

West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1228

§ 1228. Legislative findings and declarations regarding probation supervision of felony offenders

Effective: January 1, 2010

[Currentness](#)

The Legislature finds and declares all of the following:

- (a) In 2007, nearly 270,000 felony offenders were subject to probation supervision in California's communities.
- (b) In 2007, out of 46,987 new admissions to state prison, nearly 20,000 were felony offenders who were committed to state prison after failing probation supervision.
- (c) Probation is a judicially imposed suspension of sentence that attempts to supervise, treat, and rehabilitate offenders while they remain in the community under the supervision of the probation department. Probation is a linchpin of the criminal justice system, closely aligned with the courts, and plays a central role in promoting public safety in California's communities.
- (d) Providing sustainable funding for improved, evidence-based probation supervision practices and capacities will improve public safety outcomes among adult felons who are on probation. Improving felony probation performance, measured by a reduction in felony probationers who are sent to prison because they were revoked on probation or convicted of another crime while on probation, will reduce the number of new admissions to state prison, saving taxpayer dollars and allowing a portion of those state savings to be redirected to probation for investing in community corrections programs.

Credits

(Added by [Stats.2009, c. 608 \(S.B.678\), § 2.](#))

West's Ann. Cal. Penal Code § 1228, CA PENAL § 1228

Current with all laws through Ch. 870 of 2019 Reg.Sess.

West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1229

§ 1229. Definitions

Effective: June 27, 2013

[Currentness](#)

As used in this chapter, the following definitions apply:

- (a) “Community corrections” means the placement of persons convicted of a felony offense under probation supervision, mandatory supervision, or postrelease community supervision for a specified period.
- (b) “Chief probation officer” or “CPO” means the chief probation officer for the county or city and county in which an adult offender is subject to probation for the conviction of a felony offense.
- (c) “Community corrections program” means a program established pursuant to this act consisting of a system of services for felony offenders under local supervision dedicated to all of the following goals:
- (1) Enhancing public safety through the management and reduction of offender risk while under local supervision and upon reentry from jail or prison into the community.
 - (2) Providing a range of supervision tools, sanctions, and services applied to felony offenders subject to local supervision based on a risk and needs assessment for the purpose of reducing criminal conduct and promoting behavioral change that results in reducing recidivism and promoting the successful reintegration of offenders into the community.
 - (3) Maximizing offender restitution, reconciliation, and restorative services to victims of crime.
 - (4) Holding offenders accountable for their criminal behaviors and for successful compliance with applicable court orders and conditions of supervision.
 - (5) Improving public safety outcomes for persons subject to local supervision for a felony offense, as measured by their successful completion of the period of local supervision and the commensurate reduction in the rate of offenders sent to prison as a result of a revocation of supervision or conviction of a new crime.
- (d) “Evidence-based practices” refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under local supervision.

(e) “Local supervision” means the supervision of an adult felony offender on probation, mandatory supervision, or postrelease community supervision.

Credits

(Added by [Stats.2009, c. 608 \(S.B.678\)](#), § 2. Amended by [Stats.2010, c. 328 \(S.B.1330\)](#), § 168; [Stats.2013, c. 31 \(S.B.75\)](#), § 10, [eff. June 27, 2013](#).)

West's Ann. Cal. Penal Code § 1229, CA PENAL § 1229

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West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1230

§ 1230. Community Corrections Performance Incentives Funds (CCPIFs); establishment in counties; development and implementation of community corrections programs; local Community Corrections Partnerships; use and accounting of funds

Effective: June 24, 2015

[Currentness](#)

(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.

Credits

(Added by Stats.2009, c. 608 (S.B.678), § 2. Amended by Stats.2010, c. 328 (S.B.1330), § 169; Stats.2011, c. 36 (S.B.92), § 23, eff. June 30, 2011; Stats.2011, c. 39 (A.B.117), § 32, eff. June 30, 2011, operative July 27, 2011; Stats.2013, c. 76 (A.B.383), § 154; Stats.2013, c. 31 (S.B.75), § 11, eff. June 27, 2013; Stats.2015, c. 26 (S.B.85), § 14, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1230, CA PENAL § 1230

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West's Ann.Cal.Penal Code § 1230.1

§ 1230.1. Local plan recommended for implementation of 2011 public safety realignment; voting; rejection and reconsideration; contents of plan

Effective: July 27, 2011

Currentness

(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.

Credits

(Added by [Stats.2011, c. 15 \(A.B.109\)](#), § 458, eff. [April 4, 2011](#), operative July 27, 2011. Amended by [Stats.2011, c. 39 \(A.B.117\)](#), § 33, eff. [June 30, 2011](#), operative July 27, 2011.)

