

STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
 DF-46 (REV 08/15)

| | | | |
|--|-----------------------|---|-------------------|
| Fiscal Year 2016-17 | Business Unit 5225 | Department California Department of Corrections and Rehabilitation | Priority No. 8 |
| Budget Request Name 5225-054-BCP-BR-2016-GB | | Program 4570 – SEX OFFENDER MANAGEMENT BOARD AND SARATSO REVIEW COMMITTEE | Subprogram |

Budget Request Description
 CASOMB/SARATSO Operational Cost

Budget Request Summary

The California Department of Corrections and Rehabilitation, Division of Adult Parole Operations, California Sex Offender Management Board and State Authorized Risk Assessment Tools for Sex Offenders Review Committee are requesting \$212,000 General Fund in fiscal year 2016-17 and ongoing for 2 permanent full-time positions in order to comply with the mandates set forth in Sections 290.03-290.09 and 9000-9003 of the Penal Code.

| | | |
|---|--|------|
| Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Code Section(s) to be Added/Amended/Repealed | |
| Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i> | Department CIO | Date |
| For IT requests, specify the date a Special Project Report (SPR) or Feasibility Study Report (FSR) was approved by the Department of Technology, or previously by the Department of Finance. <input type="checkbox"/> FSR <input type="checkbox"/> SPR Project No. Date: | | |

If proposal affects another department, does other department concur with proposal? Yes No
Attach comments of affected department, signed and dated by the department director or designee.

| | | | |
|--|----------------|--------------------------------------|------------------|
| Prepared By Alma Underwood | Date 1/4/16 | Reviewed By Jason Lopez | Date 01.04.16 |
| Department Director Bobby Haase (A) | Date 1-4-16 | Agency Secretary Scott Kernan | Date 1-4-16 |

Department of Finance Use Only

Additional Review: Capital Outlay ITCU FSCU OSAE CALSTARS Dept. of Technology

BCP Type: Policy Workload Budget per Government Code 13308.05

| | |
|----------|---|
| PPBA | Date submitted to the Legislature 1/7/16 |
|----------|---|

BCP Fiscal Detail Sheet

BCP Title: California Sex Offender Management Board Staffing

DP Name: 5225-054-BCP-DP-2016-GB

Budget Request Summary

| | FY16 | | | | | |
|---|------------|--------------|--------------|--------------|--------------|--------------|
| | CY | BY | BY+1 | BY+2 | BY+3 | BY+4 |
| Positions - Permanent | 0.0 | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |
| Total Positions | 0.0 | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |
| Salaries and Wages | | | | | | |
| Earnings - Permanent | 0 | 132 | 132 | 132 | 132 | 132 |
| Total Salaries and Wages | \$0 | \$132 | \$132 | \$132 | \$132 | \$132 |
| Total Staff Benefits | 0 | 68 | 68 | 68 | 68 | 68 |
| Total Personal Services | \$0 | \$200 | \$200 | \$200 | \$200 | \$200 |
| Operating Expenses and Equipment | | | | | | |
| 5304 - Communications | 0 | 1 | 1 | 1 | 1 | 1 |
| 5368 - Non-Capital Asset Purchases - Equipment | 0 | 11 | 7 | 7 | 7 | 7 |
| Total Operating Expenses and Equipment | \$0 | \$12 | \$8 | \$8 | \$8 | \$8 |
| Total Budget Request | \$0 | \$212 | \$208 | \$208 | \$208 | \$208 |

Fund Summary

| | | | | | | |
|--|------------|--------------|--------------|--------------|--------------|--------------|
| Fund Source - State Operations | | | | | | |
| 0001 - General Fund | 0 | 212 | 208 | 208 | 208 | 208 |
| Total State Operations Expenditures | \$0 | \$212 | \$208 | \$208 | \$208 | \$208 |
| Total All Funds | \$0 | \$212 | \$208 | \$208 | \$208 | \$208 |

Program Summary

| | | | | | | |
|--|------------|--------------|--------------|--------------|--------------|--------------|
| Program Funding | | | | | | |
| 4570 - Sex Offender Management Board and Saratso Review Committee | 0 | 212 | 208 | 208 | 208 | 208 |
| Total All Programs | \$0 | \$212 | \$208 | \$208 | \$208 | \$208 |

Analysis Of Problem

A. Budget Request Summary

The California Department of Corrections and Rehabilitation (CDCR), Division of Adult Parole Operations (DAPO), is requesting \$212,000 General Fund in fiscal year 2016-17 and ongoing for 2 permanent full-time Associate Governmental Program Analyst (AGPA) positions. The positions will allow the California Sex Offender Management Board (CASOMB) and the State Authorized Risk Assessment Tools for Sex Offenders Committee (SARATSO) to comply with the mandates set forth in Sections 290.03-290.09 and 9000-9003 of the Penal Code. Furthermore, it will help fulfill DAPO's responsibility to minimize public risk by effectively supervising sex offenders with evidence-based techniques and practices.

