to adjust to being in a community after release. The County has nothing comparable, especially for the MS probationers. As of December 31, 2013, there were 682 supervised PRCS and MS probationers who were homeless. Temporary emergency housing is provided at five different locations in the City of Riverside and Southwest Riverside County. No emergency housing is available in the desert communities. Emergency housing is available for up to 30 days, but due to a lack of long term transitional housing, the emergency stays have been extended multiple times for several offenders. As of the date of this report, Probation had 15 supervised individuals in emergency housing.

The Riverside County Board of Supervisors voted in June 2013, to enact an ordinance, establishing a regulatory framework for half-way houses, or places renting to two or more unrelated parolees and probationers. Under the ordinance, the homes would only be allowed by permit in certain commercial and industrial zones. These homes cannot be near where children gather.

Response:

The Respondent agrees with Grand Jury finding 5.

The Riverside County Sheriff agrees AB 109 burdened the County with an underfunded housing situation for the new classification of released offender.

Grand Jury Recommendation

5. The Probation Department shall oversee the development of half-way houses to provide services to the released supervised inmates to assist them with re-entry into the communities.

Sheriff response to recommendation:

The Riverside County Sheriff defers to the Probation Department for a response.



MEMORANDUM

RIVERSIDE COUNTY PROBATION DEPARTMENT
Serving Courts • Protecting Our Community • Changing Lives

MARK A. HAKE
CHIEF PROBATION OFFICER

TO: Jay Orr, County Executive Officer

FROM: Mark A. Hake, Chief Probation Officer *MAH*

DATE: August 6, 2014

RE: Response to Grand Jury Report: 2013-2014 Grand Jury Report – Impact of AB109 upon Riverside County Municipal Police Agencies

In an effort to address overcrowding in California's prisons, the Public Safety Realignment Act, Assembly Bill 109 (AB109), was signed into law on April 4, 2011. AB109 transferred responsibility for supervising specified lower level inmates and parolees (categorized by the current offense being determined as non-serious, non-violent, and a non-sex offense) from the California Department of Corrections and Rehabilitation (CDCR) to the counties. In Riverside County, these offenders are supervised under Post-Release Community Supervision (PRCS) by the Probation Department. Implementation of the Public Safety Realignment Act took effect on October 1, 2011.

For informational purposes, the following definitions are given to assist in differentiating the offenders under realignment, as the two are not interchangeable.

PRCS: Offenders released from *state prison* to their county of jurisdiction.

Mandatory Supervision (MS): Offenders who are sentenced to serve time in county jail, in lieu of prison, and are thereafter released on a term of supervision under the Probation Department (split-sentences).

Below are the original Grand Jury report findings and recommendations, along with the Probation Department's responses.

Finding 1: Post-Release Accountability and Compliance Team (PACT) Program

Investigation revealed the PACT units have allowed Probation more time and resources to focus on case management and compliance checks on individuals on probation and parole. According to several chiefs of police, the PACT units shared information, served warrants, apprehended PRCS violators and reduced the number of PRCS offenders who abscond. ...

Initially, when the PACT program began, only cities with their own municipal police departments could participate in PACT activities. With the additional funding from BSCC for the PACT program, the participation of cities who contract for their police services became eligible. Two cities in PACT that contract for police services with the Sheriff's Department are Palm Desert and Moreno Valley. ...

Probation provides PRCS and Parole non-compliance information to the PACT units. These PACT units are involved in non-compliance sweeps and provided support in conjunction with other PACT units, other task force teams, and also operate in the county's unincorporated areas. PACT member cities also support cities that do not have a PACT member on the PACT. ...

The following cities that have a significantly higher percentage of supervised individuals versus percentage of population are: Riverside, Indio, Hemet, Lake Elsinore, Perris, Palm Springs and Desert Hot Springs. All of these cities provide one or more PACT officers except the City of Perris and Lake Elsinore.

Probation Department position concerning the finding: Respondent agrees with the finding.

Recommendation 1: The Community Corrections Partnership Executive Committee (CCPEC) should invite the City of Perris and Lake Elsinore to join the Post-Release Accountability and Compliance Team (PACT) program.

Probation Department's position concerning the recommendation: The recommendation will not be implemented because it is not warranted or is not reasonable.

The Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS), not the CCPEC, provides oversight of the PACT program. A representative of ARCCOPS sits on the CCPEC as a voting member and reports on PACT activities. The CCPEC funds only a portion of the PACT program with AB109 dollars. It is noted that PACT provides enforcement to any city in the county who requests assistance, whether or not that city has any personnel on the PACT teams.

Finding 2: Data Sharing and Supervised Offender Tracking

In February, 2012, the ARCCOPS requested that Probation regularly share PRCS offender data with the county's 11 municipal police departments and with the Sheriff who oversees 17 contract cities and unincorporated areas of the County. This information is released minimally on a monthly basis. The list includes the offender's name, address, city, most recent offense and probation officer contact information. The implementation of AB 109 prompted local law enforcement agencies to recognize that they have an important collaborative role to play in support of Probation's efforts to ensure the successful reintegration of this population back into local communities. Currently, Probation provides all local law enforcement agencies a weekly PRCS "Warrant List" for non-compliant probationers as well as monthly reports on all active PRCS and MS individuals. Probation communicates daily with the PACT members as there is a full-time probation officer assigned to each of the three teams. ...

In March 2013, Probation advised the Riverside County Board of Supervisors via an *Update of the local Community Corrections Partnership Public Safety Realignment and Post-release*

Community Supervision Implementation Plan Update of AB 109 Criminal Justice Alignment, that the Sheriff and Probation developed a joint database system that reduced labor and information technology costs.

Investigation revealed as of the date of this report, there was no countywide updated and centralized data base for tracking PRCS, MS, and rearrested probationers. ... Further testimony indicated that “data sharing is inadequate between Probation and the municipal police departments as well as between contiguous counties.” Inconsistent data sharing prevents cities and other entities impacted by AB 109 to ascertain what programs and processes are successful and which ones are not successful. ...

... If a state prisoner is released from a state facility to PRCS or MS under county probation, the county supervising agency oversees any special conditions for the prisoner’s release and notifies law enforcement agencies. However, when a prisoner is released from a county jail on PRCS or MS, no immediate notification is made to local law enforcement agencies. ...

... At the time of this report the police departments did not immediately receive a formal notification from Probation of Sheriff on offenders who were just released into their cities. This release information is given to the municipal police agencies in a weekly update.

Investigation revealed one of the biggest problems the cities and the County faced when AB 109 was enacted, was that there “wasn’t any preparation for a uniform or standardized statistical tracking system.” Additionally testimony revealed that data sharing is not consistent between Probation and the police departments as well as between counties because the PRCS and MS people moved around and no agency had a centralized database to keep track of these later arrests.

The California Department of Justice has developed a new program that is designed to enable public safety officers to collaborate and share information between all counties and state agencies in tracking individuals on supervised release. Probation is aware of the new program; however, it has not yet met the final data requirements, but is “actively developing measure to become ready.”

Probation Department position concerning the findings: Respondent disagrees with the finding.

Although AB109 was implemented in October 2011, the Probation Department and law enforcement agencies in Riverside County began discussing a strategy much earlier to ensure information pertaining to PRCS offenders would be shared. On July 19, 2011, the Community Corrections Partnership Executive Committee held a meeting to discuss the impact of AB 109 on local law enforcement agencies. At that time, the Probation Department advised it would serve as a liaison to the law enforcement community and provide information regarding PRCS releases from CDCR.

Probation provides a weekly, updated PRCS “Warrant List”, as well as a monthly list of PRCS offenders released from prison to law enforcement agencies. Additionally, a probation officer

serves on each PACT team to ensure pertinent information is shared daily with law enforcement team members.

For clarification, PRCS offenders are not released from county jail but rather state prison. The only exceptions are 10-day flash incarceration(s) or arrests for violation of their conditions of PRCS. Additional notification is not provided to local law enforcement agencies for PRCS offenders being released from jail following a violation due to Probation maintaining jurisdiction. Law enforcement agencies can obtain information through the Law Enforcement Portal (see below). As it relates to MS offenders, the Probation Department is in the process of creating an MS release list for similar distribution.

The Probation Department understands the importance of data sharing. As such, the department created a Law Enforcement Portal (LEP) to the Juvenile and Adult Management System (JAMS) database which allows law enforcement agencies to access offender information and enables officers to enter information related to the offender contact. Data exchange between JAMS and LEP occurs nightly. In the event further information is needed, probation staff is available during non-business hours to ensure law enforcement agencies are able to ascertain additional information in the absence of the assigned probation officer.