West's Ann. Cal. Penal Code § 1230.1, CA PENAL § 1230.1

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West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1231

§ 1231. Community corrections programs; outcome-based measures; reporting

Effective: June 24, 2015

[Currentness](#)

(a) Community corrections programs funded pursuant to this chapter shall identify and track specific outcome-based measures consistent with the goals of this act.

(b) The Judicial Council, in consultation with the Chief Probation Officers of California, shall specify and define minimum required outcome-based measures, which shall include, but not be limited to, all of the following:

(1) The percentage of persons subject to local supervision who are being supervised in accordance with evidence-based practices.

(2) The percentage of state moneys expended for programs that are evidence based, and a descriptive list of all programs that are evidence based.

(3) Specification of supervision policies, procedures, programs, and practices that were eliminated.

(4) The percentage of persons subject to local supervision who successfully complete the period of supervision.

(c) Each CPO receiving funding pursuant to [Sections 1233 to 1233.6](#), inclusive, shall provide an annual written report to the Judicial Council, evaluating the effectiveness of the community corrections program, including, but not limited to, the data described in subdivision (b).

(d) The Judicial Council, shall, in consultation with the CPO of each county and the Department of Corrections and Rehabilitation, provide a quarterly statistical report to the Department of Finance including, but not limited to, the following statistical information for each county:

(1) The number of felony filings.

(2) The number of felony convictions.

(3) The number of felony convictions in which the defendant was sentenced to the state prison.

- (4) The number of felony convictions in which the defendant was granted probation.
- (5) The adult felon probation population.
- (6) The number of adult felony probationers who had their probation terminated and revoked and were sent to state prison for that revocation.
- (7) The number of adult felony probationers sent to state prison for a conviction of a new felony offense, including when probation was revoked or terminated.
- (8) The number of adult felony probationers who had their probation revoked and were sent to county jail for that revocation.
- (9) The number of adult felony probationers sent to county jail for a conviction of a new felony offense, including when probation was revoked or terminated.
- (10) The number of felons placed on postrelease community supervision, commencing January 1, 2012.
- (11) The number of felons placed on mandatory supervision, commencing January 1, 2012.
- (12) The mandatory supervision population, commencing January 1, 2012.
- (13) The postrelease community supervision population, commencing January 1, 2012.
- (14) The number of felons on postrelease community supervision sentenced to state prison for a conviction of a new felony offense, commencing January 1, 2012.
- (15) The number of felons on mandatory supervision sentenced to state prison for a conviction of a new felony offense, commencing January 1, 2012.
- (16) The number of felons who had their postrelease community supervision revoked and were sent to county jail for that revocation, commencing January 1, 2012. This number shall not include felons on postrelease community supervision who are subject to flash incarceration pursuant to [Section 3453](#).
- (17) The number of felons on postrelease community supervision sentenced to county jail for a conviction of a new felony offense, including when postrelease community supervision was revoked or terminated, commencing January 1, 2012.
- (18) The number of felons who had their mandatory supervision revoked and were sentenced to county jail for that revocation, commencing January 1, 2012.

(19) The number of felons on mandatory supervision sentenced to county jail for a conviction of a new felony offense, including when mandatory supervision was revoked or terminated, commencing January 1, 2012.

Credits

(Added by Stats.2009, c. 608 (S.B.678), § 2. Amended by Stats.2010, c. 328 (S.B.1330), § 170; Stats.2012, c. 41 (S.B.1021), § 63, eff. June 27, 2012; Stats.2013, c. 31 (S.B.75), § 12, eff. June 27, 2013; Stats.2013, c. 360 (S.B.100), § 5, eff. Sept. 26, 2013; Stats.2015, c. 26 (S.B.85), § 15, eff. June 24, 2015.)

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West's Ann.Cal.Penal Code § 1232

§ 1232. Report on implementation of California Community Corrections Performance Incentives

Effective: June 24, 2015

[Currentness](#)

Commencing no later than 18 months following the initial receipt of funding pursuant to this chapter and annually thereafter, the Judicial Council, in consultation with the Department of Corrections and Rehabilitation, the Department of Finance, and the Chief Probation Officers of California, shall submit to the Governor and the Legislature a comprehensive report on the implementation of this chapter. The report shall include, but not be limited to, all of the following information:

(a) The effectiveness of the community corrections program based on the reports of performance-based outcome measures required in [Section 1231](#).

(b) The percentage of offenders subject to local supervision whose supervision was revoked and who were sent to prison for the year on which the report is being made.

(c) The percentage of offenders subject to local supervision who were convicted of crimes during their term of supervision for the year on which the report is being made.

