

# Meeting of the Community Corrections Partnership (CCP) and its Executive Committee (CCPEC)

## AGENDA

Thursday January 23, 2013  
10:00am  
455 Golden Gate Ave, Auditorium  
San Francisco, CA

Note: *Each member of the public may be allotted no more than 3 minutes to speak on each item.*

1. Call to Order and Introductions.
2. Public Comment on Any Item Listed Below as for “Discussion Only”.
3. Review and Adoption of Meeting Minutes of October 23, 2013 (discussion & possible action).
4. Update on the County Jail Needs Assessment Report and Presentation of the Budget and Legislative Analyst’s Report on the Proposed County Jail #3 and County Jail #4 Replacement Project (discussion only).
5. Creation of a Criminal Justice Master Plan for the City and County of San Francisco (discussion only).
6. Presentation on Victim Services: Adult Probation Update and Presentation on the Family Justice Center Model from other Jurisdictions (discussion only).
7. Regular Update on the Implementation of the *San Francisco Women’s Community Justice Blueprint* (discussion only).
8. Presentation and Possible Adoption of the Realignment Implementation Plan 2013/14 and Two Year Realignment Report (discussion and possible action).
9. Members’ comments, questions, and requests for future agenda items (discussion only).
10. Public comment on any item listed above, as well as items not listed on the Agenda.
11. Adjournment.

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Persons who are unable to attend the public meeting may submit to the Community Corrections Partnership, by the time the proceedings begin, written comments regarding the subject of the meeting. These comments will be made a part of the official public record, and brought to the attention of the Community Corrections Partnership. Written comments should be submitted to: Sara Felicia Moore-Jordan, Reentry Policy Coordinator, Adult Probation Department, 880 Bryant Street, Room 200, San Francisco, CA 94102, or via email: [SaraFelicia.Moore-Jordan@sfgov.org](mailto:SaraFelicia.Moore-Jordan@sfgov.org).

MEETING MATERIALS

Copies of agendas, minutes, and explanatory documents are available through the Community Corrections Partnership's website at <http://sfgov.org/adultprobation> or <http://sfreentry.com> or by calling Sara Felicia Moore-Jordan at (415) 553-1047 during normal business hours. The material can be FAXed or mailed to you upon request.

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TRANSLATION

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For either accommodation, please contact Sara Felicia Moore-Jordan at [SaraFelicia.Moore-Jordan@sfgov.org](mailto:SaraFelicia.Moore-Jordan@sfgov.org) or (415) 553-1047 at least two business days before the meeting.

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Sunshine Ordinance Task Force  
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San Francisco, CA 94102-4683.  
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# Community Corrections Partnership Meeting

## MINUTES

Thursday, October 23, 2013  
10:00am  
455 Golden Gate Ave. Auditorium  
San Francisco, CA

Members in Attendance: Chief Wendy Still (Chair), Greg Asay, Cristine DeBerry (for District Attorney George Gascón), Beverly Upton, Steve Good, Sheriff Ross Mirkarimi, Craig Murdock (for Jo Robinson), Simin Shamji (for Public Defender Jeff Adachi)

Others Present: Karen Roye

### **1. Call to Order and Introductions**

Chief Still called the meeting to order at 10:08am. Chief Still welcomed CCP members and interested members of the public for attending. Chief Still asked members to introduce themselves.

### **2. Public Comment on Any Item Listed Below as for “Discussion Only”**

Chief Still reviewed the agenda and asked for public comment on any of the Agenda items listed for Discussion Only. There was none.

### **3. Review and Adoption of Meeting Minutes of August 29, 2013 (discussion and possible action).**

Chief Still asked members to review the minutes from the August 29, 2013 meeting of the Community Corrections Partnership. Chief Still asked for comments and then called for a motion. Beverly Upton moved, Cristine DeBerry seconded. The motion passed unanimously at 10:12am.

### **4. Update on the Realignment Implementation Plan 2013/14 and Two Year Realignment Report (discussion only).**

Chief Still thanked the members of the Realignment Working Group, which is in the process of developing the 2014 Realignment Plan. Each department provided a narrative and outline to complete this draft outline. The draft plan will come before the CCP at its next meeting. Chief Still shared that Senator Loni Hancock recently observed that San Francisco’s Realignment Working Group process serves as a statewide model for interagency collaboration on planning for implementation of Realignment. Susan Turner from RAND is studying eleven counties’

responses to Realignment. The data gathering that is going into this plan will also serve to support the research that is ongoing.

Chief Still asked for comments from CCP members. Sheriff Mirkarimi reminded members of the Controller's Office City Fellows study from 2011. The Sheriff asked whether AB109 data would inform an update of that report. Chief Still agreed that this data is important to consider and asked that this item be added to a future agenda, particularly so that recidivism can be defined and uniformly tracked in San Francisco.

Chief Still asked that Agenda Item 6 be heard ahead of Agenda 5.

**6. Update on New Initiatives for Victim Services from the District Attorney's Office, Adult Probation Department and the Sheriff's Department** (discussion only).

Delia Giorno provided a brief overview of the Survivor Restoration Program at the San Francisco Sheriff's Department. Delia explained that this program has been in operation for 15 years. Services include crisis intervention, empowerment, and strategies for self-advocacy. New initiatives include a healing arts group for graduates of the empowerment program. Another new component includes services for incarcerated survivors of violence, which helps bridge the gap for women in County Jail 2 to the Women's Resource Center. This new initiative has required a new level of training and support. Staff conduct community outreach and training in restorative justice practices. Services are provided for all Sheriff's Community Programs. A point of pride for the Survivor Restoration Program is the strong partnerships that have been formed with community partners.

Cristine DeBerry asked about the number of formerly incarcerated or currently incarcerated individuals served by the program. Delia said that 15-20 women are served per month, and up to 300 women per year are served.

Beverly Upton applauded the efforts of the SRP. The Domestic Violence Consortium is working with law enforcement partners to educate public servants and members of the public about issues impacting individuals who are incarcerated as a result of involvement in domestic violence matters.

Sheriff Mirkarimi mentioned his hope that the CCP and other forums will help advocate for additional staff members to be added to this important program.

Steve Good reiterated the staff shortages at the Women's Resource Center and mentioned that Five Keys Charter School has helped to fill some of those gaps.

Chief Still suggested that a future agenda item address the needs of victims. Chief Still echoed the concerns about dedicated resources. Sunny Schwartz has been working at APD on a comprehensive review of the Batterers' Intervention Programs in San Francisco. The Domestic Violence Consortium audited BIPs in 2003, finding substantial problems with the administration

of BIPs. For the last two years, APD has been overhauling its policies and standards in monitoring the progress of BIPs and the needs of victims of domestic violence. All programs have been recertified except for one. From October 2012 to March 2013, programs were audited and observed by APD staff and partners. APD will release the full report within the next month.

Craig Murdock reminded members that DPH operates the Violence Prevention Program as a BIP. This is the only program that accepts indigent clients who are Medi-Cal eligible. Craig committed DPH's assistance in broadening the scope of care to include more clients. Chief Still emphasized that indigent, transgender and monolingual clients are underserved by the BIPs.

Beverly Upton clarified that other programs accept indigent clients, but they are not utilizing the Medi-Cal reimbursement option. The Penal Code requires that BIPs provide at least 10% of their services to indigent clients, but many BIPs serve a higher percentage.

### **5. Update on the Implementation of the San Francisco Women's Community Justice Blueprint** (discussion only)

Chief Still directed members' attention back to Agenda 5, and introduced Jennifer Scaife, Reentry Resources Coordinator at the Adult Probation Department. Jennifer provided an overview of the process for development of the Women's Community Justice Reform Blueprint and summarized the key recommendations it contains. Jennifer reported that APD is in the process of developing an alternative sentencing program at Cameo House, operated by the Center on Juvenile and Criminal Justice. The Sheriff's Department has recently appointed Leslie Levitas as the Women's Community Justice Reform Coordinator for the Sheriff's Department. Leslie thanked Sheriff Mirkarimi and Chief Still for their leadership on the Blueprint. The WRC continues to evolve, thanks in part to a grant from the Columbia Foundation which has allowed the WRC to conduct a series of strategic planning sessions. Virtually all of the women who work at the WRC have personal experience as formerly incarcerated individuals or survivors of violence. The governance structure will be formed next, which will guide efforts toward collaboration and interagency communication about shared clients and services.

