

PUBLIC SAFETY REALIGNMENT IN SANTA BARBARA COUNTY

EXECUTIVE SUMMARY October 2011 – March 2013

Assembly Bill 109 (AB109)

The California state public safety realignment act (Assembly Bill 109; AB109) aims to more efficiently serve criminal offenders in local county probation department and sheriff offices who: (1) would have previously been housed in prison and supervised by state parole, and (2) are being released from state prison for the commission of similar types of crimes. The goal is for counties to more effectively serve eligible offenders at the local level, reduce rates of recidivism in this population, and reduce prison overcrowding. The two types of populations served under AB109 are:

Penal Code Section 1170(h). Specified felony crimes are now punishable by local corrections agencies; qualifying felonies will be served locally. This includes serving full sentences at a local jail, a split sentence through a local jail, mandatory supervision at the county level, or another county-level sentencing option. These offenders have been deemed to be non-violent, non-serious, non-sex offenders (NX3) and have not committed past or present disqualifying offenses. “These NX3 offenders can be subject to a period of mandatory supervision by probation, or Post Sentence Supervision (PSS), as ordered by the Superior Court.”¹ These offenders are also often referred to as “1170(h) offenders,” and are one of the two populations served by AB109.

Establishment of local Post Release Community Supervision (PRCS) agencies. PRCS agencies provide local (versus state) supervision to “parolees whose committing offense is a non-violent, non-serious felony and who are not deemed to be high risk sex offenders.”¹ Eligible offenses for participation in PRCS have been predetermined, and PRCS supervision shall not exceed 3 years. Thus, offenders who have served a prison term for an eligible offense are supervised at the local level instead of the state level upon their release from prison. This is the second of the two populations served by AB109.

The provisions of the AB109 legislation do not allow for reduced sentences for offenders or early release of offenders from prison. In addition, in the PRCS and PSS programs, enhanced supervision and referrals to community rehabilitation programs are made to help facilitate successful re-entry into the community.

Summary of Preliminary Outcomes – Overall AB109 Population

- Overall, the population of offenders in both PRCS (n=495) and 1170(h) (n=345) are predominantly male, Latino or White, and between ages 23-33 years at entry to their respective AB109 program.
- Information obtained on the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) survey at entry to county probation programs under AB109 suggests that the majority of both 1170(h) and PRCS participants scored in the *high risk* range for both recidivism and violence risk, thereby indicating that such offenders require a high level of supervision.
- It will take several years of data collection to capture the complete picture of the impact of AB109 on public safety.
- Examples of future analyses include:
 - Association between mental health needs, gang affiliation, and sex offender status and intake and exit status.
 - After controlling for risk level(s), association between various interventions and exit status as well as one-year recidivism status.

- Examination of specific probation practices, such as GPS, in more detail.

Summary of Preliminary Outcomes – PRCS

Demographics

- As of this report, 495 offenders have been referred to PRCS in Santa Barbara County upon release from prison.
- Of the 92 PRCS participants who were exited from supervision locally (i.e., excluding transfers and deportees), the number who achieved successful early termination (n=60; 65%) outnumbered those who were exited due to expiration (n=11) or deemed unsuccessful because of a new felony (n=21).
 - This appears to indicate that the PRCS program has been mostly successful, in that the offenders in the program are generally complying with the terms of their release and are not receiving new felony convictions while in PRCS
- Exited female participants (n=13) were particularly successful in PRCS, with the vast majority earning successful early termination (n=12; 92%) rather than being unsuccessful due to a new felony (n=1; 8%).
 - The low number of female offenders in PRCS in Santa Barbara County is consistent with national trends of lower numbers of female offenders overall.
- Male participants (n=79) were also more likely to earn successful early termination (n=48; 61%) than to be unsuccessful due to a new felony (n=20; 25%).

COMPAS Risk Levels

- Low risk COMPAS scores were linked with high rates of Successful Early Termination from PRCS.
 - All participants (100%) who had a low COMPAS violence risk level earned successful early termination from PRCS.
 - 91% of those who had a low COMPAS recidivism risk level achieved successful early termination, compared to 83% of those who were medium risk and 58% of those who were high risk.

Treatment and Mental Health

- Of the 495 total offenders that entered the PRCS program from October 2011 through March 2013, a minority of offenders utilized a range of treatments and services while in PRCS.
- The PRCS treatment services with the highest percentage of successful participants were Drop-In Education (n=43; 100%) and Reasoning and Rehabilitation (R&R; n=23, 64%).
- Most (71%) PRCS offenders who received targeted case management successfully completed an Early Termination of PRCS.
- Programs with the least percentage of offender successful completion of treatment included Batterer's Intervention Program (BIP), Clean & Sober Living, Detox, Drug & Alcohol Treatment, and Mental Health Treatment.
- The number of exited offenders with at least one psychiatric diagnosis (n=30) or who received Alcohol, Drug, and Mental Health Services (ADMHS; n=17) was relatively low.

Violations and Recidivism

- For all offenders in the PRCS program from October 2011 through March 2013 (n=495), almost half (45%) received violations (not including new crime convictions), with a majority receiving either one or two violations (59%).
- Of the 92 clients who exited the PRCS program with successful, unsuccessful, or expired PRCS statuses, a total of 21 offenders (23%) received new charge convictions.
 - Offenders convicted of new crimes were released from prison for an average of almost six months before their next conviction.

1170(h) Crimes and Sentences

- To date, there have been 345 separate 1170(h) entrances into the program.
 - Of all sentenced offenses for 1170(h) clients, the type of charge with the greatest number of different charges was drug possession (n=15). The type of charge with the least number of different charges was drug distribution (n=3).
 - A number of other non-drug related charges were also present, including some crimes against others and sex offender crimes
- Less than half of offenders (n=128; 41%) received a split sentence, while the other 59% received sentences of a charge(s) of jail only.
- Of the 603 total sentences received across 311 offenders, the average sentence length was 20.9 months.
 - Many offenders received more than one sentence.
 - The majority of offenders received one or two sentences.
- The 1170(h) program was designed to take several years to complete the program; further outcomes will not be available on the 1170(h) offenders until additional time has passed.