(d) The impact of the moneys appropriated pursuant to this chapter to enhance public safety by reducing the percentage and number of offenders subject to local supervision whose supervision was revoked for the year being reported on for violations or new convictions, and to reduce the number of offenders subject to local supervision who are sentenced to prison for a new conviction for the year on which the report is being made.

(e) Any recommendations regarding resource allocations or additional collaboration with other state, regional, federal, or local entities for improvements to this chapter.

Credits

(Added by [Stats.2009, c. 608 \(S.B.678\)](#), § 2. Amended by [Stats.2013, c. 31 \(S.B.75\)](#), § 13, eff. June 27, 2013; [Stats.2015, c. 26 \(S.B.85\)](#), § 16, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1232, CA PENAL § 1232

Current with all laws through Ch. 870 of 2019 Reg.Sess.



KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment§ 1233. Repealed by Stats.2015, c. 26 (S.B.85), § 17, eff. June 24, 2015

[West's Annotated California Codes Penal Code \(Refs & Annos\) Part 2. Of Criminal Procedure \(Refs & Annos\) Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives \(Refs & Annos\)](#)

West's Ann.Cal.Penal Code § 1233

§ 1233. Repealed by Stats.2015, c. 26 (S.B.85), § 17, eff. June 24, 2015

Effective: June 24, 2015

[Currentness](#)

West's Ann. Cal. Penal Code § 1233, CA PENAL § 1233
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West's Ann.Cal.Penal Code § 1233.1

§ 1233.1. Annual calendar year calculations

Effective: June 24, 2015

[Currentness](#)

After the conclusion of each calendar year, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Judicial Council, shall calculate the following for that calendar year:

(a) The cost to the state to incarcerate in a contract facility and supervise on parole an offender who fails local supervision and is sent to prison.

(b) The statewide probation failure rate shall be calculated as the total number of adult felony probationers statewide sent to state prison as a percentage of the average statewide adult felony probation population for that year.

(c) The probation failure rate for each county shall be calculated as the total number of adult felony probationers sent to state prison from that county, as a percentage of the county's average adult felony probation population for that year.

(d) An estimate of the number of adult felony probationers each county successfully prevented from being incarcerated in state prison. For each county, this estimate shall be calculated based on the reduction in the county's probation failure rate as calculated annually pursuant to subdivision (c) for that year and the county's probation failure rate from the previous year.

(e) In calculating probation failure to prison rates for the state and individual counties, the number of adult felony probationers sent to state prison shall include those adult felony probationers sent to state prison for a revocation of probation, as well as adult felony probationers sent to state prison for a conviction of a new felony offense. The calculation shall also include adult felony probationers who are sent to state prison for a conviction of a new crime and who simultaneously have their probation terms terminated.

(f) The statewide mandatory supervision failure to prison rate. The statewide mandatory supervision failure to prison rate shall be calculated as the total number of offenders supervised under mandatory supervision pursuant to [subparagraph \(B\) of paragraph \(5\) of subdivision \(h\) of Section 1170](#), statewide, sent to prison in the previous calendar year as a percentage of the average statewide mandatory supervision population for that year.

(g) A mandatory supervision failure to prison rate for each county. Each county's mandatory supervision failure to prison rate shall be calculated as the number of offenders supervised under mandatory supervision pursuant to [subparagraph \(B\) of paragraph \(5\) of subdivision \(h\) of Section 1170](#) sent to prison from that county in the previous calendar year as a percentage of the county's average mandatory supervision population for that year.

(h) An estimate of the number of felons on mandatory supervision each county successfully prevented from being incarcerated in state prison. For each county, this estimate shall be calculated based on the reduction in the county's mandatory supervision failure to prison rate as calculated annually pursuant to subdivision (g) for that year and the county's mandatory supervision failure to prison rate from the previous year.

(i) The statewide postrelease community supervision failure to prison rate. The statewide postrelease community supervision failure to prison rate shall be calculated as the total number of offenders supervised under postrelease community supervision pursuant to Title 2.05 (commencing with [Section 3450](#)) of Part 3, statewide, sent to prison in the previous calendar year as a percentage of the average statewide postrelease community supervision population for that year.

(j) A postrelease community supervision failure to prison rate for each county. Each county's postrelease community supervision failure to prison rate shall be calculated as the number of offenders supervised under postrelease community supervision pursuant to Title 2.05 (commencing with [Section 3450](#)) of Part 3 sent to prison from that county in the previous calendar year as a percentage of the county's average postrelease community supervision population for that year.