Sheriff Mirkarimi acknowledged the great leadership of Leslie Levitas. Steve Good emphasized that new leadership has improved programs and morale.

Chief Still asked members to return to Agenda 6 and introduced Jackie Ortiz from the DA's Office. Jackie began by asking that CCP members consider parallel justice for victims of crime. Jackie mentioned that her office sees 500 victims of crime annually. The Victim's Compensation Fund has serious limitations on the types of expenses that are covered by the fund, and can often re-traumatize victims. The DA's Office has begun putting together focus groups to identify the kinds of services that are needed by victims in San Francisco. Jackie provided anecdotes about an individual who had witnessed a crime but was unable to move, even though the suspects in

the case were threatening her. Jackie reported that a month passed before this individual was able to move. Jackie said that one of the initiatives the DA's Office is working on is an improved process for collecting restitution to make victims whole.

Tara Anderson verified with CCU that restitution collection is not currently happening on post-adjudicated individuals still in custody. This gap is being addressed by partners.

Sara Felicia Moore-Jordan referred members back to the Realignment Plan outline, which explicitly addresses issues affecting victims.

Karen Roye thanked the work of the DA's Victim's Services Division. The Department of Child Support Services has been working with the Domestic Violence Consortium on these issues and has been a part of a two year pilot that assists in the collection of restitution payments. They have had a 70% success rate.

Chief Still suggested that new technology holds promise for the mapping of victims' services and information sharing about victims and perpetrators in San Francisco.

Cristine DeBerry said that the DA's Office is drafting local legislation on the issue of impound fees for victims of car theft in which no perpetrator has been convicted. She mentioned that the DA's Office is working on state legislation to address the gaps in victim compensation eligibility for individuals on probation or parole and for individuals who are otherwise ineligible for compensation. Cristine also explained that the DA's Office is also working on transition planning for victims whose case is closed by the DA's Office but who may be eligible for other community-based services. Cristine also mentioned that the DA's Office is interested in improving the victim's lounge at the Hall of Justice.

Chief Still said that the Community Assessment and Services Center should serve as a designated site for serving victims, while taking into consideration safety concerns.

Beverly Upton said that when she started this work, San Francisco had the lowest rate in collection rates for the various fees and fines associated with domestic violence. She has seen tremendous improvement in the last 15 years. Beverly emphasized that in order to build trust in the community, law enforcement agencies must deliver on assisting victims of crime; otherwise, she argued, the next generation will learn that law enforcement will not assist in case help is needed.

Jackie thanked DA Gascón for adding three new advocates to the DA's Office.

Sheriff Mikarimi mentioned that in the past, as a district Supervisor, victims of crime would approach his office for assistance because they felt their needs were unaddressed. The Sheriff's Department recently implemented the Victim Information Notification Everyday, or VINE, system. Four hundred people have signed up for notification since July.

Chief Still reiterated that the CCP meetings should address victims' issues as a standing agenda item.

**7. Presentation from the Department of Elections on Voting Rights Information and Recent Legislation** (discussion only)

Chief Still introduced Jill Fox from the Department of Elections. Jill reminded members that the November 5 election is coming up. Jill conducts community outreach and especially is interested in getting ex-offenders accurate information about voting eligibility. Jill's efforts have also included increased language access, accessibility, and discretion in publications and outreach materials. Jill circulated sample materials to members and audience. The Voter Information Network advises the Department of Elections on voter registration issues. The Voting Rights Act requires that voting materials be available in Spanish, English, Cantonese and Mandarin.

Jill mentioned that voting had begun inside County Jails, in partnership with the Sheriff's Department. Jill added that the Department of Elections participates in a statewide program called Safe at Home, which hides personal information for designated victims of crime.

Chief Still mentioned that a bill was recently passed which requires all probation departments in California to include a link on their websites to voter registration information. She also suggested that formerly incarcerated individuals be featured in videos promoting awareness of voter registration laws.

**8. Update on the Affordable Care Act** (discussion only).

Chief Still mentioned that the Human Services Agency was not able to attend this CCP meeting. Sara assured members that they will be in attendance with a full report on the implementation of the Affordable Care Act. Sara presented a report prepared by HSA, which described the rocky launch of the healthcare exchange website. In San Francisco, over 130 people per day were applying for coverage in the first few weeks.

Craig Murdock said that DPH held a targeted enrollment event to outreach to forensic populations. Among those enrolled were 17 individuals on PRCS and 27 on Mandatory Supervision.

**9. Regular Update from the Controller's Office on the County Jail Needs Assessment Report and other Analysis as it Relates to the Jail Population** (discussion only).

Chief Still again introduced Sara to provide an overview of the memorandum provided by the Controller's Office. This memo updates the CCP on the Controller's Office progress toward refreshing the Jail Population Forecast, which is projected for release in March 2014. The Jail Needs Assessment has also been updated to revise errors contained in the previous report.

Sheriff Mirkarimi shared that the Board of Supervisors voted nine to zero in favor of moving forward on the Jail Rebuild project. The Sheriff explained that there will be ample opportunity in the future to revisit the jail projections to ensure that the jail rebuild is informed by current data.

**10. Discussion of the Criminal Justice Master Plan related to the Hall of Justice Project**  
(discussion only).

Chief Still reminded members that in previous meetings, members of the CCP and of the public called for a Criminal Justice Master Plan to address the comprehensive needs of San Francisco's Criminal Justice system. Chief Sill will provide an update at the next CCP meeting.

Cristine DeBerry cautioned that this work will need to move quickly in order to meet June ballot deadlines.

Sheriff Mirkarimi reminded members that when he served as a district Supervisor, he worked on addressing concerns about the Crime Lab and its current governance structure. The National Academy of Sciences recommends against having police agencies administer crime labs.

Karen Roye announced that DCSS is in the final two months of recruitment for Transitions SF, a Department of Labor grant to the Office of Economic and Workforce Development in partnership with DCSS. This program provides job training and subsidized employment to individuals who are delinquent on child support payments and have open cases in San Francisco.

Chief Still thanked the efforts of the Reentry Division. She thanked Jessica Flintoft for her leadership on reentry efforts in San Francisco since 2008. Chief Still announced that Jessica will leave the Adult Probation Department on November 22 and recognized and thanked Jessica for her many contributions. Members of the CCP gave Jessica a standing ovation in honor of her service.

Jessica Flintoft thanked members for the privilege of working with partners on these efforts for the past several years.

**11. Member Comments, Questions, and requests for future agenda items.**

There were none.

**12. Public comment on any item listed above, as well as not listed on the Agenda.**

There were none.

**13. Adjournment.**

Chief Still asked for a motion to adjourn. Cristine DeBerry moved, Craig Murdock seconded. The motion passed unanimously at 11:55am.



**CITY AND COUNTY OF SAN FRANCISCO  
BOARD OF SUPERVISORS  
BUDGET AND LEGISLATIVE ANALYST**

1390 Market Street, Suite 1150, San Francisco, CA 94102  
(415) 552-9292 FAX (415) 252-0461

**Policy Analysis Report**

To: Supervisor David Campos  
From: Budget and Legislative Analyst's Office  
Re: Analysis of the Proposed County Jail #3 and County Jail #4 Replacement Project  
Date: January 21, 2014

**Summary of Requested Action**

Your office requested that the Budget and Legislative Analyst conduct an analysis of the proposed project to replace County Jail #3 and County Jail #4, which the City plans to close in 2019 as part of the larger program to relocate City agencies from the seismically deficient Hall of Justice. In particular, you requested an analysis of whether the proposed 640-bed replacement jail is in line with current inmate population trends, and an analysis of alternatives to constructing the proposed jail, including expanding the use of alternatives to incarceration.

