Public Safety Realignment

Annual Report
July 1, 2016 - June 30, 2017
Acknowledgments

The Monterey County Probation Department would like to acknowledge the members of the Community Corrections Partnership. It is through their ongoing support, leadership and collaboration that the criminal justice realignment continues to be integrated into all aspects of public safety and service delivery. We hope to utilize the data and information collected to better understand the impact of these efforts.

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Table of Contents

Report Overview .................................................. 3

Review of Public Safety Realignment –AB109 Summary ............. 3

Crime Trends in California ............................................. 4

Community Correction Partnership and Allocation of AB109 Funds .......... 10

Realignment and the Monterey County Jail Population ............... 11

Utilization of Mandatory Supervision ................................ 13

Alternatives to Custody .................................................. 14

Post Release Community Supervision (PRCS) .......................... 17

Mandatory Supervision ................................................. 25

AB109 Funded Service Providers ....................................... 33

References .................................................................. 34
Report Overview

California’s Public Safety Realignment (AB109/117) was enacted on October 1, 2011, resulting in a significant impact to public safety agencies in Monterey County. The legislative changes affected the sentencing structure of new crimes, jail population and composition, and community supervision through probation and parole.

The purpose of this report is to review the events, statistics and trends over the last fiscal year that have impacted areas of public safety in relation to the County of Monterey and partnering agencies. The data utilized was obtained through the Probation Department, Sheriff’s Department and California Department of Justice.

Review of Public Safety Realignment – AB109 Summary

The public safety realignment represented one of the most significant changes to California corrections and public safety in decades. Assembly Bills 109 and 117 were enacted primarily as a result of a U.S. Supreme Court decision requiring a reduction of the prison population. Years of state and local government budget deficits and an unacceptably high recidivism rate for criminal offenders were all factors of the realignment. The public safety realignment is most known for the following changes:

- To be sentenced to state prison, an individual must have a current or prior serious or violent felony conviction, or be required to register as a sex offender.

- Inmates serving state prison sentences as a result of convictions defined as non-violent, non-serious and non-sexual are released to the supervision of county probation departments instead of parole. These individuals are referred to as “Post-Release Community Supervision” (PRCS).

- Individuals convicted of non-violent, non-serious, or non-sexual felonies and have no prior convictions of serious, or violent felonies, no longer receive a state prison sentence. Instead, they are sentenced to a “local prison sentence” at the county jail. This is defined by statute in the California Penal Code and referred to as “1170(h)”. Custody credits for jail time served are now equivalent to 50% to mirror the day-for-day custody credits that inmates in state prison receive.

- “Mandatory supervision” was created to give Courts the additional tool of “splitting” the local prison sentence, thereby dividing the sentence between jail custody and supervision by a probation officer in the community.
Individuals who were being supervised by State Parole are no longer sent back to prison for parole violations, with some exceptions. Instead, they now serve a parole revocation in the local county jail for up to six months. After July 2013, new laws required the local Courts, rather than the State Board of Parole, to conduct parole violation hearings.

Crime Trends in California

Given the changing variables over the last few years combined with normal shifts in crime trends over time, it continues to be difficult to accurately evaluate the impact of California’s legislative changes. The implementation of Proposition 47 affected statistical records that separate felony and misdemeanor crimes, sentencing, and the number of people in custody and on supervision.

According to the most recent research conducted by the California Department of Justice, reported crime and arrest rates have continued to shift. Their annual report, “Crime in California, 2016,” highlights the following:

- After reaching a low in 2014, the violent crime rate increased by 8.4% 2014-2015 and 4.1% from 2015-2016.
- Conversely, the property crime rate decreased by 2.9 % from 2015-2016 after increasing 6.6% from 2014-2015.
- Between 2011 and 2016, motor vehicle theft increased by 14.7% and burglary dropped by 22% Over the same period of time, aggravated assault increased by 8.9%
- Total arrest rates for felonies and misdemeanors decreased by 4% from 2015-2016.
- In 2016, the total violent offense arrest rate decreased 1.5%. The homicide arrest rate remained the same, while rape and kidnapping arrest rates increased by 2.5% and 3.8%.

