

Yolo County Community Corrections Partnership

Bylaws

Article I – Authority

The Community Corrections Partnership (CCP) and its composition is established by Penal Code section 1230; its Executive Committee (EC) by Penal Code section 1230.1 (b).

Background

SB 678 (chaptered on October 11, 2009) established a program to reduce the percentage of adult probationers sent to prison for probation failure. This bill added Penal Code section 1230, which established the Community Corrections Partnership (CCP) as an advisory body to Probation.

AB 109 (chaptered on April 4, 2011) and AB 117 (chaptered on June 30, 2011), known as the Public Safety Realignment Act of 2011, added Penal Code Section 1230.1, requiring that the local CCP develop and recommend a public safety realignment plan (CCP Strategic Plan) to the county Board of Supervisors “to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs[.]” It also established an Executive Committee of the local partnership as the voting authority within the CCP for the Strategic Plan.

Article II – Mission, Goals & Purpose

Sections A: Mission

The mission of the Yolo County Community Corrections Partnership is to protect the public by holding offenders accountable and providing opportunities that support victim and community restoration, offender rehabilitation and successful reintegration.

Section B: Goals

- Goal 1: Ensure a safe environment for all residents and visitors by reducing and preventing local crime and reducing recidivism
- Goal 2: Restore victims and the community and hold offenders accountable
- Goal 3: Build offender competency and support community reintegration

Section C: Purpose

The principal purpose of the CCP is to develop and modify, as needed, the CCP Strategic Plan for implementation pursuant to the mandates of the Public Safety Realignment Act of 2011, which shifted custody and supervision of certain offenders from the prison system and parole to local authority.

Article III – Membership

Section A: CCP Composition

The CCP shall be chaired by the Chief Probation Officer and comprised of the following membership, as established by law:

- A. The presiding judge of the superior court, or his or her designee
- B. A county supervisor or the chief administrative officer or a designee of the board of supervisors

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- C. The district attorney
- D. The public defender
- E. The sheriff
- F. A chief of police (selected by the Yolo County Law Enforcement Agency Coordinating Council)
- 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 (selected by the CCP)
- M. An individual who represents the interests of victims (selected by the CCP)

* In Yolo County, these positions are consolidated with the position of Health and Human Services Agency (HHS) Director. For CCP and CCPEC purposes, the HHS Director shall hold a single seat allocated to these positions. If the Board of Supervisors directs (by ordinance) that these positions should be held separately, rather than by the HHS Director, this provision shall not apply and each position will be held separately and accorded the same participation, voting, and other rights that are available to all other CCP members.

Section B: Vacancies

Whenever a vacancy occurs, the designated appointing authority will appoint a new member.

Section C: Chair

The Chair of the CCP is the Chief Probation Officer of Yolo County, as required by Penal Code Section 1230. In instances when the Chair cannot attend a meeting, his/her designee shall serve as Chair.

Section D: Alternates

Each member of the CCP present at a meeting will have one vote on CCP matters, with the exception of recommending a Strategic Plan to the Board of Supervisors as outlined below in Article IV, Section A. A CCP member may designate one alternate representative to participate in person and vote at meetings when the member is unable to attend. Designees must be identified in advance, in writing or e-mail to the CCP Chair.

Section E: Quorum

A quorum is no less than a simple majority of the CCP members. As positions G, H, and I are consolidated, the voting membership of the CCP totals eleven (11). Alternates will be counted toward a quorum only in the absence of the principal member.

Section F: Sub Committees

The CCP may establish sub committees, in adherence with the Brown Act, on either a permanent (standing) or temporary (ad-hoc) basis, to address specific issues or concerns.

Article IV – Executive Committee

Section A: Executive Committee Purpose

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Pursuant to Penal Code Section 1230.1(b), the Executive Committee is designated to vote to recommend the CCP Strategic Plan and any amendments thereto for final approval by the Board of Supervisors. Note: Pursuant to Penal Code section 1230.1, unless the Board of Supervisors rejects the plan by a 4/5th vote and remands it to the Executive Committee for further consideration, the plan is deemed approved.

Section B: Executive Committee Membership

Pursuant to PC 1230.1 (b), the Executive Committee will be composed of 7 members, as follows:

1. Chief Probation Officer – Chair
2. Chief of Police
3. Sheriff
4. District Attorney
5. Public Defender
6. Superior Court Presiding Judge or his/her designee
7. Either the HHS Director or the head of the Alcohol and Substance Abuse Program, as determined by the Board of Supervisors.

Section C: Quorum

A quorum is no less than a simple majority of Executive Committee members. Alternates will be counted toward a quorum only in the absence of the principal member.

Article V - Meetings

Section A: General

While subject to change, the CCP is scheduled to meet quarterly on the second Monday of January, April, July and October at 1:30 p.m. Additional meetings will be scheduled as needed to conduct business.

