



Public Safety Realignment in San Francisco

The First 12 Months

December 19, 2012

Presented by the Community Corrections Partnership Executive Committee:

Wendy Still, Chief Adult Probation Officer (Chair)

Jeff Adachi, Public Defender

Barbara Garcia, Director of Health

George Gascón, District Attorney

Ross Mirkarimi, Sheriff

Gregory Suhr, Chief of Police

San Francisco Superior Court

“

The changes to the criminal justice system brought by Realignment, along with the innovative and authentic partnerships we've established in San Francisco, have provided the City and County with an opportunity to redefine community corrections and reentry to create a system that aligns our Citywide public and private partners' commitment to protecting the community and victims of crime, changing lives, and breaking the inter-generational cycle of crime.

Chief Adult Probation Officer Wendy Still

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While realignment efforts have produced some success stories, much more work needs to be done if we are to ensure that all former inmates returning to San Francisco have the tools they need to lead productive lives and remain crime free.

Public Defender Jeff Adachi

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Our efforts to provide an integrated health and human service approach to serving those leaving our prison system is essential to ensure their success. It's been an honor to work with the leadership of Adult Probation, who has paved the road in new and effective service approaches.

Director of Health Barbara Garcia

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Realignment challenges us to think differently at a time when the criminal justice system is failing us. We must rise to the challenge; take on the serious policy changes that are needed to do our job effectively.

District Attorney George Gascón

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California's Public Safety Realignment Act of 2011 has provided the San Francisco Sheriff's Department a framework from which to review and evaluate the programs and services we offer to all of our prisoners as well as the manner in which they are provided. Close collaboration with our criminal justice partners allows us to leverage resources for the benefit of all. An increasing emphasis on reintegrating all offenders—not only the AB109 population—into the community will benefit all stakeholders.

Sheriff Ross Mirkarimi

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“

The San Francisco Police Department has been an active member of the Community Corrections Partnership since its inception, as part of the Public Safety Realignment Act. The Department fully supports the concept of rehabilitation for low-level, non-violent offenders hoping that these individuals will make the best of this second chance to return to our community as productive and law-abiding contributors. However, those who are on post-release that do not make the best of this second chance and choose to continue to pursue a life of crime; especially violent crime, are not welcome in San Francisco.

We look forward to our continued partnership in Community Corrections which we believe will make for a safer San Francisco.

Chief of Police Gregory Suhr

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The Community Corrections Partnership Executive Committee would like to thank its members, the Human Services Agency, the San Francisco Board of Supervisors, and Mayor Edwin Lee for their commitment to the successful implementation of Realignment and for their contributions to this report. This report was a collaboration of CCPEC partners and was authored by Leah Rothstein, Research Director for the Adult Probation Department's Reentry Division.

For more information, please visit:
<http://sfgov.org/adultprobation>

Executive Summary

Prior to the Public Safety Realignment Act of 2011 (AB109) taking effect on October 1, 2011, the City and County of San Francisco had already begun to establish authentic partnerships between its criminal justice partners, health and human services partners, and community based organizations. The City/County therefore recognized the historic changes brought about by Realignment as an expansion of the criminal justice reforms that City/County partners had been engaged in for years. These reforms have aimed to provide effective community supervision, reduce recidivism, prioritize appropriate alternatives to incarceration, provide comprehensive reentry services to individuals coming out of state or local custody, and engage formerly incarcerated individuals, their families, and victims in local planning processes. Prior to October 2011, with strong leadership in key agencies, the local success of the Community Corrections Performance Incentive Act of 2009 (SB678), and Realignment legislation pending, the Mayor and Board of Supervisors recognized that San Francisco needed a comprehensive community corrections strategy for its criminal justice system, with the Adult Probation Department at the helm of developing this strategy. Each local partner committed to integrating this community corrections framework into its agency's strategy in order to effectively implement Public Safety Realignment in San Francisco.

Though San Francisco was well positioned to implement Realignment, the challenges it posed were significant. Public safety agencies, individuals, and community partners worked together to develop, implement, and monitor the City/County's comprehensive Realignment implementation strategy. With this strong foundation of collaboration, focused determination, and a keen understanding of the systems approach required to make the intent of Realignment a reality, the City/County has seen initial successes in Realignment implementation.

As both a City and a County, the Mayor as Chief Executive and the Board of Supervisors have supported the robust planning and implementation of Realignment. The Court has continued to draw upon its innovative and successful Collaborative Courts in supporting appropriate alternatives to incarceration and connection to treatment for individuals newly sentenced under PC § 1170(h). The District Attorney committed his office to pursue sentences that will reduce recidivism and protect public safety in the long term, including consideration of alternative sentences. The Public Defender—the State's only elected public defender—assisted in the local creation and implementation of due process for individuals on Post-Release Community Supervision who may be sanctioned under the

newly created PC § 3454 flash incarcerations. The San Francisco Police Department continues its excellence in policing by serving warrants issued by the Adult Probation Department and partnering on AB109 issues and joint operations. The Sheriff's Department has successfully managed the jail population to safely keep some of its jails empty and closed, with the total jail population at a remarkable low. The Adult Probation Department launched its Realignment strategy on the foundation of the evidence-based strategies already infused throughout the department. By the time AB109 was implemented, San Francisco's Adult Probation Department (APD) had reduced the number of felony probationers revoked to state prison by almost half (48 percent since 2009), in response to the implementation of the Community Corrections Partnership Incentives Act of 2009 (SB678).

As AB109 transferred many lower-level felony offenders from state to county jurisdiction, San Francisco was poised to build upon its previous successes and to improve upon the State's outcomes with this population, which include a three-year state parole recidivism rate in San Francisco of nearly 78 percent¹. San Francisco's criminal justice agencies responded to Realignment implementation by building on what has worked as well as instituting new programs and establishing and building upon inter-agency collaborations. These responses include:

- incorporating findings from a validated risk and needs assessment into case planning and supervision for AB109 clients;
- implementing risk-based community supervision practices;
- providing extensive training to probation officers in evidence-based supervision practices;
- creating a high risk caseload for AB109 clients as well as a pre-release unit within the Adult Probation Department to work with clients prior to their release from state prison;
- providing in-custody programming in the county jails including educational, substance abuse, and violence prevention programs;
- creating an Alternative Sentencing Planner position within the District Attorney's Office to review cases and provide alternative sentencing recommendations based on individual needs and risks;
- establishing procedures for providing due process protections to AB109 clients on community supervision when sanctions are imposed;
- offering case management and service referrals through the Public Defender's Reentry Unit; and,
- establishing and strengthening partnerships between the Adult Probation Department and the Department of Public Health, the Human Services Agency, the Office of Workforce and Economic Development, and other County agencies to provide over \$2 million annually for comprehensive reentry services to AB109 clients on community supervision including housing, health, mental health, substance abuse, and job training and placement services.

These collaborations and programs, along with many others described in this report, were put in place within the first year of Realignment implementation, making it possible to accommodate more than 2,500 individuals in San Francisco County affected by AB109 over the year. This included 411 individuals released on Post Release Community Supervision, 256 sentenced under PC § 1170(h), 91 of whom received PC § 1170(h) split sentences and started Mandatory Super-

¹Recidivism is defined as a return to state prison within the three-year time period. 2012 Outcome Evaluation Report, California Department of Corrections and Rehabilitation, Office of Research, October 2012.

vision terms within the year, and over 1,800 parole violations booked into county jail during the first year of Realignment. These numbers are well over the State's projected AB109 impact on San Francisco—22 percent higher than the State's projections of Post Release Community Supervision clients and 47 percent higher than its projections of PC § 1170(h) sentences. The State made no projections regarding the number of parole violators in local custody due to AB109.

While it is too early to report fully on the outcomes and impacts of Realignment in San Francisco, preliminary outcomes include: a jail population that remains well below capacity, a majority (60 percent) of active Post Release Community Supervision clients who are successfully engaged with their supervision plans and have had no formal sanctions imposed over the year; over 600 referrals of AB109 clients on community supervision to services through APD-funded and established service provider partnerships and over 270 clients enrolled in those services; ten individuals on Mandatory Supervision under PC § 1170(h) split sentences who successfully completed their terms (11 percent of those on Mandatory Supervision over the year); 15 Post Release Community Supervision clients who successfully completed their terms (4 percent of the active clients over the year); and 32 of the active AB109 clients on community supervision who were convicted of new crimes over the first year of Realignment, or seven percent of the total active Post Release Community Supervision and PC § 1170(h) Mandatory Supervision clients.

The second year of Realignment implementation will bring more partnerships, collaborations, programs, services, and innovations to San Francisco's criminal justice system. The Adult Probation Department will open the first Community Assessment and Services Center to provide day-reporting and one-stop holistic reentry services provision to AB109 clients and probationers; the Adult Probation Department and the Sheriff's Department will open a Reentry Pod in the county jail for individuals to be released from state prison to county jail for reentry planning and assessment purposes; the San Francisco Sentencing Commission will examine sentencing practices in the County to identify opportunities for sentencing reform and reducing recidivism; the Community Corrections Partnership and its Executive Committee will continue to monitor implementation of Realignment and evidence-based probation practices; the Reentry Council will continue to advise the Mayor and Board of Supervisors on policies and programs impacting adults returning from jails and prisons; and the Adult Probation Department will continue to partner with City/County agencies and community organizations to provide comprehensive reentry services to clients on AB109 community supervision.

The City/County will also continue to expand and utilize opportunities for alternatives to incarceration such as electronic monitoring, placement in treatment, work furlough, and day reporting. The Public Defender will continue current efforts to expand eligibility criteria for Collaborative Courts which will allow individuals in the Realignment population, most of whom remain ineligible under current guidelines, an opportunity to participate in evidence-based alternatives. In addition, the City/County will explore opportunities for addressing pre-trial incarceration, with the goal of reducing the currently high proportion of individuals in custody who are being held pre-trial (approximately 70 percent of the population in custody).

The Community Corrections Partnership Executive Committee is pleased to present this report on the first year of Public Safety Realignment, detailing the City/County's impacts, responses, successes, and challenges over the past year, as well as outlining plans for building on these experiences in the coming year. Section One contains a discussion of the first year of Realignment in San Francisco and Section Two provides a series of data charts and dashboards to detail the AB109 populations and preliminary trends and outcomes.

SECTION ONE: REPORT

Introduction

The Public Safety Realignment Act of 2011 (AB109) transferred responsibility for the supervision of many individuals convicted of lower-level felony offenses from the State to counties, beginning October 1, 2011. In the City and County of San Francisco, Realignment has required a coordinated response from several agencies, including the Adult Probation Department (APD), Superior Court, Sheriff's Department (SFSD), District Attorney (DA), Public Defender, Department of Public Health (DPH), Human Services Agency (HSA) and others. Section One of this report provides an overview of Realignment's impacts in San Francisco, the responses and programs implemented by City/County agencies, lessons learned, and preliminary outcomes from the first full year of Realignment implementation, from October 1, 2011 through September 30, 2012. It also provides a look forward to the second year of Realignment, and the new initiatives, partnerships, and collaborations planned. Section Two presents Realignment Year One: Data and Dashboards, providing detail about the individuals and departments impacted by Realignment, as well as the trends observed over the year. San Francisco's response to Realignment is coordinated by the Community Corrections Partnership Executive Committee, chaired by Chief Adult Probation Officer Wendy Still, and is detailed in the City and County of San Francisco's Public Safety Realignment and Post Release Community Supervision 2011 and 2012 Implementation Plans. (<http://sfgov.org/adultprobation>)

Legislative Background

Community Corrections Performance Incentive Act of 2009 (SB678)

San Francisco's response to Realignment implementation is best understood in the context of the County's historical sentencing trends and community supervision practices, as well as other recent statewide changes to community corrections. San Francisco has long been a leader in the State in using alternatives to incarceration and thereby sending fewer individuals to state prison than other counties of comparable size. Within this context, the County responded to the Community Corrections Performance Incentive Act of 2009 (SB678), which incentivizes reductions in the number of felony probationers sent to state prison on revocations.

SB678 also created the Community Corrections Partnership (CCP), chaired by the Chief Adult Probation Officer and composed of criminal justice and social service agencies and community based organizations. The CCP coordinates the county-wide implementation of evidence-based practices in probation supervision and felony sentencing. Under the leadership of the Adult Probation Department, San Francisco's CCP implemented evidence-based probation strategies within the Adult Probation Department and with partner agencies and organizations, as detailed below.

The Adult Probation Department actively supervises clients according to their individualized assessed risks and needs. Since June 2011, APD has administered the Northpointe Correctional Offender Management and Profiling Alternative Sanctions (COMPAS) assessment tool to identify each client's strengths, needs, and risk factors. The COMPAS is a statistically-

based and validated risk and needs assessment specifically designed to support and guide probation officers in making decisions regarding the placement, supervision, and case management of individuals under supervision. COMPAS scores each individual based on three types of risk (violence risk, recidivism risk, and failure to appear in court) and 19 criminogenic needs, which are dynamic factors that, when appropriately addressed by an individualized treatment and rehabilitation plan, can reduce an individual's risk of committing new crimes. Because some criminogenic risks are dynamic, risk of recidivism can be lowered when these needs are adequately identified and addressed.

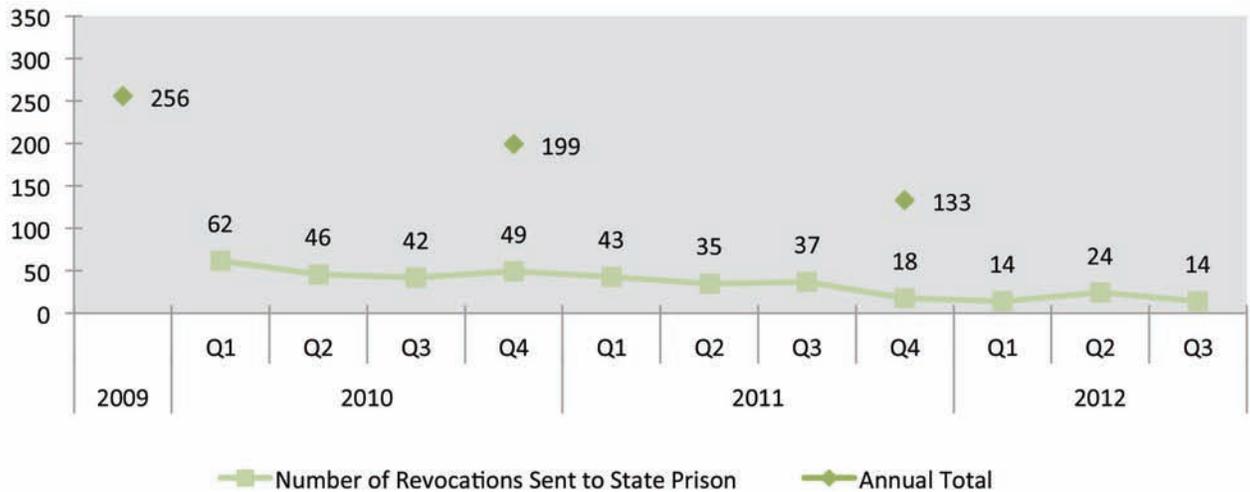
Since 2010, APD has led a San Francisco team as one of only four counties in California participating in the California Risk Assessment Pilot Project Training Program (Cal-RAPP), an initiative of the Administrative Office of the Courts. Cal-RAPP provides a team of experts that work with San Francisco criminal justice partners to support the implementation of evidence-based practices in sentencing. As a part of the Cal-RAPP program, San Francisco now incorporates risk and needs information into Pre-Sentence Investigation reports to inform judges' sentencing decisions.

The Intensive Supervision Court (formerly known as SFPAC) was launched in 2011 with funding from a U.S. Department of Justice Second Chance Act Reentry Court Grant. The Intensive Supervision Court model includes intensive supervision with no more than 50:1 caseload ratio, development of a treatment and services plan, collaborative case management, and close coordination with the District Attorney's Office, Public Defender's Office, and the Court. The Intensive Supervision Court provides an opportunity for high risk felony probationers who are facing a motion to revoke probation and execution of a state prison sentence with intense supervision and services as an alternative to state prison. In fact, the Intensive Supervision Court is credited with some of the recent reduction in probation revocations sent to state prison, described below.

In 2009, San Francisco already had one of the lowest rates of individuals sent to state prison for probation revocations in the State. Two years later, in 2011, after significant investments in evidence-based community supervision and services, San Francisco had decreased this rate by 48 percent, from 256 individuals revoked to state prison in 2009 to 133 in 2011. Further reductions have been achieved in the first three quarters of 2012, with an anticipated annual number of state prison revocations in 2012 that will represent a reduction of over 70 percent since 2009. As a result of the decrease from 2009 through 2011, APD received an SB678 annual performance incentive grant of \$831,075 in FY 2011/12 and another \$1,356,567 million in FY 2012/13, totaling \$2.187 million over the two years. One hundred percent of these funds have been invested in treatment, housing, education, employment, and other critically needed services for felony probationers.

The Adult Probation Department opened the Learning Center in August 2010 within the APD offices at the Hall of Justice. The Learning Center is a classroom of the Five Keys Charter School, an innovative high school providing GED, high school diploma, employment development, and other education for inmates of San Francisco County Jail, probationers, parolees, and other formerly incarcerated people at community sites across San Francisco. The Learning Center is a bright, dynamic learning environment for APD clients to attend school, meeting their personal educational goals and the goals of their supervision plan. Since opening in 2010, the Learning Center has had 470 enrollments, six probationers have earned a high school diplomas, and nine have earned a GED.

Chart 1: San Francisco's Probation Revocations Sent to State Prison, 2009-2012



Source: Adult Probation Department Case Management System

Public Safety Realignment Act of 2011 (AB109)

In an effort to address overcrowding in California's prisons and assist in alleviating the State's financial crisis, the Public Safety Realignment Act (AB109) was signed into law on April 4, 2011. Amended by AB117 (2011), SB1021 (2012), and SB1023 (2012), Public Safety Realignment transfers responsibility for supervising specified lower-level felony offenders and parole violators from the California Department of Corrections and Rehabilitation (CDCR) to counties. Implementation of the Public Safety Realignment Act began on October 1, 2011.

A summary of the major changes enacted by Public Safety Realignment is below.

Post Release Community Supervision (PC § 3450 - 3465): Individuals released from state prison on or after October 1, 2011 who were serving sentences for non-serious, non-violent, non-sex offenses are released to Post Release Community Supervision (PRCS) which is administered by the Adult Probation Department. Prior to October 1st, these individuals would have been on state parole. In San Francisco, PRCS revocations are heard in San Francisco Superior Court, and revocation and violation sentences are served in San Francisco County Jail. PC § 3451 - 3455 encourages the use of evidence-based practices in supervision of PRCS clients, including the use of graduated sanctions and flash incarcerations in county jail for up to 10 days. PRCS cannot exceed a three-year term and those clients who are successful and remain violation-free can be eligible for early termination after six months. All PRCS clients who remain violation-free for 12 consecutive months are automatically terminated.

Parole Violations (PC § 3000.08 – 3000.09): Individuals released from state prison on or after October 1st who were serving a sentence for a serious, violent, or sex offense continue to be released to state parole. Parole violation hearings will continue to be conducted by the Board of Parole Hearings until July 2013, when this function will transfer to the Superior Court. Parole violation sentences are no longer served in state prison, but in San Francisco County Jail for up to 180 days.

Redefining Felonies (PC § 1170)² : Individuals convicted of certain felonies on or after October 1st may be sentenced to San Francisco County Jail, rather than state prison, for more than 12 months. Per the sentencing judge’s discretion, the sentences for eligible felonies can be served in county jail (“straight jail sentences”), per § 1170(h)(5)(a), or split between time served in county jail and time supervised by the Adult Probation Department under Mandatory Supervision (“split sentences”), per § 1170(h)(5)(b).

When Realignment went into effect on October 1, 2011, the San Francisco Adult Probation Department was supervising approximately 6,200 probationers, 80 percent of whom were on probation for a felony offense. The California Department of Corrections and Rehabilitation reported 1,714 total parolees under supervision in San Francisco at that time.³

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Impact and Response

The demands imposed on San Francisco County by AB109 implementation, as well as the needs of the individuals affected by AB 109, have required a coordinated response from City/County agencies. Per AB109, the Community Corrections Partnership Executive Committee (CCPEC), chaired by the Chief Adult Probation Officer, has taken the lead in crafting and implementing this response.

The CCPEC includes the following members:

- Chief Adult Probation Officer (Chair)
- Sheriff
- Chief of Police
- Public Defender
- District Attorney
- Presiding Judge, or designee
- Director of the Department of Public Health, as designated by the Board of Supervisors

In July 2011, the CCPEC adopted the *2011 Public Safety Realignment and Post Release Community Supervision Implementation Plan* and in June 2012 the CCPEC adopted an updated Plan for 2012. Both plans were unanimously approved by the Board of Supervisors.

Over the first year of Public Safety Realignment, 2,538 individuals in San Francisco County were affected by AB109. Of these, 411 were released from state prison to PRCS; 264 were sentenced under PC § 1170(h), 178 of whom served time after sentencing in county jail on a PC § 1170(h) sentence and 91 of whom began a Mandatory Supervision term; and 1,863 parole revocations were booked in county jail, 826 of which were parole revocations booked no other local charges⁴.

Prior to the implementation of Public Safety Realignment, the State projected the number of individuals each county would receive due to AB109 implementation. As detailed in Chart 2

²For a list of felony convictions eligible for sentencing under PC § 1170, see *Felony Sentencing After Realignment, September 2012*, by Judges J. Richard Couzens and Tricia A. Bigelow.

http://www.courts.ca.gov/partners/documents/felony_sentencing.pdf

³“Table 1 - Parole Counts for Parole Statuses (Parolee, PAL, PRTC, PENDREV) by Parole Region and Units for September 30, 2011.”