The full report is accessible on their website at https://oag.ca.gov/ and includes additional data and information pertaining to dispositions of adult felony arrests, adult probation, domestic violence, citizen complaints, and officer assaults and deaths.
Crime trend comparisons between California and Monterey County:

From 2015 to 2016, property crime decreased slightly in California, but increased in Monterey County. Violent crime increased slightly in California, but decreased slightly in Monterey County.

Chart 1

Reported Crime in California

Chart 2

Reported Crime in Monterey County
The next two charts show a breakdown of the reported property crime which is comprised of burglary, larceny-theft, and motor vehicle theft. In California, there was a sharp increase in vehicle theft and a decrease in larceny between 2014 and 2015. However, in Monterey County, vehicle theft increased for the last 2 years in a row, while burglary decreased.

Chart 3

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Burglary</td>
<td>246449</td>
<td>237759</td>
<td>237988</td>
<td>229523</td>
<td>228672</td>
<td>230334</td>
<td>245601</td>
<td>231909</td>
<td>202556</td>
<td>197,189</td>
<td>188,162</td>
</tr>
<tr>
<td>Larceny-Theft</td>
<td>666869</td>
<td>654481</td>
<td>650653</td>
<td>613614</td>
<td>600357</td>
<td>597302</td>
<td>634647</td>
<td>621207</td>
<td>592336</td>
<td>170,788</td>
<td>176,676</td>
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<td>Motor Vehicle Theft</td>
<td>242692</td>
<td>220126</td>
<td>192631</td>
<td>163651</td>
<td>152494</td>
<td>147030</td>
<td>168516</td>
<td>165217</td>
<td>151790</td>
<td>655,851</td>
<td>636,542</td>
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</table>

Chart 4

<table>
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</thead>
<tbody>
<tr>
<td>Burglary</td>
<td>2712</td>
<td>3020</td>
<td>3056</td>
<td>3151</td>
<td>2973</td>
<td>2650</td>
<td>2912</td>
<td>2706</td>
<td>2594</td>
<td>1,812</td>
<td>1,666</td>
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<tr>
<td>Larceny-Theft</td>
<td>8204</td>
<td>8043</td>
<td>6541</td>
<td>6245</td>
<td>6054</td>
<td>5573</td>
<td>5612</td>
<td>6036</td>
<td>5595</td>
<td>2,831</td>
<td>2,518</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>2202</td>
<td>3364</td>
<td>1894</td>
<td>1808</td>
<td>1378</td>
<td>1670</td>
<td>1774</td>
<td>2198</td>
<td>2388</td>
<td>4,892</td>
<td>6,212</td>
</tr>
</tbody>
</table>
These two charts show a breakdown of the reported violent crime which includes the following categories: homicide, rape, robbery, and aggravated assault. All categories of violent crime have continued to increase over the last two years in California. Between 2015 and 2016, most categories of violent crime decreased slightly in Monterey County.

Chart 5

Reported Violent Crime in California

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Homicide</td>
<td>2483</td>
<td>2258</td>
<td>2143</td>
<td>1970</td>
<td>1809</td>
<td>1794</td>
<td>1878</td>
<td>1745</td>
<td>1697</td>
<td>1861</td>
<td>1930</td>
</tr>
<tr>
<td>Rape</td>
<td>9213</td>
<td>9047</td>
<td>8906</td>
<td>8698</td>
<td>8325</td>
<td>7678</td>
<td>7828</td>
<td>7459</td>
<td>9397</td>
<td>12793</td>
<td>13695</td>
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<tr>
<td>Robbery</td>
<td>70961</td>
<td>70702</td>
<td>69391</td>
<td>64006</td>
<td>58100</td>
<td>54358</td>
<td>56491</td>
<td>53621</td>
<td>48650</td>
<td>52785</td>
<td>54769</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>111471</td>
<td>109486</td>
<td>104793</td>
<td>99905</td>
<td>95723</td>
<td>91483</td>
<td>94432</td>
<td>88809</td>
<td>91681</td>
<td>99149</td>
<td>104307</td>
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Chart 6