(k) An estimate of the number of felons on postrelease community supervision each county successfully prevented from being incarcerated in state prison. For each county, this estimate shall be calculated based on the reduction in the county's postrelease community supervision failure to prison rate as calculated annually pursuant to subdivision (i) for that year and the county's postrelease community supervision failure to prison rate from the previous year.

(l) The statewide return to prison rate. The statewide return to prison rate shall be calculated as the total number of offenders supervised by probation departments as felony probationers, or subject to mandatory supervision pursuant to [subdivision \(h\) of Section 1170](#), or subject to postrelease community supervision, who were sent to prison, as a percentage of the average statewide adult felony probation, mandatory supervision, and postrelease community supervision population.

(m) The county return to prison rate. The combined individual county return to prison rate shall be calculated as the total number of offenders supervised by a county probation department as felony probationers, or subject to mandatory supervision pursuant to [subdivision \(h\) of Section 1170](#), or subject to postrelease community supervision, who were sent to prison, as a percentage of the average adult felony probation, mandatory supervision, and postrelease community supervision population for that county.

Credits

(Added by [Stats.2013, c. 310 \(S.B.105\)](#), § 7, *eff. Sept. 12, 2013*, operative July 1, 2014. Amended by [Stats.2015, c. 26 \(S.B.85\)](#), § 18, *eff. June 24, 2015*.)

West's Ann. Cal. Penal Code § 1233.1, CA PENAL § 1233.1
Current with all laws through Ch. 870 of 2019 Reg.Sess.



KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment§ 1233.15. Repealed by Stats.2015, c. 26 (S.B.85), § 19, eff. June 24, 2015

[West's Annotated California Codes Penal Code \(Refs & Annos\) Part 2. Of Criminal Procedure \(Refs & Annos\) Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives \(Refs & Annos\)](#)

West's Ann.Cal.Penal Code § 1233.15

§ 1233.15. Repealed by Stats.2015, c. 26 (S.B.85), § 19, eff. June 24, 2015

Effective: June 24, 2015

[Currentness](#)

West's Ann. Cal. Penal Code § 1233.15, CA PENAL § 1233.15

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment§ 1233.2. Repealed by Stats.2015, c. 26 (S.B.85), § 20, eff. June 24, 2015

[West's Annotated California Codes Penal Code \(Refs & Annos\) Part 2. Of Criminal Procedure \(Refs & Annos\) Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives \(Refs & Annos\)](#)

West's Ann.Cal.Penal Code § 1233.2

§ 1233.2. Repealed by Stats.2015, c. 26 (S.B.85), § 20, eff. June 24, 2015

Effective: June 24, 2015

[Currentness](#)

West's Ann. Cal. Penal Code § 1233.2, CA PENAL § 1233.2
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West's Ann.Cal.Penal Code § 1233.3

§ 1233.3. Performance incentive payments

Effective: June 24, 2015

[Currentness](#)

Annually, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Judicial Council, shall calculate a statewide performance incentive payment for each eligible county for the most recently completed calendar year, as follows:

(a) For a county identified as having a return to prison rate less than 1.5 percent, the incentive payment shall be equal to 100 percent of the highest year of funding that a county received for the California Community Incentive Grant Program from the 2011 -12 fiscal year to the 2014-15 fiscal year, inclusive.

(b) For a county identified as having a return to prison rate of 1.5 percent or greater, but not exceeding 3.2 percent, the incentive payment shall be equal to 70 percent of the highest year of funding that a county received for the California Community Incentive Grant Program from the 2011-12 fiscal year to the 2014-15 fiscal year, inclusive.

(c) For a county identified as having a return to prison rate of more than 3.2 percent, not exceeding 5.5 percent, the incentive payment shall be equal to 60 percent of the highest year of funding that a county received for the California Community Incentive Grant Program from the 2011 -12 fiscal year to the 2014-15 fiscal year, inclusive.

(d) For a county identified as having a return to prison rate of more than 5.5 percent, not exceeding 6.1 percent, the incentive payment shall be equal to 50 percent of the highest year of funding that a county received for the California Community Incentive Grant Program from the 2011-12 fiscal year to the 2014-15 fiscal year, inclusive.

(e) For a county identified as having a return to prison rate of more than 6.1 percent, not exceeding 7.9 percent, the incentive payment shall be equal to 40 percent of the highest year of funding that a county received for the California Community Incentive Grant Program from the 2011-12 fiscal year to the 2014-15 fiscal year, inclusive.

(f) A county that fails to provide information specified in [Section 1231](#) to the Administrative Office of the Courts is not eligible for a statewide performance incentive payment.

Credits

(Added by [Stats.2013, c. 310 \(S.B.105\)](#), § 9, eff. [Sept. 12, 2013](#), operative July 1, 2014. Amended by [Stats.2015, c. 26 \(S.B.85\)](#), § 21, eff. [June 24, 2015](#).)

