

Proposition 47

Status Update from Impacted Departments

March 3, 2015

Background

- The Safe Neighborhoods and Schools Act
- Passed November 4th, 2014
- Reduces and modifies non-violent and non-serious felonies to misdemeanors
- Creates the Safe Neighborhoods and Schools Fund
- Disbursement of funds through grant programs in 2016

Legislative Analyst's Office

- Counties should experience reduced criminal justice workload
- Jail beds and probation resources could free up
- Short term increases in court workload, DA and PD offices for resentencing and reclassification
- Long Term reduction as intensive felony fillings are reduced

Summary of Impacts to Santa Barbara County

- Large Unknowns
- DA and PD will be most affected
- Probation may have felony funding changes
- Sheriff may experience jail reductions
- ADMHS is not a direct target of law but may have unintended consequences
- Courts has an increase in filings

District Attorney

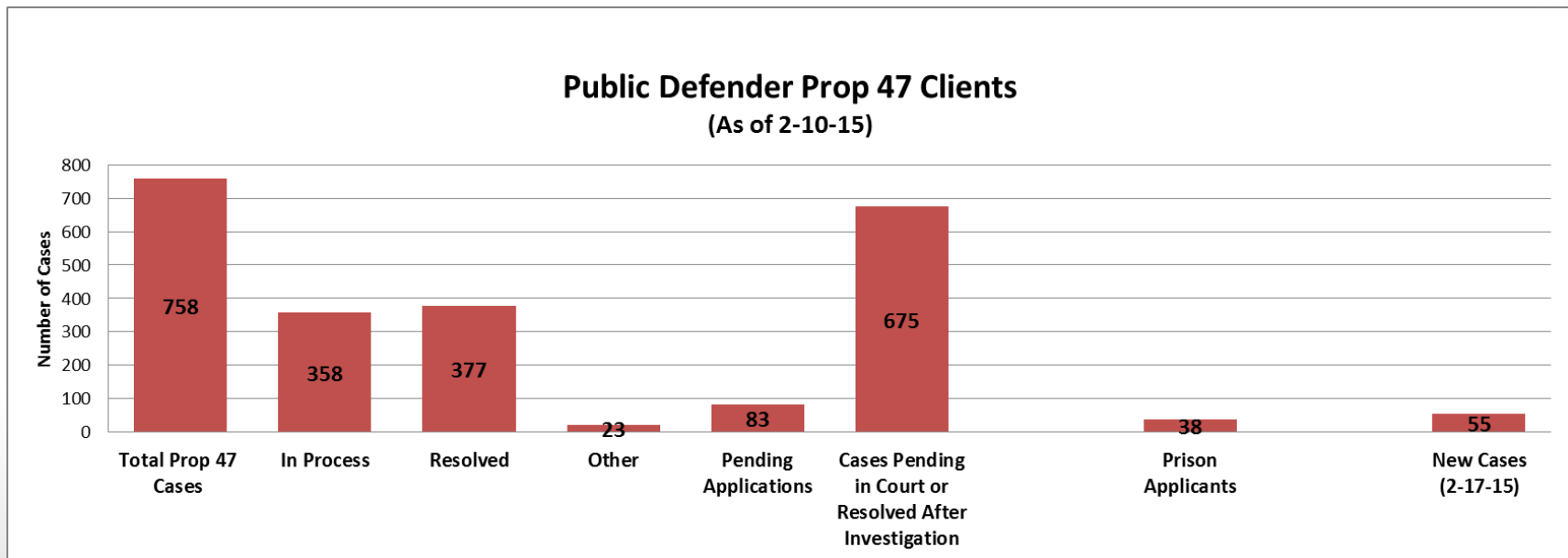
- It is unknown at this time the total number of criminal and treatment court defendants which are subject to or eligible for Prop 47 relief.
 - Prelim figures indicate at least 300 cases have been resentenced county-wide since Nov. 5, 2014
 - Approximately 200 more petitions are currently pending review
 - State prison inmates have posed a unique challenge as we see petitions from some ineligible individuals
 - The review of petitions, case files, or prison files requires additional attorney and support staff resources

