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The Employer Services Center provides services to local employers including employee recruitment, customer service training, job applicant screening and testing and topic-specific seminars.

Eligibility Services

Butte County's Eligibility Services Division has an annual budget of approximately \$22 million and a staff of about 270 people.

The CalWORKs program provides financial support for the care of needy children when one or both parents are absent, deceased or unemployed. The caseload of this program has remained stable since 2009 at approximately 3,500 cases.

The Homeless Assistance program provides support for temporary or permanent housing costs to eligible CalWORKs families. During the fiscal year 2011-12, approximately 230 families in Butte County received assistance through this program.

Aid to Families with Dependent Children-Foster Care provides financial support for children in foster care. During the fiscal year 2011-12, 848 children were in foster care and 406 children had emergency assistance placements.

The CalFresh program provides nutritional assistance to low-income individuals and families. During the fiscal year 2011-12, \$50.2 million of CalFresh benefits were issued to Butte County residents. The average monthly number of CalFresh cases has increased from 10,188 in 2009 to 13,862 in 2012, a 36% increase.

Medi-Cal provides health coverage for eligible, low-income residents of California. The average number of Medi-Cal cases in Butte County has increased from 14,845 in 2009 to 18,335 in 2012, a 24% increase.

The County Medical Services Program provides healthcare coverage for eligible, low-income residents of Butte County who do not qualify for Medi-Cal. Approximately 5,600 individuals received coverage in 2011-12.

General Assistance provides financial assistance in the form of a loan for eligible, low-income residents of Butte County who do not qualify for any other cash assistance program. The average number of people receiving this assistance monthly was 374 in fiscal year 2011-12.

Communication and morale among the staff of both divisions and their supervisors are generally good. Staff members at all levels are encouraged to voice ideas for improving the system.

Reorganization

To address the current and anticipated increases in workload, the Eligibility Services Division will be reorganized effective September 1, 2013. The reorganization consists of two parts:

- 1) The opening of a “one and done” call center to handle most routine requests.
- 2) The assignment of workload by task to caseworkers instead of each caseworker handling a set number of clients.

A few other counties have successfully reorganized their Eligibility Services Division as proposed above. This allows the handling of larger workloads. The use of a statewide computer system allows one county to cover for another in the case of an emergency. The Division will receive state funds to cover some of the one-time costs associated with the reorganization. This will enable the county to purchase ergonomic furniture and an upgraded computer system for the call center. The call center will be located within the current division’s “footprint” to prevent an increase in cost for office space.

FINDINGS

- F1 The demand for public assistance has increased over the past several years and will most likely continue to increase.
- F2 Although the county anticipates receiving additional state and federal funds to administer public assistance programs, the increases will not be sufficient to continue providing services in the current manner.
- F3 The Department of Employment and Social Services plans to reorganize the Eligibility Services Division in the manner of successful reorganizations in other counties.
- F4 The department deserves commendation for its proactive efforts to find economical ways to address increased workload.

RECOMMENDATIONS

- R1 Monitor the number of calls, length of time before a call is answered, length of each call, etc. of the future call center to ensure that the public continues to receive a high quality of service when calling for assistance.
- R2 After implementation of the task-based workload allocation, conduct user surveys to determine customer satisfaction with the system and solicit ways to improve the service.

REQUEST FOR RESPONSE

Pursuant to Penal Code Section 933 and 933.05, the Grand Jury requests responses as follows:

- Director, Butte County Department of Employment and Social Services
 - A Response to Findings F1 through F4 and Recommendations R1 and R2

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury do not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

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20012 - 2013 BUTTE COUNTY GRAND JURY REPORT

BUTTE COUNTY’S RESPONSE TO AB109

SUMMARY

The 2012-13 Grand Jury saw the need to monitor the impacts of the 2011 Public Safety Realignment Act (AB109) in Butte County. One factor that contributed to the Grand Jury’s decision to investigate AB109 was the extensive media coverage regarding its ramifications. A fundamental change in relationships and responsibilities between counties and state government in the incarceration and monitoring of paroled felons had taken place and it will take several years for the full impact to be realized. In investigating the Butte County response to AB109, the Grand Jury found that the primary impacted agencies, the Probation Department and Sheriff’s Office, had developed the county’s response in a spirit of cooperation and innovation. Both developed cost-effective programs that had the potential for bringing positive change to inmates in Butte County.

GLOSSARY

- AB109 – Assembly Bill 109, 2011 Public Safety Realignment Act
- ACLU – American Civil Liberties Union
- CCCP – California Community Corrections Partnership
- CDCR – California Department of Correction and Rehabilitation
- CSUC – California State University, Chico
- DRC – Day Reporting Center
- PCS – Post-Release Community Supervision

BACKGROUND

AB109 was a shift of certain responsibilities from the state government to California counties in the incarceration and monitoring of specific classes of felons in the criminal justice system. The legislation was passed as a state response to the federal court mandate addressing overcrowding in the state prison system. The Grand Jury believes that a continuing investigation of the programs instituted by Butte County law enforcement is appropriate.

In 2009, the California Legislature created the California Community Corrections Partnership (CCCP) to manage programs to reduce recidivism. These 58 separate county CCCP groups were designated by the 2011 AB109 legislation to develop each county's plan to deal with the realignment, subject to the approval of the Board of Supervisors. The most affected county agencies are the Sheriff's Office, Probation Department, district attorney, Department of Behavioral Health, the Superior Court and city police departments. Through the separate CCCP groups, each county was left free to develop its own response to the resulting shift in responsibilities.