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**Executive Summary**

The City and County of San Francisco has six jails, four of which are located at or adjacent to the Hall of Justice (HOJ) at 850 Bryant Street in San Francisco (County Jails #1 through #4), and two of which are located in San Bruno in San Mateo County (County Jails #5 and #6). Existing jail bed capacity is 2,515.

The City plans to close County Jails #3 and #4 in 2019 as part of the larger program to relocate the City's public safety departments from the seismically deficient HOJ. The City plans to replace County Jails #3 and #4, which have a combined capacity of 905 beds, by constructing a jail with a capacity of 640 beds near the HOJ, resulting in total County jail capacity of 2,250 beds, a reduction of 265 beds.

**The jail population has decreased significantly from 2008 to 2013**

The average daily population in the County jails decreased from 2,015 in 2008 to 1,413 in 2013, a decrease of 30 percent. The decrease would have been greater if the State had not implemented Public Safety Realignment, in which responsibility for some State prisoners and parolees was transferred to the counties.

The decrease in the inmate population from 2008 to 2013 has been driven mainly by a decrease in arrests, in particular drug-related arrests, due largely to implementation of law enforcement policies that promote alternatives to incarceration. During interviews with the Chief of Police and District Attorney, both officials concurred that changes in City policies for the arrest and prosecution of drug-related offenses have contributed to the decline in the inmate population over the last five years.

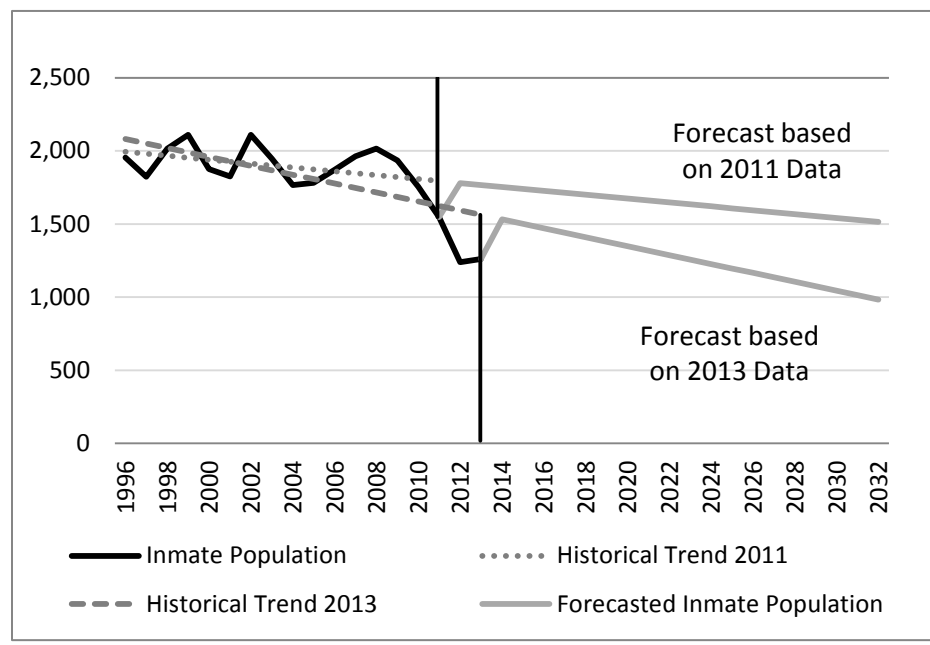
**The Budget and Legislative Analyst’s estimate of the required number of County jail beds in 2019 is less than the proposed number**

The City’s 2014-2023 Capital Plan provides for 640 replacement jail beds in 2019, resulting in 2,250 total County jail beds. The plan for 2,250 County jail beds is based on the Controller’s *County Jail Needs Assessment*, which forecast an average daily population in the County jails in 2019 of 1,900. To account for peaks in the jail population and the need to assign housing based on gender, pre-trial and sentenced inmates, violent and non-violent felonies, and other factors (classification factors), the Controller estimated the need for 2,091 to 2,298 total County jail beds in 2019.

This estimate was based on historic data from 1996 through 2011. The average daily population in the County jail, including the baseline (non-Public Safety Realignment) and Public Safety Realignment population, continued to decline in the two-year period from 2011 to 2013, as shown in the figure below.

The Budget and Legislative Analyst revised the forecast of the County jail population in 2019 based on updated data from 1996 through December 16, 2013. The revised forecast results in an average daily population of 1,478 in 2019, compared to the prior forecast of 1,900.

**Figure: Comparison of 2019 Average Daily Jail Population Forecast Based on 2011 Data and 2013 Data**



Based on the Budget and Legislative Analyst’s forecast, the City will require up to 624 fewer jail beds in 2019 than the proposed 2,250 jail beds, as shown in the table below.

**Table: Budget and Legislative Analyst’s Estimated Number of Required Jail Beds in 2019**

	<b>Moderate Estimate</b>	<b>Conservative Estimate</b>
Baseline Forecast	1,372	1,372
Impact of Public Safety Realignment	106	106
Subtotal: Inmate Population	1,478	1,478
Classification Factor	5.0%	8.2%
Peak Population Factor	4.8%	11.8%
<b>Budget Analyst Estimate</b>	<b>1,626</b>	<b>1,788</b>
Proposed Jail Beds in 2019	2,250	2,250
<b>Reduction in Estimated Jail Beds Compared to Proposed Jail Beds</b>	<b>624</b>	<b>462</b>

The Budget and Legislative Analyst’s forecast of the average daily inmate population in 2019 accounts for the long term downward trend in the baseline population from 1996 through December 16, 2013 and the actual Public Safety Realignment population in 2013. The downward trend in the average daily population is due to the increased use of alternatives to incarceration and other law enforcement policies, and San Francisco’s declining population of young adults aged 18 to 35.

**Expanding alternatives to incarceration could further decrease the jail population**

The City and County of San Francisco has pretrial diversion and alternative sentencing programs with 1,127 participants as of November 8, 2013. In the absence of these programs, the total County jail population on that date could have been 2,394 inmates (compared to 1,267).

According to the Director of the Pretrial Diversion Project, only a small portion of the inmates who are not released from jail under current policies would be considered by most to be appropriate for release based on their flight risk or the risk to public safety. However, the Budget and Legislative Analyst estimates that up to 60 offenders could be diverted or released from the County jail if the District Attorney and Sheriff successfully implement proposed new programs or policies. These programs include:

- (1) Pre-booking and pre-charge diversion programs for low-level drug offenders;
- (2) Increased referrals of misdemeanors to Neighborhood Courts rather than criminal courts; and

(3) Authorization for the Sheriff to approve pretrial release of inmates to an electronic monitoring program, which currently only the Superior Court may approve.

**The City should evaluate constructing a smaller replacement jail**

The *County Jail Needs Assessment* estimated that the City would need 2,091 to 2,298 County jail beds in 2019, as noted above. Construction of the proposed 640-bed replacement jail would result in 2,250 County jail beds, consistent with the *County Jail Needs Assessment* estimates, including the proposed replacement jail, County Jail #2 (adjacent to the HOJ), County Jail #5 (the main jail at San Bruno), and County Jail #6 (the dormitory-style, minimum security jail at San Bruno, which is currently closed).

San Francisco could potentially construct a smaller 384-bed replacement jail at the HOJ, without reopening the minimum security County Jail #6. Construction of a 384-bed replacement jail would result in 1,622 County Jail beds, which is only four beds (0.3 percent) less than the Budget and Legislative Analyst's moderate estimate of 1,626 required beds in 2019, shown in the table above.