West's Ann. Cal. Penal Code § 1233.3, CA PENAL § 1233.3
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West's Ann.Cal.Penal Code § 1233.4

§ 1233.4. Annual calculation of county performance incentive payment; eligibility

Effective: June 24, 2015

[Currentness](#)

The Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Judicial Council, shall, for the most recently completed calendar year, annually calculate a county performance incentive payment for each eligible county. A county shall be eligible for compensation for each of the following:

(a) The estimated number of felons on probation that were successfully prevented from being incarcerated in the state prison as calculated in [subdivision \(d\) of Section 1233.1](#), multiplied by 35 percent of the state's costs to incarcerate a prison felony offender in a contract facility, as defined in [subdivision \(a\) of Section 1233.1](#).

(b) The estimated number of felons on mandatory supervision that were successfully prevented from being incarcerated in the state prison as calculated in [subdivision \(h\) of Section 1233.1](#), multiplied by 35 percent of the state's costs to incarcerate a prison felony offender in a contract facility, as defined in [subdivision \(a\) of Section 1233.1](#).

(c) The estimated number of felons on postrelease community supervision that were successfully prevented from being incarcerated in the state prison as calculated in [subdivision \(k\) of Section 1233.1](#), multiplied by 35 percent of the state's costs to incarcerate a prison felony offender in a contract facility, as defined in [subdivision \(a\) of Section 1233.1](#).

Credits

(Added by [Stats.2015, c. 26 \(S.B.85\)](#), § 23, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1233.4, CA PENAL § 1233.4

Current with all laws through Ch. 870 of 2019 Reg.Sess.

West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1233.5

§ 1233.5. Insufficient data; use of best available data

Effective: June 24, 2015

[Currentness](#)

If data of sufficient quality and of the types required for the implementation of this chapter are not available to the Director of Finance, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, and Judicial Council, shall use the best available data to estimate the statewide performance incentive payments and county performance incentive payments utilizing a methodology that is as consistent with that described in this chapter as is reasonably possible.

Credits

(Added by [Stats.2009, c. 608 \(S.B.678\)](#), § 2. Amended by [Stats.2015, c. 26 \(S.B.85\)](#), § 24, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1233.5, CA PENAL § 1233.5

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West's Ann.Cal.Penal Code § 1233.6

§ 1233.6. Performance incentive payments; estimated performance incentive payments included in budget; State Community Corrections Performance Incentives Fund

Effective: June 24, 2015

Currentness

(a) A statewide performance incentive payment calculated pursuant to [Section 1233.3](#) and a county performance incentive payment calculated pursuant to [Section 1233.4](#) for any calendar year shall be provided to a county in the following fiscal year. The total annual payment to a county shall be divided into four equal quarterly payments.

(b) The Department of Finance shall include an estimate of the total statewide performance incentive payments and county performance incentive payments to be provided to counties in the coming fiscal year as part of the Governor's proposed budget released no later than January 10 of each year. This estimate shall be adjusted by the Department of Finance, as necessary, to reflect the actual calculations of probation failure reduction incentive payments and high performance grants completed by the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Judicial Council. This adjustment shall occur as part of standard budget revision processes completed by the Department of Finance in April and May of each year.

(c) There is hereby established, in the State Treasury, the State Community Corrections Performance Incentives Fund, which is continuously appropriated. Moneys appropriated for purposes of statewide performance incentive payments and county performance incentive payments authorized in [Sections 1230](#) to 1233.6, inclusive, shall be transferred into this fund from the General Fund. Any moneys transferred into this fund from the General Fund shall be administered by the Judicial Council and the share calculated for each county probation department shall be transferred to its Community Corrections Performance Incentives Fund authorized in [Section 1230](#).

(d) For each fiscal year, the Director of Finance shall determine the total amount of the State Community Corrections Performance Incentives Fund and the amount to be allocated to each county, pursuant to this section and [Sections 1230](#) to [1233.5](#), inclusive, and shall report those amounts to the Controller. The Controller shall make an allocation from the State Community Corrections Performance Incentives Fund authorized in subdivision (c) to each county in accordance with the amounts provided.

(e) Notwithstanding [Section 13340 of the Government Code](#), commencing July 1, 2014, and each fiscal year thereafter, the amount of one million dollars (\$1,000,000) is hereby continuously appropriated from the State Community Corrections Performance Incentives Fund to the Judicial Council for the costs of implementing and administering this program, pursuant to subdivision (c), and the 2011 realignment legislation addressing public safety.