AB109 specified that convicted felons who are considered "non-non-non's" be sentenced to serve their time in county jails. Non-non-non felons were defined as those who are deemed "non-violent, non-serious and non-sex offenders." It also specified that this same category of inmate, when released from state prison on parole, would be supervised by county probation rather than state parole officers. Felons in these categories, sentenced before the October 1, 2011 implementation date of AB109, are not being returned to serve their sentences in local institutions. Currently, non-non-non felony offenders sentenced in superior courts are not sent to state prison but serve their sentences in county jails. Initial estimates in Butte County were for an additional 268 inmates per year to be incarcerated in the county jail.

APPROACH

The 2012-13 Grand Jury performed the following activities:

- Interviewed Butte County Jail management
- Reviewed applicable documents from Sheriff's Office
- Toured the Day Reporting Center (DRC)
- Interviewed DRC management
- Interviewed contract provider of DRC classes
- Interviewed DRC inmates
- Interviewed Probation Department management and staff
- Reviewed California State University, Chico (CSUC) report on sheriff's response to AB109
- Interviewed CSUC professors who authored the report
- Attended League of Women Voters public forum on AB109
- Reviewed applicable documents and reporting from public and private sources

DISCUSSION

The initial result of AB109 has been an increase in overcrowding in the Butte County Jail. A needs assessment in 2006 predicted the need for a jail expansion to 920 beds. No jail expansion was funded at that time. A new jail needs assessment, completed in March 2013, projects that the Butte County Jail requires adding 293 beds to the current total of 614 to meet the future needs of the county. In order to alleviate the already crowded population in the county jail, the sheriff turned to alternative custody programs. Part of this approach included improving assessment tools. The plan was to safely increase misdemeanor and pre-trial offender releases on their own recognizance under the existing overcrowding consent decree. The primary component of that program was the creation of the Day Reporting Center. The Butte County Sheriff's Office was able to utilize the vacant former Juvenile Hall on the county government campus in Oroville. Using inmate labor, the Sheriff's Office was able to upgrade the facility to house the newly created Day Reporting Center in a cost-effective manner. Inmates who are transferred to the Day Reporting Center are able to live in approved residences, their location monitored electronically by ankle bracelets. They are enrolled in programs at the DRC designed to give them the attitude and tools to successfully re-enter society. As of February 2013, the average number of inmates in this program is about 110 inmates daily. Jail management told the Grand Jury that additional inmates, based upon their criminal history and charges, could qualify for this program. Using leased electronic monitoring equipment, expansion of the program population can be accomplished rapidly. The main barrier to significant expansion is that many inmates in the jail who might otherwise qualify cannot because they are homeless. The program is based on inmates that have an acceptable place to live and resources outside of the jail.

The Butte County Probation Department also experienced a significant increase in responsibilities with the public safety realignment. Prior to AB109, any inmate released on parole from state prison would be the responsibility of State Parole officers to monitor. AB109 applied the non-non-non category to inmates released on parole. These inmates were released to their local county, as usual, but became the responsibility of county probation officers, not state parole officers. Violent, serious, or sex offender inmates being released on parole continue to be supervised by state parole officers. Initial projections of the California Department of Corrections and Rehabilitation (CDCR) estimated 484 offenders will be released on Post-Release Community Supervision (PCS) to Butte County by September 30, 2013. It is estimated that the average daily population of offenders discharged to Butte County on PCS at full implementation will be 181. This is not an increase in the number of felons being discharged back into the community. These inmates would have been released prior to AB109, but would have been monitored by state parole rather than by county probation.

There is a distinct difference in the procedures needed to monitor county probationers and PCS felons. For that reason, the Probation Department created a separate unit to supervise the PCS offenders, funded by AB109 allocations. As these PCS offenders initially came from Butte County, the Probation Department usually has some history with these offenders. Also, the California Department of Corrections sends a background history along with the PCS inmate. This background helps determine the level of supervision required. It must be emphasized that all of these PCS offenders released to county probation are in the non-non-non category.

Local authorities have discovered an unanticipated problem with the non-non-non category of inmates. The non-non-non designation has been applied by the state to only the most recent sentence of these inmates assigned to county responsibility. This results in some inmates with a far more violent and sophisticated criminal background being included in the AB109-eligible group of offenders. This was found not only among those inmates kept in the county jail, but also those monitored on parole by county probation.

Felons released from State prison on parole make their own way to the county to which they are assigned and report to the supervising agency. County Probation has found that 89% of these prison releases do report as required. County Probation Officers who supervise AB109 releases told the Grand Jury that most of the AB109 inmates would prefer to be monitored by State Parole, as they were previously. The probation officers also said offenders with experience in both systems find that the county monitors their activity much more closely than State Parole. When county probation set up the special AB109 monitoring unit, seven officers were designated to work with this group of parolees, with an upper limit caseload of 50 inmates per officer. Two additional probation officer positions were created solely to monitor those placed on electronic monitoring. Currently, the average caseload is at 40 offenders per officer. Probation officers generally see the offenders on their caseload two to three times per month. If offenders are having difficulty adjusting to the terms and conditions of their release, probation officers have the option of placing them under GPS ankle bracelet monitoring. Offenders with continuing problems can be immediately returned to the county jail. A full violation of parole can result in a maximum 180-day stay in jail. Sensitive to the overcrowding issues in the jail, this is only used in cases where the probation officer feels this action is necessary. If the offender on parole is violation free for six months, the probation officer can discharge the sentence of the inmate. The maximum length of time the offender can be kept on probation is three years.

The state providing funding for AB109 programs has been a concern of local agencies from the beginning. The first-year funding for Butte County was planned to include one-time startup costs including facility and staff training. The second-year budget was designed to provide enough funds for sustainable operational costs. The first full year of