Construction of the smaller replacement jail would reduce estimated project costs from \$290 million for the proposed 640-bed replacement jail to \$194 million for a 384-bed replacement jail, a reduction of \$96 million or 33 percent.

*The City should re-evaluate the appropriate jail size after completion of environmental review*

Environmental review of the proposed replacement jail is scheduled to begin in early 2014 and completed in late 2015. At that time, the Board of Supervisors must approve purchase of the property adjacent to the HOJ as a site for the replacement jail, and issuance of Certificates of Participation to fund the jail replacement.

According to the Department of Public Works Senior Architect, the City could reduce the size of the proposed replacement jail after environmental review is completed without triggering a second environmental review.

Because of the continuing downward trend in the average daily jail population and significant savings that could be achieved if the City constructs a smaller replacement jail, the City should re-evaluate the number of replacement beds required in 2019 after environmental review is completed in late 2015, and construct a smaller replacement jail if the average daily jail population remains at its current level or declines further.

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## I. The Proposed Replacement of County Jails #3 and #4

### San Francisco County Jail System

The San Francisco Sheriff's Department operates six jails in San Francisco and San Mateo County, which have a capacity of 2,360 rated beds and 2,515 total beds, as shown in Table 1 below.<sup>1</sup> Two of the jails, County Jail #3 and County Jail #4, are located on the sixth and seventh floors respectively of the Hall of Justice (HOJ) at 850 Bryant Street. County Jail #3 and County Jail #4 have a combined total of 905 (826 rated) beds. County Jail #6, a minimum-security facility, is currently closed.

**Table 1: San Francisco County Jails**

Name	Location	Opened	Description	Beds (rated)
County Jail #1	Adjacent to HOJ	1994	Intake and release	N/A
County Jail #2	Adjacent to HOJ	1994	Podular housing	466 (392)
County Jail #3	6 <sup>th</sup> Floor of HOJ	1961	Linear housing	466 (426)
County Jail #4	7 <sup>th</sup> Floor of HOJ	1961	Linear housing	439 (402)
County Jail #5	San Bruno	2006	Podular housing	772 (768)
County Jail #6	San Bruno	1989	Dormitory housing	372 (372)
TOTAL				2,515 (2,360)

Source: Controller

### Hall of Justice Replacement Program

In addition to County Jails #3 and #4, the HOJ houses the Superior Court, the Police Headquarters, the District Attorney's office, the Adult Probation Department, and other City agencies. The City's Capital Plan provides for the replacement of the HOJ due to its seismic deficiencies<sup>2</sup>, funded by three Earthquake Safety and Emergency Response (ESER) general obligation bonds, of which the first series were previously issued and the second series are scheduled to go before the voters in June 2014. The Capital Plan also provides for the City to issue Certificates of Participation (COPs) to fund some HOJ relocation projects, including replacement of County Jails #3 and #4.

According to the City's 2014-2023 Capital Plan, replacement of County Jails #3 and #4 is a high priority. The 2014-2023 Capital Plan provides:

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<sup>1</sup> Title 15 of the California Code of Regulations defines rated beds as those that "[conform] to the standards and requirements" of the State. Unrated beds are those that are for health care or disciplinary isolation, or do not conform to state standards. Beds are rated by state or local rating officials.

<sup>2</sup> Although the City intends to relocate all of its facilities from the HOJ, the Superior Court is anticipated to remain at the east wing of the HOJ indefinitely. After the City relocates its facilities to other locations and the west wing of the HOJ is demolished, the Superior Court may use the vacant land to construct a new, seismically sound building.

“In response to historically low inmate populations in San Francisco and uncertainty around the impact of State realignment of the correctional system, the Plan recommends a two phased approach to replacing the jails. The first phase is a \$290 million facility on adjacent property east of the current HOJ...Funding for the jail is through the issuance of COPs beginning in 2016.

The second phase of the Replacement Jail would add an additional facility on the same property if future forecasts indicate the prison population is likely to increase beyond the current forecasts.”

Although the City intends to relocate all of its facilities from the HOJ, the Superior Court is anticipated to remain at the east wing of the HOJ indefinitely. After the City relocates its facilities to other locations and the west wing of the HOJ is demolished, the Superior Court may use the vacant land to construct a new, seismically sound building.

### **The Proposed Replacement Jail**

According to Mr. Jim Buker, Department of Public Works (DPW) Senior Architect, construction of the proposed replacement jail would commence in January 2017 and would be completed in December 2019.

The jail currently being proposed by the Sheriff’s Department and DPW to replace County Jails #3 and #4 would have 320 cells, with a maximum capacity of 640 rated beds. Table 2 below lists the key features of the proposed replacement jail.

**Table 2: Features of Proposed Replacement Jail**

<b>Feature</b>	<b>Description</b>
Capacity	320 cells, 640-bed capacity;
Configuration	Rectilinear pods allowing for direct supervision; 8 pods with mezzanines containing 32 cells, 4 single-level pods containing 16 cells
Program Space	Central classrooms; Classrooms, multi-purpose space, and yards for physical activity adjacent to all pods; Contact and non-contact visitation
Area	194,300 square feet; 6 floors including a basement

Source: DPW

Inmates housed in the proposed jail would be transported to and from the HOJ for court appearances through an underground tunnel. According to the Sheriff’s Department and DPW, the ability to transport inmates to and from the HOJ through a tunnel, rather than by vehicle from a remote location, is a major advantage of locating the replacement jail adjacent to the HOJ, both for cost-efficiency and for the safety and security of inmates and staff.

### Cost and Financing of the Proposed Replacement Jail

The estimated cost of constructing the proposed replacement jail is \$290,000,000, as shown in Table 3 below.

**Table 3: Estimated Project Costs for the Proposed Replacement Jail**

Construction	199,500,000
Project Control <sup>i</sup>	54,900,000
Site Control <sup>ii</sup>	30,700,000
Capital Program Contingency	4,300,000
Bond Issuance and Oversight	<u>600,000</u>
<b>GRAND TOTAL</b>	<b>\$290,000,000</b>

Source: DPW

i. Project control: architectural and engineering, construction management, and project management services, as well as permits.

ii. Site control: purchase of proposed property, consultant contract expenses related to due diligence, relocation expenses owed to displaced occupants, and demolition.

Under the 2014-2023 Capital Plan, construction of the proposed replacement jail would be financed by the issuance of Certificates of Participation starting in FY 2016-2017. According to Ms. Nadia Sesay, Director of Public Finance in the Controller's Office, the Certificates of Participation would be paid back over a period of 23 years ending in FY 2036-37, resulting debt service costs to the General Fund of \$629,610,125.

#### **Environmental Review and Final Approval of the Project**

Environmental review of the proposed replacement jail is scheduled to commence in early 2014 and be completed in late 2015. At that time, Board of Supervisors approval of the property acquisition and issuance of Certificates of Participation would be required for the project to proceed.

