

# County of Nevada Community Corrections Partnership Plan 2022-23



## **2011 Public Safety Realignment:**

*The mission and goal of the Nevada County Community Corrections Partnership is to comply with the Public Safety Realignment Act by adopting evidence-based, cost-effective policies and practices that reduce recidivism, improve individual outcomes and promote public safety.*

# TABLE OF CONTENTS

Nevada County Community Corrections Partnership	3
1. Sustaining AB109 Reforms – 2015	
A. Challenges	4
B. Opportunities	4
C. Evidence-Based Responses and Interventions	5
2. CCP Voting Requirements	6
3. AB109 Individual Population Terms and Definitions	7
4. Reporting and Analysis	
A. Baseline and Ongoing Performance Indicators	7
B. Reporting	7
5. Monitoring and Control	
A. Case Management Supervision	8
B. Jail Strategies	9
C. Cognitive Behavioral Therapy (CBT)	10
D. Expansion of GPS Technology	11
E. Flash Incarceration	11
F. General Education Development (GED)	11
G. Random Drug and Alcohol Testing	11
H. Substance Use Disorder Treatment	12
I. Housing	12
J. Pro-Social Relationship/Peer Mentoring	12
K. Collaborative Partnerships	13
6. Planning for Contingencies	13
Signatures and Approvals	14

# Nevada County Community Corrections Partnership

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## **EXECUTIVE COMMITTEE**

- Jeff Goldman, Chief Probation Officer (Chair)
- Shannan Moon, Sheriff
- Jesse Wilson, District Attorney, also representing Victim Services
- Keri Klein, Public Defender
- Chief Alex Gammelgard, Chief of Police Grass Valley
- Ryan Gruver, Health and Human Services Director
- Tonya Clark, Court Operations Director, Superior Court Designee

## **CCP MEMBERS**

- Supervisor Dan Miller, Board of Supervisors
- Alison Lehman, County Executive Officer
- Steve Sinclair, Probation Program Manager
- Angelina Coffey, Administrative Services Officer, Probation
- Jeremy Vance, Supervising Deputy Probation Officer
- Robin Jones, Deputy Probation Officer III
- Phebe Bell, Behavioral Health Director
- Kelly Miner-Gann, Behavioral Health Program Manager
- Alicia Burget, Undersheriff
- Sam Brown, Sheriff Captain
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- Robert Jakobs, Sheriff Captain
- Nancy Ramsey, Community member
- Pauli Hallstead, Community member
- Rolf Kleinhans, Chief Fiscal Administrative Officer, Sheriff
- Joe Festersen, Director, Common Goals
- The Honorable Robert Tice-Raskin, Presiding Superior Court Judge
- The Honorable Candace Heidelberger, Superior Court Judge
- Heather Alexander, Director, Alliance for Workforce Development
- Ann Guerra, 211 Nevada County
- Tim Giuliani, 211 Nevada County
- Martin Polt, CEO office
- Rachel Roos, Director of Social Services
- Heather Vance, Turning Point
- Steve Johnson, Deputy Chief, Grass Valley Police Department
- Scott Lay, Superintendent of Schools
- Jamie Hogenson, County Counsel
- Tamaran Cook, Adult Protective Services
- Jill Blake, Public Health Director

# 1. Sustaining AB109 Reforms – 2021 Update

## A. Challenges

California state prisons operated significantly over capacity for many years. A series of court cases, including a decision by the United States Supreme Court in 2010, found health care, treatment, and rehabilitation to be unacceptably poor in our state's prisons. Under current California Department of Corrections and Rehabilitation (CDCR) structure, California had a dismal history (one of the worst in the country) of re-offense and recidivism. AB109, AB117 and associated legislation was implemented in 2011. Since then, the state has significantly shifted the responsibility for housing inmates that would have historically been housed at state institutions to counties. They also shifted the responsibility of community supervision of certain individuals to the counties, thus transferring considerable risk from state responsibility to counties.

Three different groups of individuals have been affected by this change in law. Beginning October 1, 2011, individuals convicted of specified low-level felonies are no longer incarcerated in state prisons. Instead, incarceration time is spent in county jail rather than prison. Further, specified individuals who have completed a prison sentence after October 1, 2011, are now supervised by county Probation rather than state Parole upon release from prison. Finally, those under supervision by state Parole who violate conditions of Parole will serve their parole violation time in county jail rather than state prison.