Reported Violent Crime in Monterey

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Homicide</td>
<td>15</td>
<td>29</td>
<td>36</td>
<td>51</td>
<td>44</td>
<td>34</td>
<td>45</td>
<td>47</td>
<td>34</td>
<td>60</td>
<td>56</td>
</tr>
<tr>
<td>Rape</td>
<td>116</td>
<td>123</td>
<td>99</td>
<td>125</td>
<td>82</td>
<td>94</td>
<td>94</td>
<td>82</td>
<td>125</td>
<td>160</td>
<td>162</td>
</tr>
<tr>
<td>Robbery</td>
<td>599</td>
<td>638</td>
<td>587</td>
<td>657</td>
<td>574</td>
<td>572</td>
<td>706</td>
<td>655</td>
<td>587</td>
<td>557</td>
<td>506</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>1284</td>
<td>1401</td>
<td>1251</td>
<td>1285</td>
<td>1337</td>
<td>1251</td>
<td>1021</td>
<td>1010</td>
<td>1087</td>
<td>1150</td>
<td>1098</td>
</tr>
</tbody>
</table>
Felony arrests decreased in the last two years, both in Monterey County and California, whereas misdemeanor arrests have increased slightly overall in both Monterey County and California. The passage of Proposition 47, in November of 2014 reduced some crimes to misdemeanors, previously categorized as felonies. It appears the shift in trends below may have been impacted by this change. People who were arrested for crimes considered to be felonies prior to Prop 47, would have been charged with a misdemeanor after Prop 47. This may have resulted in a reduction of felony arrests as well as an increase in misdemeanor arrests.
These two charts compare the categories of all felony arrests for 2016. While the crime rates and trends are sometimes very different between California and Monterey County, interestingly, the categories specifying reasons for arrest are very similar.

**2016 Felony Arrests in California**

- Violent Offenses: 35%
- Property Offenses: 24%
- Other Offenses: 26%
- Drug Offenses: 13%
- Sex Offenses: 2%

**2016 Felony Arrests in Monterey**

- Violent Offenses: 38%
- Property Offenses: 23%
- Other Offenses: 28%
- Drug Offenses: 9%
- Sex Offenses: 2%
Community Corrections Partnership and Allocation of AB109 Funds

The Community Corrections Partnership (CCP) was originally established through the Community Corrections Performance Incentive Act of 2009 (SB 678). The executive committee (voting) membership is defined as the Chief Probation Officer (Chair), Chief of Police, Sheriff, District Attorney, Public Defender, Superior Court Presiding Judge or his/her designee and one Board of Supervisors-designated representative from either the Head of Social Services, Head of Mental Health, or Head of Alcohol and Substance Abuse Programs. As a result of AB109, the CCP became responsible for developing a local plan and making recommendations for the distribution of state AB109 funds.

The Executive Committee is the decision-making body of the CCP and has the authority to implement policies and programs consistent with the goals identified by the realignment plan in order to maximize the effective investment of criminal justice resources with evidence based strategies and programs. Monterey County receives a yearly allocation to implement the public safety realignment.

Table 1

2016-2017 Planned Distribution of AB109 Funds

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Planned Distribution of Expenditures</th>
<th>Treatment</th>
<th>Supervision &amp; Detention Alternatives</th>
<th>Incarceration</th>
<th>Misc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2014-2015</td>
<td>12,777,510</td>
<td>31%</td>
<td>23%</td>
<td>41%</td>
<td>5%</td>
</tr>
<tr>
<td>FY 2015-2016</td>
<td>12,855,898</td>
<td>30%</td>
<td>25%</td>
<td>39%</td>
<td>6%</td>
</tr>
<tr>
<td>FY 2016-2017</td>
<td>13,064,817</td>
<td>30%</td>
<td>25%</td>
<td>39%</td>
<td>6%</td>
</tr>
<tr>
<td>FY 2017-2018</td>
<td>13,436,473</td>
<td>27%</td>
<td>30%</td>
<td>34%</td>
<td>9%</td>
</tr>
</tbody>
</table>