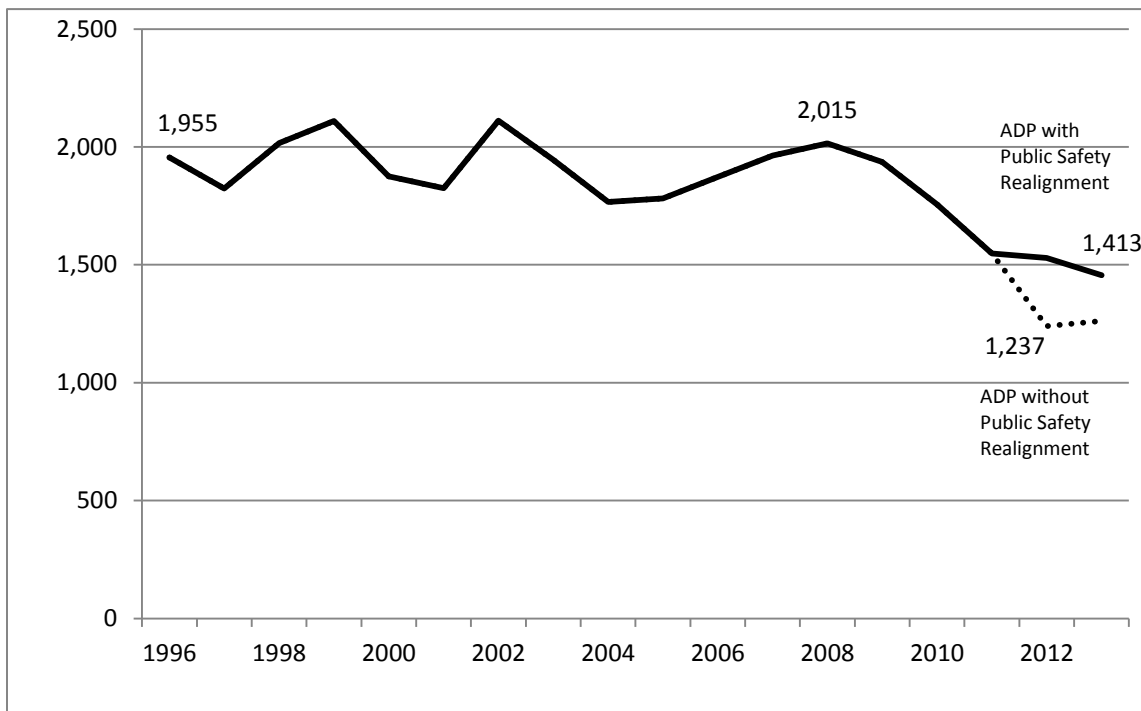
In order to perform the environmental review, DPW will submit a preliminary project assessment to the Planning Department defining the size and bed capacity of the proposed replacement jail. According to Mr. Buker, the City could reduce the size of the proposed replacement jail after environmental review is completed without triggering a second environmental review, as the environmental impacts of a smaller building would be less than those of a larger building; however, the City could not increase the size of the proposed replacement jail after environmental review is completed without triggering a second environmental review. Mr. Buker therefore advises that the City should conduct environmental review of the largest possible building that the City could decide to construct. After environmental review, the City would have the ability to reduce the size of the proposed replacement jail without triggering a second environmental review.

## II. Forecasting the Future Inmate Population

### Decrease in San Francisco's Jail Population

San Francisco's County's jail population decreased significantly between 2008 and 2013, as shown in Figure 1 below.

**Figure 1: Decrease in the County Jail Average Daily Population (ADP) from 1996 to December 16 2013**



Sources: Bureau of State and Community Corrections (BSCC), Sheriff's Department

The decrease in the average daily inmate population in the County jail in 2012 and 2013 would have been greater if the State had not implemented Public Safety Realignment, in which responsibility for some State prisoners and parolees was transferred to the counties. As shown in Figure 1 above, in the absence of Public Safety Realignment, the average daily inmate population would have been 1,237 in 2013.

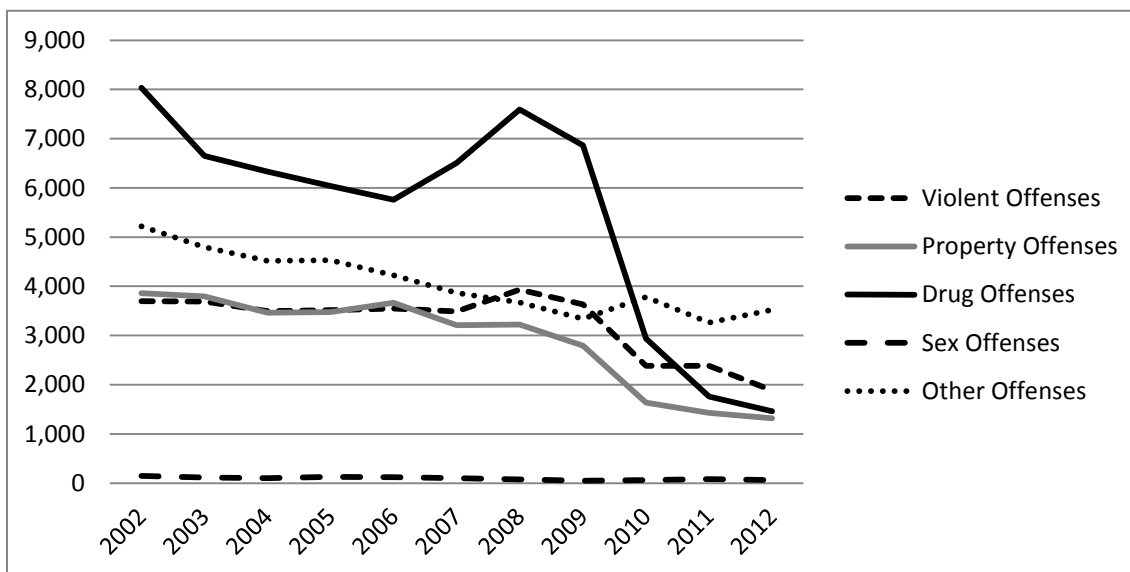
### Impact of Decreased Arrests on the Jail Population

The decline in the inmate population from 2008 to 2013 correlates to a decrease in the number of felony arrests, particularly arrests for drug-related offenses. Figure 2 below shows the annual number of felony arrests in San Francisco by category of offense from 2002 to 2012 (the most recent year for which arrest data is available). Table 4 below shows the annual number of felony arrests by category



of offense from 2008 to 2012, as well as the share of the overall decrease in felony arrests that each category of offense accounted for.

**Figure 2: Annual Number of Felony Arrests by Category of Offense 2002 to 2012**



Source: California Department of Justice

**Table 4: Annual Number of Felony Arrests by Category of Offense 2008 to 2012**

Arrest Offense	2008	2012	Decrease	% Decrease	Share of Decrease
All Felony Arrests	18,494	8,244	10,250	55%	100%
<u>By Category</u>					
Violent Offenses	3,933	1,883	2,050	52%	20%
Property Offenses	3,221	1,320	1,901	59%	19%
Drug Offenses	7,592	1,461	6,131	81%	60%
Sex Offenses	76	60	16	21%	0%
Other Offenses	3,672	3,520	152	4%	1%

Source: California Department of Justice

The decrease in arrests from 2008 to 2012 is mirrored over the same time period by a 28 percent decrease in the number of jail bookings, and a 32 percent decrease in the number of new criminal filings with the San Francisco Superior Court, as shown in Table 5 below.

**Table 5: Inmate Population, Bookings, Arrests, Prosecutions, Crimes 2008 to 2011**

	<b>2008</b>	<b>2011</b>	<b>Decrease</b>	<b>% Decrease</b>
Average Daily Population	2,015	1,548	467	23%
Bookings	33,037	23,722	9,315	28%
Felony Arrests	18,494	8,911	9,583	52%
Felony & Misdemeanor Arrests	33,487	22,828	10,659	32%
New Superior Court Criminal Filings	13,750	9,380	4,370	32%
Violent & Property Crimes	43,901	39,244	4,657	11%

Sources: California Department of Justice, Sheriff's Department

The decrease in the inmate population from 2008 to 2013 has been driven mainly by a decrease in arrests, in particular drug-related arrests, due largely to implementation of law enforcement policies that promote alternatives to incarceration and other policies. During interviews with the Chief of Police and District Attorney, both officials concurred that changes in City policies for the arrest and prosecution of drug-related offenses have contributed to the decline in the inmate population over the last five years.

#### **The Controller's August 2013 County Jail Needs Assessment**

In the August 2013 *County Jail Needs Assessment*, the Controller forecasted an average daily population of 1,900 inmates in the year 2019. The *County Jail Needs Assessment* accounts for the need for additional beds due to classification<sup>3</sup> of the inmate population and peak population, and forecasts a need for between 2,091 and 2,298 beds in the year 2019. The Controller plans to update its forecast in January 2014.