District Attorney

- The lack of potential felony consequences is a concern, as there is now disincentive for treatment programs and less time available for probation supervision.
 - Treatment courts have seen a decline in recent enrollment
 - Recidivism is likely to increase with lack of effective programming
 - New eligibility standards and programming for this population may be required

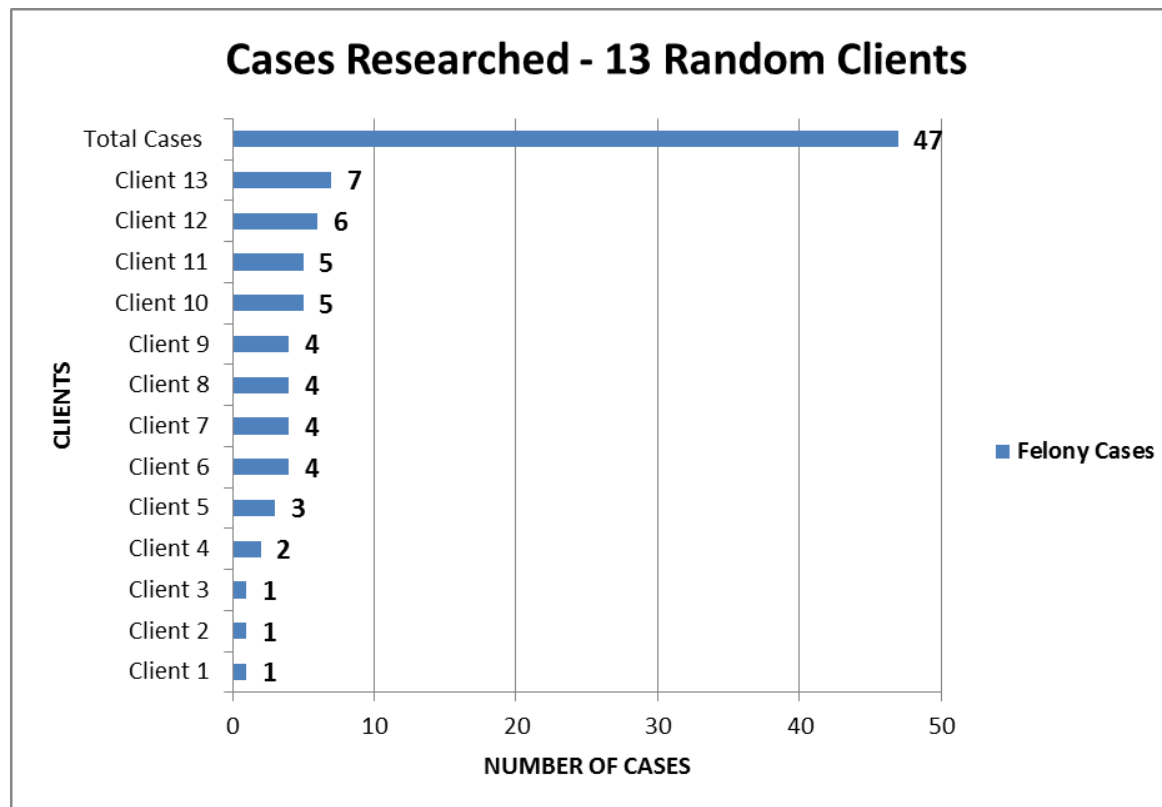
Public Defender

- 758 cases have been opened as of February 10th
 - 377 cases resolved, 358 either in process, investigated by attorney, or filed in court, 23 Other
 - 83 pending applications
- 38 cases where applicant is currently in State Prison



Public Defender

- Upon receipt of request: Case file is opened, Original File is located for review, Prop. 47 eligibility is determined.
- Illustrative Example of 13 randomly selected clients:



Probation Department Impacts

Releases Pursuant to Prop. 47

- Santa Maria Juvenile Hall (SMJH): 1
- Los Prietos Boys Camp (LPBC): 2

SMJH Booking by Offense Type

	Quarter Prior	Quarter After
Misdemeanors	34%	39%
Felonies	18%	13%
Other	47%	46%

SMJH

Average Daily Attendance	Average Length of Stay
Quarter Prior: 57.4	Quarter Prior: 23 days
Quarter After: 56.9	Quarter After: 22 days