B. Background/History

CASOMB was established as a result of Chapter 338 of the Statutes of 2006 (AB 1015). As a result, the California High Risk Sex Offender Task Force was formed and demonstrated the benefits of bringing multi-jurisdictional stakeholders together to discuss issues of common concern relative to high risk sex offenders. AB 1015 contained a sunset clause effective January 1, 2010, which resulted in a funding request and approval only for the period leading up to the sunset date. However, Chapter 191 of the Statutes of 2009, (SB 588), eliminated the sunset date, thus making CASOMB a permanent board.

The SARATSO Review Committee and SARATSO Training Committee (SARATSO) were established as a result of Chapter 336 of the Statutes of 2006 (SB 1178). The duties and responsibilities of these committees are contained in Sections 290.04-290.07 of the Penal Code. While the majority of the original mandates were continued, Chapter 582 of the Statutes of 2009 (SB 325) made changes to the mission of the SARATSO committees, such as ordering sex offender management resources be located under one department for efficient cooperation and communication. Since implementation, SARATSO has trained hundreds of probation, parole, and sex offender treatment providers, who have in turn conducted over 30,000 risk assessment evaluations. The results of these evaluations have shaped the policies, best practices, and programs used by supervision agencies throughout the state. On September 9, 2010, Chapter 219 of the Statutes of 2010 (AB 1844), also known as the Chelsea King Child Predator Prevention Act of 2010, or Chelsea's Law, was signed by Governor Schwarzenegger. This legislation required SARATSO to choose two new sex offender risk assessment instruments to assess dynamic risk and future violence. Regular review and evaluation of all risk assessment instruments is the ongoing responsibility of the SARATSO Committee.

Section 290.05 of the Penal Code mandates the static SARATSO may be performed for purposes authorized by statute, only by persons trained pursuant to that section, and that the staff conducting these evaluations be provided training every two years.

Section 290.09 of the Penal Code requires that CASOMB certify sex offender management programs and providers who will communicate with probation and parole officers on a regular basis, and that SARATSO provide annual training on dynamic and violence risk assessment tools to certified sex offender management professionals.

Section 9003 of the Penal Code states that CASOMB shall:

- Develop and update standards for certification of sex offender management professionals.
- Develop and update standards for certification of sex offender management programs.
- Develop and update standards for certification of polygraph examiners.

Sections 290.04-290.09 of the Penal Code states that the SARATSO Review Committee shall:

- Periodically evaluate the SARATSO static, dynamic, and risk of future violence assessment tools.

Analysis Of Problem

- Administer training on the static SARATSO tool no less frequently than every two years.
- Administer training on the SARATSO dynamic and risk of future violence tools annually.

Resource History (Dollars in thousands)

| Program Budget | PY - 4 | PY - 3 | PY - 2 | PY - 1 | PY | CY |
|----------------------------|--------|--------|--------|--------|-----|-----|
| Authorized GF Expenditures | 561 | 659 | 311 | 537 | 849 | 869 |
| Actual GF Expenditures | 516 | 286 | 277 | 537 | 649 | n/a |
| Certification Revenues | 0 | 49 | 61 | 34 | 57 | n/a |
| Authorized Positions | 3.5 | 9.5* | 3 | 3 | 5 | 5 |
| Filled Positions | 2.5 | 3.5 | 4 | 4 | 5 | 5 |
| Vacancies | 1 | 5.5 | 0 | 0 | 0 | 0 |

*Includes 6 limited-term positions.