*Miscellaneous includes the following: Victim services (District Attorney), training, data, evaluation and infrastructure development
Realignment and the Monterey County Jail Population

Extreme overcrowding in California’s prison system was the origin of public safety realignment. The State’s mandate to drastically reduce its prison population by tens of thousands by shifting lower level felony offenders to the counties changed the composition of jails across the state. The Monterey County jail has a design bed capacity of 825, but at times has housed up to 1,150 detainees. When public safety realignment was implemented it was anticipated the jail population would continue to increase. Monterey County and the Superior Court utilize programs that help offset the jail population. The Own Recognizance (OR) Policy to “release people from custody on their own recognizance,” the Work Alternative Program, Pre-Trial Release Program and Residential Substance Abuse Placement Program are all programs currently utilized.

Despite added services and alternatives to custody, the jail population initially continued to expand. Part of the AB109 allocated funds dedicated to incarceration also enabled the County to transfer inmates to other counties who had extra jail capacity. The jail utilized Alameda County for additional bed space but since the inmate population has declined during the last fiscal year, the need to transport inmates out of county has diminished. At the end of June 2017 there were only two inmates remaining in Alameda County’s Jail.

![Average Daily Jail Population for FY 16-17](chart.png)
Public safety realignment changed the composition of inmates housed in the jail. Prior to realignment, local jails housed people who were pending sentencing for new charges or inmates who had been sentenced to less than one year of incarceration. The realigned population includes those that would have been sent to prison, but are now sentenced to jail, for a “local prison sentence” served in the county jail. This has resulted in inmates being housed for a longer period of time, requiring additional medical and mental health treatment, rehabilitative services and programs. Monterey County has now started construction on their jail expansion to provide additional space for rehabilitative services, treatment, and programs.

As of June 2017, inmates serving a local prison sentence (1170(h)) represented 17% of the total average daily population and 51% of the sentenced population.
Utilization of Mandatory Supervision

Realignment gave the courts the additional tool to split sentences. A split sentence allows a judge to split the time between custody and supervision in the community. The period of supervision is referred to as “mandatory supervision.” Conversely, inmates that receive a straight jail sentence are released from custody once their sentence is served without any supervision.

The chart below shows the number of 1170(h) straight jail sentences given by the court in comparison to the mandatory supervision sentences.

It was anticipated that the number of Mandatory Supervision sentences would continue to increase each year. The Passage of Proposition 47 in November of 2014 coincides with the reduction beginning in the 14-15 fiscal year, which may have played a role in the overall decline.
Alternatives to Custody

The safety of the community is always considered when determining the need for incarceration. There are well established strategies to manage risk to the community when diverting or releasing certain individuals from custody and several of these are utilized by Monterey County for both sentenced and un-sentenced populations.

Own Recognizance (OR)

In the last fiscal year, there were approximately 10,103 bookings into the Monterey County Jail, for an average of 842 per month.

Work Alternative Program: New Bookings per Month

The Monterey County Jail Work Alternative Program allows offenders to perform physical labor as an alternative to jail custody. They are given a date to appear for their work assignment and then booked and enrolled into the program at the jail on the scheduled date. During the 16-17 fiscal year, 2,177 people participated in the Work Alternative Program, for an average of 181 per month.
Supervised Home Confinement (SHC): New Bookings per Month

SHC is a program that utilizes electronic monitoring and supervision for those who voluntarily apply. Approved participants are released from custody with an electronic monitoring device and supervised by the Probation Department. On average, 30 new participants are enrolled each month.

Residential Substance Abuse Placement Program

Many inmates need treatment in a residential setting to address their substance abuse and addiction. Facilitating their application process and transporting them directly from custody to the treatment facility allows many people to be released from jail prior to completing their sentence. Within the fiscal year, 197 inmates were placed into residential treatment programs throughout the Central Coast and Northern California.
**Pre-Trial Supervision**

The Probation Department completes risk assessments and court reports prior to arraignment for newly booked inmates that are potentially eligible for release. At the beginning of 2017, the court started to make referrals directly to the Pre-Trial program. Judges determine who will remain in custody or be released for pretrial supervision pending subsequent court appearances and hearings.