#### The Controller's Methodology

The Controller's forecast of future bed needs used a methodology consisting of four components, as shown in Table 6 below.

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<sup>3</sup> According to the National Institute of Corrections, Jail classification is a process of assessing every jail inmate's custody and program needs, and identifying the level of risk so that appropriate housing and program assignments can be made. Based on the classification, inmates may be separated into housing units based on gender, pre-trial and sentenced inmates, violent and non-violent felonies, and other factors.

**Table 6: Controller’s Forecasted Jail Bed Needs in 2019**

<b>Component of Forecast</b>	<b>Moderate Estimate</b>	<b>Conservative Estimate</b>
1. Baseline Forecast	1,712	1,712
2. Impact of Public Safety Realignment	188	188
Subtotal: Inmate Population	1,900	1,900
3. Classification Factor	+5.0%	+8.2%
4. Peak Population Factor	+4.8%	+11.8%
<b>Total Beds Needed in 2019</b>	<b>2,091</b>	<b>2,298</b>

Source: Controller

1. **Baseline Forecast:** The Controller established a baseline forecast using the methodology originally used by Jay Farbstein and Associates (Jay Farbstein) in their December 7, 2011 *San Francisco Jail Population Study*. Jay Farbstein’s methodology was to use a regression model to calculate a trend line from 1996 to 2011, and then project that trend line to 2019. This methodology assumes that the trend exhibited from 1996 to 2011 will continue into the relevant future. Using this model, the Controller forecast a baseline average daily population of 1,712 in the year 2019.
2. **Public Safety Realignment Population:** The Controller forecasted the Public Safety Realignment population separately from the non-Public Safety Realignment population because implementation of Public Safety Realignment had just begun in October 2011, and therefore its impact on the inmate population was uncertain and could not be forecasted in the same way using historical data. The Controller used Public Safety Realignment population data from February 2012 to June 2012 to estimate the average daily Public Safety Realignment population of 188.
3. **Classification Factor:** The classification factor accounts for beds that must be left vacant in order to isolate inmates with security classifications that preclude them from being housed with other inmates (either for the protection of the isolated inmates, for the protection of the general inmate population, or as required by law). For example, on January 29, 2013, the Controller and Sheriff’s Department counted 128 beds that were left vacant due to classification, as shown in Table 7 below.

**Table 7: Vacant Beds on January 29, 2013 due to Classification**

<b>Inmate Classification</b>	<b>Vacant Beds</b>
Sexually Violent Predators	24
Gang Dropouts	8
Transgender	21
Psychiatric Needs	31
Medical	11
Lock-up	17
Psychiatric Needs/Administrative Segregation	7
House Alones	<u>9</u>
<b>TOTAL</b>	<b>128</b>
<b>Total Inmate Population on January 29, 2013</b>	<b>1,556</b>
<b>Actual Bed Need on January 29, 2013</b>	<b>1,684</b>
<b>Classification Factor (128 ÷ 1,556)</b>	<b>8.2%</b>

Source: Controller

Forecasts performed by two consultants hired by the Sheriff's Department, Jay Farbstein and Crout and Sida Criminal Justice Consultants (Crout and Sida), used a classification factor of 5%. However, the Sheriff's Department has asserted that 5% is an underestimate of actual need.

Based on the 8.2% classification factor identified on January 29, 2013, the Controller established 8.2% as a conservative estimate of the classification factor, and 5% as a moderate estimate, as shown in Table 6 above.

4. **Peak Population Factor:** The peak population factor allows extra beds for "peak" days, which are days when the inmate population reaches its peak for a given period of time.

The Controller established moderate and conservative peak population factors based on the different methodologies used by the two external consultants. Jay Farbstein calculated the peak population factor by averaging the peak days from each month during a year, while Crout and Sida took the highest peak day of the year, and then both consultants subtracted the annual average daily population from their peak figure (average of all monthly peaks vs. annual peak). As a result of averaging monthly peaks, the Jay Farbstein methodology resulted in the actual jail population being within the estimated peak population factor 93% of the time, according to Jay Farbstein. By contrast, the inmate population never exceeded the peak population factor established by the Crout and Sida methodology.

The Controller chose to replicate both consultants' methodologies for the year 2012, and found peak population factors of 4.8% and 11.8% respectively. The Controller established these peak population factors as its moderate and conservative estimates of the peak population factor, as shown in Table 6 above.

Finally, the Controller applied the classification and peak population factors to the forecasted inmate population of 1,900 inmates, and arrived at a forecasted bed need of between 2,091 and 2,298 in the year 2019, as shown in Table 6 above.

**Estimates of Average Daily Population Based on 2012 and 2013 Data**

Baseline Forecast

In order to update the baseline historical data exclusive of the Public Safety Realignment population, the Budget and Legislative Analyst obtained data from the Sheriff's Department regarding the Public Safety Realignment population in 2012 and 2013, and then calculated an annual average daily population for the Public Safety Realignment population and subtracted it from the total annual average daily population, as shown in Table 8 below.

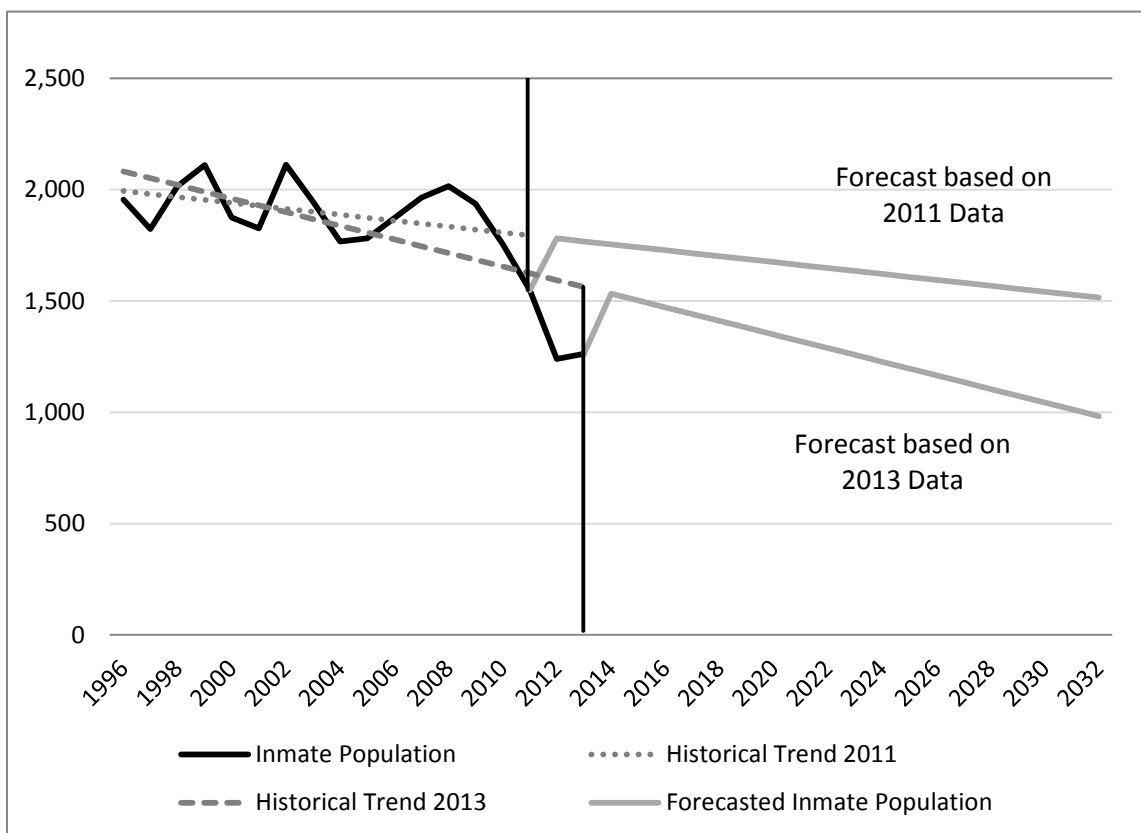
**Table 8: Calculation of the Baseline Inmate Population for 2012 and 2013**

	<b>2012</b>	<b>2013</b>
Total Annual Average Daily Population	1,529	1,413
Public Safety Realignment Average Daily Population	- <u>289</u>	- <u>176</u>
Baseline Average Daily Population	<b>1,240</b>	<b>1,237</b>

Source: BSCC, Sheriff's Department

Using these figures for the 2012 and 2013 baseline average daily population, the Budget and Legislative Analyst calculated a new trend line, as shown in Figure 3 below.

