



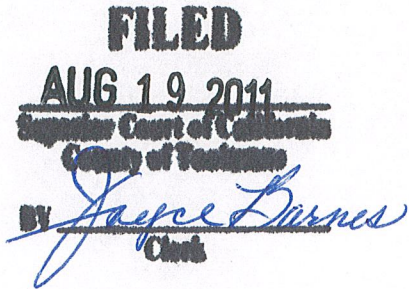
TUOLUMNE COUNTY PROBATION DEPARTMENT

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Adele Arnold
Chief Probation Officer

August 19, 2011

The Honorable Eric L. DuTemple
Presiding Judge of the Superior Court
41 W. Yaney Street
Sonora, CA 95370



Re: Probation Department Response to 2010-11 Grand Jury Findings & Recommendations

Dear Judge DuTemple:

The following is the response related to the Probation Department section of the 2010-11 Grand Jury Report as requested and required pursuant to Penal Code Sections 933 and 933.05. Below you will find listed each Grand Jury finding or recommendation followed by my response to each.

Grand Jury Findings

1. The County's probation population has shown to be consistently increasing over time. This increase can only be expected to continue with the proposal of repositioning criminals from the state to the local criminal justice system. Additionally, workload or cost-drivers in the probation system, such as legislative mandates, court orders, state budget decisions and administrative directives, are generally not within the control of the County, even though the County bears the budget responsibility. This bi-governance structure presents the conflict of owing to two "bosses". As a result, the Department's workload exceeds their capabilities without proper and sufficient funding. Often this can lead to "banking" a portion of an officer's caseload. "This is when the probationer is only rarely or intermittently monitored for compliance with court orders due to insufficient resources to provide appropriate levels of supervision."

Response: Agree.

2. The County incurs tremendous costs to outsource juvenile hall services. The grant received from the California Department of Corrections and Rehabilitations is expected to cover approximately 72% of the estimated building costs. The new Juvenile Hall will help reduce juvenile probation costs, but more so, it will create an environment that promotes rehabilitation locally with family and program support.

Response: *Agree.*

3. The Probation Department currently offers a variety of programs and services. However, at the current time there is not a system in place to track either juvenile or adult program effectiveness.

Response: *Agree.*

4. As recommended by the 1995-96 and 2009-10 Grand Juries, the creation of a Juvenile holding cell was completed in 2010. The holding cell will provide a safe environment for both the juvenile and officer.

Response: *Agree*

5. Only the sex offenders that are on parole or probation are subject to monitoring. This leaves a large number of offenders in the County unmonitored. Although high risk offenders are more closely monitored, not all offenders have been assessed for risk. The new Chelsea's Law requires a risk assessment test (Static 99) be conducted on all new offenders. However, this risk assessment test is not being conducted on existing sex offenders throughout the County.

Response: *Agree.*

Grand Jury Recommendations

1. The Department, County and Courts should work collectively to ensure adequate levels of services, support, funding and oversight of probation services. Workloads should match funding so that probationers are provided with the proper amount of supervision, thus potentially increasing effectiveness of the Department as a whole.

Response: *The recommendation will not be fully implemented because it is not reasonable.*

Presently, there is no funding formula tied to caseload size. The adult probation unit is funded primarily with county general fund dollars. Although the Probation Department serves the Court and the Chief Probation Officer answers directly to the Presiding Judge the department budget is controlled by the county not the state. Due to county budget reductions the department has seen a decrease in four (4) allocated positions over the last few years which has directly resulted in

increased caseloads. Recently, the department began taking proactive measures to assign caseloads according to applied risk and needs assessment scores. This will ensure that those probationers that are most likely to reoffend receive intensive supervision and those that are likely to benefit from cognitive behavioral intervention programs receive the proper amount of program dosing. This is the most effective way to ensure the community is protected while working to deliver rehabilitative services to the offenders we supervise. One adult probation officer and one probation technician will be added to the department as a result of Senate Bill 678 funds in FY 11-12 to assist with the supervision of felons on probation. Also, the addition of deputy probation officers may be recommended as part of the Community Corrections Partnership (CCP) realignment plan for Tuolumne County which will be presented to the Board of Supervisors sometime in October 2011 as required under the Governors Public Safety Realignment Budget Act.

2. No Recommendation.

Response: None Needed.

3. Develop and implement a program tracking system to determine whether or not programs should be improved, increased or eliminated. Efforts and resources should be focused on programs which are proven to be effective. Standards with measurable outcomes are vitally necessary when operating with limited budgets.

Response: *The recommendation has not yet been fully implemented, but will be implemented by June 30, 2012.*

The department has applied for a grant that, if awarded, will fund a new case management system that will greatly improve the department's ability to collect, retrieve and conduct data and outcome analysis to ensure program efficacy. The ability to collect and analyze data for quality assurance and evaluation of our new evidence based programming is necessary to ensure the department deploys programs that are proven to be effective and are demonstrating positive outcomes. If the department is not successful in securing grant funding there are other program allocations that can be redirected to accomplish this goal.

4. No recommendation.

Response: None Needed

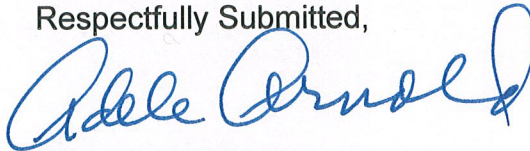
5. Develop a method for administering the risk assessment test on all registered sex offenders throughout the County by 2012. This could be done during an offender's annual registration with some additional training of the Sheriff's Department staff.

Response: *The recommendation will not be implemented because it is not reasonable.*

If the offender is not on Probation the department has no authority, offender information or mechanism for administering the Static 99 risk assessment tool. Probation currently administers the Static 99 on offenders sentenced to State Prison and referred by the court for testing. Currently there is no Memorandum of Understanding in place between the Sheriff's Department and Probation to provide this service.

I trust that the responses provided above are found to be fully responsive to the findings and recommendations contained in the FY 2010-11 Grand Jury Report.

Respectfully Submitted,



ADELE ARNOLD
Chief Probation Officer

Cc: CAO/Board of Supervisors
Gregory Oliver, County Counsel