Offender Information Services Branch, CDCR, October 5, 2011.

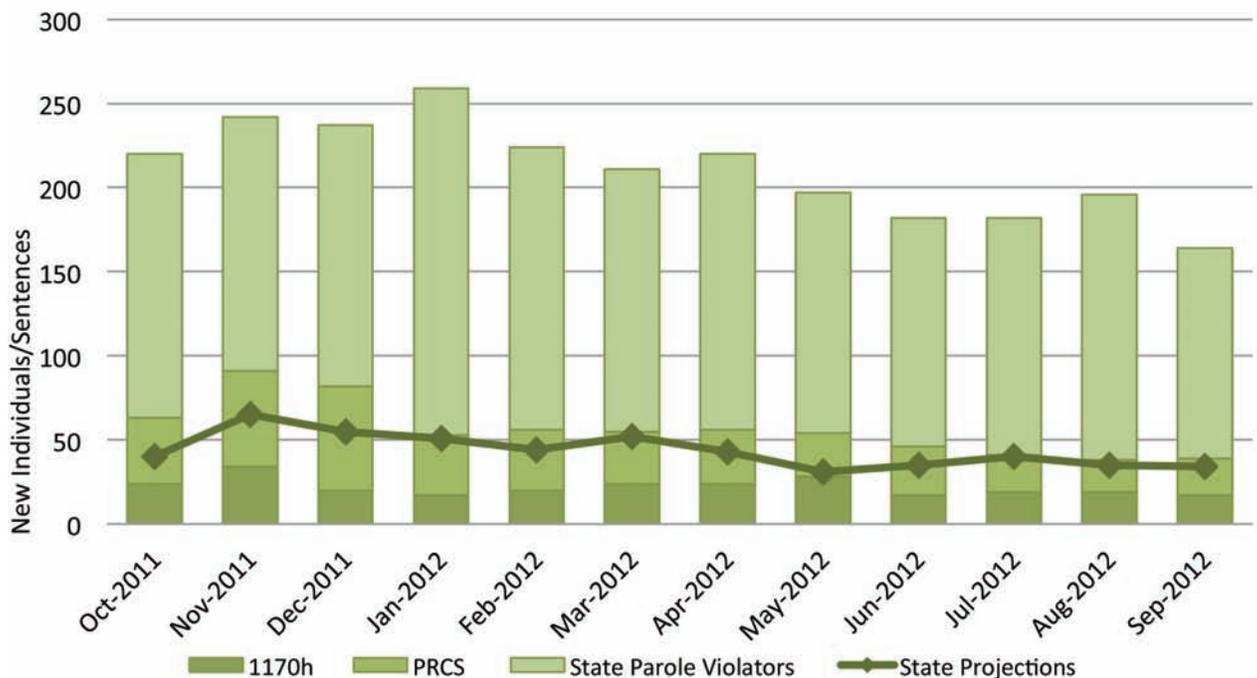
⁴Of the total, 1,863 are individuals booked for parole violations. See footnote 5 for explanation of how parole violator count is calculated.

below, the State's projection of the number of individuals impacted by AB109 in San Francisco was significantly smaller than what was actually experienced over the first year, driven primarily by the lack of State projections regarding parole violators in local custody. While the State's projections were low for all categories of AB109 individuals, it made no projection of how many parole violators would be processed in the county jail for the first year of Realignment. However, the County actually processed over 1,800 parole violations, thus driving the significant gap between the projected and actual impact of AB109 on the County.

Based on the State's funding formula for Realignment implementation, San Francisco County received \$5.79 million in Fiscal Year 2011-12 (for 9 months of Realignment implementation) and \$17.30 million in Fiscal Year 2012-13. The Board of Supervisors allocated General Fund support to supplement the State's funding and allow for the successful implementation of the County's Realignment Plan. The General Fund support over Fiscal Years 2011-12 and 2012-13 totaled \$9.25 million. The complete sources and uses of the County's Realignment funding are detailed in Table 1.

The total spending Countywide on Realignment implementation is budgeted to be \$12.7 million for nine months of Fiscal Year 2011-12 and \$19.6 million in Fiscal Year 2012-13. Of this total funding, \$1.8 million in Fiscal Year 2011-12 and \$2.9 million in Fiscal Year 2012-13 is allocated to housing, job training and placement, behavioral health, substance abuse, case management, and other services coordinated through the Adult Probation Department's Reentry Division for individuals on AB109 community supervision.

Chart 2: Individuals Newly Processed Under AB109 Countywide



Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). Source: Sheriff's Department, Adult Probation Department, Superior Court, California Department of Corrections and Rehabilitation, California Department of Finance.

Notes: 1170(h) individuals are counted in the month in which they receive an 1170(h) sentence; PRCS individuals are counted in the month of their release to PRCS from CDCR custody; state parole violators are counted in the month when their local charges are adjudicated, such that they are only in custody for state parole violations. The State did not make projections for state parole violators so this population is not included in the State Projections count.

**Table 1: City and County of San Francisco Realignment Budget Detail
Fiscal Years 2011-12 and 2012-13**

Sources	FY 11-12 (9 months)	FY 12-13
AB109 Revenue	\$5,787,176	\$17,298,112
Sheriff	\$350,938	\$8,539,301
Adult Probation – On-going Revenue	\$4,498,899	\$8,539,301
Adult Probation – One-time Revenue	\$556,325	\$0
District Attorney	\$190,507	\$109,755
Public Defender	\$190,507	\$109,755
General Fund Support	\$6,908,912	\$2,339,714
Total Sources	\$12,696,088	\$19,637,826
Uses		
Adult Probation	\$5,055,224	\$9,379,126
APD Supervision and Operations	\$3,238,062	\$6,471,139
City Attorney	\$181,217	\$181,217
APD Services, Treatment, and Housing	\$1,817,162	\$2,907,987
Community Assessment and Services Center	\$865,705	\$1,415,630
Workforce Development (via OEWD in FY11/12; direct to community FY 12/13)	\$30,000	\$30,000
Rental Subsidies (via HSA)	\$100,000	\$132,500
Stabilization Units (via DPH)	\$32,500	\$138,957
Assessment and Placement in Behavioral Treatment and Transitional Housing (via DPH)	\$788,957	\$1,190,900
Sheriff	\$7,259,850	\$9,679,800
<i>The Sheriff's Department did not increase spending as a result of Realignment because the daily jail count is at a historic low. The jail population increase associated with Realignment was offset by the jail population decrease and there was therefore no net increase to the SFSD budget.</i>		
Public Defender	\$190,507	\$289,450
Realignment Attorney	\$118,521	\$180,354
Criminal Justice Specialist	\$71,986	\$109,096
District Attorney	\$190,507	\$289,450
Alternative Sentencing Planner	\$38,363	\$105,752
Realignment Operations	\$152,144	\$183,698
Total Uses	\$12,696,088	\$19,637,826

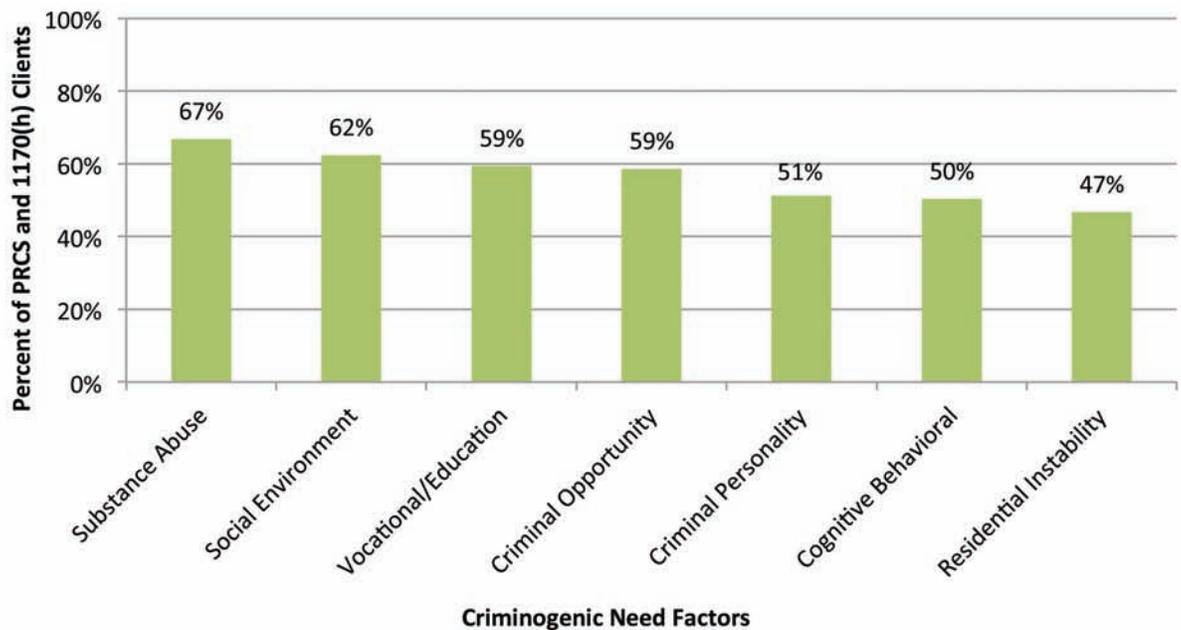
Source: Mayor's Office of Public Policy and Finance, July 2012; APD Services Funding detail provided by Adult Probation Department; District Attorney's Office funding uses detail provided by the District Attorney's Office. The Public Defender's Office funding uses detail provided by the Public Defender's Office.

Impact on Community Supervision

San Francisco's Adult Probation Department has received 411 PRCS clients and 91 Mandatory Supervision clients⁵ during the first year of Realignment. The number of individuals starting PRCS in San Francisco over the year is 22 percent higher than the State's projection. The State did not make a projection regarding the number of PC § 1170(h) sentences that would be split sentences and would therefore involve a Mandatory Supervision term.

While, per AB109, these clients' most recent offenses are non-serious, non-violent, and non-sexual, many have serious and extensive criminal histories and significant unmet service needs. Eighty-three percent of PRCS clients and 77 percent of those on Mandatory Supervision have been assessed as high risk for recidivating, per the Northpointe Correctional Offender Management and Profiling Alternative Sanctions (COMPAS) Assessment tool. Those on PRCS have an average of eight prior felony convictions, and 85 individuals (23 percent of those on PRCS) have over 11 prior felony convictions. These clients' most common criminogenic need factors, as identified by the COMPAS assessment, and detailed below, are related to substance abuse, vocational/educational needs, criminal opportunity, social environmental factors, cognitive behavioral needs, and residential instability.

Chart 3: Most Common Need Factors of PRCS and PC § 1170(h) Clients Supervised by APD



Source: Adult Probation Department, COMPAS Risk and Needs Assessments Completed through September 2012.

Prior to the implementation of AB109, APD began incorporating research-based community supervision practices that have proven to reduce recidivism and break the cycle of violence. As described above and illustrated through San Francisco's SB678 incentive grants, APD reduced the number of felony probationers revoked to state prison by almost half between

⁵ Parole violator count is a total of unique individuals booked per month on PC § 3056 charges. An individual booked more than once in the same month is counted once that month and an individual booked in more than one month for different parole violations is counted in each month in which a unique PC §3056 booking occurred.

2009 and 2011 and is on track to reduce this number by half again in 2012. This success is due in part to a Countywide focus on community corrections and on supervision strategies proven to reduce recidivism. Among other department-wide reforms, APD focused on field supervision and revised its staff training curriculum to focus on evidence-based practices such as motivational interviewing, gender responsive supervision, and family focused approaches.

Since June 2011, APD has administered the COMPAS assessment tool to identify each client's strengths, needs, and risk factors. COMPAS is the assessment tool used by CDCR for classification and reentry planning purposes for individuals in state prison and it is the only risk and needs assessment that has been validated on over 90,000 California parolees, a high risk population similar to the PRCS population supervised by APD. By incorporating the use of COMPAS into APD's supervision practices, APD can link seamlessly with CDCR regarding PRCS clients coming out of state prison to local PRCS supervision, providing continuity and consistency in reentry planning. APD also uses the gender responsive COMPAS assessment tool for female probationers, focusing on risks and needs unique to women in the criminal justice system. APD conducts COMPAS assessments with all PRCS and Mandatory Supervision clients.

In addition to the above initiatives, APD has dedicated a staff position to victim/survivor services and the expansion of Five Keys Charter School educational programs for probationers, partnered with the Department of Child Support Services to assist probationers with active child support cases, and trained staff and community partners to facilitate Thinking for a Change, a cognitive behavioral change program that was piloted with PRCS clients during spring 2012 and is now available to all clients of the Department. Additionally, APD has partnered with University of California's Warren Institute (formerly the Berkeley Center for Criminal Justice) to update and revise the Department's policy handbook to reflect a focus on evidence-based practices. To reflect these priorities, the Department released its first Strategic Plan in August 2012 (<http://sfgov.org/adultprobation>).

In 2012, George Mason University's Center for Advancing Correctional Excellence chose the San Francisco Adult Probation Department as one of four sites to pilot its web-based training tools. This suite of tools provides skill development for probation staff to facilitate the sustainability of evidence-based practices in community supervision and reentry services. All APD probation officers are completing the web-based training and seven have been trained as department-wide coaches for implementing this pilot project.

The comprehensive department-wide prioritization of staff training, policy development, and evidence-based supervision practices provided a solid foundation and significant successes from which APD developed its response to AB109 implementation. APD will continue these initiatives within the Department, as well as continue to strengthen collaborative efforts with partner agencies, and anticipates similar successes with the AB109 populations it receives.

In response to AB109, APD created a PRCS and 1170(h) Division, which includes a Pre-Release Unit that visits PRCS clients prior to their release from state prison. During this visit, the pre-release officer completes a COMPAS assessment, identifies the client's needs, and creates an individual treatment and rehabilitation plan to assist his or her successful reentry into the community. To respond to AB109 and supervise these new cases, APD increased capacity by hiring 17 new Deputy Probation Officers.



I appreciate working with you even though I've only talked to you one time. But that one time so impressed me that it further inspired me to continue with changing my life. I know that where I am now doesn't reflect that inspiration but when my life has changed then I will come back and let you know exactly the encouragement you gave me.

-PRCS client to Deputy Probation Officer after first visit



APD has also implemented a risk-based supervision model in which individuals are supervised according to their risk levels. Individuals who are at high risk of re-offending are supervised in accordance with appropriate strategies. Since the implementation of Public Safety Realignment on October 1st 2011, APD has instituted 50:1 caseload ratios for clients under PRCS and Mandatory Supervision. Beginning July 1, 2012, APD created two caseloads dedicated to the highest risk individuals under PRCS or Mandatory Supervision. These highest risk individuals are supervised at no more than a 20:1 caseload ratio.

APD utilizes individualized risk and needs information to place individuals with officers who are best equipped to meet their needs. Further, APD has developed an array of available interventions with partner agencies and community based organizations to deliver a continuum of rewards and sanctions to support individuals' safe and successful completion of supervision and reentry into the community. For the highest risk caseloads, intensive case management is coupled with intensive supervision. APD's strong partnership with DPH and community partners has been key to expanding this model. Other specialized caseloads focus on populations with unique needs, as identified by the client's characteristics or the nature of his or her commitment offense or criminal history. Specialized caseloads outside of the AB109 population include the Homeless Caseload, the Transitional-Aged Youth (ages 18-25) Caseload, and the Domestic Violence Caseload.

The APD Reentry Division directs collaborative efforts to promote policy, operational practices, and supportive services to effectively implement Public Safety Realignment and coordinate reentry services for returning adults. The Division engages diverse stakeholders in citywide planning, and provides administrative support to the Reentry Council and the Community Corrections Partnership and its Executive Committee. The Division directs research and analysis related to Realignment implementation, and is responsible for ensuring that APD is able to produce data and analysis needed to assure quality across its programming and supervision. The Reentry Division provides education and training within the department to ensure that deputy probation officers are equipped with current, relevant, and comprehensive information about services, housing, and related supports that their clients may utilize. In addition, the Reentry Division produces and distributes the Reentry Council's *Getting Out and Staying Out Guide to San Francisco Resources for People Leaving Jail and Prison* (<http://sfreentry.com/resource-guide>).

Prior to the implementation of Realignment and continuously throughout the year, APD staff participated in extensive training on AB109 policies and procedures as well as research-based supervision practices, including motivational interviewing and case planning. Eleven APD staff members were trained by the National Institute of Corrections to lead Thinking for a Change (T4C), a cognitive behavioral change program for individuals involved in the criminal

justice system that includes cognitive restructuring, social skills development, and development of problem solving skills. Over 25 sessions, participants learn strategies for controlling their actions by better controlling their thoughts and feelings. APD has offered one of these courses to PRCS clients, with 11 successful participants, and will continue to offer classes to PRCS, Mandatory Supervision, and probation clients on an ongoing basis.

In partnership with Community Works West, APD was awarded funding from the Zellerbach Family Foundation to work on the experiences and needs of women and girls in the criminal justice system. APD developed in partnership with the Sheriff's Department a strategy for responding to the needs of women throughout San Francisco's criminal justice system. Representatives from the Adult Probation Department, the Sheriff's Department, and a range of other agencies that serve justice-involved women in San Francisco met over the course of one year along with Drs. Bloom and Owen to develop the strategy. The resulting *Women's Community Justice Reform Blueprint* offers a gender-responsive approach to integrating criminal and community justice systems in San Francisco. Building on the growing body of evidence that demonstrates that the majority of female offenders can be more effectively managed in community settings that provide women-centered and gender-responsive services and programs, the Blueprint outlines multiple strategies to reduce recidivism and break the intergenerational cycle of crime and incarceration.

Impact on County Jails

The San Francisco Sheriff's Department (SFSD), unlike in many counties in California, was in the fortunate position of having available jail beds when Realignment took effect on October 1, 2011. Armed with that knowledge, and with the expectation that the initial implementation of AB109 would not dramatically affect jail operations, the SFSD progressed with comprehensive plans for staff training, data collection, changes to Community Programs' policies and procedures regarding eligibility, and an eventual increase in the jail population.

In March and April of 2012, the Sheriff's Department provided all SFSD supervisors with a block of training on AB109 and its impact on both the jails and Community Programs. These supervisors then took this information back to the jails and other SFSD units to ensure that staff had the necessary information to manage the new categories of prisoners created by AB109, including answering prisoners' questions regarding their new status.

“

By being in San Francisco I was able to address my medical concerns regarding treatment for my medical conditions. I was able to get follow through on grievances which in prison can take longer to resolve. I was able to connect with services which may be able to help me when I am released soon.

–County jail inmate serving parole violation sentence

”

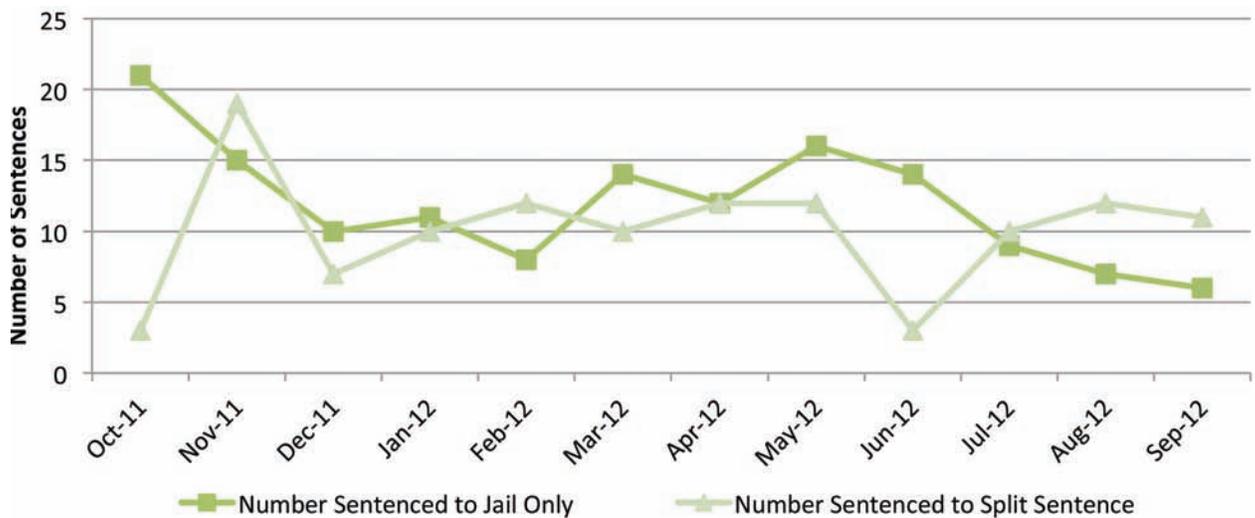
The SFSD anticipated that data collection would be a key factor in determining the success of AB109 implementation in the jails. As a result, data fields were repurposed and modules were added to the SFSD’s Jail Management System software to allow the Department to effectively track the AB109 population. Again, training was provided to deputized staff to ensure that data was entered correctly and consistently. Data entry has been, and continues to be, monitored to ensure the accuracy of SFSD reports. Weekly—as well as ad hoc—reports have been created to capture this population and its impact on the jails.