The number of defendants released for pre-trial supervision has continued to increase. During the 16-17 fiscal year, 118 people were released from the Monterey County Jail, whereas in the previous year, 60 were released. As a result, the number of people actively being supervised each month has increased.

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**Chart 21**

![Individuals Released For Pre-Trial Supervision Each Month](chart1)

**Chart 22**

![Individuals Active on Pre-Trial Supervision Each Month](chart2)
Post Release Community Supervision (PRCS)

PRCS individuals are those who have served their prison sentence and are released to Probation for three years of supervision instead of being released to Parole. The California Department of Corrections and Rehabilitation (CDCR) identifies eligible inmates who were convicted of non-violent, non-serious, non-sexual related crimes to be released to their county of residence for PRCS supervision.

During the 2016-2017 fiscal year, Monterey County Probation received 213 new PRCS cases for supervision with an average of 18 people being released each month. Most of the individuals are released directly from CDCR; however, the County may also receive people who transfer from a different county of residence.

Of the individuals released from prison during the fiscal year, 7% failed to initially report for supervision. Of the 1,331 people received for PRCS supervision since the beginning of realignment in 2011, 5.4% failed to initially report for supervision. Warrants of arrest are issued by the court for people who fail to report after being released or abscond during supervision. Of the individuals who initially absconded, 72% have been apprehended.
The average number of PRCS active cases during the 16-17 fiscal year was 356. Of the total number of cases supervised, there are approximately 34% on warrant at any given time. This chart below displays number of cases, active and warrant, on the last day of each month.

Risk Assessments:

The use of a comprehensive risk assessment tool is an integral component of evidence based practices that support reentering offenders. It is necessary to identify individuals who are at a higher risk to re-offend, so that they can receive appropriate levels of supervision and rehabilitative services targeted to meet the areas of assessed need. The Ohio Risk Assessment System (ORAS) is the designated tool utilized by the Probation Department and scores individuals from low to very high in terms of risk for re-offense. 54% of PRCS individuals scored “high” and “very high” for risk to reoffend. Their scores are higher on average than the general probation population.
During the 16-17 fiscal year, there were a total of 547 people supervised. The chart below shows the levels of risk and supervision for the PRCS population and is inclusive of anyone who had an open case during the fiscal year.

Chart 25

PRCS Level of Risk and Supervision

<table>
<thead>
<tr>
<th>ORAS Assessment</th>
<th>Number of Individuals</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>83</td>
<td>15%</td>
</tr>
<tr>
<td>Moderate</td>
<td>170</td>
<td>31%</td>
</tr>
<tr>
<td>High*</td>
<td>243</td>
<td>45%</td>
</tr>
<tr>
<td>Very High*</td>
<td>51</td>
<td>9%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>547</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*High risk level scores indicate the need for higher levels of supervision and treatment.
PRCS demographic information is presented for all individuals supervised from July 1, 2016 through June 30, 2017.

**PRCS Race**

- Hispanic: 66%
- White: 19%
- Black: 12%
- Asian: 2%
- Other: 1%

**PRCS Gender**

- Male: 93%
- Female: 7%

**PRCS Age**

- 18-24: 6%
- 25-34: 36%
- 35-44: 31%
- 45-54: 20%
- 55-64: 6%
- 65-74: 1%

**PRCS Geographic Location**

- Salinas: 44%
- Monterey Peninsula: 17%
- South County: 11%
- North County: 5%
- Other*: 23%

*Includes homeless, out-of-county, and address unknown

**PRCS Homeless Population**

5.7% (31 people) were homeless. Of the homeless population, the majority (68%) were residing in Salinas with 16% on the Peninsula and 16% in other parts of the county.

*Probation identifies someone as homeless when they do not have a stable or verifiable address. This includes people who are transient, sleeping in different locations, shelters, or vehicles.*
**PRCS Violations:**

Probation officers providing supervision to PRCS individuals are responsible for monitoring their compliance with designated terms and conditions specified upon their release from prison. These conditions may include reporting instructions, drug testing and rehabilitative program participation, among other activities specific to their individual needs.

