



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.8

MEETING DATE: 09/09/2025

DEPARTMENT: PROBATION

AGENDA ITEM PREPARER: Ashlyn Canez

DEPT HEAD/DIRECTOR: Ashlyn Canez

SUBJECT:

PROBATION DEPARTMENT - A. CANEZ

1. Ratify and approve the local Community Corrections Partnership Public Safety Annual Realignment Plan for Fiscal Year 2024-2025; and
2. Authorize the Chief Probation Officer, or designee, to implement the Plan and execute and amend existing and future agreements and memoranda of understanding with Federal, State, and local public agencies for the implementation and continuation of realignment services coordinated by the Probation Department that involve no monetary impact to the general fund and as approved by County Counsel. SBC FILE NUMBER: 510

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

OVERVIEW OF 2011 PUBLIC SAFETY REALIGNMENT ACT (AB109)

On April 4, 2011, Governor Brown signed a major piece of legislation, Assembly Bill (AB) 109, designed to create a substantial change in the criminal justice system. AB109 transfers responsibility for supervising specified lower-risk inmates and parolees from the California Department of Corrections and Rehabilitation to counties. The implementation of the Public Safety Realignment Act originally started October 1, 2011. The change was primarily linked to various California Prison legal proceedings and a month-long trial in 2008. On August 4, 2009, a three-judge panel ordered that California cap its in-state prison population in adult institutions at 137.5 percent of bed design capacity within two years. The California Community Corrections Performance Incentive Act of 2009, or Senate Bill 678, was signed by Governor Schwarzenegger on October 11, 2009. This bill recognized the historic underfunding of adult probation; therefore, sustainable funding was established based on improved probation outcomes as measured by a reduction in probation revocations committed to prison. The bill also created a

Community Corrections Partnership Committee (CCP) and its members as an advisory group for county probation's adult services program.

The San Benito County Community Corrections Partnership Executive Committee approved the local community corrections realignment plan on December 19, 2024. The San Benito County Community Corrections Partnership's (CCP) mission is to assist clients in changing criminal behavior through collaborative partnerships, targeted services, and linkage to community resources. The CCP Plan has been established to use and devote revenues through programs and services to assist individuals in changing criminal behavior. As programs are implemented, the CCP will be (economically) conscious and fiscally responsible to prepare for future costs.

Post-Release Community Supervision Authority:

The San Benito County Probation Department is designated as the county agency responsible for post-release community supervision. This consists of clients who are released from state prison back into the community for enhanced monitoring and supervision by local probation departments. Three probation officers will supervise approximately 85-100 clients using evidence-based practices.

Treatment:

The San Benito County Probation Department will be responsible for providing referrals to treatment, educational, and vocational programs. San Benito County Behavioral Health will be the primary provider for the cognitive therapy, alcohol and drug treatment provided to AB109 clients.

Electronic Monitoring:

The San Benito County Probation Department will operate the Electronic Monitoring Program (EMP) for qualifying inmates being released from the San Benito County Jail and clients on enhanced community supervision. Probation has upgraded and expanded the number of EMP units used including availability of Global Positioning Monitoring (GPS) and alcohol monitoring units. In 2023, probation utilized 531 units and in 2024, 698 units were used.

Custody Alternative Program (CAP):

The San Benito County Sheriff's Office operates this program utilizing inmates to perform work at various work sites in San Benito County such as Bolado Park, Hollister Hills, Veterans Park, Historical Park, and the City of Hollister.

Reentry Services:

The San Benito County Probation Department provides transitional planning to jail inmates and supervised probation clients (to include those on Post Release Community Supervision (PRCS) that have been released from the California Department of Corrections and Rehabilitation, as well as those serving a local prison commitment pursuant to 1170(h) PC on mandatory supervision). Reentry services also include incentivized programming for incarcerated adults and linkage to community resources through a reentry services case manager.