Probation Department Impacts

Juvenile Services

- 79 cases reduced from felonies to misdemeanors and remain open to Probation
- 3 cases reduced from felonies to misdemeanors and Probation status was terminated

Adult Services

Average number of new cases each month:

Quarter prior - 332

Quarter after - 275

Through January 31, 2015:

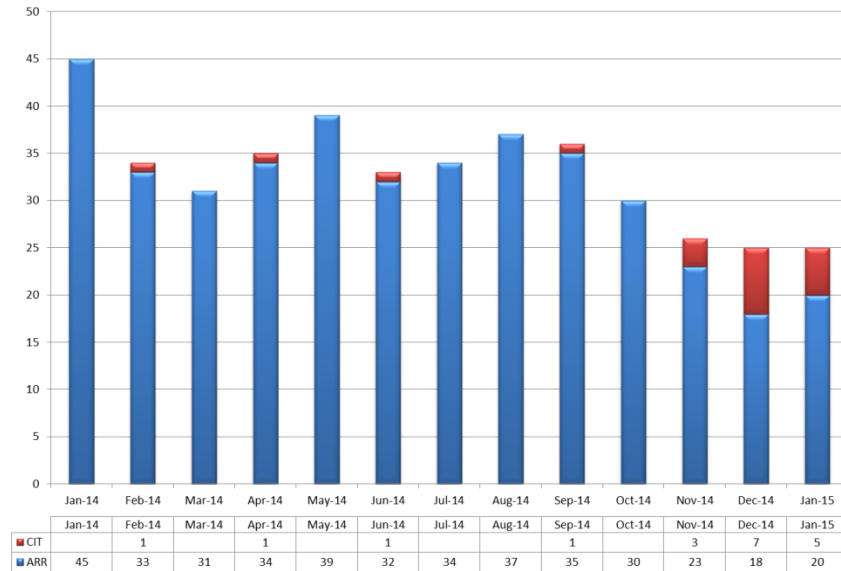
- 47 cases were reduced to misdemeanors, but remain open to Probation.
- 92 cases were closed (includes 18 warranted offenders)

Sheriff

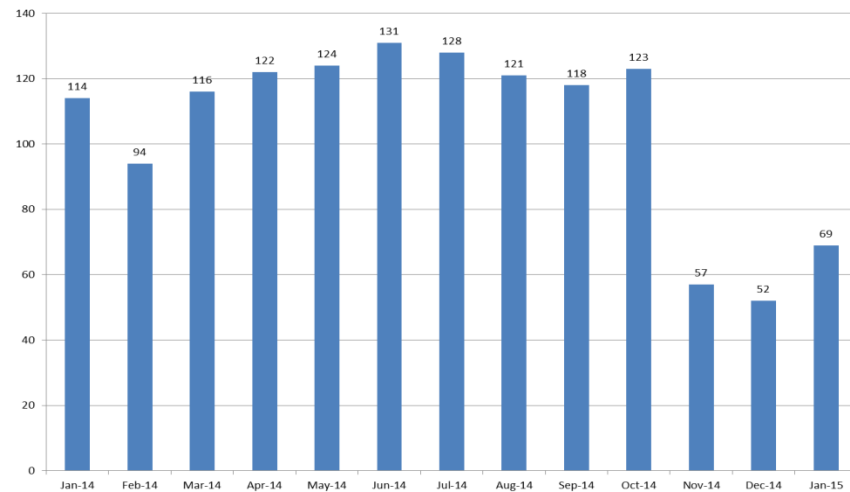
Since the passing of Prop. 47, the Sheriff's Office has experienced a 42% decline of arrests and 92% increase citations for narcotic possessions previously felonies (HS11350, HS11357 and HS1377).

At the same time, the Jail Facilities have experienced a County-wide decline of approximately 50% of bookings for these same charges.