Credits

(Added by [Stats.2009, c. 608 \(S.B.678\)](#), § 2. Amended by [Stats.2011, c. 36 \(S.B.92\)](#), § 26, eff. June 30, 2011; [Stats.2012, c. 41 \(S.B.1021\)](#), § 65, eff. June 27, 2012; [Stats.2013, c. 31 \(S.B.75\)](#), § 20, eff. June 27, 2013; [Stats.2014, c. 26 \(A.B.1468\)](#), § 23, eff. June 20, 2014; [Stats.2015, c. 26 \(S.B.85\)](#), § 25, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1233.6, CA PENAL § 1233.6
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West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1233.61

§ 1233.61. Maximum award amount; annual report

Effective: June 24, 2015

[Currentness](#)

(a) The Department of Finance shall increase to no more than two hundred thousand dollars (\$200,000) the award amount for any county whose statewide performance incentive payment and county performance incentive payment, as calculated pursuant to [Sections 1233.3](#) and [1233.4](#), totals less than two hundred thousand dollars (\$200,000).

(b) The Department of Finance shall adjust the award amount up to two hundred thousand dollars (\$200,000) per county, to those counties that did not receive a statewide performance incentive payment and county performance incentive payment, as calculated pursuant to [Sections 1233.3](#) and [1233.4](#).

(c) Any county receiving funding through subdivision (b) shall submit a report to the Judicial Council and the Chief Probation Officers of California describing how it plans on using the funds to enhance its ability to be successful under this chapter. Commencing January 1, 2014, a county that fails to submit this report by March 1 annually shall not receive funding pursuant to subdivision (b) in the subsequent fiscal year.

(d) A county that fails to provide the information specified in [Section 1231](#) to the Judicial Council shall not be eligible for payment pursuant to this section.

Credits

(Added by [Stats.2011, c. 36 \(S.B.92\)](#), § 27, eff. June 30, 2011. Amended by [Stats.2012, c. 41 \(S.B.1021\)](#), § 66, eff. June 27, 2012; [Stats.2013, c. 31 \(S.B.75\)](#), § 21, eff. June 27, 2013; [Stats.2014, c. 26 \(A.B.1468\)](#), § 24, eff. June 20, 2014; [Stats.2015, c. 26 \(S.B.85\)](#), § 26, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1233.61, CA PENAL § 1233.61

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West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1233.7

§ 1233.7. Moneys as supplemental to other appropriations

Effective: January 1, 2011

[Currentness](#)

The moneys appropriated pursuant to this chapter shall be used to supplement, not supplant, any other state or county appropriation for a CPO or a probation department.

Credits

(Added by [Stats.2009, c. 608 \(S.B.678\)](#), § 2. Amended by [Stats.2010, c. 328 \(S.B.1330\)](#), § 172.)

West's Ann. Cal. Penal Code § 1233.7, CA PENAL § 1233.7

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment§ 1233.8. Repealed by Stats.2013, c. 31 (S.B.75), § 22, eff. June 27, 2013

[West's Annotated California Codes Penal Code \(Refs & Annos\) Part 2. Of Criminal Procedure \(Refs & Annos\) Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives \(Refs & Annos\)](#)

West's Ann.Cal.Penal Code § 1233.8

§ 1233.8. Repealed by Stats.2013, c. 31 (S.B.75), § 22, eff. June 27, 2013

Effective: June 27, 2013

[Currentness](#)

West's Ann. Cal. Penal Code § 1233.8, CA PENAL § 1233.8

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West's Ann.Cal.Penal Code § 1233.9

§ 1233.9. Recidivism Reduction Fund; reversion to the General Fund

Effective: June 24, 2015

[Currentness](#)

(a) There is hereby created in the State Treasury the Recidivism Reduction Fund for moneys to be available upon appropriation by the Legislature, for activities designed to reduce the state's prison population, including, but not limited to, reducing recidivism. Funds available in the Recidivism Reduction Fund may be transferred to the State Community Corrections Performance Incentives Fund.

(b) Any funds in the Recidivism Reduction Fund not encumbered by June 30, 2016, shall revert to the General Fund upon order of the Department of Finance.

(c) The Recidivism Reduction Fund shall be abolished once all funds encumbered in the Recidivism Reduction Fund are liquidated.

Credits

(Added by [Stats.2013, c. 310 \(S.B.105\)](#), § 12, eff. Sept. 12, 2013. Amended by [Stats.2015, c. 26 \(S.B.85\)](#), § 27, eff. June 24, 2015.)