With the Sheriff’s expanded release authority granted under AB109 and related provisions, the SFSD reviewed the eligibility criteria for its Community Programs. Concerns about the criminal sophistication of the AB109 population in relation to the sentenced misdemeanants who had been the usual recipients of early release to Community Programs led to this review. The SFSD revised the Community Programs criteria to exclude AB109 offenders unless staffing was increased to provide for supervision of, and response to, these individuals 24 hours a day, seven days a week.

Additionally, contingency plans were made to reopen some or all of County Jail #6 in the event the population increased to such an extent that further housing was needed.

Fortunately, the SFSD has not had to implement this plan. While there has been an increase in the jail population, it has not exceeded capacity.

Chart 4: PC §1170(h) Straight and Split Sentences by Month, Oct 2011 - Sept 2012



Source: Court Management System, October 2011 – September 2012

San Francisco's established philosophy regarding crime, punishment, and rehabilitation has contributed to the County's low jail population and has mitigated the impact of AB109 on San Francisco's jails. This philosophy has resulted in a majority of individuals convicted of felonies being sentenced to felony probation or other alternative sentences in lieu of state prison. Therefore, the relatively low state prison population from San Francisco prior to AB109 implementation has translated into fewer individuals affected by AB109 in San Francisco compared with other counties in California.

While other counties are seeing PC § 1170(h) prisoners sentenced to eight, twelve, or even 23 years in county jail, the longest PC § 1170(h) sentence in San Francisco has been a six year term, with 1085 days of Credit for Time Served, which resulted in only 12 days to serve after sentencing.

Of the 264 individuals sentenced under PC § 1170(h), 143 (54 percent) have received straight sentences under PC § 1170(h)(5)(a) and 121 (46 percent) have received split sentences under PC § 1170(h)(5)(b). This is more than twice the statewide proportion of PC § 1170(h) sentences that are split sentences (22 percent).

Those receiving straight jail sentences were sentenced to an average of 24 months and split sentence jail commitments averaged 14 months. About one-third of all individuals sentenced under PC § 1170(h) were released from custody at the time of sentencing, due to Credit for Time Served. For those not released at sentencing, factoring in all credits resulted in an average Time to Serve in county jail for a PC § 1170(h)(5)(a) straight sentence of 5.5 months. The average Time to Serve⁶ in county jail for a PC § 1170(h)(5)(b) split sentence, for those not released at sentencing, was 3.5 months⁷.

**Table 2: PC §1170(h) Sentence Lengths,
Oct 2011 - Sept 2012**

	Straight Jail Sentences (143 sentences)	Split Sentences (121 sentences)	
		Jail Time	Mandatory Supervision
Average Sentence Length	24 months	14 months	24 months
Average Time Served with Credits (if not released at sentencing)	5.5 months	3.5 months	NA
Low Sentence Length	3 months	0 months	1 month
High Sentence Length	72 months	55 months	78 months

Source: Court Management System, October 2011 – September 2012

⁶This references only the county jail portion of the split sentence—not the Mandatory Supervision time.

⁷Data is reflective only of offenders who were incarcerated at the time of their commitment, or who were remanded to jail at the time of their commitment.

Where the San Francisco criminal justice system has had little mitigating influence on the AB109 impact on the county jail is with the parolee population. This is the one category of AB109 individuals in local custody that has significantly increased since October 1, 2011. Previously, the County's jails housed approximately 20 parolees at a time who were either awaiting Probable Cause or Revocation Hearings by the Parole Board or awaiting transportation to state prison for a Revocation Hearing or to serve a revocation sentence. If the parolee was found to be in violation, he or she would serve a revocation period in state prison of up to 12 months. Since the implementation of AB109, however, all San Francisco parole hearings are held in the jail. This has caused the number of parolees in county jail awaiting a hearing to triple. In addition, per AB109, sentenced parole violators now serve their sentences in county jail rather than state prison. Therefore, on average, over 150 sentenced parole violators are serving time in San Francisco County Jail. Throughout the year, approximately half of the parole violators serving time in local custody had local charges in addition to the parole violation charge. Prior to AB109, these individuals would have been in local custody until their local charges were adjudicated. The half of the parole violators with no local charges would not have been in local custody prior to AB109.

Therefore, while the number of bookings per month for parole violations has not changed significantly since the implementation of AB109, the amount of time individuals are spending in local custody has increased dramatically, increasing the overall parolee population in the county jails. This pattern may change in July 2013 when the responsibility of parole hearings is transferred from the Parole Board to the Superior Court.

Impacts on the Superior Court, District Attorney, and Public Defender

To respond to AB109, the **San Francisco Superior Court** made several changes related to education, training, and information technology. In the first year of Realignment, the Superior Court invested in developing and implementing new processes and procedures consistent with the language in PC § 1170 and PC § 3455, the Penal Code section governing PRCS violations. The Court also provided training to its Judicial Bench and court staff to ensure proper handling of these case types and continues to monitor these cases and make adjustments as necessary. Additionally, the Court's case management systems have been modified to produce accurate minutes and court orders and to provide appropriate data tracking and exchanges consistent with PC § 1170 and PC § 3455.

The **San Francisco District Attorney's Office** (SFDA) has embraced the expanded use of criminal justice tools made available through Realignment, while identifying additional opportunities for reform. The SFDA has continued to invest in innovation; provided training tools for prosecutors, investigators and victim services staff; and established internal administrative systems for case tracking and data analysis specific to Realignment. These steps have allowed the SFDA to further explore the latitude of discretion under the current law, to advocate for equitable allocation of resources for victims and offenders under local supervision, and ultimately to support the successful initial implementation of Realignment practices and policy.

The SFDA has utilized five major strategies in response to AB109: Alternative Sentencing Planner (ASP), Early Resolution Program (ERP), Victim Services, the San Francisco Sentencing Commission, and Staff Capacity and Trainings.

Utilizing Realignment resources from the State, the District Attorney's Office designed and



When it comes to community programs, we want to have the expertise in the courtroom to maximize rehabilitative goals and ensure public safety.

-Lili Nugyen, Assistant District Attorney



created a new Alternative Sentencing Planner position, which was filled in February 2012. The ASP position has provided a new lens to guide prosecutors' sentencing decisions and the SFDA is already seeing a shift in the Office's sentencing decisions. Through the ASP Program the SFDA offers cost effective sentencing alternatives to 1170(h) and other selected offenders that lead to better long-term outcomes for individuals and their communities. The ASP staff person, upon attorney request, conducts pretrial case review, including offender criminal history, social service needs, and public safety considerations, and recommends a disposition to the district attorney that incorporates this profile. For those cases where a straight jail or prison sentence is not the optimal option for public safety, experts discuss not only the offense and criminal history, but the individual and his or her criminogenic factors. Early case review with ASP participation provides an opportunity to educate and inform not only the prosecutor on the case, but also the defense and the judge. The ASP provides insight about program quality and effectiveness as it relates to the specific defendant, ultimately establishing reasonable and achievable milestones for supervision conditions. Emphasis on evidence-based programming and individualized approaches to risk assessment are the core elements to reducing recidivism.

In addition to advising prosecutors in traditional case proceedings, the ASP participates in the Early Resolution Program (ERP), resolving PC § 1170(h) and prison eligible cases quickly, saving resources and enhancing the opportunities for use of alternatives where appropriate. Regular preliminary hearings do not allow for in-depth discussion of program effectiveness. The ERP allows the time for in-depth case review and creates the perfect environment for utilizing the social worker training and perspective of the Alternative Sentencing Planner. With the support of the ASP, cases not only settle faster, they are settled within the context and consideration of evidence-based practices. The prosecutor, defense counsel, social workers and the Superior Court review cases for settlement through the lens of rehabilitation at one of the earliest intervention points in the criminal justice system. The case review process establishes reasonable and achievable milestones for supervision conditions and emphasizes evidence-based programming and individualized approaches to risk assessment to effectively reduce recidivism. Since February 2012, the ASP has reviewed one-third of the Realignment cases the DA received and, per attorney request, conducted an in-depth investigation and case review of 50 of these cases, making recommendations such as community service, outpatient treatment, residential treatment and anger management. A full analysis of the cases where recommendations were made to prosecutors is not available at this time, as some cases are still pending. However, a preliminary review reveals that ASP recommendations to prosecutors have resulted in an increased use of treatment components in sentences and reductions in the length of in custody sentences for PC § 1170(h) and ERP cases. In addition to in-depth review, the ASP provides brief consults to attorneys on an ad hoc basis, which includes inquiries about quality of community programs.

The SFDA also continues to provide a comprehensive array of services to victims and witnesses of crimes, including AB109 classified offenses. These services include counseling, claims for victim compensation, orientation to the criminal justice system, transportation,

and property return. The SFDA Victim Services Division participates in all SFDA Realignment planning meetings and has advised the Sheriff's Department on the expansion of victim notification as required under Public Safety Realignment.

In February 2012, the County enacted legislation to create the San Francisco Sentencing Commission, the first of its kind in the State and the country. The Sentencing Commission, chaired by District Attorney George Gascón, was created to encourage the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based practices and efficiently utilize San Francisco's criminal justice resources. This comprehensive collaborative first met on August 8, 2012 and is represented by 13 member seats including the County's criminal justice agencies, community organizations, a sentencing expert, and an academic researcher.

Over the course of the next two years, the Sentencing Commission will:

- Evaluate effective and appropriate sentences for the most violent offenders
- Explore opportunities for drug law reform
- Examine inconsistencies in the Penal Code related to Realignment sentencing
- Identify and define the most important factors that reduce recidivism

Prior to and upon the implementation of Realignment, the SFDA provided training opportunities for prosecutors, investigators and victim services staff on reentry and community services. From October 1, 2011 to September 30, 2012, the SFDA Training Division held a total of 97 office trainings. The training topics ranged from trial court skills to administrative processes. Ten additional trainings were held with the specific goal of enhancing staff understanding and awareness of reentry services and community programs, including Residential Treatment Programs, Understanding Addiction, Veteran Services, Behavioral Health and Mental Health Treatment Options, In-Custody Programs, Recidivism Best Practices and Collaborative Courts, and Split Sentencing. Staff has found these trainings both informative and empowering. Not only does Realignment require district attorney offices to think differently, but prosecutors, victim service staff, and investigators need concrete tools to make the best decisions for public safety in the long-term. The comprehensive trainings provided by the SFDA Training Division provide those tools.

The **Public Defender's Office** created a Realignment Team, consisting of a Deputy Public Defender and a Criminal Justice Specialist. The Realignment Team works in collaboration with deputy public defenders handling felony matters and the Office's Reentry Unit, which provides an innovative blend of legal, social and practice support through its Clean Slate and social work components. The Reentry Unit's social workers provide clinical services and advocacy, effectively placing hundreds of individuals in drug treatment and other service programs each year.

In the first year of Realignment implementation, the Public Defender's Realignment Team advocated on behalf of individuals impacted by Realignment and provided due process protections for clients on PRCs and Mandatory Supervision. Over the year, the Realignment Team has represented a majority of the County's 264 PC § 1170(h) defendants as well as nearly all of the 138 PRCs clients with a PC § 3455 violation charge. The Team works closely with the Office's existing reentry programs and coordinates its efforts with other criminal justice agencies and community partners.

The attorney assigned to the Realignment Team uses an understanding of evidence-based practices and the wide range of clients' service needs to advocate for, design, and train deputy public defenders on alternative sentencing strategies and to identify clients who are eligible for collaborative courts and other evidence-based programs. The attorney provides legal consultation, investigates cases, litigates motions, and prepares for and conducts flash incarceration hearings and formal revocation hearings.

The Public Defender's Criminal Justice Specialist, a highly experienced reentry specialist with a social work background, conducts comprehensive assessments to determine client needs and collaborates with APD's PRCS unit to make service referrals and discuss the progress of clients receiving services. The Criminal Justice Specialist performs clinical work, assesses clients' needs, refers clients to services, and advocates for these individuals both in and out of court.

The Public Defender's Clean Slate Program assists over 3,000 individuals each year who are seeking to "clean up" their records of criminal arrests and/or convictions. Clean Slate helps remove significant barriers to employment, housing, public benefits, civic participation, immigration and attainment of other social, legal and personal goals. The program prepares and files over 1,000 legal motions in court annually, conducts regular community outreach, distributes over 6,000 brochures in English and Spanish and holds weekly walk-in clinics at five community-based sites, in predominantly African American and Latino neighborhoods most heavily impacted by the criminal justice system. The Realignment Team works closely with the Clean Slate unit to obtain legal relief for individuals on PRCS and Mandatory Supervision.

Service Partnerships and Utilization

In Custody Programs

The Sheriff's Department has a long history of offering programs to individuals in jail and those released to the community, including when the court releases eligible pre-sentenced detainees to Supervised Pre-trial Release. While AB109 individuals in county jail are currently ineligible for early release to Community Programs, except on a case-by-case basis, in custody programs are available to meet prisoners' needs. In custody programs include the award-winning Resolve to Stop the Violence program, Roads to Recovery substance abuse program, COVER veteran's program, Keys to Change, and Project Breakthrough. Five Keys Charter School, the first charter high school in the country for incarcerated adults, originated in the San Francisco jails.

“

I got my diploma since I've been here. That's something I've always wanted so I could get better employment. Also, I from [sic] the Bay Area so it's closer for my family to visit and so I'm closer to them. I have a very close family which is very supportive of me...I've been in prison twice but here there is a better opportunity and structure more community based organizations [sic] that will help you. There is a better chance of making it.”

–County jail inmate serving parole violation sentence

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During the first year of Realignment, 353, or approximately 25 percent of the 1,518 males in custody for PC § 1170(h) sentences, parole violations, and PRCS violations participated in one or more of these programs. Forty-four percent of the 194 PC § 1170(h)-sentenced men, 23 percent of the 1,140 male parole violators, and 13 percent of the 71 male PRCS violators participated in programs for more than three days. Due to classification and gang affiliation, some individuals in county jail are unable to participate in programs. In addition, those in “special housing” units, such as Psych Housing, Administrative Segregation, Worker Housing, and Medical Housing, are also unable to participate in programs. Those who cannot participate due to housing and classification concerns can nonetheless participate in the Five Keys Charter School Independent Study Program. Participation in this program is not included in the participation numbers cited above.

“

I don't have a place to stay and I don't have a job. How am I suppose (sic) to stay out of this place?

–**Incarcerated PRCS client**

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Adult Probation Department Reentry Service and Housing Partnerships

APD has established and expanded several partnerships with local service providers to deliver a continuum of services and programs to support AB109 individuals' safe and successful completion of supervision and reentry into the community. APD's strong partnership with the Department of Public Health and community partners has been key to expanding this model. The following table summarizes the Realignment-focused service providers and programs launched by APD since October 1, 2011, as well as the number of clients referred to, enrolled in, and completing each program as of September 30, 2012. APD's Reentry Division is responsible for the creation and administration of these AB109 dedicated partnerships.

“

Getting help from agencies that want to support me is good for me because I know its people [sic] who want me to succeed.

–**APD New Roads Rental Subsidy participant**

”

**Table 3: APD's AB109 Service Partnerships, Referrals, and Enrollment,
Oct 2011 – Sept 2012**

New Service Partnership Launched	Services Provided	Program Period (and AB109 capacity)	Number of AB109 Clients		
			Referred	Enrolled	Completed
Behavioral Health Access Center / SF Department of Public Health	Assessment and referrals to outpatient, residential, and transitional housing for individuals with behavioral and physical health needs	October 1, 2011 to present	390	160	NA
Asian Neighborhood Design (contract administered by OEWD)	Green construction job training, job readiness skills, job placement and referral services	January 6, 2012 through June 2012 (Capacity: 5)	30	5	3
Hamilton Family Center and Tenderloin Housing Clinic (contract administered by HSA)	Rental subsidies and housing case management for job-ready or employed single adults	January 13, 2012 to present (Capacity: 23 subsidies)	57	49	14 receiving subsidies as of 9/30/12
Emergency Stabilization Housing (administered by DPH/Housing and Urban Health)	Short-term stabilization housing in single-room occupancy residential hotel	March 1, 2012 to present (Capacity: March-May: 5 June-August: 15 Sept-present: 19)	39	33 (for a total of 2,412 nights)	NA
Reentry SF (partnership with Healthright360, Goodwill Industries, Youth Justice Institute, and Bayview Hunter's Point Senior Services) funded by U.S. Second Chance Act Demonstration grant	Job readiness training (JRT), employment case management, barrier removal, and, when applicable, behavioral health treatment	March 26, 2012 to present (Capacity: 97)	107	32	26 completed JRT; Other programs ongoing

Source: Adult Probation Department, Reentry Division

Housing

Data from the first twelve months of AB109 implementation indicate that one-third of the individuals released to PRCS in San Francisco reported being homeless at the time of their release from CDCR. During the first year of Realignment, the **Human Services Agency (HSA)** worked with APD to begin to address the critical housing needs of a subset of these clients.

Using new funding from APD to leverage an existing service delivery infrastructure, HSA contracted with Hamilton First Avenues in FY11/12 and Tenderloin Housing Clinic in FY12/13, local nonprofits, for the provision of rent subsidies to AB109 clients through the New Roads Rental Subsidy program. New Roads provides APD clients who are homeless or temporarily housed without an exit plan with shallow rental subsidies, financial assistance, and supportive services to ensure that they obtain and retain permanent housing and achieve educational and vocational goals. Program staff works with each participant to develop an individual service plan with the goal of achieving lasting housing stability.

During the first nine months of the contract (January – September 2012), 57 clients were referred to New Roads program by APD. Of the 57 referred, 49 were found eligible for the program. As of September 30, 2012, 14 of the AB109 referrals to New Roads had secured housing and were receiving a rental subsidy; the remaining clients were actively searching for housing.

APD also launched its Stabilization Unit Program for AB109 clients. In partnership with the Department of Public Health's Housing and Urban Health Unit, APD fully subsidizes short-term emergency stabilization housing in Single Room Occupancy hotels for AB109 clients who have an immediate housing need. The housing is provided as part of the client's individualized treatment and rehabilitation plan, and the Deputy Probation Officer has discretion to extend or terminate housing for the client. This program began in March 2012 with five beds available and increased to a full capacity of 19 beds for AB109 clients by September. Over this time, APD referred 39 AB109 clients and 33 were housed in a Stabilization Unit for an average of approximately two and a half months.

The Public Defender's Reentry Unit was recently approved to be a referring agency to Shelter Plus Care—a HUD-funded program that provides a limited number of apartments and housing vouchers to clients experiencing homelessness. Shelter Plus Care helps homeless clients with disabilities achieve stability by providing life-long subsidized housing as well as voluntary support services including case management, specialized mental health services, access to substance abuse treatment, benefits advocacy, and vocational training, among other services. The Public Defender's Realignment Team makes all appropriate referrals to Shelter Plus Care for individuals in the Realignment population.

Employment and Job Readiness

With APD funding and partnership, the **Office of Economic and Workforce Development (OEWD)** – Workforce Division administered a contract with a community-based organization, Asian Neighborhood Design (AND), to implement workforce services for individuals on PRCS or under Mandatory Supervision. Over the course of the six-month contract, from January through June 2012, APD referred 30 AB109 clients to AND. Of these, AND enrolled five participants in case management, career counseling, job readiness services, and vocational skills training in green construction. Three participants completed the training and one was placed in the Contractors Labor Pool, where he's been employed full-time since June 2012.

AND identified several challenges to implementing this program, including: substance abuse issues requiring more intensive services than AND could provide; contractors' requirements that employees have a valid California driver's license to drive company vehicles and the challenges many participants had in acquiring a driver's license; and other barriers to success in the construction field, such as homelessness and lack of a high school diploma/GED. These are all challenges and service needs that APD and service providers will continue to address to enable clients to successfully gain job skills and employment.

In 2011, APD received a federal Department of Justice Second Chance Act Planning and Demonstration Grant to create Reentry SF, a partnership of APD; Healthright360 (formerly Haight Ashbury Free Clinics -Walden House); Goodwill Industries of San Francisco, San Mateo and Marin; Youth Justice Institute; and Bayview Hunter's Point Senior Services/Senior Ex-Offender program. Reentry SF offers in-custody pre-release services and community-based work readiness training, work-based assessment, mental health and substance abuse prevention interventions, mentoring, education programs, vocational skills training, supportive services, and job placement and retention. From March 2012 through September 2012, 32PRCS and Mandatory Supervision clients enrolled in Reentry SF. Four of the Reentry SF program participants received mental health services, 16 received substance abuse services, three enrolled in educational services, five in housing services, and eight exited the program due to a lack of engagement. All of the program participants enrolled in employment services, 26 completed the Job Readiness Training, and six had obtained employment as of the end of September.

Behavioral Health

The **Department of Public Health (DPH)** has partnered with APD to create innovative mechanisms for providing services to those AB109 clients in need of behavioral health care. Through the establishment of the AB109 Case Management Unit within DPH's Community Behavioral Health Services division, AB109 clients who meet medical necessity and are in need, access a high profile portal of entry into the Department's system of care and are placed into treatment.

The AB109 Case Management Unit is co-located with programs that address the wide variety of health needs of eligible clients. These services include: assessment, referral, and treatment authorization; primary care medical services; narcotic replacement therapy; buprenorphine induction; treatment engagement activities; and immediate access to detoxification services, emergency hygiene materials, and housing.

It is with a passion and commitment to the AB109 population that the program attempts to inspire those it serves, achieving wellness and recovery for all program participants. DPH's efforts over the past year have focused on three initiatives:

- Creating a matrix of services that will meet the needs of the AB109 population
- Recruiting experienced staff with the clinical expertise and knowledge of the forensics population to serve this population holistically and with a high quality provision of service
- Working with all program participants to encourage the meeting of minimum treatment expectations and to provide comprehensive treatment planning

With funding through APD, DPH was able to work closely with APD to identify those treatment and program interventions that would best meet the needs of Realignment clients.