When an individual fails to comply with their terms and conditions, they may be found in violation of their supervision. During the Fiscal Year 16-17, 251 people, (46% of the population) had a total of 547 violations.

There are three categories of violations. Technical violations involve issues relating to non-compliance with terms and conditions of supervision, whereas felony and misdemeanor violations reflect new arrests or charges filed.

Of all violations recorded for the population, technical violations occur at the highest rate of frequency and include failure to show for scheduled appointments, refusal to participate in a rehabilitative program, drug use, failure to report address, or other non-compliant behavior. In accordance with evidence based practices, the Probation Department uses graduated sanctions in response to violations. The objective is to hold people accountable and assist them with a successful integration back into the community, with the longer-term goal of reducing recidivism. Technical violations are viewed as part of the rehabilitative process and the sanctions or response to a technical violation may include an admonishment, written assignment or journaling, increased drug testing or increased frequency of reporting to the probation officer, as well as additional or increased treatment requirements.

<table>
<thead>
<tr>
<th><strong>FY 16-17 Types of PRCS Violations</strong></th>
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</thead>
<tbody>
<tr>
<td>Technical</td>
<td>444</td>
<td>74.2%</td>
</tr>
<tr>
<td>Misdemeanor</td>
<td>80</td>
<td>13.4%</td>
</tr>
<tr>
<td>Felony</td>
<td>74</td>
<td>12.4%</td>
</tr>
<tr>
<td>Total</td>
<td>598</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
Some violations may result in the individual returning to jail. Probation officers evaluate the severity of misconduct and public safety when determining whether or not to return an individual to custody for a violation. During the 2016-2017 fiscal year, 31% (170 people) of those supervised (547) were booked in the county jail for a custodial sanction.

Custodial sanctions for the PRCS population are limited to 180 days. Flash incarceration is a tool used to impose brief periods of incarceration, between one to ten days. If a more significant period of incarceration is warranted, an individual on PRCS can receive up to 180 days of custody. This term of incarceration may be the result of a petition to revoke supervision followed by a formal court hearing, or the individual may admit the violation and accept the term of incarceration proposed and waive a formal court hearing. Custodial sanctions are primarily used when non-custodial sanctions have not been effective in correcting non-compliance. Probation officers generally start with lower level sanctions, and increase the sanction if non-compliant behavior continues to be an issue.

Chart 28

![Sanctions Chart]

- **N = 547**
- **n = 304**
**PRCS Closed Cases:**

Of those supervised in the 2016-2017 fiscal year, 180 cases were closed. Successful closures are defined as individuals who have had no custodial sanctions or violations for six months which qualifies as an early closure. By operation of law, all cases must be closed after twelve months if there were no custodial sanctions. The category of successful cases also includes those that have expired. PRCS cases expire after three years of supervision. Transferred cases represent those that no longer reside in Monterey County. Cases that are unsuccessful represent those who committed a technical violation or new law violation and consequently their PRCS case was terminated by the Court.

**Chart 29**

**PRCS Case Outcomes FY 16-17**

- **Successful**: 61%
- **Unsuccessful**: 29%
- **Transferred**: 9%
- **Deceased**: 1%

N= 180
PRCS Recidivism and Prison Returns
The Probation Department has historically been limited to capturing new felony or misdemeanor convictions that resulted in a case closure. The majority of new felony convictions result in a formal revocation and case closure, although some misdemeanor convictions do not. For future reporting, we will increase our reporting to include situations where a new conviction occurred during supervision, but did not result in a case closure. This will be due to an expansion in our internal data collection.

Of the PRCS population supervised during the last fiscal year (547), 53 people (10%) had a new misdemeanor or felony conviction which resulted in a case closure.

