

# **ALAMEDA COUNTY COALITION FOR CRIMINAL JUSTICE REFORM**

August 6, 2012

Board of Supervisors  
Alameda County  
County of Alameda Administration Building  
1221 Oak Street, #536, Oakland, CA 94612

RE: Criminal Justice Reform in Alameda County

Honorable Members of the Board of Supervisors:

As concerned residents of Alameda County, we submit this letter with recommendations and questions regarding the county's implementation of the state's historic Criminal Justice Realignment laws (Realignment).

Alameda County started out being regarded as the leader in the state for innovative implementation of Realignment; now we fear the County is far behind and has not followed the Year One Implementation Plan adopted by the Board in November 2011.

The undersigned collection of community organizations, individuals, advocates, and residents of Alameda County make the following recommendations to the Board of Supervisors:

## **I. AB109 Planning and Implementation**

- A. Immediately **commission, conduct, and release both a process and outcome evaluation** of Alameda County's Year One Realignment implementation. The evaluation should include a full accounting of how funds were spent and if these expenditures matched the budget delineated in the Year One Implementation Plan.
- B. The Year One Implementation Plan passed by the Board of Supervisors had the highest percentage of funds allocated to community services for the realigned population anywhere in the state, at 24 percent of the overall allocation. We strongly urge the Board to maintain that level of commitment and **allocate at least 20 percent of the FY 12-13 Alameda County Realignment allocation, of approximately \$29 million, to community based services.**
- C. Although Alameda County's jails are currently at low population levels, without any new process or initiative to reduce the population, in time, Realignment will eventually cause the jail population to increase and possibly surpass capacity. The state's Realignment legislation, Assembly Bill 109, promoted the use of pre-trial release programs in counties to reduce jail populations in a responsible manner. Individuals who have been arrested but not convicted of a crime and are awaiting their adjudication process make up the vast majority of those detained in Alameda County's two jails. Seventy-eight percent (78%) of all inmates in the two jails are in this "pre-trial status." There are numerous successful, responsible, and safe pre-trial release programs being implemented throughout the state and around the country that Alameda County can learn from. Such programs include: Evidence based risk assessments, Day Reporting Centers, Electronic Monitoring, and community supervision. **We urge the county to begin a Pre-Trial Release Program for detainees charged with non-violent offenses.**

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- D. Realignment will increase the number of people incarcerated in Alameda county jails and, in some cases, the length of the sentences they will serve. This has created the need for expanded and enhanced programming at the County's primary in-custody facility, Santa Rita Jail. Although many good programs already exist at Santa Rita, many more programs are needed. Also, an improved classification system is needed to ensure that more inmates get access to programs. Currently, many inmates are precluded from participating in rehabilitative programs due to an archaic and ineffective classification system employed by the Alameda County Sheriff's Office (ACSO). Moreover, the Sheriff's requirement that individuals pay the administrative fee up-front prior to starting work release in the Sheriff's Work Alternative Program (SWAP), is counterproductive and discriminates against individuals solely on the basis of their financial status. **We urge Alameda County to expand the quantity and quality of programs and services provided at Santa Rita, to improve the classification system and stop excluding otherwise eligible participants on the basis of financial ability so that more inmates can take advantage of the programs, and to begin reporting on program offerings and utilization, including the demographics of those inmates accessing programs, immediately.**
- E. By statute, the Executive Committee of the Community Corrections Partnership (CCP), which is charged with developing each county's Realignment plan, is comprised of seven members that are all government officials, the majority of whom hold law enforcement positions. We are calling for an amendment to the state Realignment legislation to add two seats to the Executive Committee for community based organizations or advocacy groups. These two new representatives would be voting members and their respective organizations would be ineligible for being awarded any Realignment-related contracts by the county. Interim CPO Harris has agreed to recommend to the CCP Executive Committee the addition of two community representatives as non-voting ex-officio members; we look forward to working with her and the Executive Committee to determine the process for accomplishing these appointments. **We are asking Alameda County to support legislative change to add two seats to the Executive Committee of the CCP for community based and advocacy organizations as voting members.**

In addition to these five specific recommendations, we are asking for answers to the following questions:

- F. Is it true that the county has already decided to allocate \$24 million of the \$29 million the county is set to receive in realignment funds for FY 12-13 to the Sheriff's Office, in part through the use of over \$18 million to reduce the Public Safety funding gap generated almost solely by revenue losses realized by the ACSO?
- G. How is the Sheriff's Office using the funds it has been allocated?
- H. In Alameda County's Year One Realignment Implementation Plan, the county committed to developing a Transition Center at Santa Rita Jail. What is the status of the Transition Center?
- I. In Alameda County's FY 11-12 Realignment Implementation Plan, the District Attorney committed to creating an ambassador program to help the realignment population gain employment. What is the status of the ambassador program?

### **II. Refinement and Implementation of the Probation Department Strategic Plan**

During the tenure of the previous Chief Probation Officer, considerable work was undertaken in the development of a strategic plan to guide the reform and improvement of the Department (copy attached).

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The plan contains important ingredients to improving the efficiency of the departments operations and improving outcomes of those under the supervision of the department in order to achieve our collective goal of reduced recidivism and increased public safety. While we recognize the necessity for the current Interim CPO to review and revise the draft plan, we urge the Board to endorse the plan and instruct the Interim CPO to make the needed refinements and begin implementation of the plan.

### **III. Process for Selection of a Permanent Replacement for the Chief Probation Officer**

In light of the recent announcement of the Resignation of Probation Chief Muhammad, it is necessary to consider the process the county and Board will undertake to recruit and select a suitable replacement. We strongly recommend that the Board again undertake a national search process to identify the best suitable candidate for the position. As was evidenced in the prior recruitment and selection process, there is considerable community interest in participating and supporting the Board and its staff in instituting a selection process which yields the best possible candidates, nationally and internally, to meet the needs of Alameda County residents. We are eager to support the Board by identifying and recommending candidates for the pool and in participating in public. We also ask that the Board keep the undersigned organizations updated about the hiring process in a manner that affords the opportunity for meaningful and timely input.

To conclude, we thank the Board for the leadership it has exercised in the area of criminal justice reform and public safety and wish to express our continuing commitment to supporting the Board and staff across the criminal justice system in implementing reforms and improvements that will make the County an even safer place in which to work and live.

This Letter is endorsed and supported by the following organizations/individuals (in alphabetical order)

- American Civil Liberties Union of Northern California
- Arnold Perkins, Former Director of Alameda County Public Health Department
- Black Organizing Project
- Books Not Bars
- Communities United for Restorative Youth Justice
- Dr. George Cummins, Oakland Community Organizations
- East Bay Community Law Center
- Legal Services for Prisoners With Children-All of Us or None
- Bishop J. W. Macklin, Glad Tidings Church
- Mentoring Center
- Oakland Private Industry Council (PIC)
- PICO Lifelines to Healing Campaign
- Resource Development Associates
- Urban Strategies Council
- Youth Uprising

**cc:**

Susan Muranishi, County Administrator  
LaDonna Harris, Interim Chief Probation Officer  
Members of the Community Corrections Partnership Executive Committee  
Board of Supervisors Criminal Justice Staff