Over the course of the year, services were procured across several modalities, including:

- residential substance abuse treatment,
- residential mental health treatment,
- intensive outpatient services, and
- transitional housing

Over the first year of Realignment, DPH's AB109 Case Management Unit received a total of 390 referrals, 52 of whom were individuals sentenced under 1170(h) and 338 of whom were PRCS clients. Of those referred to DPH, 19 (5 percent) were designated as Enhanced Out Patient (EOP) inmates by CDCR, a designation signifying an acute or significant mental health disorder and inability to function in the general population. Twenty-nine of those referred (7 percent) were in CDCR's Correctional Clinical Case Management System (CCCMS), signifying they received some form of mental health treatment or medication from CDCR and were able to function stably in the general population. Twenty-five of those referred (6 percent) presented with some form of severe mental illness (SMI) at intake. Of the 390 referrals to DPH's AB109 Case Management Unit, 230 individuals declined services or had no medical necessity for treatment, 44 enrolled in a substance abuse or mental health residential treatment program, 46 in an outpatient or day treatment program, 20 enrolled in transitional housing, and 50 were involved with pre-treatment and/or on-going assessments with DPH clinicians.

To address the primary care medical needs of AB109 clients, DPH also makes referrals to the Transitions Clinic, a DPH medical clinic for individuals re-entering from the criminal justice system. The most common primary care diagnoses seen in the AB109 population has been tuberculosis, asymptomatic hepatitis C, asymptomatic HIV/AIDS, high blood pressure, and diabetes. Through the work of the Transitions Clinic, program participants are able to see a doctor and receive medical care, prescription medications, and follow-up care.

As part of the accessibility to necessary care, DPH's AB109 Case Management Unit also actively enrolls eligible program participants into Healthy San Francisco and SFPATH, programs that make health care services accessible and affordable for uninsured residents. Over the course of the year, 31 AB109 program participants were enrolled in Healthy San Francisco or SFPATH.

To respond to the case management needs of AB109 clients, DPH dedicated a team of experienced clinicians to provide program participants with a high level of care coordination. Since October 2011 these clinicians have been responsible for acting as a primary point of contact for over 200 persons receiving care through the AB109 Case Management Unit. In addition to providing linkages to care in the community, the clinicians act as a pillar of support for program participants by facilitating pre-treatment and engagement activities. Clinical staff are also responsible for administering toxicological screening, and ensuring there is no duplication of services across the entire system of care.

Clinicians use evidence-based practices in motivational interviewing, the use of patient placement criteria, and the streamlining of care to engage program participants with a goal of achieving wellness, recovery, sobriety, and stability for the participant, as well as the safety of the community.

Community Assessment and Services Center

In January 2012, APD released a Request for Proposals for a third-party community service provider to coordinate the County's first Community Assessment and Services Center (CASC), modeled after one-stop service delivery sites and day-reporting programs for individuals under community supervision, with an emphasis on collaborative case management. The purpose of the CASC is to connect PRCS, Mandatory Supervision, and probation clients with comprehensive supervision, mental health, substance abuse, personal development, education, employment, parenting, and other services that build clients' self-efficacy and self-sufficiency. The CASC seeks to reduce recidivism and increase public safety by providing clients with transformative and motivational opportunities that keep them from cycling back through the criminal justice system. APD staff, in partnership with the selected community based service provider, will conduct COMPAS assessments, deliver cognitive skill building curriculum, monitor GPS equipment, and conduct evidence-based supervision with clients at the Center. APD and the selected third-party provider entered into a contract on June 1, 2012. APD anticipates opening the Center in the Spring of 2013.

Family-Focused Services

The Human Services Agency's long-standing Incarcerated Parents Program (IPP) serves parents and families affected by Realignment. The IPP's objectives include: decreasing child trauma during and after a parent's arrest, increasing and improving visits between children and their incarcerated parent, training child welfare workers about the special needs of families dealing with incarceration, creating linkages to community-based service providers who can support families through the incarceration and reentry period, and offering parents in county jail access to evidence-based parenting classes that are designed specifically for incarcerated parents and that satisfy the parenting requirements of the child welfare system. HSA estimates that 15 percent of its child welfare cases involve children with an incarcerated parent.

In addition, individuals serving a sentence pursuant to PC § 1170(h) avail themselves to the services of the Children of Incarcerated Parents Program (CIP), part of the Public Defender's Reentry Unit. The goals of the CIP are to insulate children from the risks associated with parental incarceration, maintain family bonds through the period of incarceration, and improve the ability of clients to participate in family life upon their release. The CIP Program staff works with clients, their families, the deputy public defenders, HSA, Child Support Services, Family Court, and a network of community-based treatment providers to respond to the needs of incarcerated parents and their families. Services provided include addressing the urgent needs of children, setting up contact visitation, assisting clients with family court issues, child support, and reunification plans, as well as connecting clients with CPS case managers and additional social services.

Data Collection

In planning for the implementation of AB109, members of the CCPEC identified the need for a County-wide data collection, monitoring, and reporting tool in order to understand and respond to the impact of AB109 across County agencies. While each agency has its own data and case management system, it was clear that a cross-agency data collection effort would be necessary to identify the true impact of AB109 on the County.

In response to this need, the City Services Auditor of the Controller's Office of the City and County of San Francisco developed a County-wide data collection and reporting tool specific to the AB109 populations. This project entailed: achieving consensus on the data elements necessary to track AB109 clients; identifying the agencies and data systems that collect the necessary information; tracking and troubleshooting the gaps in data processes created by the new AB109 requirements, policies, and procedures; collecting data from the various County agencies; and creating comprehensive reports and dashboards to detail the impacts and outcomes of AB109 throughout the County. Using data from APD, SFSD, the Superior Court, and DPH, the Controller's Office produced a series of charts and graphs which are presented in Section Two of this Report: *Realignment Year One: Data and Dashboards*.

In addition, APD established the position of Research Director within the Reentry Division specifically to direct research and analysis related to Realignment implementation, and to produce data and analysis needed to assure quality across its programming and supervision.

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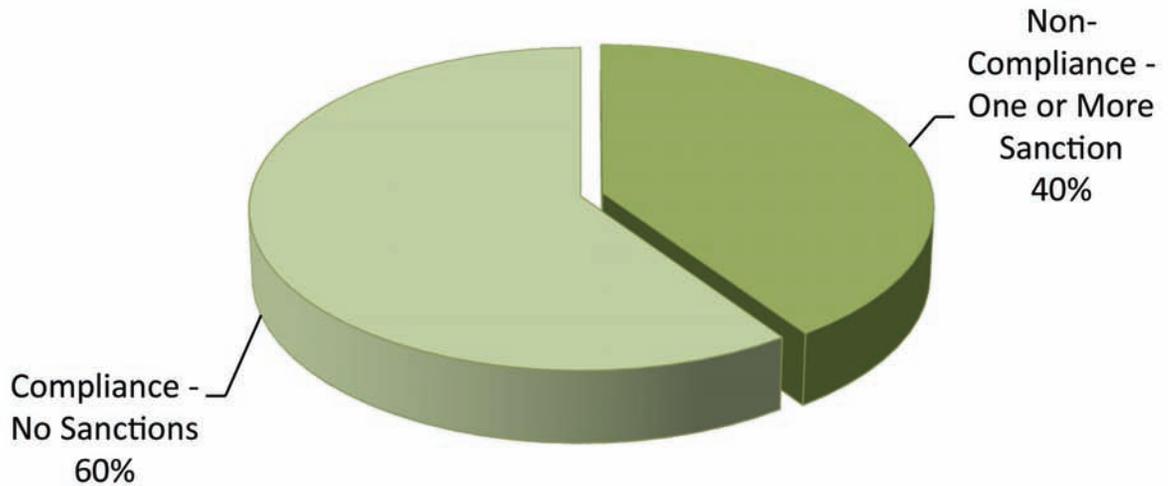
Interventions

PRCS Sanctions

In response to non-compliance of the terms of PRCS, PC § 3454 grants probation departments the authority to impose flash incarcerations on PRCS clients for up to 10 days, to be spent in county jail. While PC § 3454 is silent in regards to ensuring a client's right to due process and to legal representation during the flash incarceration process, APD, the Public Defender, the District Attorney, ACLU, and Rosen Bien and Galvin, LLP collaborated to establish protocols for ensuring the right to a hearing and an attorney for individuals receiving a flash incarceration. A majority (60 percent) of PRCS clients received no formal sanctions, including flash incarcerations or PC § 3455 violations, within the first year of Realignment. As a comparison, CDCR recently reported a three-year statewide recidivism rate for adult felons released from state prison in 2007-08 of 63.7 percent; for those convicted in San Francisco County, the rate was 77.9 percent⁸.

⁸ California Department of Corrections and Rehabilitation, *2012 CDCR Outcome Evaluation Report*, October 2012

Chart 5: Post Release Community Supervision Compliance

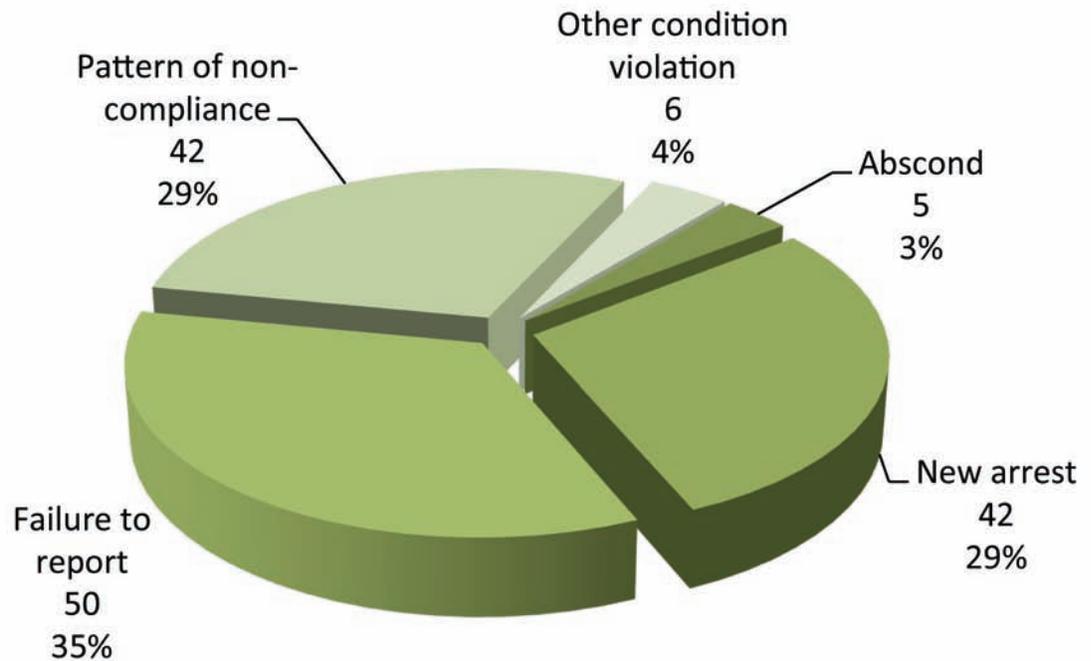


Source: Adult Probation Department Case Management System

Over the first year of Realignment, APD issued 145 flash incarcerations for 118 PRCS clients, or 30 percent of active PRCS clients⁹. Fifty-seven of these individuals received one flash incarceration during the year (14 percent of active PRCS clients) while eighty-one (20 percent of active PRCS clients) received more than one flash. On average, a flash incarceration resulted in nine days in county jail. Three individuals receiving a flash incarceration requested an attorney consult and one involved an administrative hearing.

A majority of flash incarcerations (92 flashes or 64 percent of total) were issued by APD for issues of non-compliance, including 42 (29 percent) for patterns of non-compliance and 50 (35 percent) for failures to report. Forty-two flash incarcerations (29 percent of total) were issued in response to a new arrest, including 20 new arrests for drug or narcotics crimes and 21 for property crimes. Only five flash incarcerations (9 percent) resulted from the individual absconding from supervision.

Chart 6: Post Release Community Supervision Sanctions: Reasons for Flash Incarcerations



Source: Adult Probation Department Case Management System

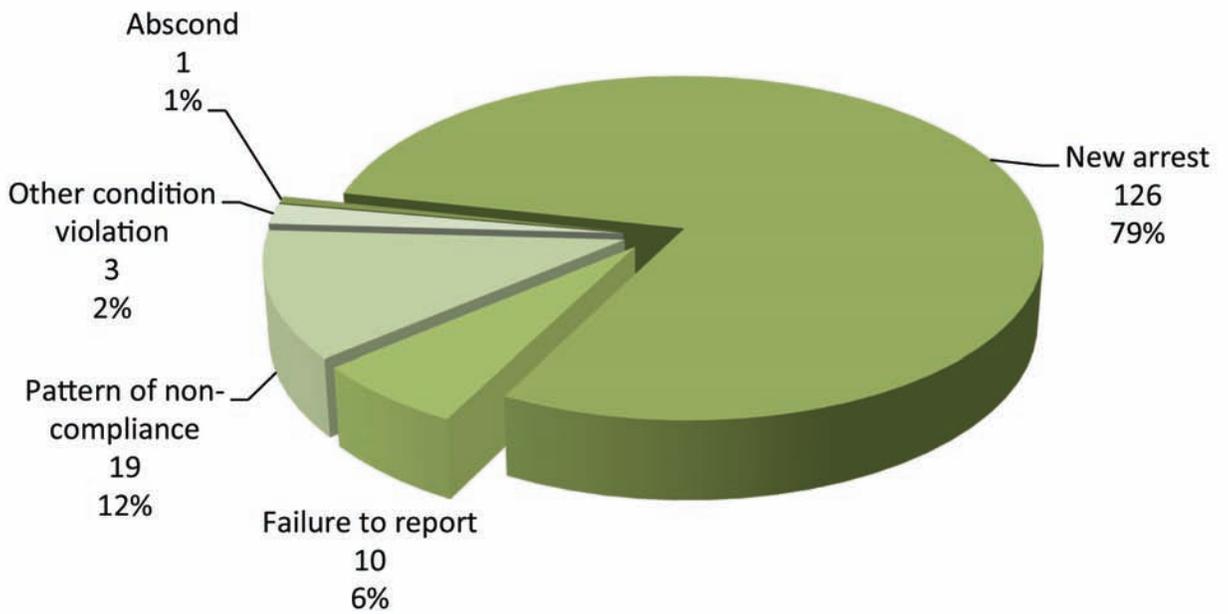
Under the system of graduated sanctions employed by APD, a flash incarceration is the least severe sanction, followed by a formal violation charge (PC § 3455). Per PC § 3455, the PRCS supervising agency, APD in San Francisco, has the authority to file a violation or revocation of PRCS and return the individual to local custody for up to 180 days. AB109 also grants the authority to the Chief Adult Probation Officer to use electronic monitoring with PRCS clients for enhanced supervision. APD also utilizes electronic monitoring (EM) for enhancing supervision on Mandatory Supervision cases, returning individuals to court when necessary to receive the court's approval to utilize EM on these high risk cases.

Over the first year of Realignment, APD imposed electronic monitoring on three PRCS clients and issued 159 PRCS violations under PC § 3455 to 138 individuals (35 percent of active PRCS clients during the year). Thirty-four of these individuals (9 percent of all active PRCS clients) received one PRCS violation and 104 (26 percent of active PRCS clients) received more than one violation. The average sentence issued for a PRCS violation was 53 days.

Most of the PRCS violations (126 violations or 79 percent of total) were issued in response to a new arrest while the rest were issued for non-compliance issues including absconding (1 violation, 1 percent of total), other condition violations (3 violations, 2 percent of total), failures to report (10 violations, 6 percent of total), and patterns of non-compliance (19 violations, 12 percent of total).

⁹ Active PRCS clients include those released from CDCR with no holds from other jurisdictions.

**Chart 7: Post Release Community Supervision Sanctions:
Reasons for PC § 3455a Violations**



Source: Adult Probation Department Case Management System

The 126 PC § 3455 PRCs violations issued for new arrests were a result of arrests for the following types of crimes:

**Table 4: PC § 3455a Violations Resulting from New Arrests:
Reason for Arrest**

PC § 3455a Violation New Arrest Crime Type	Total
Drug / Narcotics	48
Violence	41
Property	33
Other Agency Warrant	3
Sex Crime	1
Total	126

“ Getting help from agencies that want to support me is good for me because I know its people [sic] who want me to succeed.

–APD New Roads Rental Subsidy participant



Preliminary Outcomes

With only one year of AB109 implementation data and experience, it is too early to paint a complete picture of Public Safety Realignment's outcomes and impacts on recidivism, crime, and individuals' successful reentry into the community. However, the available data do suggest that San Francisco is on the path to successfully implementing Realignment.

Over the first year, ten of the 91 individuals (11 percent) who started a Mandatory Supervision term (the average term was 24 months) successfully completed their terms. Fifteen of the 411 individuals (4 percent) released to PRCS successfully completed their PRCS terms. Of these PRCS completions, three were successfully discharged early from PRCS after six months and 12 were parolees who had been returned to custody (RTC) for a parole violation prior to October 1, 2011 and were released after October 1st to complete their parole terms on PRCS. PRCS clients who are not RTC parolees are terminated after 12 consecutive violation-free months on PRCS. Therefore, many more PRCS clients will be eligible for successful termination beginning in October 2012.

In the first year of Realignment, 26 of the 397 active individuals on PRCS (7 percent of total) were convicted of a new offense, 20 of whom were convicted of new felony offenses and six of new misdemeanor offenses. Of those with new felony convictions, two were sentenced under PC § 1170(h), one was sentenced in another county to state prison, and the remainder received probation and/or county jail sentences. Of the 91 individuals who started a Mandatory Supervision term during the year, six were convicted of a new offense (7 percent of total). Four of these new convictions were felony offenses and two were misdemeanors. Of the new felony convictions, one was sentenced to a new PC § 1170(h) sentence, two received county jail sentences, and one received felony probation. Overall, seven percent of AB109 individuals on community supervision in the first year of Realignment were convicted of a new offense; five percent were convicted of a new felony offense and two percent of a new misdemeanor offense.

Looking Ahead to Year Two

Community Supervision

Scheduled to open in the spring of 2013, the Community Assessment Service Center (CASC) will serve as an immediate sanction to create behavior modification for individuals under supervision in response to a violation of supervision conditions. The CASC is a model patterned after day-reporting programs emphasizing collaborative case management. Central to improving outcomes for people under supervision is ensuring access to an array of services through a one-stop model of service delivery. Therefore, the purpose of the CASC is to connect clients with comprehensive supervision, mental health, substance abuse, personal development, education, employment, parenting and other services that build clients' self-efficacy and self-sufficiency. The CASC seeks to reduce recidivism and increase public safety by providing clients with transformative and motivational opportunities that keep them from cycling back through the criminal justice system..

County Jail

The San Francisco Sheriff's Department (SFSD) anticipates greater collaboration with criminal justice partners in the years ahead. SFSD is in the process of obtaining the COMPAS Risk and Needs Assessment software, which is already in use by CDCR and APD. This will allow for more effective information sharing and teamwork between SFSD, APD, and CDCR to create seamless and consistent treatment and reentry plans for the individuals impacted by AB109. Greater communication between probation officers and the deputies in the jail housing areas is anticipated for the coming year as well. SFSD and APD will establish means and procedures of communication to provide probation officers with information regarding the prisoners' behavior and outlook for successful reentry.

An innovative collaboration between SFSD and APD involves repurposing an entire county jail housing unit into a Reentry Pod. The planned PRCS Reentry Pod will house individuals who will be on PRCS under APD supervision upon release. PRCS clients will be released from CDCR to SFSD custody 60 days prior to their prison release date. During this time, these individuals will be housed together in a Reentry Pod in county jail with the focus on each prisoner's successful reintegration into the community. APD and SFSD will partner to work with these individuals and offer comprehensive reentry services and programs from the moment of their arrival until their release to the community where they will continue their programming at the CASC.

In recent months, SFSD has noted a spike in prisoner-on-prisoner violence in some county jail facilities. Many of the involved prisoners were sentenced parole violators. SFSD is in the process of establishing on-going communication regard the violators' behavior to the appropriate parole officers. In the coming year, SFSD will create procedures to document and analyze such activity to see if any aspect of Public Safety Realignment was a factor in such behavior.

SFSD is committed to providing notification to victims when an offender is released from county jail. To meet this commitment, and with AB109's transfer of responsibility from the State to counties for lower-level felony offenders, SFSD is implementing the Victim Information and Notification Everyday (VINE) service in the beginning of 2013. This will mitigate some of the concerns with regard to public safety that AB109 raised by allowing notification to victims when an offender is being released and by giving victims the ability to access offender information at any time.

The Sheriff's Department has a long history of offering program options to individuals in local custody. With the data gathered from the COMPAS Risk and Needs Assessments, SFSD will be to identify "gaps" where the program needs of the population are not currently being met and respond to these needs.

Superior Court, District Attorney, and Public Defender

The Superior Court will continue to review and make adjustments, as needed, to current processes and procedures around Realignment legislation. Additionally, the Court is beginning to study the potential impact of taking on the responsibility of hearing parole violation proceedings, which will take effect on July 1, 2013.



At times, the ASP program has been the tiebreaker when we as the prosecutor are undecided if we should go with a pure prison or jail sentence or probation with program conditions.