West's Ann. Cal. Penal Code § 1233.9, CA PENAL § 1233.9

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West's Annotated California Codes Penal Code (Refs & Annos) Part 2. Of Criminal Procedure Title 8. Of Judgment and Execution Chapter 3. California Community Corrections Performance Incentives (Refs & Annos)

West's Ann.Cal.Penal Code § 1233.10

§ 1233.10. Acceptance of funding from Recidivism Reduction Fund; allocation of funding; community recidivism and crime reduction service provider

Effective: September 22, 2015
Currentness

(a) Upon agreement to accept funding from the Recidivism Reduction Fund, created in [Section 1233.9](#), a county board of supervisors, in collaboration with the county's Community Corrections Partnership, shall develop, administer, and collect and submit data to the Board of State and Community Corrections regarding a competitive grant program intended to fund community recidivism and crime reduction services, including, but not limited to, delinquency prevention, homelessness prevention, and reentry services.

(1) Commencing with the 2014-15 fiscal year, the funding shall be allocated to counties by the State Controller's Office from Item 5227-101-3259 of Section 2.00 of the Budget Act of 2014 according to the following schedule:

Alameda.....	\$	250,000
Alpine.....	\$	10,000
Amador.....	\$	10,000
Butte.....	\$	50,000
Calaveras.....	\$	10,000
Colusa.....	\$	10,000
Contra Costa.....	\$	250,000
Del Norte.....	\$	10,000
El Dorado.....	\$	50,000
Fresno.....	\$	250,000
Glenn.....	\$	10,000
Humboldt.....	\$	50,000
Imperial.....	\$	50,000
Inyo.....	\$	10,000
Kern.....	\$	250,000

Kings.....	\$	50,000
Lake.....	\$	25,000
Lassen.....	\$	10,000
Los Angeles.....	\$	1,600,000
Madera.....	\$	50,000
Marin.....	\$	50,000
Mariposa.....	\$	10,000
Mendocino.....	\$	25,000
Merced.....	\$	50,000
Modoc.....	\$	10,000
Mono.....	\$	10,000
Monterey.....	\$	100,000
Napa.....	\$	50,000
Nevada.....	\$	25,000
Orange.....	\$	500,000
Placer.....	\$	50,000
Plumas.....	\$	10,000
Riverside.....	\$	500,000
Sacramento.....	\$	250,000
San Benito.....	\$	25,000
San Bernardino.....	\$	500,000
San Diego.....	\$	500,000
San Francisco.....	\$	250,000
San Joaquin.....	\$	250,000
San Luis Obispo.....	\$	50,000
San Mateo.....	\$	250,000
Santa Barbara.....	\$	100,000
Santa Clara.....	\$	500,000
Santa Cruz.....	\$	50,000

Shasta.....	\$	50,000
Sierra.....	\$	10,000
Siskiyou.....	\$	10,000
Solano.....	\$	100,000
Sonoma.....	\$	100,000
Stanislaus.....	\$	100,000
Sutter.....	\$	25,000
Tehama.....	\$	25,000
Trinity.....	\$	10,000
Tulare.....	\$	100,000
Tuolumne.....	\$	25,000
Ventura.....	\$	250,000
Yolo.....	\$	50,000
Yuba.....	\$	25,000

(2) Commencing with the 2015-16 fiscal year, the funding shall be allocated to counties by the State Controller's Office from Item 5227-101-3259 of Section 2.00 of the Budget Act of 2015 according to the following schedule:

Alameda.....	\$	125,000
Alpine.....	\$	5,000
Amador.....	\$	5,000
Butte.....	\$	25,000
Calaveras.....	\$	5,000
Colusa.....	\$	5,000
Contra Costa.....	\$	125,000
Del Norte.....	\$	5,000
El Dorado.....	\$	25,000
Fresno.....	\$	125,000
Glenn.....	\$	5,000
Humboldt.....	\$	25,000
Imperial.....	\$	25,000

Inyo.....	\$	5,000
Kern.....	\$	125,000
Kings.....	\$	25,000
Lake.....	\$	12,500
Lassen.....	\$	5,000
Los Angeles.....	\$	800,000
Madera.....	\$	25,000
Marin.....	\$	25,000
Mariposa.....	\$	5,000
Mendocino.....	\$	12,500
Merced.....	\$	25,000
Modoc.....	\$	5,000
Mono.....	\$	5,000
Monterey.....	\$	50,000
Napa.....	\$	25,000
Nevada.....	\$	12,500
Orange.....	\$	250,000
Placer.....	\$	25,000
Plumas.....	\$	5,000
Riverside.....	\$	250,000
Sacramento.....	\$	125,000
San Benito.....	\$	12,500
San Bernardino.....	\$	250,000
San Diego.....	\$	250,000
San Francisco.....	\$	125,000
San Joaquin.....	\$	125,000
San Luis Obispo.....	\$	25,000
San Mateo.....	\$	125,000
Santa Barbara.....	\$	50,000