Workload History (See Attachment A "Workload Study")

| Workload Measure | PY - 4 | PY - 3 | PY - 2 | PY - 1 | PY | CY |
|-------------------------------------|--------|--------|--------|--------|------|-----|
| Applications Processed | 0 | 236 | 320 | 264 | 392 | n/a |
| Trainings facilitated | 0 | 12 | 22 | 24 | 39 | n/a |
| Quality Assurance Reviews performed | 0 | 0 | 0 | 0 | 0 | n/a |
| Reports published | 2 | 1 | 1 | 2 | 4 | n/a |
| Certificates delivered | 0 | 335 | 600 | 900 | 1285 | n/a |
| Applications scanned | 0 | 0 | 556 | 300 | 0 | n/a |
| Meetings facilitated | 24 | 18 | 30 | 68 | 79 | n/a |

C. State Level Considerations

The Mission of DAPO is twofold:

- To protect our communities by aligning practices with those which have proven to reduce recidivism through effective offender supervision strategies.
- To promote a paradigm and cultural shift in which employees openly embrace emerging correctional practices which have shown to facilitate long-term behavioral change within the offender population.

Sex offender management and risk assessment are dynamic processes that require continuous review and adjustment to maintain best practices. DAPO has a civic responsibility to minimize public risk and maximize community safety to the extent possible through effective supervision utilizing proven techniques. CASOMB and SARATSO are the catalyst by which DAPO attempts to achieve these goals.

D. Justification

The CASOMB sex offender treatment certification program and the SARATSO risk assessment tool training have been implemented; however, these programs require ongoing curriculum updates, yearly certifications, and two year re-certifications. Ongoing basic certification and training classes require full-time oversight due to turnover in the field of sex offender supervision and management. CASOMB certification requests are expected to grow due to the ongoing need for certified treatment providers and programs as required by Chelsea's Law. SARATSO re-certification curriculum, planning, staffing,

Analysis Of Problem

and implementation require resources that current staff is unable to provide. The additional AGPA positions are needed to complete these duties.

In 2014-15 finance letter was approved for two limited-term Associate Governmental Program Analyst (AGPA) positions for the purpose of coordinating statewide certification of sex offender treatment professionals and programs. The positions also provide coordination and support for all SARATSO instrument training of scorers and certified trainers. Due to the prodigious volume of the mandated tasks and duties CASOMB and SARATSO perform, the need for these two AGPA positions to be approved as permanent, full-time is essential. A workload study was conducted from February 2015 through March 2015 to quantitatively demonstrate the true workload need. Prior to the data collection period, an electronic tracking spreadsheet was developed to ensure standardized and accurate data collection. The tasks were grouped into CASOMB and SARATSO sections. The collected data was submitted to the project lead on a weekly basis for analysis and to fidelity monitoring. The workload study validates that the AGPA positions are operating above capacity and therefore recommends three permanent positions in order to meet the legislative mandate for statewide certification and training (see Attachment A).

E. Outcomes and Accountability

See Attachment A.

F. Analysis of All Feasible Alternatives

Alternative 1:

Permanently fund 4 positions (1 Staff Services Manager [SSM] I and 3 AGPA) and \$440,000 for 2016-17 and ongoing.

Pros:

- Provides CASOMB and SARATSO with the minimum number of necessary positions to fulfill its statutory mandate.
- Provides CASOMB and SARATSO sufficient supervision and management of its AGPA positions.

Cons:

- Increased cost to the General Fund.

Alternative 2:

Approve the existing 2 limited-term AGPA positions as permanent full-time positions.

Pros:

- Provides CASOMB and SARATSO with the minimum number of necessary position to fulfill its statutory mandate.

Cons:

- Increased cost to the General Fund.

Alternative 3:

Approve the 2 existing limited-term AGPA positions as permanent full-time positions and permanently fund additional 1 AGPA.

Pros:

- Provides CASOMB and SARATSO with the positions to fulfill its statutory mandate.

Analysis Of Problem

Cons:

- Increased cost to the General Fund.

Alternative 4:

Approve the 2 existing limited-term AGPA positions as permanent full-time, and approve an additional 1 AGPA as permanent full-time while approving the 1 SSM I on a two-year limited-term basis.

Pros:

- Provides CASOMB and SARATSO with positions to fulfill its statutory mandate.
- Provides CASOMB time to develop the workload data to support the permanent funding of the 1 SSM I.

Cons:

- Increased cost to the General Fund.

G. Implementation Plan

July 1, 2016

H. Supplemental Information

N/A

I. Recommendation

Approval of Alternative 2. This will ensure CASOMB and the SARATSO review committee can fulfill mandated and required responsibilities.