**–Jeff Ross, Managing Attorney,
General Felonies Unit of the District Attorney's Office**



In year two of Realignment, the San Francisco District Attorney's Office (SFDA) will continue to explore and solidify policies and practices that emphasize effective outcomes, hold offenders accountable, and make the community safer and more livable for all. SFDA will expand the scope of the Alternative Sentencing Planner to aid prosecutors in the General Felony Unit, Early Resolution Program, and Juvenile Unit. The Alternative Sentencing Planner will also continue to provide office-wide trainings on effective reentry programming.

Realignment has brought a renewed focus on comprehensive data collection and research to San Francisco. SFDA is embracing the opportunity to enhance its understanding of internal processes, as well as the larger impact of prosecutorial policy on the criminal justice system as a whole. In fall 2012, SFDA will hire a Chief Information Officer to explore technology solutions for efficient case processing, collaborate with policy staff on the development of office-wide performance measures, and assist with the implementation and integration of the data systems necessary to make such measurement possible. Identifying all Realignment-eligible cases and tracking their outcomes will be a primary focus. All of these efforts will lay the groundwork for independent evaluation of Realignment's effects on SFDA policy and practice. SFDA will enter into partnerships with research organizations to explore and ensure the equitable impact of prosecutorial decision-making, particularly Realignment related approaches. Through such partnerships, SFDA also intends to determine the effect of Realignment sentencing on local recidivism and crime rates, which may inform the work of the newly launched San Francisco Sentencing Commission.

The Sentencing Commission will provide opportunities to advance and refine the goals of Realignment by examining potential sentencing discrepancies related to Realignment and assessing the consequences of Realignment sentencing, such as prison priors. Ultimately, the Sentencing Commission expects to make recommendations regarding the Penal Code to the State Legislature. The Sentencing Commission may also address effective approaches to managing the jail population, in light of Realignment's alternative community monitoring options.

The recent passage of SB1210, chapter 762, enhances restitution collection authority for local jurisdictions to address the implementation of Realignment. Once in effect in January 2013, this law will allow counties to collect up to 50 percent of the wages and trust account deposits of prisoners in county jails and to assess an administrative fee for the costs of collection for restitution. Historically this function was completed by CDCR. San Francisco County now has the authority to collect court-ordered restitution from individuals in the custody of the county jail, on PRCS, and on Mandatory Supervision. The SFDA supported this legislation and in the coming year will continue to identify opportunities to ensure that victims of crime receive adequate services during the implementation of Realignment.

In year two, the Public Defender will continue to be a strong advocate for the use of alternatives such as electronic monitoring, placement in treatment, work furlough, and day reporting in lieu of incarceration. The Public Defender will also follow through on current efforts to expand eligibility criteria for collaborative courts which will allow individuals in the Realignment population, most of whom remain ineligible under current guidelines, an opportunity to participate in evidence-based alternatives.

The Public Defender will also push for reforms in local sentencing practices that minimize incarceration and are successful in reducing recidivism. Passing pretrial reform has been a missed opportunity for Realignment---both statewide and in San Francisco. Approximately 70 percent of people in San Francisco county jail are being held pre-trial. Most of the people in custody are there not because they pose a threat to public safety, but because they cannot afford to buy their freedom by raising bail. As a partner of the San Francisco Sentencing Commission, the Public Defender will play an active role in bringing about changes in sentencing practices, and reducing pretrial and prehearing incarceration.

Services

In the coming year, HSA will continue to administer the contract for rent subsidies for AB109 clients. The size of the contract has been expanded to nearly \$300,000, augmented by APD with SB678 funding to support probationers, and by HSA with \$51,000 in General Fund support. The contract goal is to serve 25 to 35 households during Fiscal Year 2012-13.

HSA's Family and Children's Division will also continue to administer the Incarcerated Parents Program and will be monitoring whether and how the program may need to change to be responsive to the needs of the new AB109 county jail population.

HSA and APD also hope to strengthen their partnership to ensure that AB109 clients are able to access the full range of social services to which they are entitled. Two potential areas of greater collaboration have been preliminarily discussed: coordinated case management and access to benefits.

In year one of Realignment, HSA and APD began working on a data matching project to identify AB109 clients who are also involved with the child welfare system. The legal requirements governing interdepartmental sharing of sensitive client data are complex and the protocols are still being developed in consultation with the City Attorney's Office. However, once the appropriate permissions and privacy safeguards have been established, the intent is to connect HSA social workers and probation officers who are working with the same clients so that they can coordinate the development of case plan goals and objectives and ongoing case management.

In year two, HSA is prepared to train APD probation officers and/or community based providers who work with the AB109 population on the use of Benefits CalWIN. Benefits CalWIN is an online public benefits screening and application portal. Designed with a user-friendly interface and available in multiple languages, it serves as a simple, streamlined access point for individuals to apply directly for CalWORKs, CalFresh (formerly Food Stamps) and Medi-Cal benefits. However, specially trained "community assistants" can help individuals to apply more quickly and with a greater likelihood of success.

Additionally, HSA would like to begin offering scheduled CAAP intake appointments for AB 109 clients immediately following their release to community supervision. CAAP (County Adult Assistance Programs) is the indigent aid program in San Francisco, which provides income support and welfare to work services for single adults. Due to high workload and staffing shortages, it currently takes two weeks or more for a new applicant to get an intake appointment to determine eligibility for assistance. Scheduling appointments in advance will minimize the lag time between community reentry and activation of cash benefits and support services.

Finally, in the coming year HSA and APD will partner to sponsor City/County legislation that would allow for the suspension of CalFresh and Medi-Cal benefits when a recipient is detained. Current practice is to terminate benefits when an individual is incarcerated which requires submission of a new application upon release, often resulting in a disruption of benefits.

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Conclusion

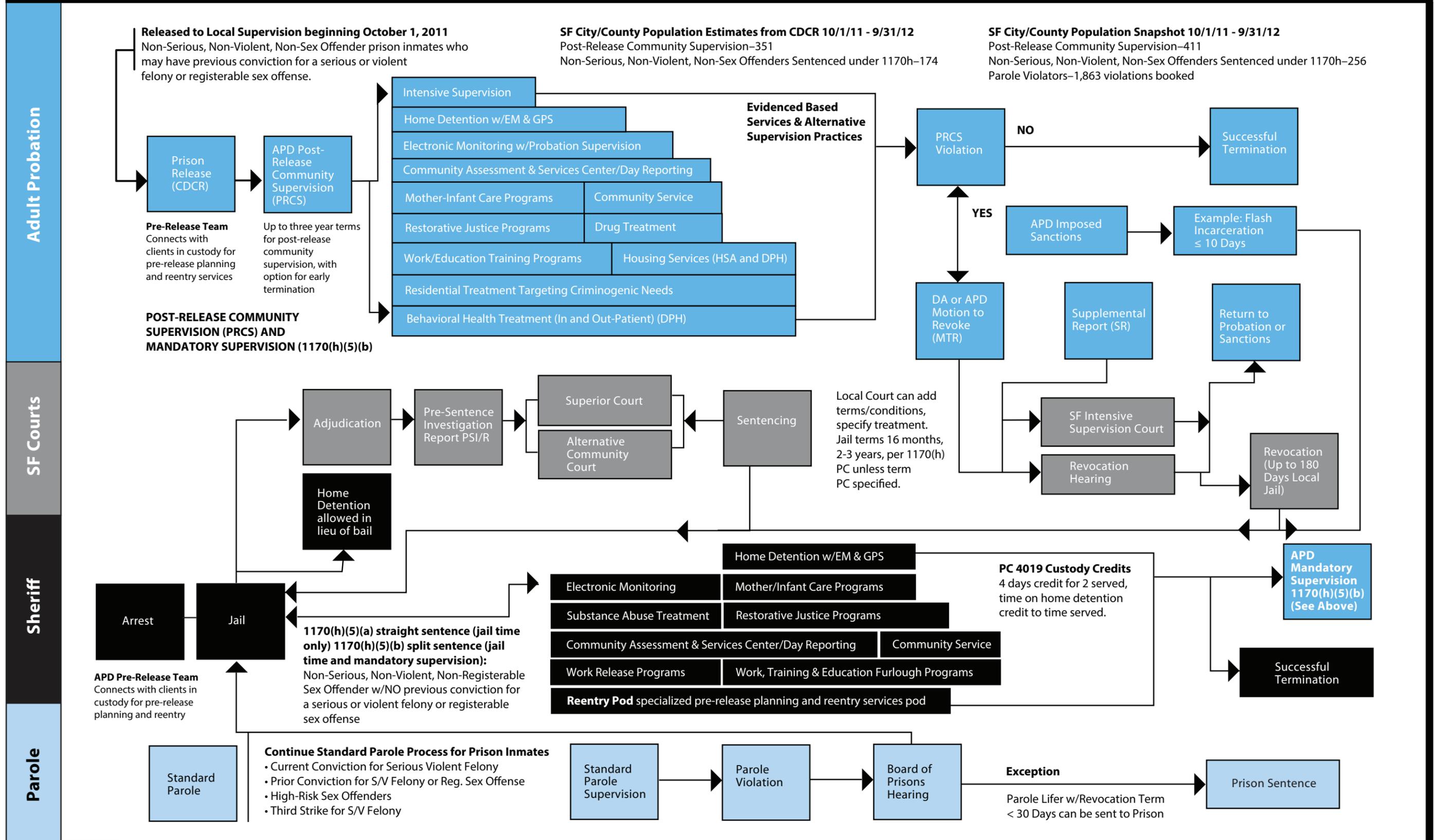
Though San Francisco was well positioned to implement Public Safety Realignment in October 2011, the challenges of rapidly implementing the largest criminal justice reform in the State's history were immense. Individuals, community partners, and City/County agencies came together to develop, implement, and monitor our strategy. Individuals in every public agency and community organization have worked extremely hard to implement a comprehensive and successful strategy. San Francisco has approached Realignment with hearty collaboration, focused determination, and a keen understanding of the systems approach required to make the intent of Realignment our reality.

The Mayor and the Board of Supervisors' commitment to creating a strong community corrections model in San Francisco, and their support of the critical leadership role of the Adult Probation Department, has been central to our collective ability to implement Realignment. The Community Corrections Performance Incentive Act of 2009 (SB678) provided the foundation for local leaders to support this paradigm shift.

We look forward to the coming years of Realignment implementation. The Community Corrections Partnership Executive Committee, policymakers, community partners, and others are committed to supporting the efforts of individuals to safely and successfully reenter our communities, to restore our communities and victims/survivors, and to end the intergenerational cycle of incarceration.

General Implementation Process Overview

Public Safety Realignment Act of 2011 - City and County of San Francisco General Implementation Process Overview (updated December 2012)



Section Two: Data and Dashboards

Notes

Introduction

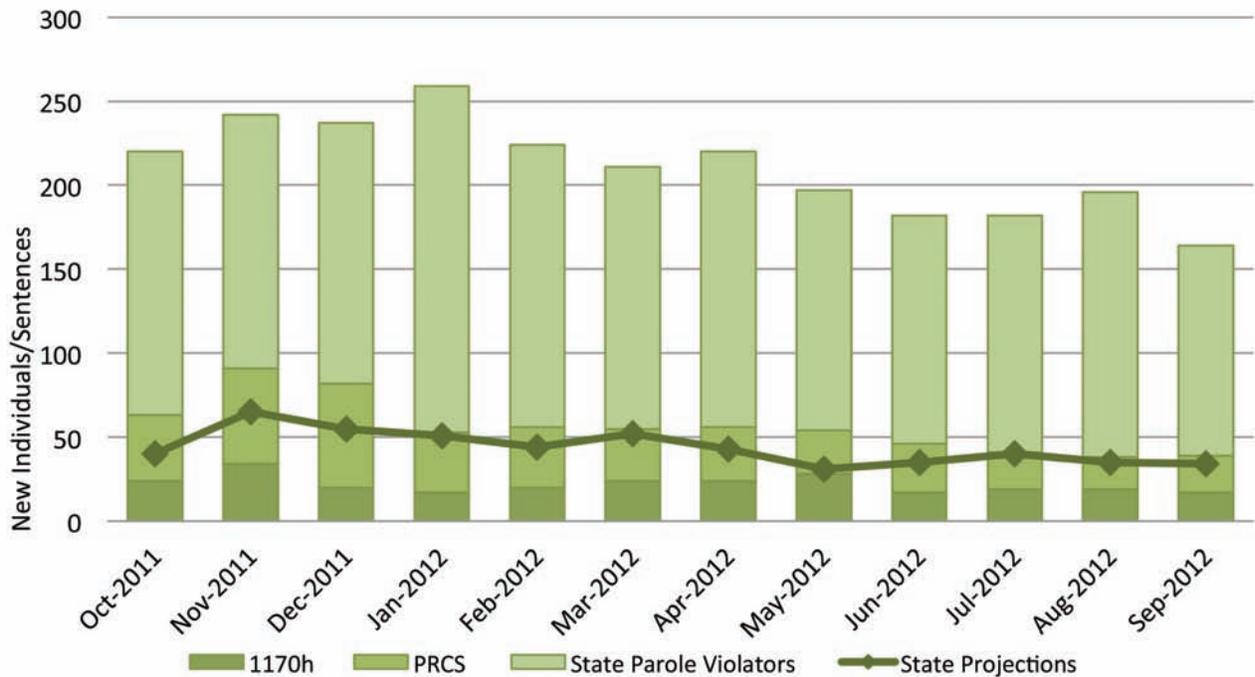
In Spring 2011, the City Performance Unit, City Services Auditor Division of the Controller's Office of the City and County of San Francisco reached out to criminal justice partners to offer its support in measuring the impact of Public Safety Realignment (AB109), which was slated to begin on October 1, 2011. The City Services Auditor worked with the Community Corrections Partnership Executive Committee (CCPEC) to develop a County-wide data collection and reporting tool specific to Realignment's impacts and outcomes. While each City/County agency that is affected by Realignment has its own data and case management system, it was clear at the outset of Realignment implementation that a cross-agency data collection effort would be necessary to identify the true impact of Realignment on the City & County of San Francisco.

The Controller's Office data collection effort started with the public safety departments that conduct monitoring, supervision, and services coordination for the Realignment population, including the Adult Probation Department (APD), the Sheriff's Department (SHF), the Department of Public Health (DPH), and the Superior Court. This project entailed a collaboration with public safety agencies to: achieve consensus on the data elements necessary to track AB109 clients; identify the agencies and data systems that collect the necessary information; track and troubleshoot the gaps in data processes created by the new AB109 requirements, policies, and procedures; collect data from the various City/County agencies; and create comprehensive reports and dashboards to detail the impacts and outcomes of AB109 throughout the County.

This section contains the County-wide reports and dashboards produced by the Controller's Office as well as additional charts and tables developed by the CCPEC containing department-specific information relevant to Realignment's impact in its first year of implementation. The narrative accompanying each chart is provided as context by the CCPEC and does not represent conclusions or analysis of the Controller's Office. A detailed methodology for each chart and table is available on the Adult Probation Department's website (www.sfgov.org/adultprobation).

The number of individuals impacted by AB109 in San Francisco County has consistently been significantly higher than the State projected, driven in large part by the lack of State projections of parole violators serving time in local custody due to AB109.

Chart 8: Individuals Newly Processed Under AB109 Countywide



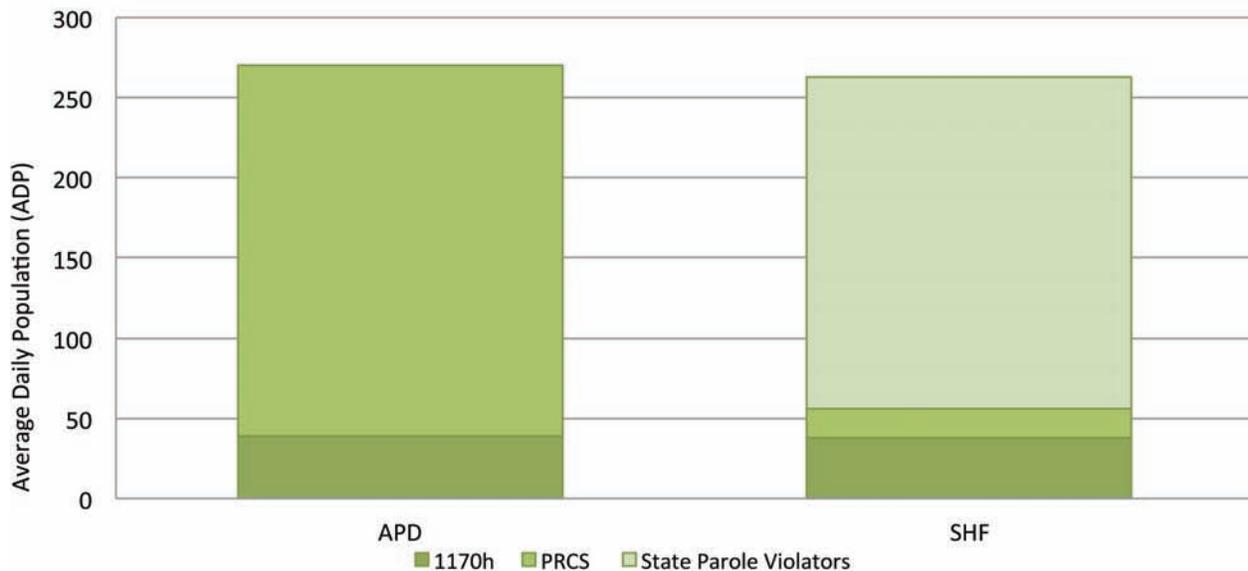
Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: 1170(h) individuals are counted in the month in which they receive an 1170(h) sentence; Post-Release Community Supervision (PRCS) individuals are counted in the month of their release to PRCS from CDCR custody; state parole violators are counted in the month when their local charges are adjudicated, such that they are only in custody for state parole violations. The State did not make projections for state parole violators so this population is not included in the State Projections count.

The Average Daily Population reflects the AB109 population served by each department. The Adult Probation Department (APD) has experienced an average daily AB109 population throughout the year of 270, a majority of whom were Post Release Community Supervision (PRCS) clients. The Sheriff’s Department (SHF) has been impacted most significantly by the state parole violator population and has had an average daily AB109 population of approximately 260 throughout the year. Each department’s average daily population reflects a unique level of services and associated workload, according to the nature of the services that the department provides.

**Chart 9: Average Daily AB109 Population
(Oct 2011 - Sept 2012)**

Counts do not account for varying service needs or associated workloads



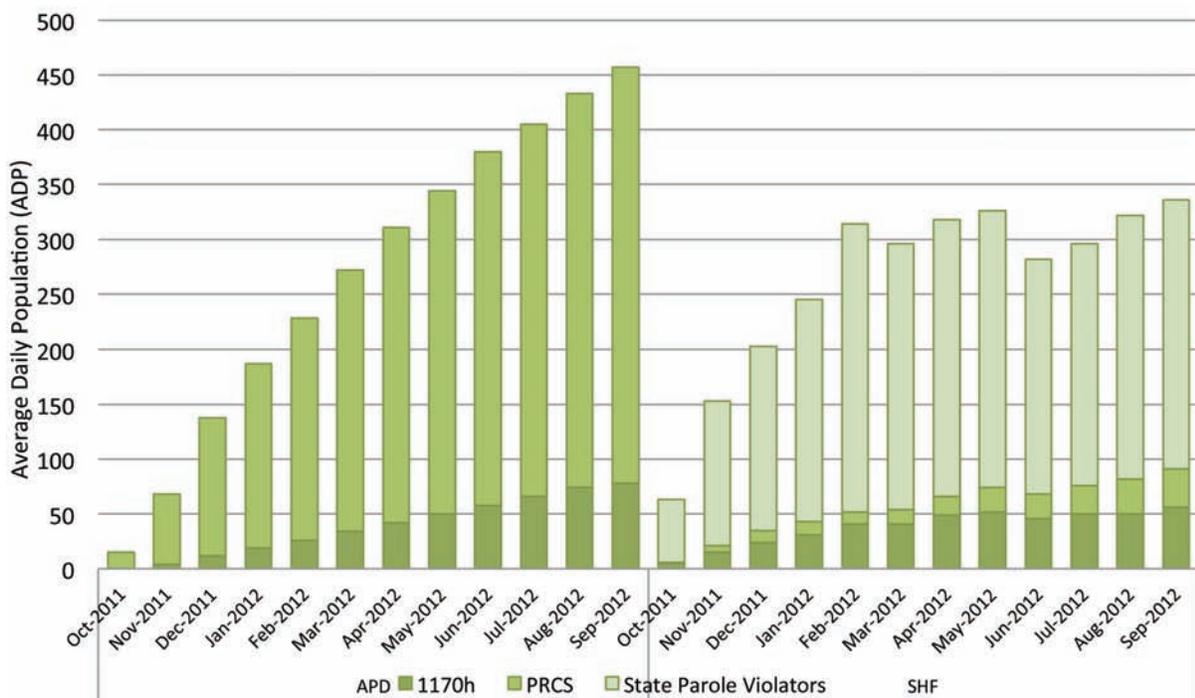
Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller’s Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department’s Reentry Division will update reports that include data after September 2012.

Notes: Each department has a unique role in managing individuals newly processed under AB109; measuring the Average Daily Population (ADP) of AB109 clients by department does not account for differing service needs. ADP represents the total amount of service days rendered by a department, divided by 366 days or 12 months (Oct 2011 – Sept 2012). For the Adult Probation Department, ADP is calculated by adding the total number of days of supervision across AB109 clients from October 1, 2011 through September 30, 2012 and dividing that number by 366. For the Sheriff’s Department, ADP is calculated by adding the total number of custody days across AB109 inmates from October 1, 2011 through September 30, 2012 and dividing that number by 366.