Jail Programming:

The San Benito County Sheriff's Office and Probation Department work collaboratively to provide targeted programs and services to inmates to reduce recidivism and prepare them for successful transition into the community.

Relevant Legislation:

Penal Code section 1230.1

(a) Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the county board of supervisors for the 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), (H), or (J) 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.

(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 correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs.

Penal Code section 1230

(a) Each county is hereby authorized to establish in each county treasury a Community Corrections Performance Incentives Fund (CCPIF), to receive all amounts allocated to that county for purposes of implementing this chapter.

(b) Notwithstanding any other law, in any fiscal year for which a county receives moneys to be expended for the implementation of this chapter, the moneys, including any interest, shall be made available to the CPO of that county, within 30 days of the deposit of those moneys into the fund, for the implementation of the community corrections program authorized by this chapter.

(1) The community corrections program shall be developed and implemented by probation and advised by a local Community Corrections Partnership.

(2) The local Community Corrections Partnership shall be chaired by the CPO and comprised of the following membership: (A) The presiding judge of the superior court, or his or her designee. (B) A county supervisor or the chief administrative officer for the county or a designee of the board of supervisors. (C) The district attorney. (D) The public defender. (E) The sheriff. (F) A chief of police. (G) The head of the county department of social services. (H) The head of the county department of mental health. (I) The head of the county department of employment. (J) The head of the county alcohol and substance abuse programs. (K) The head of the county office of education. (L) A representative from a community-based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense. (M) An individual who represents the interests of victims.

(3) Funds allocated to probation pursuant to this act shall be used to provide supervision and rehabilitative services for adult felony offenders subject to local supervision, and shall be spent on evidence-based community corrections practices and programs, as defined in subdivision (d) of Section 1229, which may include, but are not limited to, the following: (A) Implementing and expanding evidence-based risk and needs assessments. (B) Implementing and expanding intermediate sanctions that include, but are not limited to, electronic monitoring, mandatory community service, home detention, day reporting, restorative justice programs, work furlough programs, and incarceration in county jail for up to 90 days. (C) Providing more intensive local supervision. (D) Expanding the availability of evidence-based rehabilitation programs including, but not limited to, drug and alcohol treatment, mental health treatment, anger management, cognitive behavior programs, and job training and employment services. (E) Evaluating the effectiveness of rehabilitation and supervision programs and ensuring program fidelity.

(4) Notwithstanding any other law, the CPO shall have discretion to spend funds on any of the above practices and programs consistent with this act but, at a minimum, shall devote at least 5 percent of all funding received to evaluate the effectiveness of those programs and practices implemented with the funds provided pursuant to this chapter. A CPO may petition the Judicial Council to have this restriction waived, and the Judicial Council shall have the authority to grant such a petition, if the CPO can demonstrate that the department is already devoting sufficient funds to the evaluation of these programs and practices.

(5) Each probation department receiving funds under this chapter shall maintain a complete and accurate accounting of all funds received pursuant to this chapter.

The CCP Public Safety Realignment Plan is brought forth for formal adoption and approval by the San Benito County Board of Supervisors.

FISCAL IMPACT:

There is no general fund fiscal impact as this was previously approved through the use of AB109 Public Safety Realignment funds (411.15.4040.1000) by the Community Corrections Partnership Executive Committee.

STAFF RECOMMENDATION:

1. Ratify and approve the local Community Corrections Partnership Public Safety Annual Realignment Plan for Fiscal Year 2024-2025; and
2. Authorize the Chief Probation Officer, or designee, to implement the Plan and execute and amend existing and future agreements and memoranda of understanding with Federal, State, and local public agencies for the implementation and continuation of realignment services coordinated by the Probation Department that involve no monetary impact to the general fund and as approved by County Counsel.

ATTACHMENTS:

[Board Agenda Fact Sheet - CCP Plan](#)
[San-Benito-Updated-CCP-Annual-Plan-24-25](#)
[121924 CCP MINUTES](#)
[AB109 Presentation](#)