**California Sex Offender Management Board (CASOMB)/State Authorized Risk Assessment Tool for Sex Offenders (SARATSO) Unit
WORKLOAD ANALYSIS
Associate Governmental Program Analyst (AGPA)
Personnel Tasks**

The Associate Governmental Program Analysts work under the direction of the Parole Administrator, California Sex Offender Management Board (CASOMB) and State Authorized Risk Assessment Tool for Sex Offenders Committee (SARATSO) to perform complex analytical work required to support the statutorily mandated responsibilities of both entities. CASOMB/SARATSO AGPA's shall certify sex offender treatment programs and providers used by parole and probation statewide. SARATSO is mandated to provide annual training on dynamic and violence assessment tools to CASOMB certified sex offender treatment providers and to law enforcement personnel responsible for the supervision of sex offenders in the community.

| AGPA Personnel Tasks | | FY 2015-16 | | | |
|---|--|--|--|----------------------------|---------------------------------|
| | | Hours Needed to Complete Tasks per Month | Number of Times Task Completed Per Month | Number of Months in a Year | Number of Hours Needed Per Year |
| C A S O M B | Statewide Certification Coordination | | | | |
| | Review and process provider and program certification applications. Verify all application data including but not limited to: applicant criminal background, education, professional training, licensure, experience hours, current and past employment. Work with applicants to develop training or education remediation plans if needed. Develop correspondence to address application deficiencies, certification inquiries, or approval. Create and issue certificates. Develop and maintain accurate provider certification tracking system. | 101.80 | 1.00 | 12.00 | 1221.6 |
| | Board Support | | | | |
| | Prepare monthly statistical report and Board briefing | 12.25 | 1.00 | 12.00 | 147 |
| | Attend monthly CASOMB meetings: assist in the set-up, reporting, briefing and support of Board members as well as facilitate public comment and contact with the Board. | 8.00 | 1.00 | 12.00 | 96 |
| | CASOMB Special Projects | | | | |
| | Statewide Containment Model Trainings, gather, prepare and edit data for Year-End Report and Prepare other statistical reports as needed | 89.81 | 1.00 | 12.00 | 1077.72 |
| S A R A T S O | SARATSO Instruments | | | | |
| | Statewide training coordination for the certification of scorers and trainers for four dynamic and violence risk assessment tools statewide: STABLE-2007/ACUTE-2007, LS/CMI, Static-99R, JSORRAT. Coordination entails securing training venues, lodging for instructors statewide, facilitating reimbursement for instructors and vendors, collecting course fees and issuing certificates to participants at the conclusion of the training courses. | 52.10 | 1.00 | 12.00 | 625.2 |
| | Respond to specific instrument inquiries from sex offender treatment professionals, instrument scorers, probation officers, parole agents, treatment providers, public defenders, prosecutors and the general public. | 33.06 | 1.00 | 12.00 | 396.72 |
| | Plan, prepare and facilitate quarterly Communication Workgroup call | 10.50 | 1.00 | 4.00 | 42 |
| | Plan, prepare and facilitate quarterly risk instrument conference call for each of the four (4) SARATSO instruments. | 3.28 | 1.00 | 16.00 | 52.48 |
| | SARATSO Committee Support | | | | |
| | Attend Monthly SARATSO Meeting to provide monthly reports | 12.00 | 1.00 | 12.00 | 144 |
| | Special Projects such as producing statewide risk instrument score submission reports from county probation departments, parole offices and Department of State Hospitals. | 16.00 | 1.00 | 12.00 | 192 |
| | Website management and updates which includes ongoing communication with web developers and the Department of Justice | 2.50 | 1.00 | 12.00 | 30 |
| B o t h | Other Duties As Required | | | | |
| | Unit Operational Duties-Administrative and collaboration | 27.50 | 1.00 | 12.00 | 330 |
| | Budget management, operational support such as the ordering of supplies and services for the unit and quarterly budget meeting. | 42.50 | 1.00 | 12.00 | 510 |
| | Prepare administrative paper work, 998. | 1.50 | 1.00 | 12.00 | 18 |
| | Monthly staff meetings | 6.00 | 1.00 | 12.00 | 72 |
| Attend Mandatory Annual Block Training (4 hours per year) | 12.00 | 1.00 | 1.00 | 12 | |
| Total Hours Projected Annually to perform AGPA Duties: | | | | 4,967 | |
| Total AGPA Positions Projected: | | | | 3 | |
| AGPA Position Allocation For 2015/16: | | | | 3 | |
| AGPA Position Allocation For 2016/17: | | | | 0 | |
| Total Number of AGPA Positions Needed For 2016/17 and Ongoing: | | | | 3 | |