The Adult Probation Department’s average daily AB109 population has increased steadily since the implementation of AB109, because new clients begin PRCS and 1170h Mandatory Supervision terms every month and add to the existing AB109 caseload. APD serves these clients for their entire supervision term, which can range from a few months to several years. The Sheriff’s Department’s average daily AB109 population increased significantly at the outset of Realignment implementation and then remained consistent, primarily due to the fact that the state parole violator population in county jail increased at the outset of AB109 and then leveled off. The length of stay of parole violators, from one to six months, results in a consistent cycling in and out of parole violators in county jail.

Chart 10: Average Daily AB109 Population by Month

Counts do not account for varying service needs or associated department workload



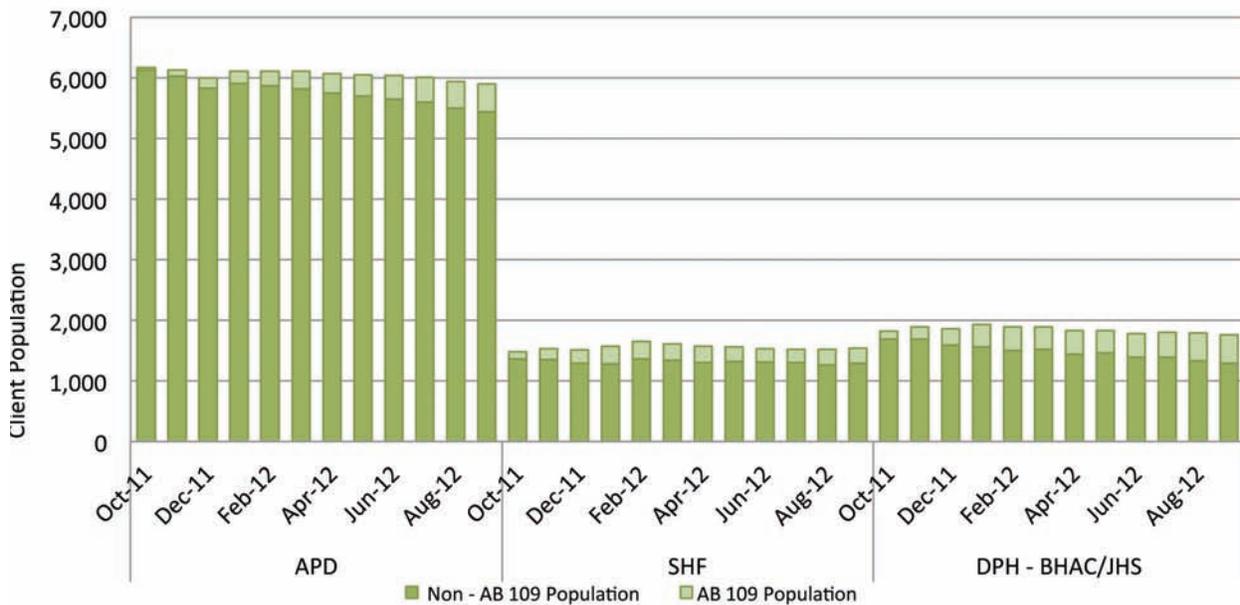
Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller’s Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department’s Reentry Division will update reports that include data after September 2012.

Notes: Each department has a unique role in managing individuals newly processed under AB109; measuring the Average Daily Population (ADP) of AB109 clients by department does not account for differing service needs. ADP by month represents the total amount of service days rendered for AB109 clients by a department divided by the number of days in that month. For the Adult Probation Department, ADP is calculated by adding the total number of days of supervision across AB109 clients for each month and dividing that number by the number of days in that month. For the Sheriff’s Department, ADP is calculated by adding the total number of custody days across AB109 inmates for each month and dividing that number by the number of days in that month.

While AB109 has had significant impacts on the workload of County departments over the first year of Realignment, those individuals served as a result of AB109 reflect a relatively small proportion of each department’s total population served. However, this proportion will likely grow over the coming years, as more individuals begin PRCS and PC § 1170(h) sentences and join the current AB109 populations served by each department. While additional County agencies are impacted by AB109, the following graph shows the AB109 population relative to the non-AB109 population for the Adult Probation Department (APD), the Sheriff’s Department (SHF), and the Department of Public Health Behavioral Health Access Center and Jail Health Services (DPH - BHAC/JHS) only. Each department’s population reflects a unique level of services and associated workload, according to the nature of the services that the department provides.

Chart 11: AB109 Population by Department

Counts do not account for varying service needs, service duration, or associated department workload

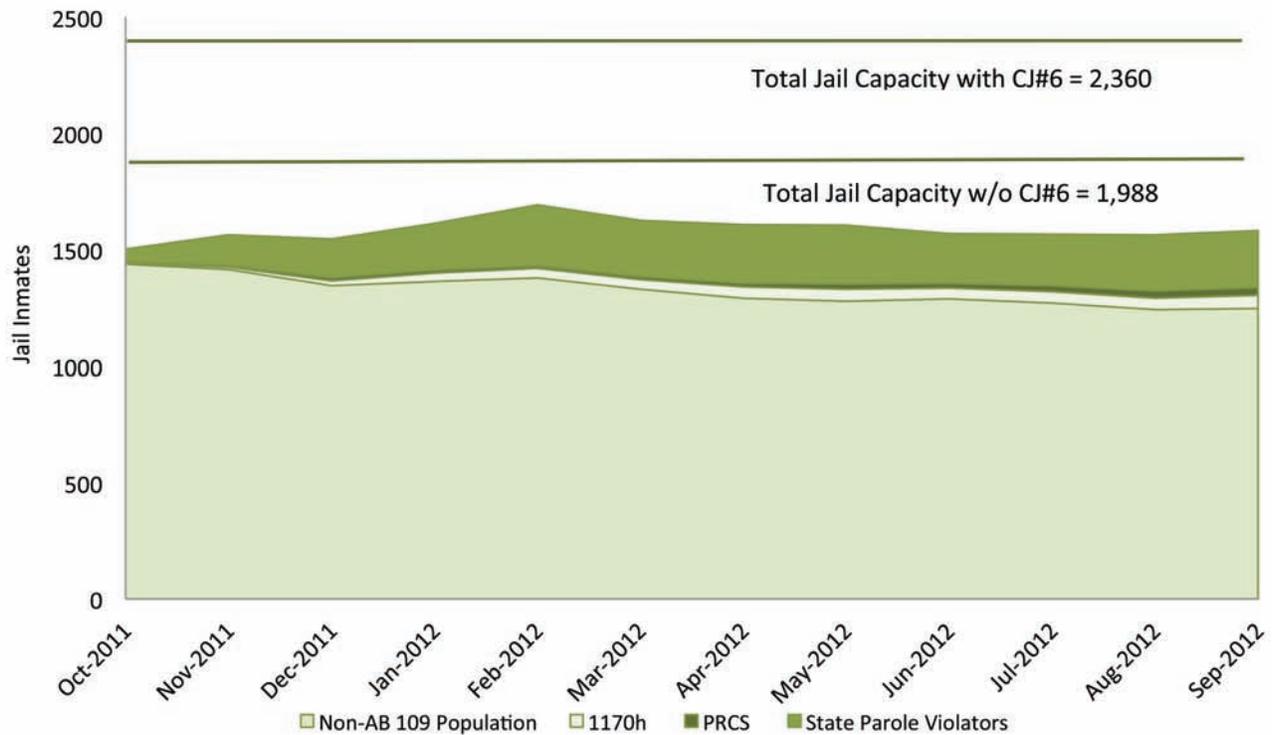


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller’s Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department’s Reentry Division will update reports that include data after September 2012.

Notes: Each department has a unique role in managing newly processed AB109 individuals; measuring volume of new individuals processed by month does not account for differing service duration and service needs across departments. The AB109 Population is the cumulative total for each of the AB109 population types under that department’s supervision (i.e., 1170(h), PRCS, and state parole violators). The Non-AB109 Population is the average monthly client population for the department, less the AB109 population. For the Adult Probation Department, 1170(h) individuals are counted in the month they are released from county jail to Mandatory Supervision and therefore only include those with PC § 1170(h)(5)(b) split sentences. PRCS individuals are counted in the month they are released to from CDCR custody to PRCS. APD does not supervise the state parole violator population. For the Sheriff’s Department, 1170(h) individuals—including those receiving both straight and split sentences—are counted in the month in which they are sentenced and every subsequent month they remain in custody. PRCS individuals and state parole violators are counted in the month when their local charges are adjudicated and in every subsequent month they remain in custody, such that they are in custody for only PRCS or state parole violations. For DPH-BHAC/JHS, all individuals are counted in the month in which they are initially screened by BHAC or JHS.

While the county jails have experienced an increase in bookings due to AB109, the total jail population remains below capacity.

Chart 12: Individuals Processed Under AB109 as Part of Jail Population

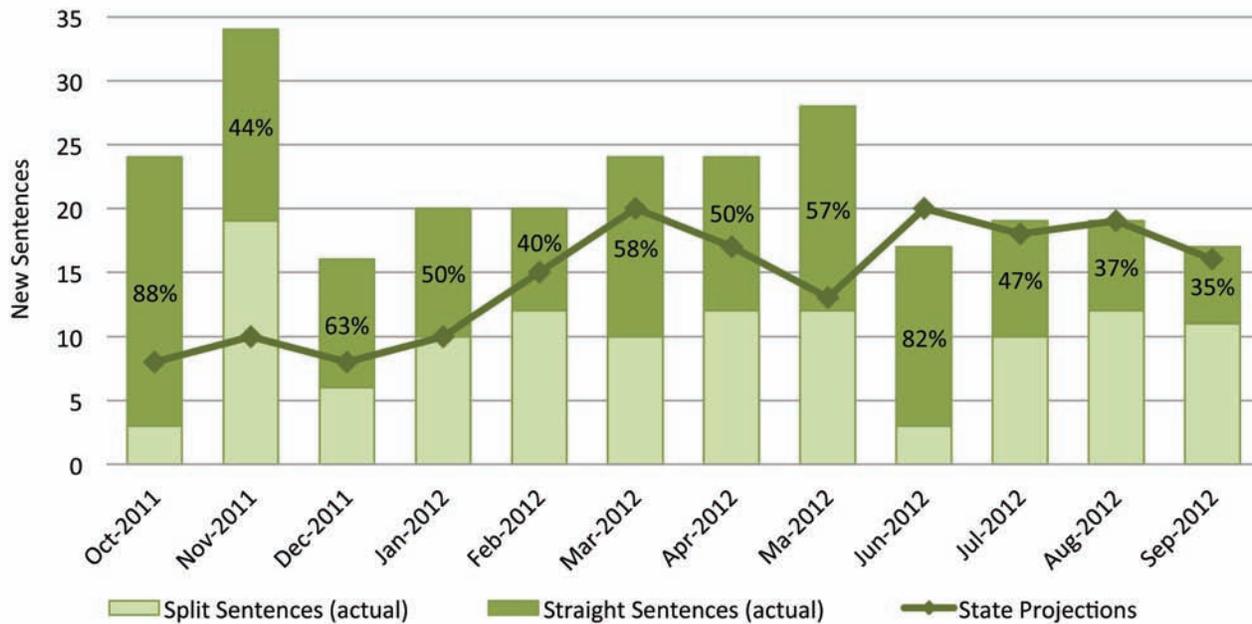


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: The Non-AB109 Population is the difference between the Average Daily Population (ADP) for the entire county jail by month and the ADP for AB109 individuals by month. ADP by month represents the total amount of service days rendered for inmates divided by the number of days in that month. For the SHF, ADP is calculated by adding the total number of custody days for each month and dividing that number by the number of days in that month. The Total Jail Capacity with County Jail (CJ) #6 is the maximum capacity or total number of rated jail beds approved by the State for use by inmates, assuming CJ #6 is re-opened. The Total Jail Capacity without CJ #6 is the current maximum capacity or total number of rated jail beds approved by the State for use by inmates, assuming CJ #6 is not re-opened.

San Francisco County has used split sentences in 46 percent of the PC § 1170(h) sentences given, well above the statewide average of 22 percent. In the first year of Realignment, 264 individuals were sentenced under PC § 1170(h), compared to the State’s projection of 187 total sentences throughout the year.

Chart 13: Actual vs State-Projected PC § 1170(h) Sentences

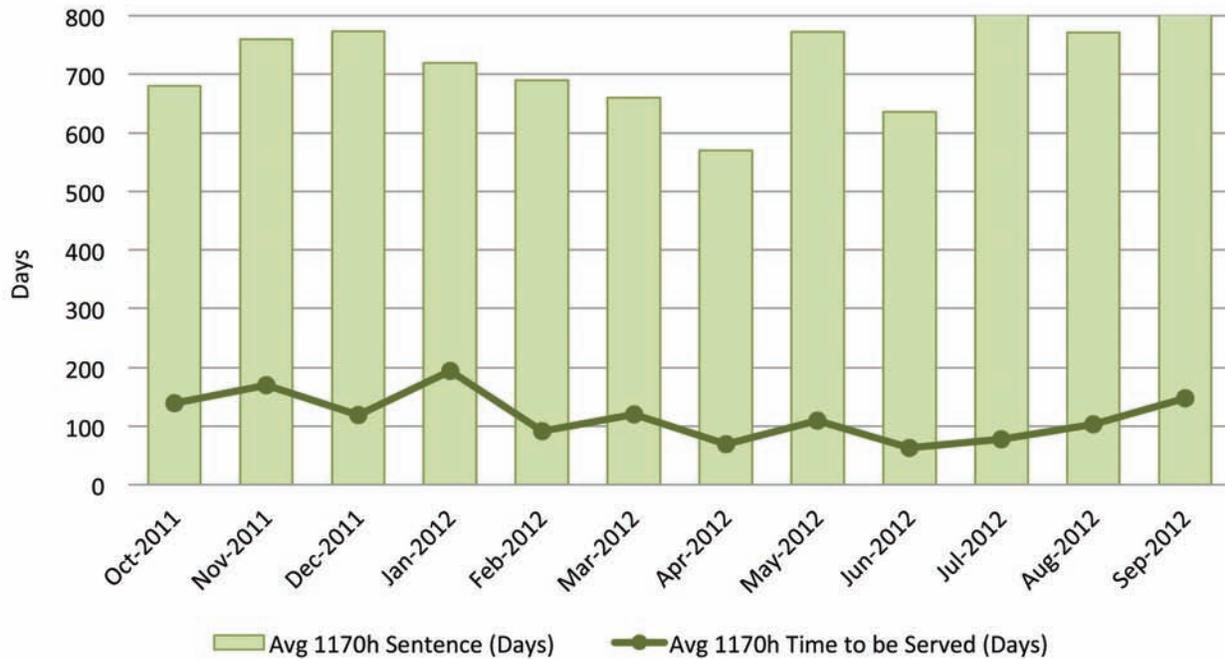


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller’s Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department’s Reentry Division will update reports that include data after September 2012.

Notes: 1170(h) individuals are counted in the month in which they receive an 1170(h) split or straight sentence. Straight sentences include jail time only, while split sentences include both jail time and Mandatory Supervision time. AB109 gives the court discretion to determine whether to impose a straight or a split sentence when sentencing under PC § 1170(h).

Individuals sentenced under PC § 1170(h) are eligible for PC§ 4019 credits (“half-time credits”), whereby they receive two days of credits for every four days served, or serve half of their total sentence. This, in addition to receiving credits for time served prior to sentencing, has resulted in those sentenced under PC § 1170(h) serving less than half of their total jail sentence after sentencing.

Chart 14: Length of PC § 1170(h) Straight Sentences Ordered vs Actual Length of PC § 1170(h) Straight Sentences to be Served

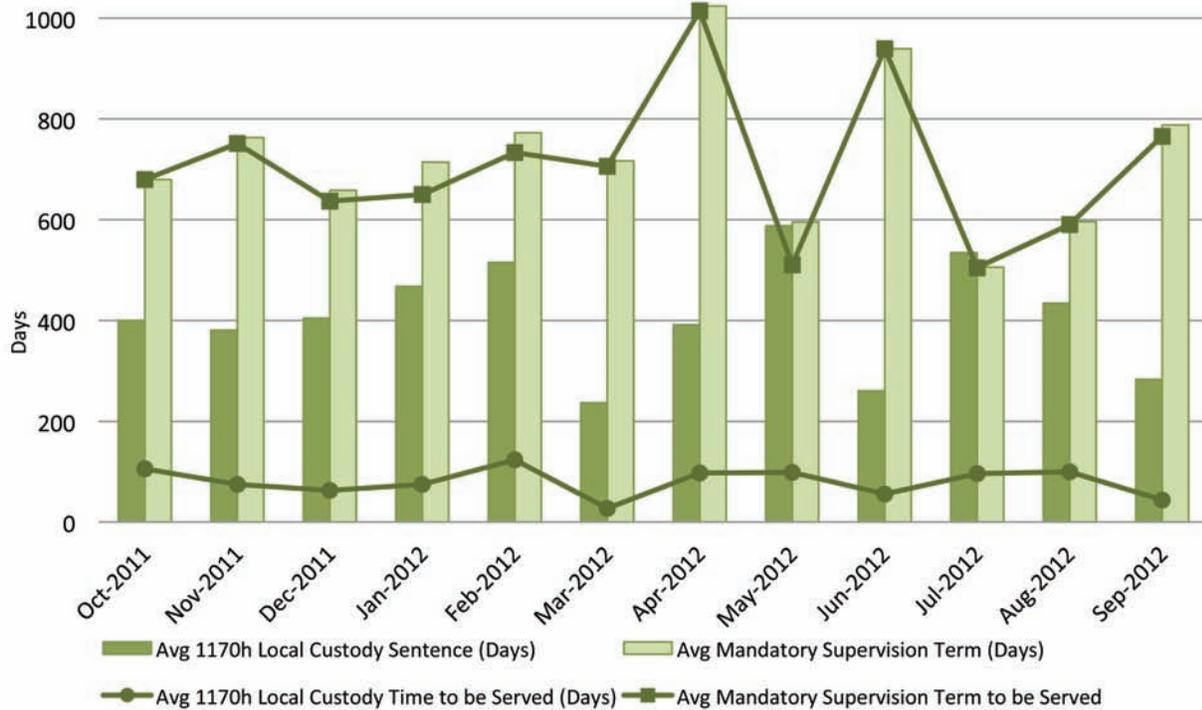


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: The Average 1170(h) Sentence is the average of the jail terms for all 1170(h) straight sentences ordered by the court in that month. The Average 1170(h) Time to be Served is the average of the jail sentence ordered less the available credits earned. Available credits include Credit for Time Served (CTS) and Penal Code Section 4019 credits. CTS is the time an individual has spent in custody prior to his/her sentence. Penal Code Section 4019 allows individuals in county jail to receive two days of conduct credit for every four days served—In effect individuals serve one half of their total jail sentence, inclusive of the time served prior to sentencing. They therefore usually serve less than half of their total sentence after sentencing.

Though individuals sentenced to PC § 1170(h) split sentences serve a portion of their jail sentences, due to PC § 4019 credits and credits for time served prior to sentencing, they serve their full Mandatory Supervision sentences, which have ranged from one month to over six years.

Chart 15: Length of PC § 1170(h) Split Sentences Ordered vs Actual Length of PC § 1170(h) Split Sentences to be Served

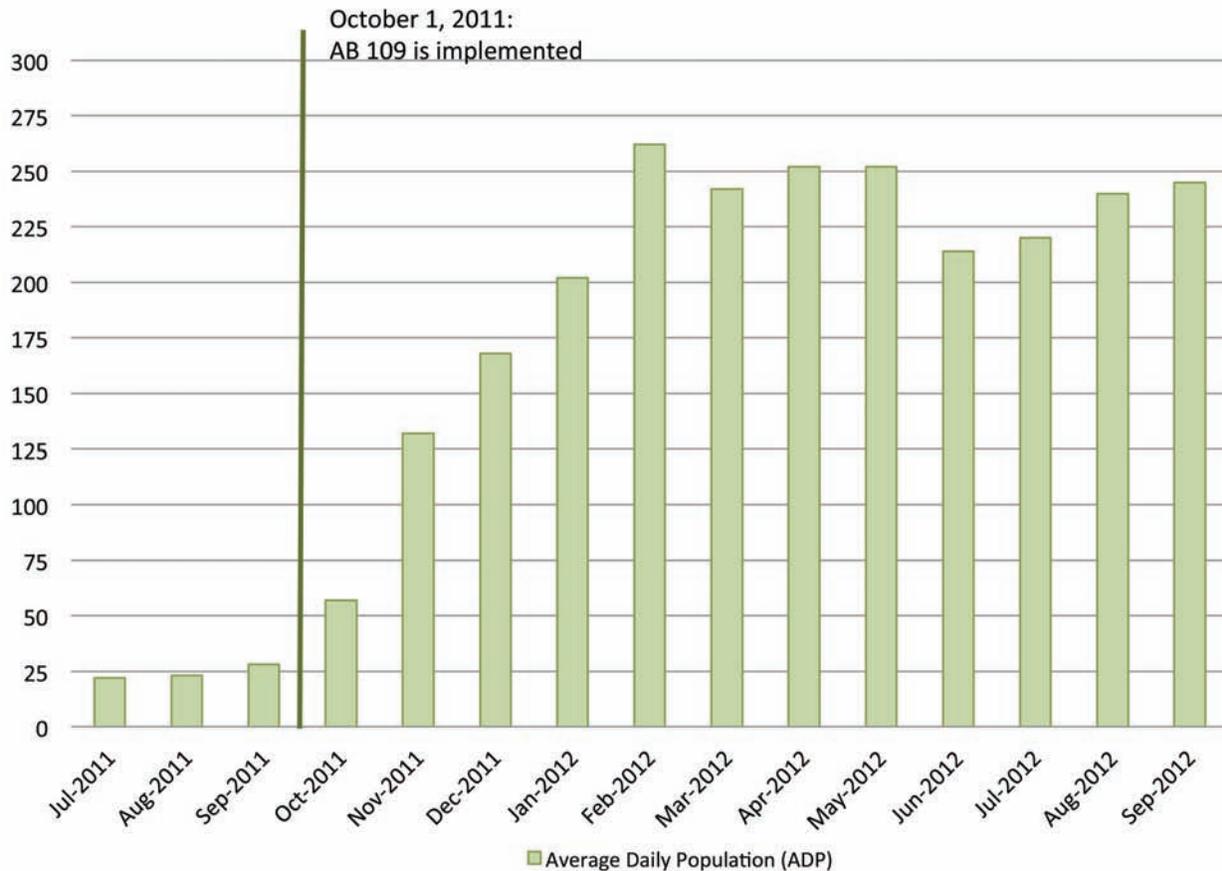


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: The Average 1170(h) Local Custody Sentence and Average Mandatory Supervision Term is the average of the local custody (county jail) terms and Mandatory Supervision terms respectively for all 1170(h) split sentences ordered by the court in that month. The Average 1170(h) Local Custody Time to be Served and Average Mandatory Supervision Term to be Served is based on the average of the remainder of the local custody sentence and/or Mandatory Supervision term ordered when available credits earned are deducted. Available credits include Credit for Time Served (CTS) and Penal Code Section 4019 credits. CTS is the time an individual has spent in custody prior to his/her sentence. Penal Code Section 4019 allows individuals in county jail to receive two days of conduct credit for every four days served—In effect individuals serve one half of their total jail sentence, inclusive of the time served prior to sentencing. They therefore usually serve less than half of their total sentence after sentencing.