Notice of meetings will be posted on the CCP website located at www.YoloCounty.org/CCP and as required by the Brown Act. A meeting of the CCP shall also be considered a meeting of the CCPEC.

Section B: Public Comments

Individual speakers will be limited to three (3) minutes, subject to the authority of the Chair to establish different time limits in his or her sole discretion.

Section C: Meeting Decorum

Limitations on Time

In the interest of facilitating the business of the CCP and the CCPEC, the Chair, in the exercise of reasonable discretion, may limit time used by each person in addressing the CCP and the CCPEC.

Determination of Disorderly Conduct

Demonstrations, including signage and applause, that are disruptive are prohibited during meetings.

In the event of obscene, indecent or profane language, remarks, or actions, the Chair shall immediately warn the presenter that continued use of such language or actions may cause the Chair to deny further presentation of information or material by the offending person.

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In the event any meeting is willfully interrupted as to render the orderly conduct of such meeting infeasible, the Chair may adjourn the meeting or direct offending participants to leave the room.

Section D: Agenda

The agenda for CCP and Executive Committee meetings shall be prepared by CCP Analyst in the County Administrator's Office, and include matters that come before the CCP and the Executive Committee in the ordinary course of business or which are placed on the agenda by request of any member of the CCP.

Section E: Action Items

State law provides the CCP and Executive Committee with overlapping authority on criminal justice issues that are described general in Penal Code sections 1228 through 1231. The Executive Committee alone, however, is vested with authority to develop and amend a plan for implementation of the 2011 public safety realignment. Accordingly, the full membership of the CCP shall have authority to vote on items presented for action with the exception of the following plan-related matters that are within the exclusive purview of the Executive Committee:

- Any revisions or other matters affecting the content of the plan referenced in Penal Code section 1230.1(a) (i.e., the CCP Strategic Plan); and
- Any budget or other recommendations provided to the Board of Supervisors regarding plan implementation.

If a majority of Executive Committee members present at a meeting agree that it is unclear whether an action item is within their exclusive purview, the item shall be voted upon by the full membership of the CCP.

Article VI - Administrative

Section A: Parliamentary Authority

Rosenberg's Rules of Order shall govern all CCP meetings except in instances of conflict between the rules of order and these bylaws or provisions of state law, in which event the bylaws or provisions of state law shall govern

Section B: Brown Act

Meetings of the CCP are deemed public meetings under the Brown Act.

Section C: Consistency with State Law

In all respects, these bylaws are to be interpreted and applied in a manner consistent with state law, including but not limited to Penal Code sections 1230 and 1230.1. In the event conflict between these bylaws and state law, state law shall govern.

Article VII: Bylaws Amendments and Modifications

These bylaws may be amended at any official meeting by majority vote of the CCP. Any amendment of Section IV shall be effective only upon concurrence by a majority of the Executive Committee.

Appendix A - Budget Policy

Purpose

The following serves to aid the Community Corrections Partnership (CCP) as budget policy aligned with the CCP's percentage-based budget model and both the CCP and the County's strategic plans.

Annual Review Process

The CCP sets an April 30 deadline to approve the CCP budget to align with the County's Recommended Budget process and ensure allocations are ready by the beginning of each fiscal year (July 1). Working backward, this process would begin at the fall quarterly CCP meeting and continue at the winter quarterly CCP meeting.

As defined in the CCP bylaws, the CCP Executive Committee votes on the CCP budget annually. This action will include review of the CCP budget and any proposals submitted for available Treatment and/or Innovation funds. To accommodate the above timeline, Treatment and Innovation proposals should be submitted for review at a meeting set by the CCP.

Proposal Review Process

The CCP Executive Committee shall review and vote on proposals submitted by County departments and external organizations, such as Community-Based Organizations and City Police Departments. To ensure transparency regarding CCP dollars, this includes proposals in which a department seeks to alter the use of their allocation during the fiscal year.

The proposal process would seek to capture the following information as it relates to the CCP's Strategic Plan:

- What will be done with the money
- What is the objective and how will it be achieved (timing, staffing, phasing)
- What are the performance measures that would be tracked

Activities eligible for Treatment and/or Innovation funds are defined below. All projects under Treatment and Innovation should further the CCP three major goals:

- 1) Ensure a safe environment for all residents and visitors by reducing and preventing local crime and reducing recidivism
- 2) Restore victims and the community and hold offenders accountable;
- 3) Build offender competency and support community reintegration.

Treatment Definition: Mental Health or Substance Use Disorder treatment or other programming that: enhances success in the community, employment and social connectedness; addresses criminogenic needs through a behavioral health lens; and uses evidence-based/informed or promising practices known to reduce recidivism.

Innovation Definition: Turning an idea into a solution that best serves individuals who are criminally justice involved and improves outcomes. Innovation introduces new practices or approaches or changes existing practices or approaches with the intent to improve services and outcomes. While programs may not all be evidence-based, all programs should include outcome measurements and metrics that are monitored and collected.