As with past transfers of other state functions, incremental county funding may not be sufficient to meet all the increasing responsibilities passed on by the state. As individuals transfer from state to county jurisdiction, many of the mandates and standards previously applied to prison care, including catastrophic health care costs, have been applied to county-level care.

Local jurisdictions are mandated with implementing proven evidenced based practices to address the needs of these populations. Programming that is effective needs to be implemented with fidelity. Delivering this type of programming requires increased capacity and the ability to be nimble to meet the specific and changing needs of our community.

## B. Opportunities

AB109 legislation, and the associated funding, presumed counties will do a better job providing treatment and rehabilitation along with incarceration. Nevada County has reduced recidivism rates and improved reintegration of AB109 individuals into local communities. Recidivism is defined as conviction of a new felony or misdemeanor committed

within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction. Good public safety policy involves community supervision, focused evidenced based treatment/rehabilitation, and accountability. The Nevada County CCP membership is unanimously committed to maximizing public safety through a commitment to all these strategies.

Nevada County is very fortunate to have a tradition of excellent collaboration. Members of the Nevada County Community Corrections Partnership (CCP) are committed to working closely together to assess, implement, maintain, refine, and increase services funded by AB109 insuring two primary goals are met:

Criminal Justice reform:

- Insuring and providing public safety to residents of Nevada County through risk-based supervision combined with treatment referral services based on criminogenic needs and effective case planning and interventions.
- Avoid jail overcrowding by implementing alternative strategies across all aspects of the local criminal justice system from pretrial, diversion and community re-entry.
- Address needs associated with healthcare, treatment, and rehabilitation for AB109 individuals in order to achieve necessary reductions in recidivism. These include Mental Health Therapy, Substance Abuse Treatment, Recovery Housing, Education, Vocational Training, Eligibility Assessments and Cognitive Behavioral Therapy.

Utilizing proven rehabilitation practices ensures scarce resources are committed to effective and efficient approaches in reducing criminal behaviors. AB109 funds have introduced practices to Nevada County that are statistically proven to yield positive outcomes which result in significant recidivism reductions. The Nevada County Probation Department has shown considerable foresight and initiative in recent years by adopting several proven practices for serving adult probationers.

## **C. Evidence-Based Responses and Other Promising Interventions**

Incarceration or traditional probation supervision are no longer considered effective in curbing recidivism. Traditional approaches to community supervision have been replaced by these proven programmatic strategies:

- Validated Risk Assessments
- Risk and Need based supervision
- Cognitive Behavioral Therapy (CBT)
- Pretrial Program
- Re-entry Planning
- Community-based programs targeting criminogenic needs
- Substance Use Disorder Treatment

- Mental Health assessments and referrals
- Behavior Response Matrix
- Random Drug Testing
- Flash incarceration
- Electronic GPS Monitoring
- Community Service
- Transportation assistance
- Positive Behavioral Interventions

## 2. CCP Voting Requirements

- Submission to the Board of Supervisors with a simple majority vote from CCP
- Plan Approval requires simple majority vote by Board of Supervisors
- Plan Rejection requires 4/5 vote by the Board of Supervisors

Section 1230.1 of the California Penal Code was amended to read:

(a) each county local Community Corrections Partnership (CCP) established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for implementation of the 2011 public safety realignment.

(b) the plan shall be voted on by an executive committee of each county's Community Corrections Partnership consisting of the chief probation officer of the county as chair, a chief of police, the sheriff, the district attorney, the public defender, the presiding judge of the superior court, or his or her designee, and one department representative listed in either subparagraph (G), the Director of Welfare and Social Services, (H), the Director of Mental Health or (J), the Director of the County Alcohol and Substances Abuse Services\*, of paragraph (2) of subdivision (b) of Section 1230, as designated by the county board of supervisors for purposes related to the development and presentation of the plan.

\* The Nevada County CCP has chosen the Director of Health and Human Services.

(c) the plan shall be deemed accepted by the county board of supervisors unless the board rejects the plan by a vote of four-fifths of the board, in which case the plan goes back to the Community Corrections Partnership for further consideration;

(d) consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based community correction programs.