Prior to AB109, state parole violators were in custody in county jail for an average of less than five days as they awaited Parole Board hearings. With AB109, parole violators await Parole Board hearings in county jail and serve parole violation sentences in county jail as well. Since AB109 implementation, the average length of stay for parole violators with no local charges is 56 days, therefore the average daily population of parole violators in county jail is significantly higher post-AB109 implementation, as each parole violator spends more time in custody for every violation.

Chart 16: State Parole Violators Average Daily Population in County Jail pre- and post-AB109 Implementation

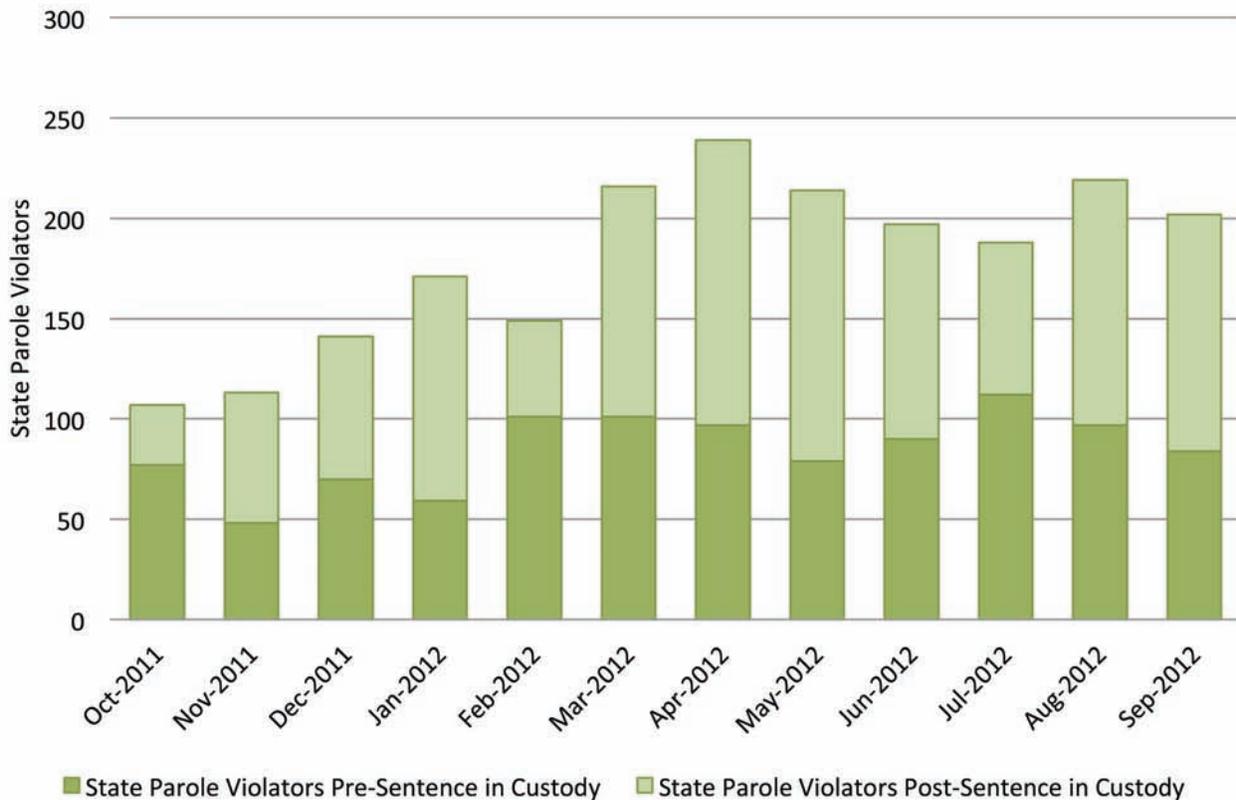


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: This chart compares monthly Average Daily Population (ADP) for state parole violators in county jail prior to the implementation of AB109 (July 2011 – September 2011) and post-implementation of AB109 (October 2011 – September 2012). The monthly ADP represents the total amount of service days rendered for AB109 clients by a department divided by the number of days in that month. For the Sheriff (SHF), the ADP is calculated by adding the total number of monthly custody days across state parole violators inmates from July 1, 2011 through September 30, 2012 and dividing that number by the number of days in that month.

Per AB109, state parole violators now await sentencing in local custody and serve sentences in local custody rather than state prison.

Chart 17: State Parole Violators in Local Custody

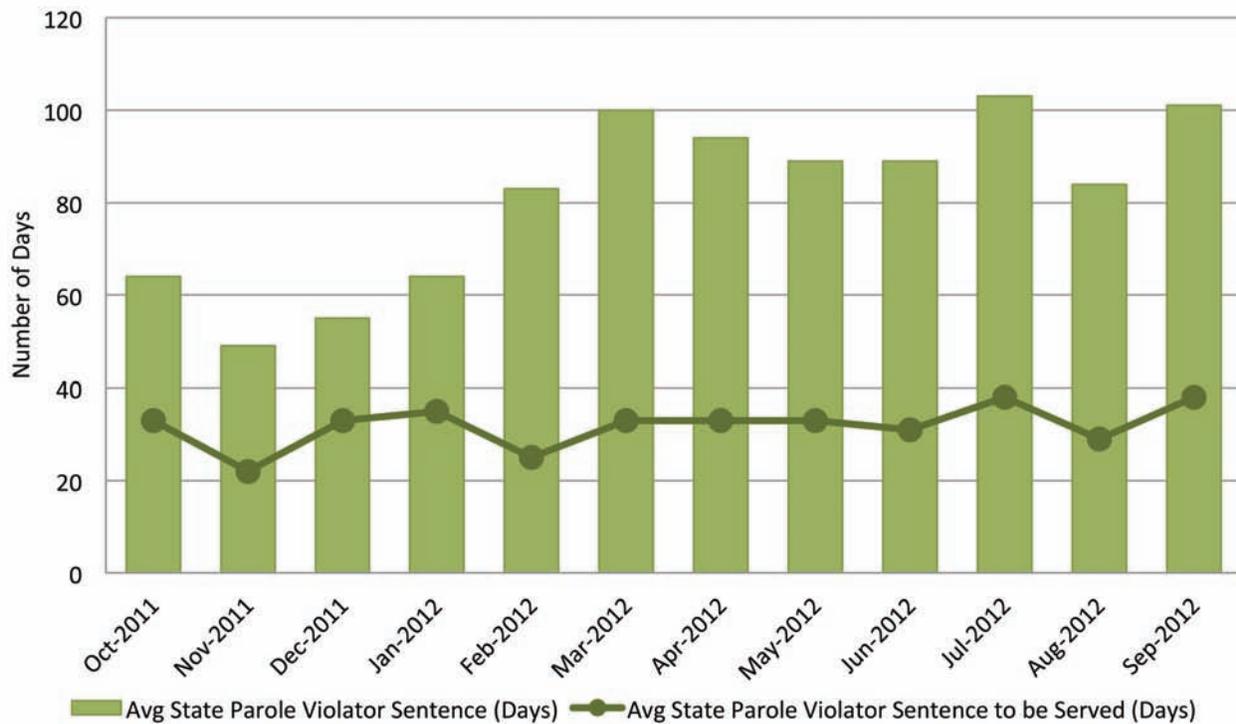


Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: The State Parole Violators Pre-Sentence population is based on the number of individuals who are booked into county jail that month or earlier, but have not yet had their hearing and have yet to be released from county jail. The State Parole Violators Post-Sentence population is based on the number of individuals who are booked into county jail that month or earlier, have already had their hearing, and have yet to be released from county jail. The "Hearing Date" is the date when State Parole Violators receive their sentence. An individual who is sentenced during this hearing to a term in county jail on the parole violation is then considered "post-sentence."

Per AB109, individuals sentenced for a parole violation are eligible for PC§ 4019 credits (“half-time credits”), whereby they receive two days of credits for every four days served. Parole violations can result in a sentence of up to 180 days in local custody, half of which will be served due to PC§ 4019 credits.

Chart 18: Length of State Parole Violator Sentences Ordered vs Actual Length of State Parole Sentences to be Served

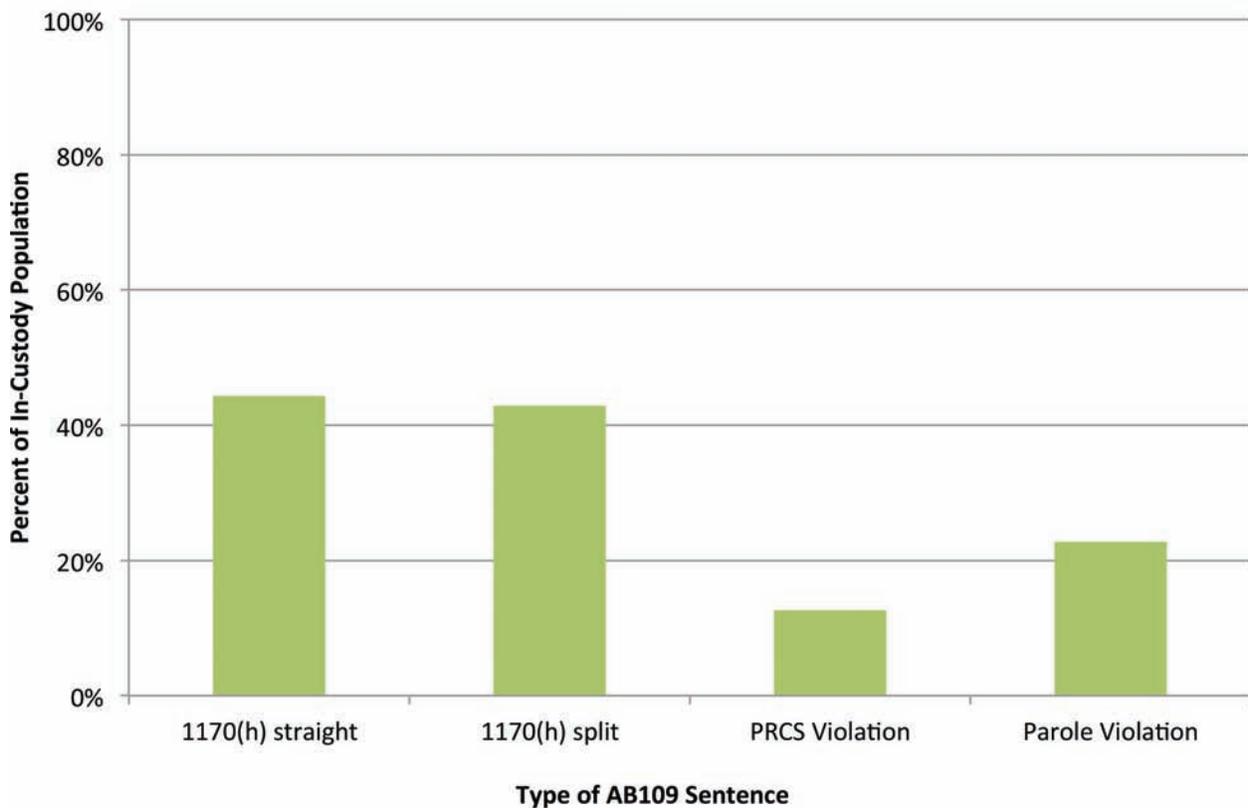


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Notes: The Average State Parole Violator Sentence is the average of the local custody terms for all state parole violator sentences ordered at the hearing in that month. The Average State Parole Violator Sentence to be Served is the average of the local custody sentence ordered less the available credits earned. Available credits include Credit for Time Served (CTS) which is the time an individual has spent in custody prior to his/her sentence and Penal Code Section 4019 credits. Penal Code Section 4019 allows individuals in county jail to receive two days of conduct credit for every four days served. In effect, per Penal Code Section 4019, individuals serve one half of their total jail sentence, inclusive of the time served prior to sentencing. They therefore usually serve less than half of their total sentence after sentencing.

The Sheriff’s Department and community based partners operate programs in the county jails, including: Resolve to Stop the Violence, Roads to Recovery substance abuse program, COVER veteran’s program, Five Keys Charter School, Keys to Change, and Project Break-through. Many individuals in local custody due to AB109 are eligible to participate in these programs. A survey of program participation by men in county jail due to AB109 found that over 40 percent of those sentenced under PC § 1170(h) and some PRCS and parole violators participated in programs in the first year of Realignment. The lowest level of program participation was in the PRCS violator population, as they spent the shortest amount of time in local custody.

Chart 19: AB109 Men in County Jail - Participation in In-Custody Programs

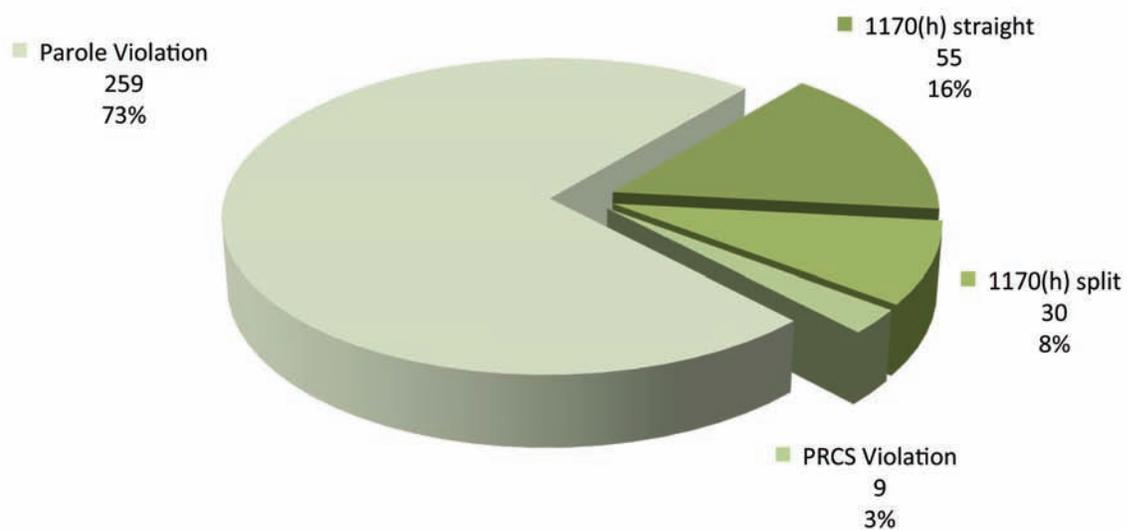


Developed by the Adult Probation Department with data from the Sheriff’s Department Jail Management System and spreadsheets.

Notes: The “In-Custody Population” above includes all individuals in custody due to AB109, including those unable to participate in programs due to gang affiliation or to being housed in “special housing” units such as Psych Housing, Administrative Segregation, Worker, and Medical Housing. Program participation is defined as instances of participation greater than three days. The AB109 in-custody program participation survey was conducted for male AB109 inmates serving time in County Jail between October 1, 2011 and September 30, 2012 and includes all in-custody program participation with the exception of the Five Keys Charter School Independent Study Program.

Of the 353 AB109 males who participated in in-custody programs for more than three days, most were serving sentences for parole violations, followed by those sentenced to straight jail sentences under PC § 1170(h). This reflects the proportion of AB109 individuals by type of AB109 sentence in the county jails.

Chart 20: In-Custody Program Participants by Type of AB109 Sentence

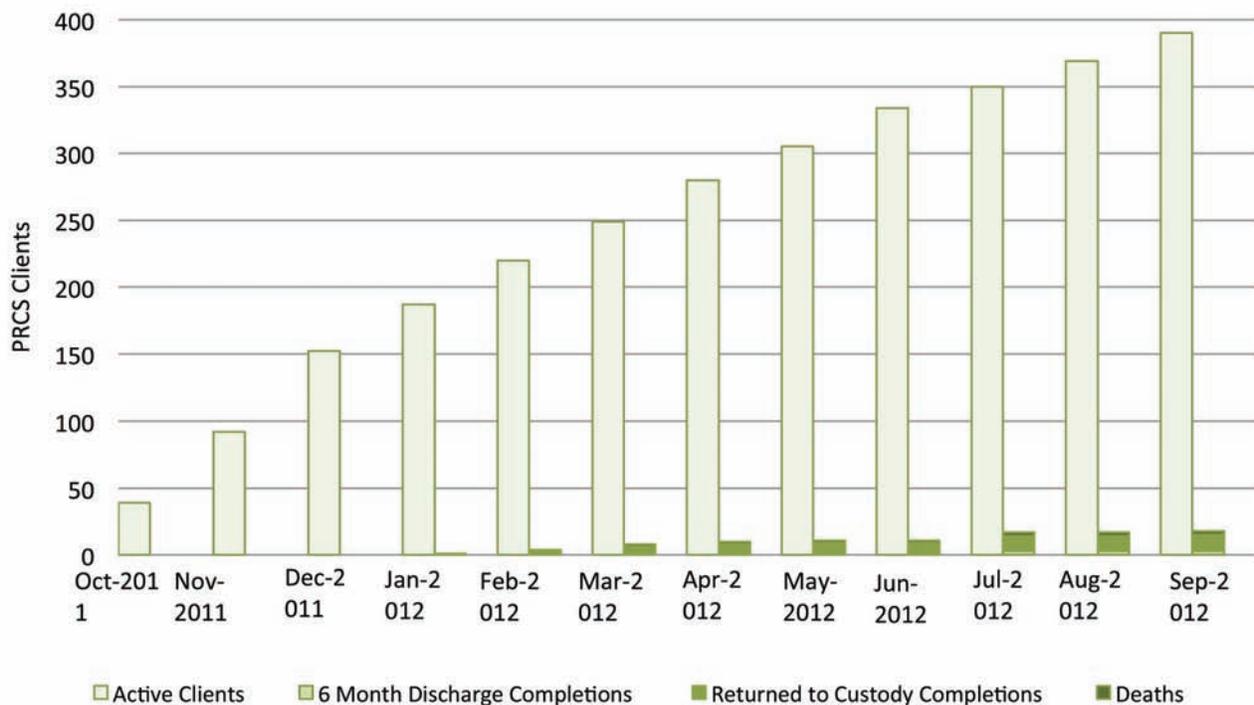


Developed by the Adult Probation Department with data from the Sheriff's Department Jail Management System and spreadsheets.

Notes: Program participation is defined as instances of participation greater than three days. The AB109 in-custody program participation survey was conducted for male AB109 inmates serving time in County Jail between October 1, 2011 and September 30, 2012 and includes all in-custody program participation with the exception of the Five Keys Charter School Independent Study Program.

Most individuals who began a Post Release Community Supervision (PRCS) term between October 2011 and September 2012 have not yet completed their PRCS terms. Individuals who were released from state prison for a parole violation sentence after October 1, 2011 were released to PRCS to complete the remainder of their parole term. Twelve of these Return to Custody (RTC) individuals completed PRCS within the first year of Realignment and account for the majority of PRCS completions within the year. Other PRCS clients can be released early, after six months with no violations, and must be released after twelve consecutive violation-free months. The maximum PRCS term is three years. By September 30, 2012, three PRCS clients were granted a six-month early release.