**Figure 3: Baseline Model with Data through 2011 and Data through 2013**



Source: BSCC, Sheriff's Department

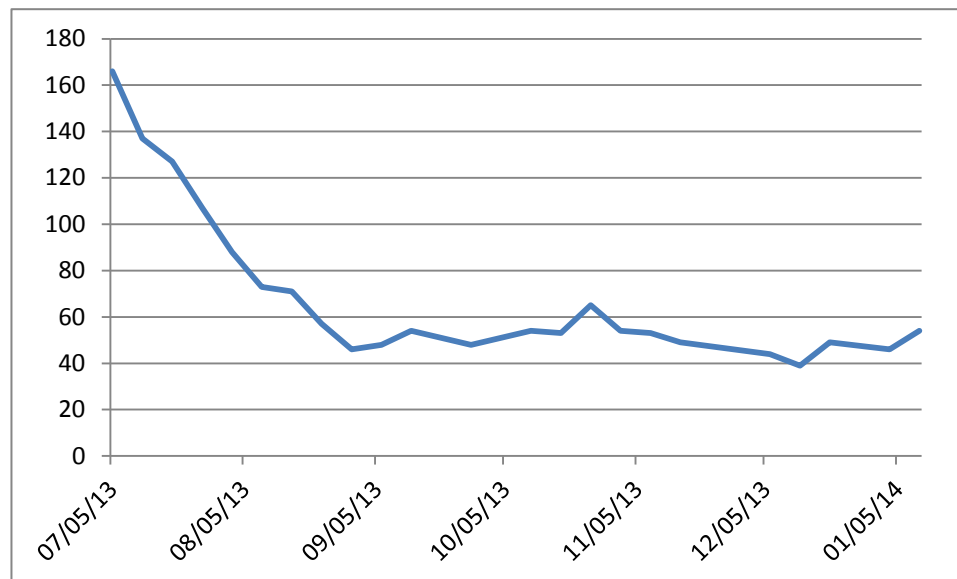
As shown in Figure 3 above, the continued decrease in the baseline average daily population in 2012 and 2013 results in a steeper historical trend line. Based on 2012 and 2013 data, the baseline average daily population in the year 2019 is 1,372 inmates, compared to the 1,712 inmates forecasted by the Controller using historical data through the end of 2011.

Public Safety Realignment Population

The Public Safety Realignment population in the County jails decreased from 289 in 2012, the first full year of implementation, to 176 in 2013. In July 2013, responsibility for some State parolees was transferred from the State to the counties as part of Public Safety Realignment.

In 2013, the average daily population of State parolees decreased, as shown in Figure 3 below, and has averaged approximately 51 from August 2013 to January 2014.

**Figure 4: Average Daily Number of State Parolees in San Francisco Jails from July 5, 2013 through January 5, 2014**



Source: Sheriff's Department

According to Mr. Armel Farnsworth, Unit Supervisor San Francisco #3, California Department of Corrections and Rehabilitation (CDCR) Division of Parole Operations, this decrease is due almost entirely to the transfer of parole revocation hearings from the State Board of Parole Hearings to the Superior Court and associated changes in parole revocation policy mandated under Public Safety Realignment, which took effect on July 1, 2013. According to Mr. Farnsworth, prior to July 1, 2013, State law dictated that violent and serious felonies be referred to the State Board of Parole Hearings for parole revocation proceedings. Since July 1, 2013, referral to revocation proceedings is under the discretion of the Division of Parole Operations unit supervisor. Parolees are referred to revocation proceedings only after all alternative remedies have been exhausted (alternative remedies range from verbal counseling to placement in a residential treatment facility), or if the parolee is considered to be a risk to public safety. According to Mr. Farnsworth, the number of revocation hearings has declined from approximately 20 per week prior to July 1, 2013 to approximately five per week in September 2013. According to Mr. Farnsworth, the number of parolees incarcerated in the County jail may vary in as alternatives to incarceration for some parolees are exhausted; and due to legislative changes.<sup>4</sup>

Based on the 2013 actual average daily Public Safety Realignment population and the expected number of State parolees in County jail going forward, the Budget

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<sup>4</sup> The State Legislature adopted SB 57 in October 2013 imposes a mandatory 180 day incarceration on any parolee who was convicted of a sex offense, and found guilty of violating the terms of his or her parole by removing the electronic monitor. The impact of implementation of SB 57 on the average daily inmate population is not yet known.

and Legislative Analyst estimates the future impact of Public Safety Realignment to be 106 additional inmates above the baseline forecast, as shown in Table 9 below.

**Table 9: Public Safety Realignment’s Impact on the Inmate Population<sup>5</sup>**

<b>Penal Code Section under which Inmates Are Incarcerated</b>	<b>Budget and Legislative Analyst Estimate</b>
Penal Code 3454 – Violation of Post-Release Community Supervision	3
Penal Code 3455 – Revocation of Post-Release Community Supervision	17
Penal Code 1170h – New Low-level Felony Commitments	35
Penal Code 3056 – Violation of State Parole	<u>51</u>
<b>TOTAL NUMBER OF INMATES</b>	<b>106</b>

Average Daily Inmate Population in 2019

The Budget and Legislative Analyst estimate of the average daily inmate population and required County jail beds in 2019 are shown in Table 10 below.

**Table 10: Budget and Legislative Analyst’s Estimated Number of Required Jail Beds in 2019<sup>6</sup>**

	<b>Moderate Estimate</b>	<b>Conservative Estimate</b>
Baseline Forecast	1,372	1,372
Impact of Public Safety Realignment	106	106
Subtotal: Inmate Population	1,478	1,478
Classification Factor	5.0%	8.2%
Peaking Factor	4.8%	11.8%
<b>Beds Needed in 2019</b>	<b>1,626</b>	<b>1,788</b>

The Budget and Legislative Analyst’s forecast of the average daily inmate population in 2019 accounts for the long term downward trend in the baseline

<sup>5</sup> **Penal Code 3454:** These individuals violated the terms of their Post-Release Community Supervision (PRCS) and are sentenced to a maximum 10-day flash incarceration. **Penal Code 3455:** These individuals violated the terms of the PRCS and are subject to penalties other than flash incarceration, including modification of PRCS conditions, returning to jail, or referral to an evidence-based program. **Penal Code 1170h:** These individuals committed non-violent, non-sexual, non-serious felony offenses. Prior to Public Safety Realignment they would have been housed in state prison. **Penal Code 3056:** Individuals whose parole is revoked by the State of California are remanded to County jail. Prior to Public Safety Realignment they would have been housed in state prison.

<sup>6</sup> The Budget and Legislative Analysts calculated (a) the trend line for the 2019 average daily population of 1,364, based on the actual average daily population from 1996 through December 16, 2013, and projected forward through 2019; and (b) the average Public Safety Realignment daily population in 2012 and 2013.



population from 1996 through December 16, 2013 and the actual Public Safety Realignment population in 2013. The downward trend in the average daily population is due to trends in criminal justice policy and demographics.