(e) Nevada County has a larger CCP group which will include members listed above on page

3. This group is made up of line staff, county agency representatives, community partners and community members. This group focuses on the impacts of this population and the

programmatic strategies and outcomes associated with AB 109. They will report back to the Executive Committee with outcomes and develop collaborative solutions to address each need.

### 3. AB109 Individual Population Terms and Definitions

**Non-Violent/Non-Serious/Non-Sex Individuals (Non, Non, Non):** AB109/AB117 revises the Penal Code to allow certain individuals convicted of specified crimes to serve their “prison” terms in the county jail, effective October 1, 2011. The population serving sentences locally are those convicted of certain non-violent/non-serious/non-registerable sex offenses. These individuals may be sentenced to a period of mandatory supervision as part of their sentence and would be under the supervision of the Probation Department.

**Post Release Community Supervision (PRCS):** Non/Non/Non individuals released from State Prison after October 1, 2011, are placed on Post Release Community Supervision under the jurisdiction of county authorities. These individuals have been and continue to be released from State Prisons to community supervision on their regularly anticipated parole date.

**Mandatory Supervision:** Mandatory Supervision is the term given to the period of supervision imposed as part of a “split sentence” under 1170 (h)(5) PC. While probation departments have jurisdiction over the “split sentence” subgroup, these individuals are not on traditional probation but will be managed under terms and procedures similar to probationers.

## 4. Reporting and Analysis

### A. Baseline and Ongoing Performance Indicators

A key to monitoring and reporting outcomes is reliability of data. Data tracking and analysis tools previously available within Nevada County were limited, and historical data was incomplete, making it difficult to establish any baseline against which to measure future outcomes. Efforts towards data development, analysis and establishment of baseline measures continue. As of 2015, Nevada County Probation invested in a new case management system that has provided data tracking and outcomes post 2015. With all case management systems, there are limitations to collecting certain data points. Analysis and reporting of data continues to be used as much as possible to establish program measurements for upcoming fiscal years and beyond.

### B. Reporting

As a part of the recent CCP strategic plan, objectives were developed to address data and data reporting. The CCP will refine what data is needed to make informed decisions and a template for reporting. A data workgroup will be created to identify the data needed to fulfil

the report request and who is the holder of the data. Data reporting will be a standing agenda item at CCP meetings and the CCP will explore the potential need for the assignment of a data analyst to the CCP.

## 5. Monitoring and Control Methods and Programs

### A. Case Management Supervision

Effective case management and supervision is a model for providing cohesive and appropriate interventions to high-risk individuals in all felony community corrections populations (felony probationers, mandatory supervision and post-release community supervision population). Case management supervision consists of a risk needs-assessment, risk-based supervision strategies and intensive supervision of high-risk individuals in the community. This strategy applies an overall structure comprised of risk, need, and responsivity principles; relational elements between Probation Officer and individual; techniques designed to engage and motivate individuals to change; and behavioral interventions coupled with the use of sanctions and incentives supporting engagement, motivation, and behavior change. A case plan is developed to aide Probation in making the appropriate referrals for treatment interventions.

Probation uses the Effective Practices for Community Supervision (EPICS) case management model. EPICS is based on research around the principles of effective intervention that has shown to reduce recidivism. This model strives to fully utilize the time that officers spend with clients and ensure clients receive a consistent message throughout the continuum of correctional services.

Probation will keep statistical data regarding trends with case plans and report out to the CCP what trends are occurring so that the CCP can appropriately address the current and evolving needs of this population.

Strategy components include:

- Risk and Needs assessments
- Results First Best Practices Clearinghouse
- Risk/Needs based supervision (EPICS)
- Use of engagement and motivation techniques (Motivational Interviewing)
- Use of behavioral interventions and instruction (cognitive-behavioral interventions)
- Swift and certain responses to violation behavior, employing graduated sanctions and incentives to support behavior change

Nevada County is mandated and responsible for adopting evidenced based programming in the jail to address the needs of this population locally and to better utilize and examine the need of jail beds. A program the community has implemented is a pretrial program. A pretrial program includes assessing individuals incarcerated on new charges, releasing eligible individuals into the community to be monitored by the probation department awaiting their sentencing. This strategy decreases jail population while maintaining public safety. There is an ongoing effort to increase the available services for the in-custody population.