<table>
<thead>
<tr>
<th>Returned to Prison</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of People Who Returned to Prison:</td>
<td>34</td>
</tr>
<tr>
<td>Percentage of the “Unsuccessful” cases</td>
<td>64.2%</td>
</tr>
<tr>
<td>Percentage of the supervised population:</td>
<td>6.20%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Local Prison Sentence (1170H)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of People Sentenced 1170H:</td>
<td>17</td>
</tr>
<tr>
<td>Percentage of the “Unsuccessful” cases</td>
<td>32.1%</td>
</tr>
<tr>
<td>Percentage of the supervised population:</td>
<td>3.10%</td>
</tr>
</tbody>
</table>
Mandatory Supervision

Monterey County’s mandatory supervision population started off relatively small, but has continued to gradually increase over time. People are sentenced by the court and after serving a designated period of time in jail, they are released for mandatory supervision. The chart below illustrates the number of individuals sentenced and those released for supervision over the last several fiscal years.

During the 2016-2017 fiscal year, 67 people were released from custody and started mandatory supervision, an average of 12 per month.

Inmates Released for Mandatory Supervision Each Month (FY 16-17)
As of June 30, 2017, there were 106 people on mandatory supervision with 30% having an active warrant. The chart below displays number of active and warrant cases on the last day of each month during the fiscal year.

Chart 34
Mandatory Supervision Risk Assessments:

The Ohio Risk Assessment System (ORAS) is also used for mandatory supervision cases. 62% of those supervised scored “high” and “very high” for risk to reoffend. The Mandatory Supervision population has the highest risk for re-offense when compared to PRCS or other probationers.

Chart 35

<table>
<thead>
<tr>
<th>ORAS Assessment</th>
<th>Number of Individuals</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>24</td>
<td>15%</td>
</tr>
<tr>
<td>Moderate</td>
<td>36</td>
<td>23%</td>
</tr>
<tr>
<td>High*</td>
<td>80</td>
<td>51%</td>
</tr>
<tr>
<td>Very High*</td>
<td>17</td>
<td>11%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>157</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*High risk level scores indicate the need for higher levels of supervision and treatment
Mandatory supervision demographic information is presented for all individuals supervised from July 1, 2016 through June 30, 2017.

Chart 36

**Mandatory Supervision Age**

- 18-24: 10%
- 25-34: 43%
- 35-44: 25%
- 45-54: 16%
- 55-64: 5%
- 65-74: 1%

**Mandatory Supervision Race**

- Hispanic: 51%
- White: 39%
- Black: 8%
- Asian: 1%
- Other: 1%

**Mandatory Supervision Geographical Location**

- Salinas: 37%
- Monterey Peninsula: 17%
- South County: 6%
- North County: 4%
- Other*: 36%

*Includes homeless, out-of-county and address unknown

**Mandatory Supervision Gender**

- Male: 80%
- Female: 20%

**Mandatory Supervision Homeless Population**

6.3% (10 people) were homeless. Of the homeless population, the majority (70%) were residing in Salinas and 30% on the Peninsula.

Probation identifies someone as homeless when they do not have a stable or verifiable address. This includes people who are transient, sleeping in different locations, shelters, or vehicles.
Mandatory Supervision Violations:

Probation officers providing supervision to people on Mandatory Supervision are responsible for monitoring compliance with designated terms and conditions specified by the Court. These conditions may include reporting instructions, drug testing or rehabilitative program participation, among other things specific to their individual needs.

When an individual fails to comply with their terms and conditions, they may be found in violation of their supervision. During the Fiscal Year 16-17, 67 people (43% of the population) had a total of 115 violations.

There are three categories of violations. Technical violations involve issues relating to non-compliance with terms and conditions of supervision, whereas felony or misdemeanor violations reflect new arrests or charges.

Of all violations recorded for the population, technical violations occurred in Mandatory Supervision cases at the highest rate of frequency and include failure to show for scheduled appointments, refusal to participate in a program, drug use, failure to report a new address or other non-compliant behavior. In accordance with evidence based practices, the Probation Department uses graduated sanctions in response to violations, with the goal of improving compliance and increasing a successful completion of probation.

