

ALAMEDA COUNTY COALITION FOR CRIMINAL JUSTICE REFORM

1720 Broadway, Oakland, CA 94612

510- 893-2404

November 19, 2012

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

RE: Coalition Comments and Recommendations on “Recommended Allocation for Year Two Public Safety Realignment Funds”

Honorable Members of the Board of Supervisors:

On Friday evening, November 16, 2012, Coalition members became aware that the Board would consider action on the allocation of AB109 funds for year two implementation(Agenda Item #30B) as recommended by the Acting Chief Probation Officer Harris on behalf of the Community Corrections Partnership Executive Committee (CCP-EC). Furthermore, the Board has Item #30C to authorize the establishment of the Realignment Innovation Fund and Items # 30D and #30E include requests for funds for the Sheriff and Probation, respectively.

At the time we became aware of the proposed action items our members were working on developing a set of comments and recommendations based on the October 1, 2012 CCP-EC Procurement Committee Report which we believe was adopted by the CCP-EC on that date and contains recommendations on goals and priorities, fund allocations and procurement processes. However, in light of the recommendations submitted to the Board for action on November 20, 2012, we have decided to postpone that process in order to comment on the matters before the Board next Tuesday.

This document contains our comments and recommendations related to the proposed allocations of second year AB109 funds as proposed in the November 20, 2012 letter from the Interim CPO to the Board of Supervisors recommending allocations of funds.

**RECOMMENDED ALLOCATION FOR YEAR TWO PUBLIC SAFETY
REALIGNMENT FUNDS (ITEM #30B)**

Below we set forth our comments and recommendations regarding the proposed allocations and the summary and discussion accompanying them in the Acting CPO’s letter to the Board.

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Our general comment and recommendation, the rationale for which is set forth below, is that the Board delay any action on allocation of year two AB109 fund allocations until there is adequate data and information to inform the decision making process and opportunities for the public to participate in the process.

1. We recommend the Board delay action on the proposed allocations to permit review by the BOS Public Protection Committee to allow for community input and participation

Our first comment is an expression of our concerns that the process by which the recommendations were developed and the timeline and process for review by the Board has made it difficult for even those who are trying to participate in the CCP process, let alone the public at large, to participate in the process. What we have witnessed in this process is far less than what is reflected in the first goal for year two adopted by the CCP-EC and recommended to the Board: *“Protect the public through transparent and accountable administration and service.”*

We recommend that the Board not act on the proposed allocations at this time and, instead, announce a public process for review including submission to and consideration of these recommendations by the BOS Public Protection Committee to provide an opportunity for public input and feedback prior to their submission to the entire Board.

2. We further recommend that the Board delay action on the allocations until the public and the Board has had the opportunity to review data regarding the extent of impact of AB109 clients upon public and community agencies, the costs of providing various programs and services, and the effectiveness of the services and programs in reducing recidivism.

We begin our comments in this section by posing the question: What impact has AB109 Realignment had upon county agencies and community service providers and what funds are needed to address those impacts? Unfortunately, we are not sure that either the CCP-EC or the Board has that information as a basis for making year two allocation decisions.

Page one of the Acting CPO’s recommendation letter asserts:

“The 2011 Public Safety Realignment Act transferred responsibility for supervision of three offender populations from the California Department of Corrections and Rehabilitation to local detention and community corrections. As a result, impacts to the Probation Department, Sheriff’s Department, District Attorney, Public Defender and other public and private service providers were realized through increased client populations.”

The first year plan approved by the Board provided for both a mid-year assessment and an evaluation (See pages 10-11 of Year One Plan under “Fiscal Implications and Challenges” and “Evaluation”). To our knowledge neither of these has been accomplished to provide a data foundation regarding the precise impact of Realignment upon the various public and community agencies involved in providing programs, services and supports. We question how the CCP-EC and Board can make

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informed decisions regarding the allocations of funds consistent with the first year plan in the absence of the analyses required under that plan.

- 3. We recommend that the Board adopt a formula for AB109 funds which allocates at least 40% of all funds to community-based services provided by nonprofit organizations not affiliated with law enforcement agencies. This would provide a minimum of \$11.68 million from year two funds to community-based providers.**

We further recommend:

3.1 Any funds going to the Sheriff and Probation should be coupled with cost-saving requirements and effective measures to prevent future deficits necessitating Realignment funds, e.g. reducing pre-trial detention costs, reducing the length of probation.

3.2 Any increase in funding to the Sheriff's office through Re-alignment dollars should be coupled with a requirement for increased services at jail sites, especially Santa Rita.