## B. Jail Strategies

Since the implementation of the original community partnership plan in 2011, the Nevada County Sheriff's Office has operated one main jail facility, one court holding facility, and one Type-1 holding facility, with a total operational bed space of approximately 294. Early partnership planning indicated the need to increase available bedspace for the influx of potential incarcerated persons being displaced from the State prison system. Since 2011, the Nevada County Sheriff's Office has seen the expected increase in average daily populations caused from inmates sentenced pursuant to 1170(h)PC. Our current average daily population contains an average of 14% of incarcerated persons directly related to Realignment sentencing.

Over the last decade Nevada County Sheriff's Office has not added any operational bedspace. We now have 14% of our total incarcerated population attributed to Realignment sentencing – incarcerated persons who, prior to alignment, would have been sentenced to State prison and housed by the California Department of Corrections and Rehabilitation. Despite this added population, the population of the jail has slowly decreased from a high of 286 in 2014, to now hovering around 160. Nonetheless, it is believed that this increase in Realignment incarcerated persons per capita has caused significant and sustained impacts to the operation of our corrections division, to include:

- Increased internal medical care costs
- Increase from 1 to 1.8 therapists and a requirement for two registered nurses on staff 24 hours per day
- Increased specialized medical costs, both on and off site
- Long term medical care for incarcerated persons with chronic conditions
- Increased sophistication among incarcerated population
- Increased altercations between incarcerated persons
- Increased altercations between incarcerated persons and staff
- Increased amounts of contraband within the facilities
- Increased transportation costs
- Increased complication of incarcerated person classification system
- Increase burden on investigating incidents within the facility
- Increase in staffing requirements
- Increase in overtime extending beyond the corrections division

One of the greatest challenges in housing the realignment population of incarcerated persons is centered around their potential length of stay. Prior to realignment, inmates sentenced to a term longer than a year would be sent to state prison – this is no longer the case. Incarcerated persons sentenced after realignment can now stay in county jails for terms exceeding a decade. These protracted stays require institutions like ours to reconsider the use of our space – space which does not expand without significant costs. Medical providers, mental health providers, and dental providers now focus on including long-term care plans into their overall medical plans. Prior to realignment, yearly dental cleanings were less likely

than a dental emergency to bring a dentist to our facility, now a contract dentist and registered dental assistant are weekly fixtures in our facility and providing annual cleanings for the inmate population. Space must be made in the facility to house the chronically ill, or worse, the terminally ill. Space originally used for programming is now used for mental health treatment, telehealth consultation, remote court appearances, and remote consultation with psychiatric facilities.

When not restricted by pandemic protocol and more frequent and in-depth medical, mental health, and dental treatment, the Nevada County Sheriff's Office has been able to provide several beneficial programming opportunities to the incarcerated population, such as:

- Education focused on completion of GED
- High School Diploma education from Placer School for Adults
- Anger Management Classes
- Parenting classes
- Alcoholics Anonymous
- Narcotics Anonymous
- Training programs in food handling safety
- Arts in Corrections acting classes
- Yoga and stretching classes
- Early Access and Stabilization Services
- Medication Assisted Treatment and behavioral therapy

The past decade has also identified gaps in service and brought to light ideas and opportunities to better serve the incarcerated population and community at large. Specifically, the Nevada County Sheriff's Office has identified the need for a Re-entry Counselor or discharge planner. The individual in that position would be tasked with one-on-one interviews with inmates who are being scheduled for release from custody. The discharge planner would identify the incarcerated individual's needs, such as: housing, employment, transportation, access to prescription medication, continued medical treatment outside of the facility, state identification cards, access to support groups, and education. The discharge planner would then assist the incarcerated person in meeting their needs while simultaneously breaking down any barriers to prolonged success and reduced recidivism.