<table>
<thead>
<tr>
<th>FY 16-17 Types of MS Violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical</td>
</tr>
<tr>
<td>Misdemeanor</td>
</tr>
<tr>
<td>Felony</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Technical violations are viewed as part of the rehabilitative process and the sanctions or response to a technical violation may include an admonishment, written assignment, increased drug testing or increased frequency of reporting to the probation officer, as well as additional referrals for service delivery when needed.
Some violations can result in the individual returning to jail. Probation officers evaluate the severity of misconduct and public safety when determining whether or not to return an individual to custody for a violation. During the 2016-2017 fiscal year, 36%, or 56 people, of those supervised (157) were booked into the county jail for a custodial sanction.

Custodial sanctions for the Mandatory Supervision population were originally limited to an individual being arrested for violating their terms and conditions and the officer filing a petition with the court to revoke supervision. However, because of legislative changes during the fiscal year, flash incarceration (from one to ten days) can now be utilized as a custodial sanction for this population. This change was implemented towards the end of the fiscal year and therefore, no flash incarcerations occurred within the time frame of this report.

The custodial sanctions in this chart represent individuals who were returned to custody with a formal petition being filed with the court. If the individual is found to be in violation, the judge may revoke their supervision and incarcerate them, modify the conditions of their supervision or terminate their case.
**Closed Cases:**

Of those supervised in the 2016-2017 fiscal year, 63 cases were closed. Since some individuals were being supervised on more than one case, the percentages below reflect all closed cases in the time frame. 9.4% of the population being supervised had more than one case.

Successful closures represent those who had an outcome of successful or expired. Transferred cases represent those that moved out of county. Cases closed due to Proposition 47 reflect those that qualified to have their charge reduced from a felony to a misdemeanor. Cases that closed unsuccessfully represent those who committed a technical violation or new law violation and their Mandatory Supervision case was revoked and terminated by the Court.

![Mandatory Supervision Case Outcomes FY 16-17](chart39.png)

**Mandatory Supervision Case Outcomes FY 16-17**

- **Successful**: 30%
- **Unsuccessful**: 59%
- **Prop 47**: 6%
- **Transferred**: 5%

N = 157
Mandatory Supervision Recidivism and Prison Returns

The Probation Department has historically been limited to capturing new felony or misdemeanor convictions that resulted in a case closure. The majority of new felony convictions result in a formal revocation and case closure, although some misdemeanor convictions do not. For future reporting, we will increase our reporting to include situations where a new conviction occurred during supervision, but did not result in a case closure. This will be due to an expansion in our internal data collection.

Of the Mandatory Supervision population supervised during the last fiscal year 16 people (10.2%) had a new misdemeanor or felony conviction which resulted in a case closure.

<table>
<thead>
<tr>
<th>Type of New Convictions</th>
<th>Number of People</th>
<th>Percentage of the “Unsuccessful Closures”</th>
<th>Percentage of the population supervised</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Felony Conviction</td>
<td>10</td>
<td>13.5%</td>
<td>3.2%</td>
</tr>
<tr>
<td>New Misdemeanor Conviction</td>
<td>6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 6: Outcome of New Convictions
AB109 Funded Services

AB109 funds continue to provide services and case management in the areas of re-entry, employment, housing, behavioral health and substance abuse treatment. Social Services remains a non-funded collaborative partner to assist with accessing community benefits by providing on site staff and helping with eligibility related questions. Many of our AB109 Partners are co-located at the Probation Department’s Reentry Services Center or located close by. For statistical data in relation to service providers, please refer to the AB109 Service Delivery Report, located at the County of Monterey, CCP website.
References

California Board of State and Community Corrections (BSCC) at http://www.bssc.ca.gov/
Performance Metrics for Community Corrections: http://bscc.ca.gov/s_releasedmetrics.php
BSCC Data Dashboards at http://www.bssc.ca.gov/s_datadashboard.php

State of California Department of Justice, Office of the Attorney General at: http://oag.ca.gov/crime
Interactive Crime Statistics Tables for Arrests (http://oag.ca.gov/crime/cjsc/stats/arrests)

Chief Probation Officers of California CPOC Issue Brief, Realignment Perspective; A first Look at Statewide Data Trends and Impacts, July 2012