On February 1, 2012, through ARCCOPS, 11 municipal law enforcement agencies, the Sheriff's Department, and the District Attorney's Office requested and were provided access to the LEP. Each respective agency was issued a user identification and password. Additionally, Probation has presented numerous trainings on the LEP to individual law enforcement agencies as well as at a recent Riverside County Law Enforcement Administrators Association (RCLEAA) meeting. Information pertaining to the use of the LEP has also been distributed to these agencies. Additional training is conducted when requested by agencies.

The California Department of Justice (DOJ) has developed a database called, "California SMART Justice." This statewide data sharing platform will provide public safety agencies across the state with a one-stop, user-friendly web portal to access information about offenders. The Sheriff and Probation departments are working with the State to launch SMART Justice in Riverside County. Probation has automated its Supervised Release Files to ensure readiness for implementation.

Recommendation 2: Both the Sheriff's Department and the Probation Department shall communicate information on released prisoners placed on Post-Release Community Supervision (PRCS) or Mandatory Supervision (MS) from county jails to all law enforcement agencies at the time of the prisoners' release including local police agencies and adjoining counties. An updated summary of prisoner release information shall continue to be communicated to law enforcement agencies weekly and monthly. Probation shall finalize its interface system with the state-wide program for tracking released prisoners on PRCS and MS.

Probation Department position concerning the recommendation: The recommendation has been implemented.

As noted under Findings 2 (Probation Department position on findings), the Probation Department has been communicating with law enforcement agencies throughout the county related to releases from prison on PRCS. For clarification, PRCS offenders are not released from county jail, but rather state prison. The only exceptions are 10-day flash incarceration(s) or arrests for violation of their conditions of PRCS. Additional notification is not provided to local law enforcement agencies for PRCS offenders being released from jail following a violation due to Probation maintaining jurisdiction. Access to this information is provided through the department's Law Enforcement Portal. As it relates to MS offenders, the Probation Department is in the process of creating an MS release list for similar distribution monthly. As it relates to the statewide program (SMART Justice), the Probation Department is prepared and awaiting implementation by the state.

Finding 3: Probation Officers at Jails

Due to overcrowding in the county jails, prisoners are released from jails at varying times of the day. The deputy sheriffs at the jails are responsible for reviewing the terms and conditions of release which were laid down at the time of a prisoner's sentencing. This meeting to review the terms of release with the prisoner is done at the jail. No discussion of a "case plan" while on probation is done at this time. A case plan may include follow-up meetings, evaluations needed for re-integration, residency reports and other requirements dictated by the Probation officer. The prisoner is released based on the last known address in the prisoner's file.

The information for prisoners released on PRCS is communicated to Probation *after* the prisoner is released. ... There is a disconnect between the time the prisoner is released from jail and when the prisoner makes contact with Probation, sometimes more than two days. Investigation revealed that many times the prisoner's residence and contact information changed after time was served in jail. Once Probation has the released prisoner's (now probationer's) information, it is up to the probationer to contact Probation. If the probationer has not reported into Probation, then a warrant is issued for the probationer for non-compliance of his probation for failing to report in. The warrants for non-compliant probationers are sent from Probation to the respective PACT units for follow-up, adding workload to the team.

Probation Department position concerning the findings: Respondent disagrees partially with the finding.

The statement noted in the Grand Jury report, "The information for prisoners released on PRCS is communicated to Probation *after* the prisoner is released" is incorrect. CDCR advises the Probation Department of all pending releases ahead of the release, with minimal exception. As previously noted, this information is shared with law enforcement agencies throughout Riverside County on a monthly basis.

As it relates to MS offenders, the Probation Department is advised of these split sentence cases by the court on a daily basis and they are tracked in Probation's JAMS system. The Sheriff's Department provides the Probation Department with a daily list of offenders who are released early on a "fed-kick", and this includes MS offenders. To further enhance communication, Probation is in the process of creating an MS release list for distribution to law enforcement agencies throughout the county monthly.

As it pertains to the PACT teams workload increasing due to receiving warrants for PRCS offenders who are non-compliant, serving warrants is a primary function of the PACT teams.