## **C. Cognitive Behavioral Therapy (CBT)**

Cognitive Behavioral Therapy (CBT) is designed to change dysfunctional thinking patterns exhibited by individuals (e.g. antisocial behavior, displacement of blame, relational dominance, etc.). Programs are usually offered in small settings, incorporate lessons, role-playing exercises, modeling, demonstrations, and sometimes individual counseling sessions. Ultimately, the goal of CBT is to change thinking processes to prevent the future participation of criminal activities and improve public safety. Probation has dedicated one Deputy Probation Officer to facilitate CBT programming. Probation also contracts with the Sacramento Office of Education (SCOE) to allow participation in the Placer Re-entry Program (PREP). PREP provides CBT as well as a variety of other interventions and service for the community corrections population.

## **D. Expansion of GPS Technology (GPS)**

GPS monitoring can be used for detention, restriction, and surveillance purposes and to confirm an individual remains in a designated place, for example their home (detention). GPS can also be used as a tool to aid in the protection of victims, co-individuals or complainants. (restriction)Additionally, GPS can be used to continuously track a person, without restricting their movements (surveillance). The use of GPS technology with individuals reduces jail overcrowding by providing a viable alternative to incarceration. There are some potential community benefits of the individual continuing to work, attend treatment, pay taxes, care for their families and even attend school to increase future employment options, while the individual remains under surveillance. GPS does not, however, restrict the individual so completely that he/she cannot re-offend if he/she so chooses.

GPS primary goals are threefold:

1.) re-integration into the community; 2.) accountability; and 3.) monitoring. Home custody options allow individuals to remain (or re-enter) into their community under increased supervision and maintain employment and/or education and treatment.

Serving dual purposes, this strategy increases Nevada County's ability to closely monitor individuals who could otherwise be in-custody by providing an alternative to custody. GPS is a cost-effective response to non-compliance in lieu of custody.

## **E. Flash Incarceration**

Flash incarcerations are brief jail stays (up to 10 consecutive days) intended to address non-compliance and encourage behavior change. Not only is flash incarceration an encouraged sanction in AB109 itself, but it also receives strong theoretical support stating sanctions must be swift, specific, consistent, and short. Flash incarcerations should be limited to the least amount of punishment necessary to bring about a desired behavioral change. This strategy can be imposed without delays associated with court revocation hearing processes. Flash is most effectively utilized as one of a few higher-end responses in a system of sanctions.

## **F. General Education Development (GED)**

General Education Development (GED) services assist individuals in preparation for the examination required to receive a California High School Equivalency Certificate. Educational achievements are pivotal to improving upon the employability and overall success of individuals in the community and can be identified as goals within the case plan. GED services and testing can occur in county jail or in the community.

## **G. Random Drug and Alcohol Testing**

Random Drug and Alcohol Testing is often an aid to individual drug treatment, though it is also applied as part of supervision case plan efforts when individuals assess out for illegal substance use. Mandatory testing may result from case planning generated at the point of

risk/need assessment and can be applied as part of a system of responses to non-compliant behavior. Probation has developed and maintained a random drug testing system to increase testing supervision and in line with best practices and individual accountability.

## **H. Substance Use Disorder Treatment**

According to the National Survey on Drug Use and Health (2014), the rate of substance use disorder among adult individuals on probation or parole supervision (40.3%) is more than four times that of the general population rate of 9%. Analysis of national data on state prison inmates indicates nearly three fourths need some substance abuse intervention.

In implementing substance use disorder treatment, critical services are structured as part of a case plan designed to address criminogenic needs identified during assessment of the individuals' risks and needs. Whether in a residential treatment program or out-patient setting, assigned staff and interventions are enhanced through Motivational Interviewing techniques and the ability of the program to utilize appropriate behavioral responses and mandatory testing in response to individual non-compliance.

The CCP currently utilizes Granite Wellness Center and Common Goals as treatment providers when attempting to address significant substance use disorder issues among individuals. Additional services include but are not limited to, medical detox (for opiate and stimulant withdrawal), mandatory random drug testing, medical assisted treatment (MAT) and individual counseling for the duration of treatment.

## **I. Housing**

Housing remains one of the most significant needs for Nevada County AB 109 individuals. Individuals without stable housing are more likely to struggle with treatment requirements and overall stability. To address this need, the Nevada County Probation Department contracts with Granite Wellness Center and Common Goals to provide recovery housing to those found to be in need through the assessment process. The goal of recovery housing is to provide shelter but also to support the individual towards permanent housing opportunities. Since the time an individual is on community supervision can be limited, permanent housing can be difficult to achieve. The Probation Department also partners with Hospitality House to provide housing and life skills options for the Post Release Community Supervision population released from prison to local jurisdictions.