SBSO HS11350, HS11357(a)-F, HS11377 ARR/CIT



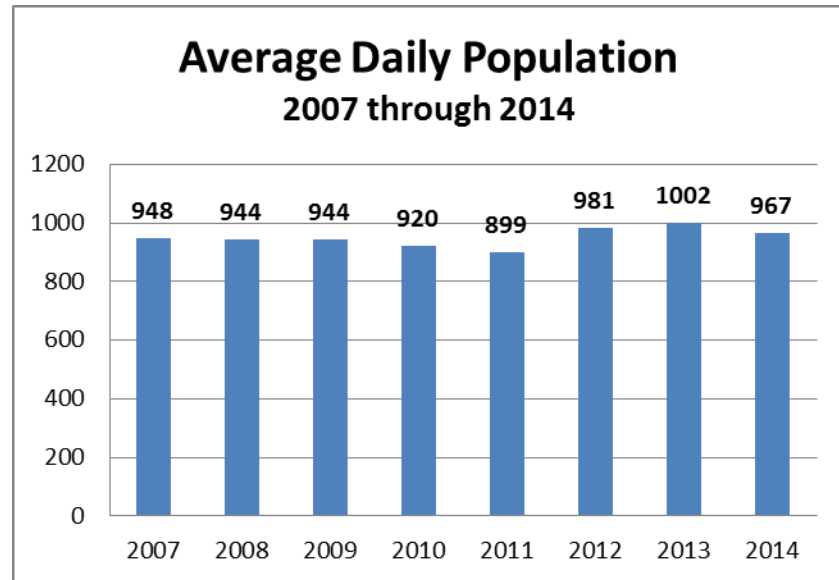
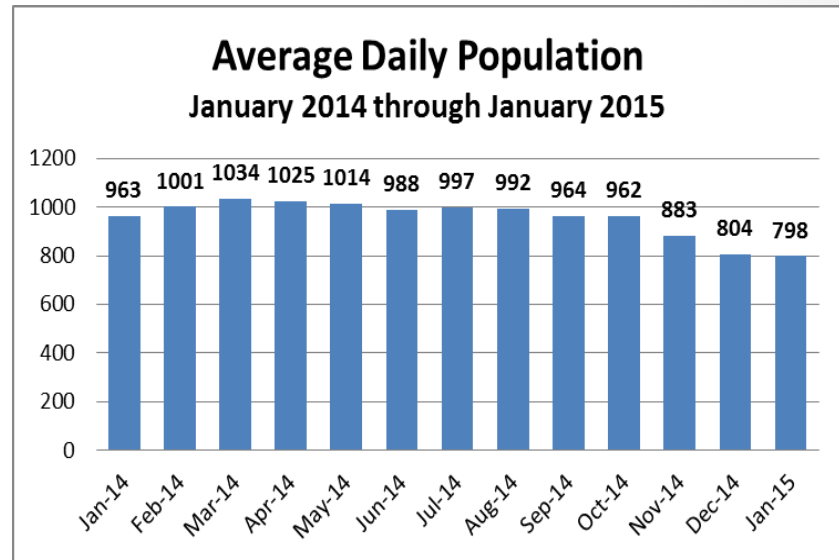
ON VIEW ARREST BOOKINGS - ALL AGENCIES
HS11350, HS11357, HS11377



Sheriff

There has been a decrease of approximately 17% in the jail facilities' Average Daily Population (ADP) during this same time period.

Preliminary projections indicate that if this trend continues, the jail's ADP could revert to pre-AB109 (Criminal Justice Realignment Act of October 2011) levels.



Alcohol, Drug and Mental Health Services

- Prop 47 is not thought of as a mental health related proposition
- Funds, dispersed through grant programs beginning in 2016, may be used for mental health and drug abuse treatment, and other programs designed to keep offenders out of incarceration
- Dialogue at the State level has been minimal in regards to mental health organizations or associations
- Admissions to Patton State Hospital have changed with felonies being modified to misdemeanors. Likewise, the PHF will be impacted with more admits from defendants being charged with misdemeanors instead of felonies.

Courts

- 504 Petitions have been filed through January 31, 2015
 - These are resentencings for those serving time and reclassifications for those who have completed their sentences
- Court Proceedings average 20 minutes
 - 168 additional court hours
- Clerical Staff Processing time averages 45 minutes
 - 378 additional staff hours
- Impact on treatment courts too early to determine

Recommendation

- Receive and file a presentation regarding updates and impacts to departments of Proposition 47 – The Safe Neighborhoods and Schools Act