Chart 21: Post Release Community Supervision Active Clients vs Successful & Returned to Custody Completions

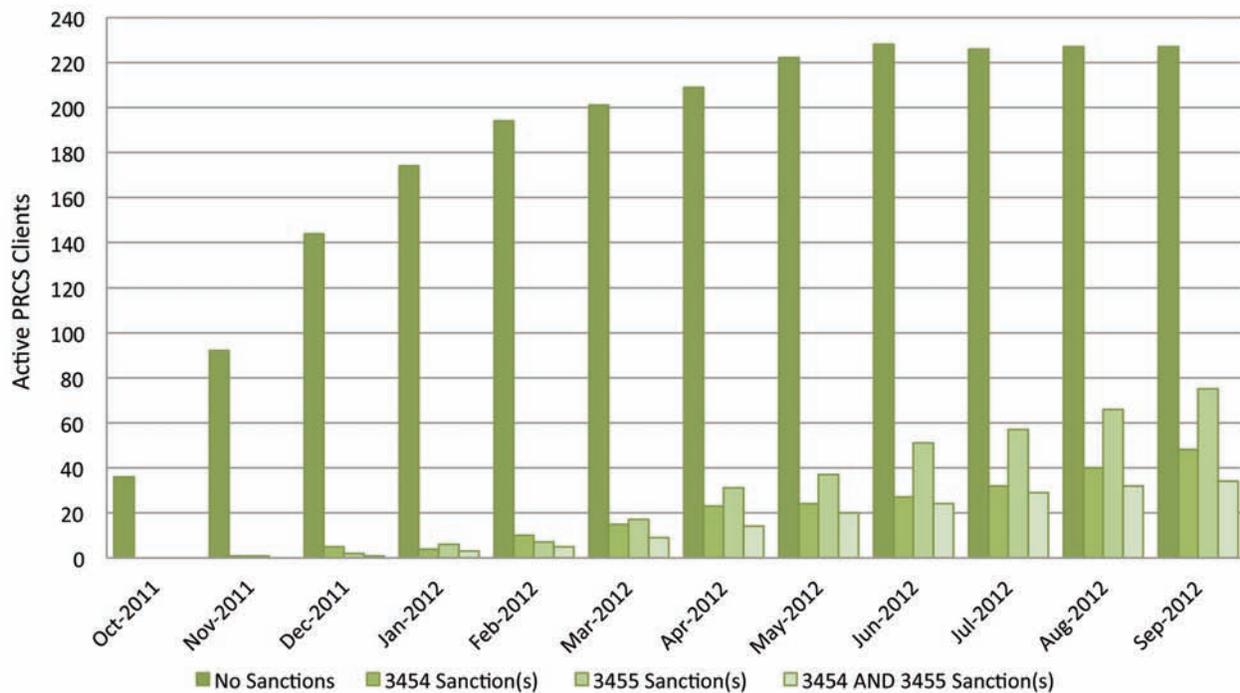


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Notes: Active Clients is a monthly rolling count of those individuals who have been released to Post Release Community Supervision (PRCS) from CDCR custody that month or earlier, less any clients who have completed their sentence by either a successful Six Month Discharge Completion, a Returned to Custody Completion, or because the client died (Deaths) that month or earlier. "Returned to Custody" individuals were released to PRCS after completing a state prison term for a parole violation; they serve the remainder of their parole term on PRCS, and therefore, their supervision term is shorter than the standard PRCS term. By statute, PRCS terms will not exceed three years. Individuals successfully complete PRCS and may be discharged after six consecutive months of successful, violation-free community supervision and must be discharged after 12 consecutive violation-free months on PRCS.

In response to non-compliance of the terms of PRCS, PC § 3454 grants probation departments the authority to impose flash incarcerations on PRCS clients for up to 10 days, to be spent in county jail. Under the system of graduated sanctions employed by APD, a flash incarceration is the least severe sanction followed by a formal violation charge (PC § 3455). Per PC § 3455, the PRCS supervising agency, APD in San Francisco, has the sole authority to file a violation or revocation of PRCS and return the individual to local custody for up to 180 days or to impose electronic monitoring. Most PRCS clients (60 percent of all active clients) received no sanctions within the first year of Realignment.

Chart 22: Post Release Community Supervision Compliance by Month



Developed by the City Performance Unit, City Services Auditor Division, San Francisco Controller's Office for the Executive Committee of the Community Corrections Partnership as a tool for countywide tracking of the Public Safety Realignment Act (AB 109). The San Francisco Adult Probation Department's Reentry Division will update reports that include data after September 2012.

Notes: Post Release Community Supervision (PRCS) clients are counted in the month of their release to PRCS from CDCR custody. These Active PRCS Clients have been grouped into the following categories by month: those who have No Sanctions, those who have received one or more 3454 Sanction(s), those who have received one or more 3455 Sanction(s), and those who have received both a 3454 AND 3455 Sanction(s). Those clients with No Sanctions are in compliance with the terms of PRCS through that month, have been released to PRCS that month or earlier, and have yet to complete PRCS. Those PRCS individuals with 3454, 3455, or 3454 AND 3455 Violations have been released that month or earlier, have yet to complete PRCS, but have also received that type of violation that month or earlier. A 3454 Violation, or a flash incarceration, is an intermediate sanction for a violation of the terms or conditions of PRCS and is punishable by a period of detention in county jail for one to ten consecutive days, as defined under Penal Code Section 3454(c). AB109 gives probation departments the authority to impose flash incarcerations. A 3455 Violation is a more serious sanction than a flash incarceration. APD has the sole authority to petition the court for a revocation of PRCS, under Penal Code Section 3455(a). 3455 Sanctions can result in a 180 day jail sentence.

Most PRCS clients have remained in compliance, defined as receiving no formal sanctions such as flash incarcerations (per PC § 3454b) or PRCS violations (per PC § 3455a). Those who have received one or more formal sanction were on PRCS for two to four months before receiving their first sanction.

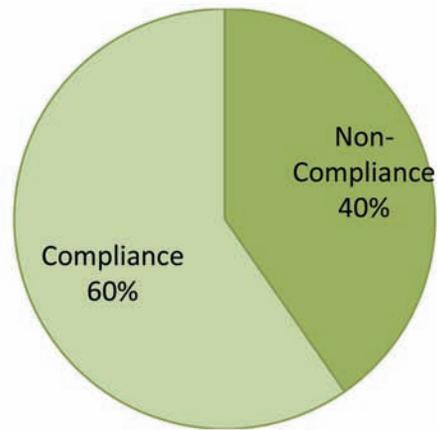
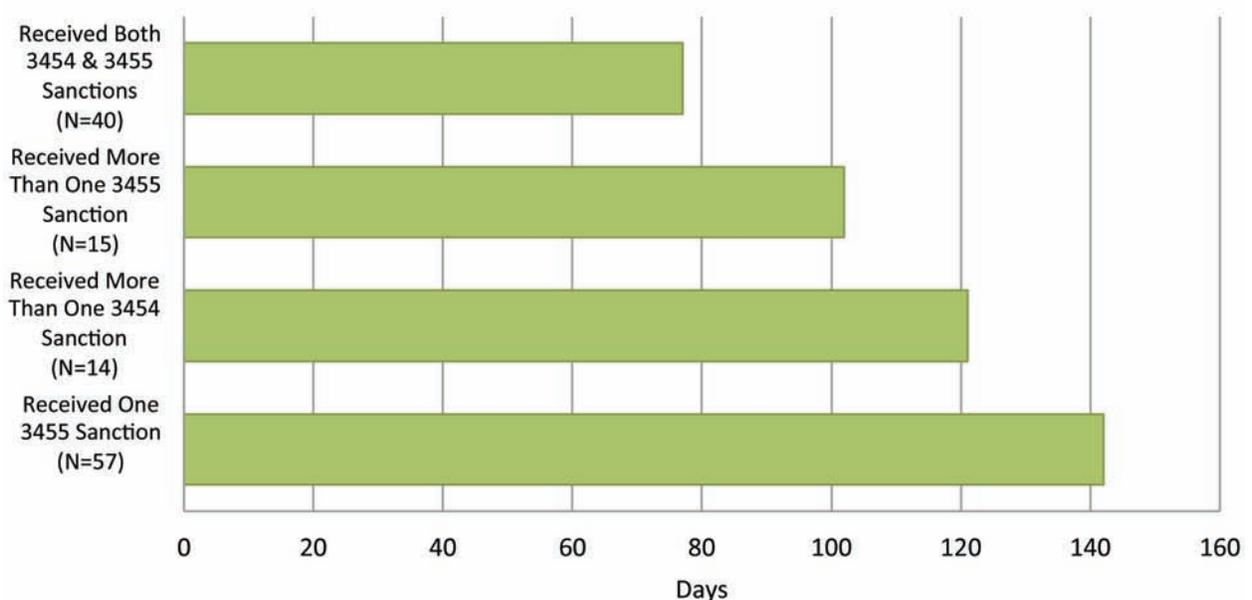


Chart 23: Post Release Community Supervision Compliance (Oct 2011 – Sept 2012)

Average Length of Time Before First Sanction

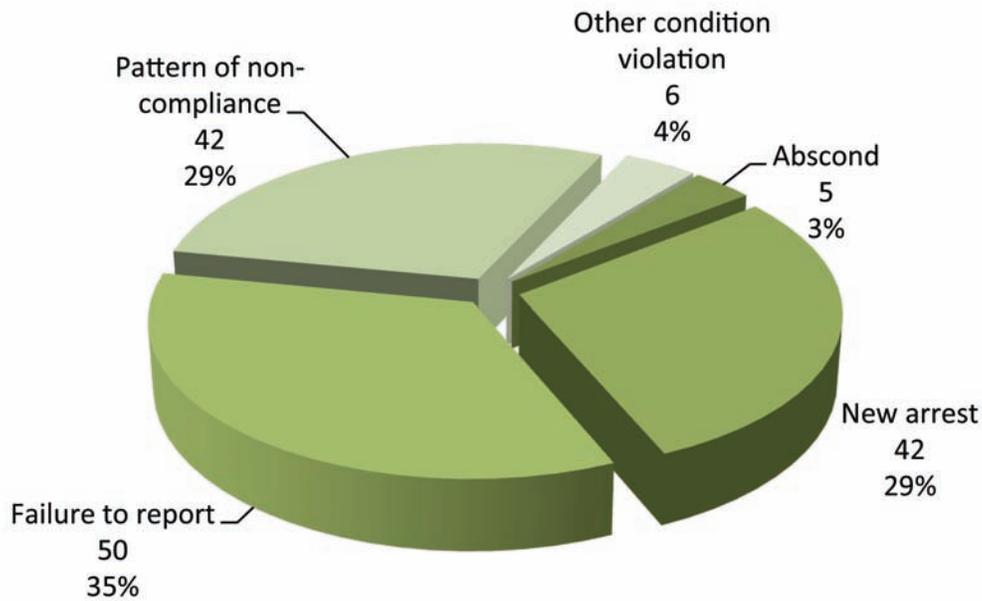


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Notes: The average length of time before a PRCS client's first 3454 or 3455 sanction is the average of the number of days from the date the client has been released to PRCS from CDCR to the date of their first sanction. A 3454 Sanction, or a flash incarceration, is an intermediate sanction for a violation of the terms or conditions of PRCS and is punishable by a period of detention in county jail for one to ten consecutive days, as defined under Penal Code Section 3454(c). AB109 gives probation departments the authority to impose flash incarcerations. A 3455 Sanction is a more serious sanction than a flash incarceration. APD has the sole authority to petition the court for a revocation of PRCS, under Penal Code Section 3455(a). A 3455 Sanction can result in a 180 day jail sentence.

Per AB109, probation departments have the authority to impose intermediate sanctions for non-compliance with the terms of PRCS. These sanctions, or flash incarcerations (PC § 3454b), can result in up to ten days in county jail. Over the first year of Realignment, APD issued 145 flash incarcerations to 118 individuals. Most of the flash incarcerations issued were for failures to report, followed by patterns of non-compliance and new arrest incidents.

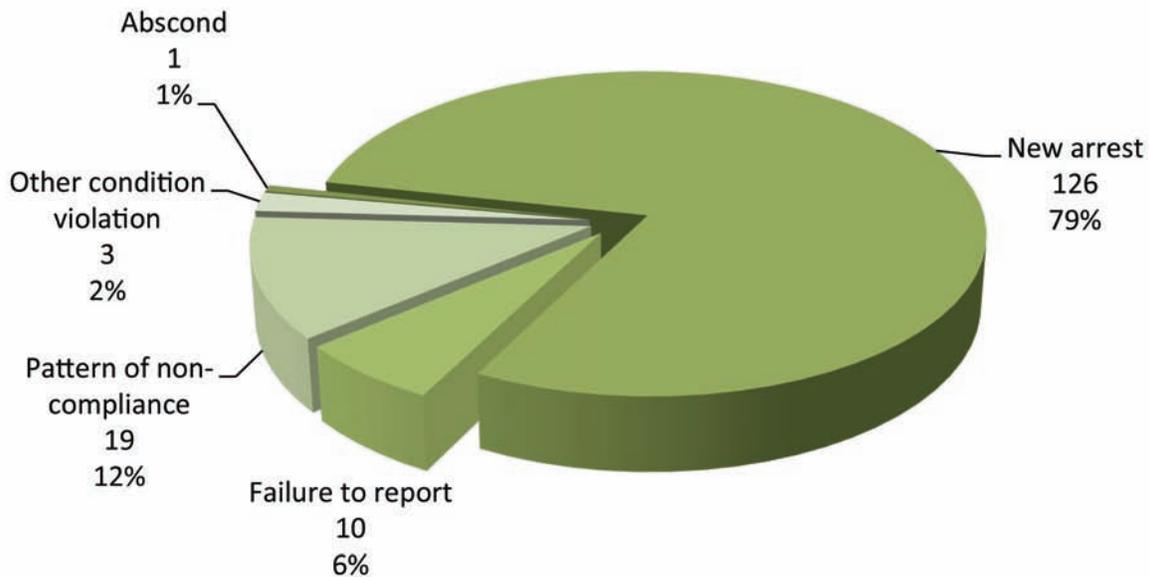
Chart 24: Post Release Community Supervision Sanctions: Reasons for Flash Incarcerations Issued



Developed by the Adult Probation Department with data from the Adult Probation Department's case management system and spreadsheets

More serious than a PC § 3454b flash incarceration, a PC § 3455a violation can result in up to 180 days in county jail. APD has the authority to file a PC § 3455a violation, or revocation of PRCS. Over the first year of Realignment, APD issued 159 PC § 3455a violations to 138 individuals on PRCS. The majority of these violations were issued for new arrest incidents, and most of these new arrests were for drug/narcotics crimes and crimes involving violence.

Chart 25: Post Release Community Supervision Sanctions: Reasons for PC § 3455a Violations



Arrest Reason for PRCS PC § 3455a Violations Resulting from New Arrest

PC § 3455a Violation New Arrest Crime Type	Total	% of Total
Drug / Narcotics	48	38%
Violence	41	33%
Property	33	26%
Other Agency Warrant	3	2%
Sex Crime	1	1%
Total	126	

Developed by the Adult Probation Department with data from the Adult Probation Department's case management system and spreadsheets

**Table 5: Characteristics of AB109 Individuals,
October 2011 through September 2012**

	PRCS Individuals		1170h-Sentenced Individuals		Parole Violators		Total	
	#	% of Total	#	% of Total	#	% of Total	#	% of Total
Total	411		264		1863		2538	
Gender								
Male	380	92%	234	89%	1759	94%	2373	93%
Female	31	8%	30	11%	104	6%	165	7%
Age								
Average Age - Men	40		38		41		40	
Average Age - Women	39		37		37		37	
18-24 Years	30	7%	33	13%	107	6%	170	7%
25-39 Years	182	44%	119	45%	727	39%	1028	41%
40-54 Years	163	40%	88	33%	843	45%	1094	43%
55-69 Years	36	9%	22	8%	180	10%	238	9%
70+ Years	0	0%	2	1%	6	0%	8	0%
Race / Ethnicity								
American Indian or Alaskan Native	1	0%	NA	NA	14	1%	15	1%
Asian or Pacific Islander	25	6%	6	2%	43	2%	74	3%
Black	236	57%	155	59%	1174	63%	1565	62%
Hispanic	57	14%	NA	NA	NA	NA	NA	NA
Other	12	3%	NA	NA	3	0%	15	1%
White	78	19%	96	36%	600	32%	774	30%
Unknown	2	0%	7	3%	29	2%	38	1%

Developed by the Adult Probation Department and data from the Adult Probation Department's case management system and spreadsheets (for PRCS individuals), the Superior Court's Court Management System (for 1170(h)-sentenced individuals), and the Sheriff's Department Jail Management System and spreadsheets (for the parole violator individuals).

Notes: Race and ethnicity data reported is that which is recorded in each data management system. For PRCS clients (APD case management system), race/ethnicity is as recorded by CDCR and/or the individual's Deputy Probation Officer at APD. For 1170(h)-sentenced individuals, categories used here are those race categories used in the Court Management System (CMS): Black, Chinese (shown here under Asian or Pacific Islander), White, and Other. Race categories for parole violators are those used in the Sheriff's Jail Management System (JMS). JMS and CMS do not record ethnicities and therefore Hispanic individuals are reported in the appropriate race category. Parole violator count is a count of unique individuals booked per month on 3056 charges. An individual booked more than once in the same month is counted once that month and an individual booked in more than one month is counted in each month in which a 3056 booking occurred.

Table 6: Characteristics of 1170(h)-Sentenced Individuals

Total Sentenced under 1170(h)	264	
Total Sentenced to Jail Only - 1170(h)(5)(a)	143	<i>54% of total sentenced under 1170(h)</i>
Total Sentenced to Split Sentence - 1170(h)(5)(b)	121	<i>46% of total sentenced under 1170(h)</i>

1170(h)(5)(a) - Straight Jail Sentences	#	% of Total
Low Sentence Length (months)	3	
High Sentence Length (months)	72	
Average Sentence Length (months)	24	
Number Whose Jail Sentence is Served with CTS	46	32%
Average Sentence if Not Released at Sentencing (months)	11	

1170(h)(5)(b) - Split Sentences	#	% of Total
Jail Portion		
Low Sentence Length (months)	0	
High Sentence Length (months)	55	
Average Sentence Length (months)	14	
Number Whose Jail Sentence is Served with CTS	40	33%
Average Sentence if Not Released at Sentencing (months)	7	
Mandatory Supervision Portion		
Low Sentence Length (months)	1	
High Sentence Length (months)	78	
Average Sentence Length (months)	24	

Developed by the Adult Probation Department with data from the Superior Court's Court Management System.

Table 7: Characteristics of Parole Violators in Local Custody

	#	% of Total
State Parole Violation Charges		
PC § 3056 Hold	689	37%
PC § 3056 Enroute	999	54%
PC § 3056 Parole Violation Agent	175	9%
Parole Violators with Other Charges		
Number of People with Other Charges	1037	56%
Number of People with No Other Charges	826	44%

Developed by the Adult Probation Department with data from the Sheriff's Department Jail Management System and spreadsheets.

Notes: There are three types of charges for which state parole violators are booked : 1) PC §3056 Hold - those individuals who have violated parole and typically will also have other charges due to contact with local authorities; 2) PC § 3056 Enroute—those individuals that have a warrant from CDCR when they were picked up by local authorities; 3) PC § 3056 Parole Violation Agent - those individuals whose state parole agent violates the individual; this population would not have otherwise served their parole violation sentence in local custody without AB109. State parole violators can also have non-state parole violation charges. Those with no other charges represent individuals who would not have otherwise been in local custody without AB109. Parole violator count is a count of unique individuals booked per month on 3056 charges. An individual booked more than once in the same month is counted once that month and an individual booked in more than one month is counted in each month in which a 3056 booking occurred.

**Table 8: Characteristics of Post Release
Community Supervision Clients**

	#	% of Total		#	% of Total
Total PRCS Population	411		Active PRCS Clients by CDCR Facility of Release		
PRCS Completions			California State Prison, San Quentin	164	36%
Return to Custody PRCS Clients Completing	12	3%	California Correctional Center	33	7%
Successful Early Completions	3	1%	Valley State Prison for Women	29	6%
Completions due to Client's Death	3	1%	Deuel Vocational Institution	16	3%
Holds			Folsom State Prison	20	4%
PRCS Clients with ICE Holds	11	3%	California Medical Facility	14	3%
PRCS Clients with Federal Hold	0	0%	Correctional Training Facility	12	3%
PRCS Clients with State Hold	2	0%	California State Prison, Sacramento	8	2%
PRCS Clients with Other County Hold	3	1%	California State Prison, Solano	13	3%
Active PRCS Clients' Prior Felony Convictions			Sierra Conservation Center	11	2%
Average Number of Prior Convictions	8		Avenal State Prison	10	2%
0 Prior Convictions	13	3%	High Desert State Prison	7	2%
1 - 2 Prior Convictions	30	8%	North Kern State Prison	7	2%
3 - 5 Prior Convictions	113	30%	CA Substance Abuse Treatment Facility	8	2%
6 - 10 Prior Convictions	135	36%	Pelican Bay State Prison	5	1%
11 or More Prior Convictions	85	23%	California Rehabilitation Center	3	1%
Active PRCS Clients' Most Serious Prior Conviction			Salinas Valley State Prison	3	1%
Violent Crime	131	35%	California Institution for Women	3	1%
Property Crime	96	26%	California Men's Colony	5	1%
Weapons Crime	70	19%	California State Prison, Corcoran	4	1%
Drug Crime	42	11%	California Correctional Institution	4	1%
Vehicle Crime	17	5%	California Institution for Men	2	<1%
Sex Offense	8	2%	Central California Women's Facility	3	<1%
Fraud	4	1%	Mule Creek State Prison, Ione	1	<1%
Arson	2	1%	Pleasant Valley State Prison	1	<1%
Gang Crime	2	1%	Kern Valley State Prison	1	<1%
Total with prior violent, weapons, or sex conviction	209	56%			

Developed by the Adult Probation Department with data from the Adult Probation Department's case management system and spreadsheets.



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