Santa Clara.....	\$	250,000
Santa Cruz.....	\$	25,000
Shasta.....	\$	25,000
Sierra.....	\$	5,000
Siskiyou.....	\$	5,000
Solano.....	\$	50,000
Sonoma.....	\$	50,000
Stanislaus.....	\$	50,000
Sutter.....	\$	12,500
Tehama.....	\$	12,500
Trinity.....	\$	5,000
Tulare.....	\$	50,000
Tuolumne.....	\$	12,500
Ventura.....	\$	125,000
Yolo.....	\$	25,000
Yuba.....	\$	12,500

(b) For purposes of this section, “community recidivism and crime reduction service provider” means a nongovernmental entity or a consortium or coalition of nongovernmental entities, that provides community recidivism and crime reduction services, as described in paragraph (2) of subdivision (c), to persons who have been released from the state prison, a county jail, a juvenile detention facility, who are under the supervision of a parole or probation department, or any other person at risk of becoming involved in criminal activities.

(c)(1) A community recidivism and crime reduction service provider shall have a demonstrated history of providing services, as described in paragraph (2), to the target population during the five years immediately prior to the application for a grant awarded pursuant to this section.

(2) A community recidivism and crime reduction service provider shall provide services that are designed to enable persons to whom the services are provided to refrain from engaging in crime, reconnect with their family members, and contribute to their communities. Community recidivism and crime reduction services may include all of the following:

(A) Self-help groups.

(B) Individual or group assistance with basic life skills.

(C) Mentoring programs.

(D) Academic and educational services, including, but not limited to, services to enable the recipient to earn his or her high school diploma.

(E) Job training skills and employment.

(F) Truancy prevention programs.

(G) Literacy programs.

(H) Any other service that advances community recidivism and crime reduction efforts, as identified by the county board of supervisors and the Community Corrections Partnership.

(I) Individual or group assistance with referrals for any of the following:

(i) Mental and physical health assessments.

(ii) Counseling services.

(iii) Education and vocational programs.

(iv) Employment opportunities.

(v) Alcohol and drug treatment.

(vi) Health, wellness, fitness, and nutrition programs and services.

(vii) Personal finance and consumer skills programs and services.

(viii) Other personal growth and development programs to reduce recidivism.

(ix) Housing assistance.

(d) Pursuant to this section and upon agreement to accept funding from the Recidivism Reduction Fund, the board of supervisors, in collaboration with the county's Community Corrections Partnership, shall grant funds allocated to the county, as described in subdivision (a), to community recidivism and crime reduction service providers based on the needs of their community.

(e)(1) The amount awarded to each community recidivism and crime reduction service provider by a county shall be based on the population of the county, as projected by the Department of Finance, and shall not exceed the following for each Budget Act allocation:

(A) One hundred thousand dollars (\$100,000) in a county with a population of over 4,000,000 people.

(B) Fifty thousand dollars (\$50,000) in a county with a population of 700,000 or more people but less than 4,000,000 people.

(C) Twenty-five thousand dollars (\$25,000) in a county with a population of 400,000 or more people but less than 700,000 people.

(D) Ten thousand dollars (\$10,000) in a county with a population of less than 400,000 people.

(2) The total amount of grants awarded to a single community recidivism and crime reduction service provider by all counties pursuant to this section shall not exceed one hundred thousand dollars (\$100,000) per Budget Act allocation.

(f) The board of supervisors, in collaboration with the county's Community Corrections Partnership, shall establish minimum requirements, funding criteria, and procedures for the counties to award grants consistent with the criteria established in this section.

(g) A community recidivism and crime reduction service provider that receives a grant under this section shall report to the county board of supervisors or the Community Corrections Partnership on the number of individuals served and the types of services provided, consistent with paragraph (2) of subdivision (c). The board of supervisors or the Community Corrections Partnership shall report to the Board of State and Community Corrections any information received under this subdivision from grant recipients.

(h) Of the total amount granted to a county, up to 5 percent may be withheld by the board of supervisors or the Community Corrections Partnership for the payment of administrative costs.

(i) Any funds allocated to a county under this section shall be available for expenditure for a period of four years and any unexpended funds shall revert to the state General Fund at the end of the four-year period.

Credits

(Added by [Stats.2014, c. 26 \(A.B.1468\)](#), § 21, eff. June 20, 2014. Amended by [Stats.2015, c. 26 \(S.B.85\)](#), § 28, eff. June 24, 2015; [Stats.2015, c. 323 \(S.B.102\)](#), § 7, eff. Sept. 22, 2015.)

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