Finally, the CCP may request subject matter experts, such as the County Alcohol and Drug Administrator, to help validate proposals to enhance the process and ensure alignment with existing County and CCP practices. Voting

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on Treatment and Innovation proposals, however, is limited to the CCP Executive Committee.

Allocations

If the annual review process is completed in April, allocations will be included in the County Budget for expenditure at the beginning of the fiscal year (July).

Fund Balances/Reserves

The CCP Reserve shall be aligned with the County's Reserve Policy which includes the following:

- The Reserve target is 10% of average CCP expenditures
- The Reserve is to mitigate against a severe economic downturn, funding reduction or financial impacts of a state of emergency
- The Reserve shall only be drawn down as part of the budget adoption or as part of a declaration of fiscal emergency

In alignment with the CCP Bylaws, the CCP Executive Committee is responsible for reviewing any potential changes to Reserve practices. The CCP shall review their Reserve annually as part of the budget process.

Should the CCP hold any fund balance due to unanticipated revenues received within a fiscal year or prior year unexpended funds not being approved for carry forward, it shall be transferred to the Reserve until the policy target has been met. Use of dollars placed in the Reserve will be subject to vote by the CCP Executive Committee as part of the budget process.

Should a department overspend their allocation of CCP dollars, that department shall be responsible for submitting a request for additional funding to the CCP for any unallocated CCP funds or shall submit a request to the Department of Financial Services (DFS) and the County Administrator for County General Fund. A funding request to the CCP would be placed before the CCP Executive Committee for consideration and would be required to outline why the overage occurred, how corrections shall occur moving forward and outcomes associated with rightsizing the program funding.

Carryforward Process (Rollover)

Should a department end a fiscal year with unspent budgetary allocations, it is understood the department may be reliant on those unspent funds in the next fiscal year to carry out a given activity, such as continued funding for an incomplete contract/purchase order, or to offset a budget deficit. The department may then request the funds be rolled over to the department in the new fiscal year. The request would be consistent with the budget process for the County in which rollover funds available are determined in July. These rollover requests should be accompanied by written explanation that clearly indicates the need for these rollover funds. These carryforward or rollover requests are subject to approval by the CCP Executive Committee, who may approve the request or reallocate funds back to the CCP budget. This would be expected to occur at the summer quarterly CCP Board meeting. Consistent with County budget policy, rollover requests also require Board of Supervisors' approval at the September Adopted Budget hearing.

Treatment and Innovation dollars placed into a department budget for the purpose of funding a program over multiple years would not be rolled over into the department budget at the end of the program. Rather, the funding would be retained to be reallocated to future Treatment and/or Innovation programs.

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Budget Reporting/Invoicing

To ensure efficiency in budget and data collection, the CCP shall develop and consider a standardized budget and invoicing process to be carried out on a regular basis (ex. quarterly). The use of a standardized form will speed up collection and provide transparency. This standardized form might include what has been spent/what is remaining in a line item, etc.

Effectively, the process for CCP expenditures would require department-specific invoices that would be administratively approved by the Probation Department. The Department of Financial Services would, in turn, administratively approve the Probation Department invoices.

Invoicing will occur in Treatment and Innovation cost centers that are to be developed for the CCP fund. To facilitate this process, the CCP authorizes DFS to reallocate budgets as needed to achieve consistency in the CCP budgets and authorizes Probation staff to process reimbursements or transfers as needed, not-to-exceed CCP approved budget allocations. To ensure separation, DFS is authorized to approve Probation's reimbursements or transfers, not-to-exceed their CCP budget allocation.

If an external entity is funded through CCP dollars, the CCP shall assign a department responsible for preparation of the contract, development of performance measures, budget oversight, payment and review of invoices, and contract/performance monitoring.

Outcomes/Data Collection

As part of each program and proposal approved by the CCP Executive Committee, outcomes and data collection will be required with reporting out during the midyear and end of year budget reporting.

An important piece that has not yet been determined is what metrics and/or outcomes will be required for each program/proposal and who will review and ensure that the correct data is being collected. Ongoing program evaluation should also be considered for all programs funded by the CCP. While difficult to implement, standardizing a simple form for each program would enhance transparency and help ease review by the CCP Executive Committee.

The County has implemented the use of Results Based Accountability (RBA) in the past for performance measurement. The CCP could consider using this methodology or something similar that captures important data points that will ultimately help the CCP Executive Committee vote on budget items that push forward the CCP Strategic Plan and implement the purpose of AB 109. Specifically, all CCP-funded programs should be able to clearly indicate which of the three major goals they support as well as any specific objectives within the CCP Strategic Plan.

It is anticipated that the language under the "Outcomes/Data Collection" section of this policy shall change upon the conclusion of the work of CCP Outcomes & Metrics Ad Hoc Subcommittee.