## **J. Pro-social Relationships/Peer Mentoring**

Peer mentoring is an increasingly popular criminal justice intervention in custodial and community settings. Peer mentors are community members, often with lived experiences of criminal justice, who work or volunteer to help people in rehabilitative settings. Over the last decade organizations like Project Heart have worked closely with justice involved individuals within the county and have expanded capacity to serve this population through custodial program, re-entry planning, peer mentorship and pro-social group activities. The CCP has providing funding to enhance this work, and trained others within the community to expand this practice within Nevada County.

## K. Collaborative Partnerships

Partnering with community agencies to provide services are directly related to addressing the needs of the AB109 individual population. CCP partners with Granite Wellness Center and Common Goals for substance use disorder treatment and recovery housing and Alliance for Workforce Development, Inc. for vocational training and job opportunities. The CCP also collaborates with local law enforcement such as Grass Valley Police Department to provide enforcement and residential checks when needed as well as serves on the Adult Drug Court as a law enforcement liaison/partner to the alternative court system.

## 6. Planning for Contingencies

The best planning efforts cannot capture all unknown or unexpected events which can have a devastating effect on budget and funding for existing and future programs. This plan includes contingency funds of \$4,037,171, for FY 2022-2023. This plan also includes a Capital Facilities Fund \$600,000 for future criminal justice needs as they develop, \$100,000 of which has been unanimously approved by the CCP Executive Committee to go towards the Truckee Joseph Center Remodel project. This project will provide equity in service provision for Eastern County which is needed to carry out the CCP's plan and increase public value.

This year, 2022, the CCP completed a strategic plan that included interviews with a variety of internal and external stakeholders, a community survey, an examination of past plans and efforts, development of themes based on interviews/surveys, creation of a revised mission statement, and a two-day planning session with the CCP membership.

The revised mission of the CCP is:

*The mission of the Nevada County Community Corrections Partnership is to collaboratively ensure a safe Nevada County by reducing and preventing crime through evidence-based, cost-effective policies and programs.*

The group also developed guiding principles. The Nevada County CCP guiding principles are:

*We believe in:*

- *Creativity and innovation*
- *Collaboration and mutual commitment to the group to improve the system in a fiscally responsible manner*
- *Being open, honest, sharing ideas and being respectful*
- *Continuously letting purpose drive strategy*

The identified goals that were developed for the CCP:

1. *The CCP will be data-driven in decision-making and evaluating outcomes.*
2. *Improve community engagement and participation in the CCP.*

- 3. *Ensure safe Nevada County by reducing and preventing crime.*
- 4. *Improve overall quality of life in Nevada County.*

Using the revised mission, guiding principles, and goals, the CCP developed several SMART objectives that are actionable items. Those items will be revised and fine tuned as work on them moves forward, but it is a starting point for progress. The CCP realized it was time to re-examine the approach of the CCP given the changes that have occurred over the past decade since the implementation of AB 109. The work of the CCP on the strategic plan reflects those changes and the strong collaborative effort present in the county to make this effort a success.

**Risk and Contingency Planning**

Implementing and sustaining a change as large and overarching (in both scope and magnitude) as that intended in AB109 is very risky on multiple fronts. This necessitates solid risk and contingency planning. Project-specific risk assessments will be conducted with the CCP workgroup to identify potential risks to Nevada County, the community, and sustainability of change efforts. Mitigation strategies will be developed that can be initiated in the event that a risk event occurs. The mitigation strategy can identify and allow us to deal with future unknown trends in the criminal justice system.

**Signatures and Approvals:**

**Prepared By** \_\_\_\_\_  
Jeff Goldman,  
Chief Probation Officer

This document requires the following approvals:

**Approved By** \_\_\_\_\_  
Jeff Goldman  
Community Corrections Partnership, Chair  
**Approval Date** \_\_\_\_\_

**Approved By** \_\_\_\_\_  
Sue Hoek  
Board of Supervisors, Chair  
**Approval Date** \_\_\_\_\_