Recommendation 3: An officer of the Probation Department shall meet with prisoners prior to release and confirm the case plan, residential address and review terms of release at the time of sentencing, and confirm first appointment with Probation officers.

Probation Department position concerning the recommendation: The recommendation has been proposed but not yet implemented, pending approval of a budget request to the CCPEC.

Probation proposed a new program, Transition and Reentry Unit (TRU), to the CCPEC on June 3, 2014, for the 2014-2015 budget year. The TRU program would place a probation officer in the jails to meet with offenders prior to release. The probation officer would verify address and other pertinent information, complete a risk/needs assessment, discuss housing, review conditions of PRCS or MS, and develop a case plan with the offender. Phase 1 (FY 2014/15) of the TRU program would begin as a pilot program at one jail. In Phase 2 (years 2-3), this program would be added to the other county jail facilities. Probation would coordinate with partner agencies to create Multi-Disciplinary Teams to link services for the offender in the community upon release. In Phase 3 (years 3-4), a 30-90 day transitional housing component would be added to give realignment offenders (depending on their case plan and/or assessment score) the ability to gradually reenter into the community.

As previously noted, the implementation of this program is dependent on approval of funding for Probation through the CCPEC.

Finding 5: Transitional Housing

In the past two years, approximately 4,500 prisoners have been released from the County jails on some type of supervised release. Investigation revealed that when an inmate had problems with housing, physical or mental issues, it resulted in difficulty in re-entering a community. There is a lack of transitional housing and services for assisting these types of released prisoners who are in need of daily assistance transitioning back into the community.

The California Department of Parole has a system of half-way houses for released paroled offenders who had nowhere to go or needed time to adjust to being in a community after release. The County has nothing comparable, especially for the MS probationers. ... No emergency housing is available in the desert communities. Emergency housing is available for up to 30 days, but due to a lack of long term transitional housing, the emergency stays have been extended multiple times for several offenders.

Probation Department position concerning the findings: Respondent disagrees partially with the finding.

The Probation Department is aware of the need for housing for realignment offenders (PRCS and MS). To help meet this need, the Probation Department currently has an open Request for Proposal (MHARC138) related to emergency and transitional housing (with or without treatment services). At this time, there are 30 emergency housing beds available in the western area of

Riverside County. On July 1, 2014, the Board of Supervisors approved an additional 47 beds (emergency and transitional). Twelve of these beds will be located in San Jacinto. Thirty-five of these beds would be in the eastern end of the county (Indio).

As it relates to the referral process for housing, probation officers refer realignment offenders needing housing to Mental Health's Homeless Housing Opportunities, Partnership & Education Program (HHOPE) to provide housing and related services. Each approved "home" has a set of "house rules" that offenders must agree to. Since housing is a voluntary service, the offenders can, and most do, decline the referral as many do not want to follow the house rules. These rules include curfew times, sobriety, and goals to seek independent living or family reunification. From March 8, 2013 to July 2, 2014, 84 offenders accepted housing referrals. Of those, 69 offenders are no longer receiving housing (i.e. 27 obtained other housing; 9 failed to initiate housing from initial referral; 14 abandoned the housing provided; 18 were removed from housing for alcohol or drug use, failing to follow house rules, or new arrests; and one was hospitalized). Currently, there are 15 offenders receiving housing out of 506 realignment offenders (303 PRCS and 203 MS) who reported to be homeless. To verify their housing status and focus services, the Probation Department requires offenders who say they are homeless to report daily to the Kiosk machines located at each Probation office. In addition, the department submitted a FY 2014-15 budget proposal to CCPEC for the use of a GPS electronic monitoring system on homeless offenders to verify their reported housing status.

Recommendation 5:

The Probation Department shall oversee the development of half-way houses to provide services to the released supervised inmates to assist them with re-entry into the communities.

Probation Department position concerning the recommendation: The recommendation will not be implemented because it is not warranted or is not reasonable at this time.

As previously mentioned, the Probation Department has a process in place for actively seeking transitional housing for realignment offenders. We also collaborate with Mental Health's Homeless Housing Opportunities, Partnership & Education Program (HHOPE) to provide housing and related services. Currently, there are 77 beds available. Should the need arise in the future for additional housing; Probation will reassess the need for the development of half-way houses.