We believe that a disproportionate amount of the AB109 funds are being allocated to law enforcement, especially given the number of AB109 or 1170H clients they are serving as a result of realignment.

We also understand that the large amount of funds that are being allocated to law enforcement include funds to close the prior year's budget gap. We strongly object to this use of AB109 funds.

Alameda County should be a pioneer in building authentic community partnerships by partnering with and funding community based providers (that are not a subsidiary of law-enforcement) and aside from funds allocated to county and other public agencies such as health care services. This would ensure resources to the community-based and faith organizations providing a substantial portion of the housing and employment services to reentry populations.

- 4. We generally agree with the goals set forth by the CCP-EC in the Acting CPO's recommendation letter, although we disagree with the proposed allocations, especially as they relate to funds for detention and community supervision. As noted in recommendation 3 above, at least 40% of the funds should be allocated to community based services provided by community partners**

4.1 The current allocation of funds for employment services totals less than 3% of the \$29.2 million received by the County for the current year. We recommend that an additional allocation of \$4 million be made for employment services.

4.2 The Board should set aside AB109 funds to ensure robust evaluation of implementation overall as well as rigorous evaluation of programs and services.

On page two of the transmission letter, the Acting CPO sets forth the guiding goals for the year two AB109 plan including as follows:

The CCPEC has adopted a set of three guiding goals for the activities of Year Two Realignment; in so doing, a framework for the development of County Realignment funding priorities has been established. These goals are:

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Protect the public through transparent and accountable administration and service: the CCPEC recognizes the scope and scale of increased supervision and case work responsibilities associated with the Realigned population. As such, the CCPEC recommends the use of \$23.85 million in Year Two funds towards the support of detention and community supervision activities. These activities include staffing and programming in both custody and community settings designed to promote and sustain offender rehabilitation.

Ensure effective and supportive transitions from detention to the community: the CCPEC recommends the utilization of \$2.85 million for transition services which are designed to provide a continuum between extensive in-custody services and supports and their community-based counterparts.

Develop innovative and therapeutic supports for clients focused on health, housing, and improving access to family sustaining employment: the CCPEC recommends the utilization of \$2.5 million to support behavioral health care, housing, and employment services.

HEALTH CARE SERVICES DIRECTOR'S LETTER ON REALIGNMENT INNOVATION FUND (ITEM #30C)

While we enthusiastically support the proposed creation of the Realignment Innovation Fund and look forward to its expeditious implementation upon approval of a year 2 plan and allocations, we do have a few areas of concern and recommendations.

- 5. We recommend that eligibility for the Realignment Innovation Fund (RIF) be restricted to community-based, faith organizations and local governmental agencies other than county agencies. We further recommend that if local public agencies other than county agencies apply for the RIF, they be required to commit matching funds on a dollar per dollar basis and not in-kind contributions.**
- 6. We further recommend that the RIF be used to develop tools for documenting and evaluating evidence-based programs and practices and -, those receiving awards from the RIF be obligated to work with the CCP-EC to develop tools and systems for furthering evidence-based practices and funds be set aside for such purposes.**

REALIGNMENT BUDGET ADJUSTMENTS FOR DETENTION AND CORRECTIONS (ITEM #30D)

- 7. Since, as we understand it, the Sheriff's Office has already received an allocation of \$18.4 million from realignment funds to cover their budget gap, we recommend that the request be denied and that the requested \$4 million be allocated to community-based services in an effort to reach the minimum 40% allocation of AB109 funds for**

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community-based services as detailed in recommendation #3 above. We further request that the Board allocate an additional \$5.1 million to community-based services to bring the total to \$9.1 million and that the Board identify another \$2.58 million to reach the recommended minimum of 40% or a total of \$11.68 million.

FUNDING PROBATION STAFF FROM PUBLIC SAFETY REALIGNMENT FUNDS TO SUPPORT REALIGNMENT ACTIVITIES (ITEM #30E)

- 8. We support the recommendation for \$1.7 million allocation to the Probation Department**
- 9. We recommend that an allocation be made to create a position of reentry services coordinator and that the position be housed in a county agency other than a law enforcement agency**

We continue to express our interest and willingness to work with the Board of Supervisors, the CCP-EC and other county agencies to ensure that Alameda has an exemplary plan which uses funds effectively to improve public safety and reduce recidivism. We believe this can be best accomplished by the recommendations we have set forth above and by the Board delaying action on the recommended allocations until such time that the Board and the community have better information on which to make informed decisions.

Thank you for your attention to these matters.

Sincerely,

Junious Williams, Urban Strategies Council
On behalf of the Coalition

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