*Trends in Criminal Justice Policy*

According to Chief of Police, District Attorney, and Adult Probation Chief, the three local officials whose policies have the greatest impact on the number of inmates incarcerated, the inmate population will most likely not increase above current levels under current criminal justice policies, which is largely in the control of City policymakers. The District Attorney and Adult Probation Chief anticipate that the inmate population will decrease further in the coming years and decades.

*Demographic Trends*

According to the Controller, San Francisco's current demographic trends also support a gradual, long-term decline in the inmate population. As noted in the *County Jail Needs Assessment*, while the total population in San Francisco is increasing slowly, the number of adults age 18 to 35 decreased from 276,121 in 2000 to 258,151 in 2012, and is expected to continue decreasing through 2024 and remain below current levels through 2033, according to the California Department of Finance.

### III. Opportunities to Expand the Use of Alternatives to Incarceration

#### San Francisco's Existing System of Alternatives to Incarceration

As described in the *County Jail Needs Assessment*, the City and County of San Francisco employs a wide range of pretrial release and alternative sentencing programs that serve to decrease the number of individuals in San Francisco County jails, as shown in Table 11 below. Placement in these alternatives to incarceration is not limited to misdemeanor offenders only.

**Table 11: The City's Existing Alternative to Incarceration Programs**

Program	Description	Participants	
		1/29/13	11/8/13
<b>Pretrial Programs</b>			
Pretrial Diversion (Operated by Pretrial Diversion Project)	Provision of programs and other court requirements that when successfully completed result in dismissal of charges. Targets misdemeanor offenders only.	416	501
Own Recognizance (Operated by Pretrial Diversion Project)	Facilitation of Court's review process to determine whether an individual can be released without bail prior to trial. Targets misdemeanor and felony offenders.	243	273
Supervised Pretrial Release (Operated by Pretrial Diversion Project)	Monitoring and placement into treatment programs during pretrial release to ensure that individuals appear at court dates.	141	193
Court Accountable Homeless Services (Operated by Pretrial Diversion Project)	Operated by Pretrial Diversion Project. Case management for homeless individuals referred by the Court.	24	26
Pretrial Electronic Monitoring	Electronic monitoring for in-custody pretrial individuals referred by Court.	28	41
<b>Subtotal</b>		<b>852</b>	<b>1,034</b>
<b>Alternative Sentencing Programs</b>			
Electronic Monitoring (Out-of-custody Court or Adult Probation Referral)	Electronic monitoring for out-of-custody individuals referred by the Court or Adult Probation.	42	29
Electronic Monitoring (Released from Jail)	Electronic monitoring for sentenced individuals select by the Sheriff.	(included above)	5
Sheriff's Work Alternative Program	Supervision of work crews for out-of-custody individuals referred by Court.	55	59
<b>Subtotal</b>		<b>97</b>	<b>93</b>
<b>GRAND TOTAL</b>		<b>949</b>	<b>1,127</b>

Sources: Sheriff's Department, Controller

As shown in Table 113 above, there were 949 participants in the City's alternative to incarceration programs on January 29, 2013, and 1,127 participants on November 8, 2013. In the absence of these programs, the total inmate population could have been 2,505 inmates on January 29 (compared to 1,556), and 2,394 inmates on November 8 (compared to 1,267).

Between January 29 and November 8, 2013, there was a 21 percent increase in the number of participants enrolled in programs operated by the Pretrial Diversion Project, from 824 participants to 993 participants. This increase was mirrored by a 56 percent increase in the number of releases from jail into these programs, from 988 releases between December 2011 and November 2012, to 1,544 releases from December 2012 to November 2013. According to Mr. Will Leong, the Director of the Pretrial Diversion Project, the increase in releases is due largely to changes in how the Court administers releases. Prior to late 2012, the responsibility for reviewing workups and approving releases was given to 52 judges, each of who filled one shift twice per year. Since late 2012, three commissioners review 90 percent of the workups and approve releases. According to Mr. Leong, the criteria for releasing offenders have not changed. Rather, the process has become more efficient and consistent by assigning the responsibility primarily to three commissioners.

Although the number of releases to programs operated by the Pretrial Diversion Project comprises less than 10 percent of all jail bookings in the last two years, most if not all of the offenders released to these programs would have remained in jail for longer periods of time had they not been released, because they were not cited out or released on bail.

### **The Potential to Increase the Number of Offenders Diverted or Released from Jail**

According to Mr. Leong, who is familiar with the process and criteria used to select inmates for pretrial release, only a small portion of the inmates who are not released under current policies would be considered by most to be appropriate for release, based on the risk to public safety or the flight risk their release could pose. However, the District Attorney and Sheriff are considering at least three pretrial release or sentencing programs that could result in up to an estimated 60 additional inmates released from jail if successfully implemented.

#### **1. Pre-booking or pre-charge diversion of low-level drug offenders to treatment programs**

The District Attorney is proposing two alternatives to incarceration called "pre-booking diversion" and "pre-charge diversion".

A pre-booking diversion program would target repeat low-level offenders arrested for drug possession. Upon arrest, offenders would be given the option of being arrested or being taken to a caseworker for assessment and referral to a treatment program. The program would mostly rely on existing services funded by

the City. Like a similar program in Seattle, Washington, which targets the neighborhood of Belltown, San Francisco's program would target the Tenderloin neighborhood during its pilot period.

A pre-charge diversion program would release inmates after booking but before arraignment. Within the 48 business hours after booking during which the District Attorney must make a charging decision, the District Attorney could offer offenders arrested for drug possession the same option of being taken to a case worker for assessment and referral to a treatment program.

*Potential impact on the inmate population:*

According to a study from the JFA Institute, 44 inmates were incarcerated for felony drug possession charges on March 25, 2012. The Budget and Legislative Analyst estimates that if the two proposed diversion programs were to allow for the release of 25 percent of the inmates incarcerated for felony drug possession, the average daily inmate population could be reduced by an additional 11 inmates.

2. Referring a greater number of misdemeanor cases to Neighborhood Courts rather than prosecuting them in criminal court

The District Attorney is also considering referring a greater number of misdemeanor cases to Neighborhood Courts, rather than prosecuting them in criminal court. Neighbor Courts are panels consisting of volunteer "neighborhood adjudicators" trained in restorative justice and problem solving who hear low-level misdemeanor and infraction cases, and issue "directives" such as community service or restitution. There are 10 neighborhood courts across the city and over 100 adjudicators serving on them. In 2012 the District Attorney's Office referred 698 cases to Neighborhood Court.

Currently, more serious misdemeanor cases are prosecuted in criminal court. Expanding the types of cases that are referred to Neighborhood Courts could affect out-of-custody and in-custody defendants. When such cases are referred to Neighborhood Courts, those offenders in custody would be released from custody, thus reducing the inmate population.

*Potential impact on the inmate population:*

According to the *County Jail Needs Assessment*, 99 out of 1,556 inmates on January 29, 2013, or approximately 6%, were charged with misdemeanors. Therefore, significantly expanding the number of individuals charged with misdemeanors who were referred to Neighborhood Courts could reduce the inmate population by an estimated 25 or more inmates on any given day. The Budget and Legislative Analyst estimates that if increased referrals to Neighborhood Courts were to reduce the number of inmates charged with misdemeanors by 50 percent, the average daily inmate population could be reduced by an additional 49 inmates.

3. Pretrial Release by the Sheriff's Department as provided under Penal Code Section 1203.018

Public Safety Realignment gave the Sheriff's Department the authority to establish an electronic monitoring program for pretrial inmates who cannot afford bail (Penal Code 1203.018), subject to Board of Supervisors' approval. Currently in San Francisco only the Superior Court refers inmates to pretrial release programs. Board of Supervisors approval of Penal Code 1203.018 powers would allow the Sheriff's Department to release pretrial inmates into an electronic monitoring program once they have been in custody for at least 60 days after arraignment on a felony charge, or at least 30 days after arraignment on a misdemeanor charge. The Sheriff's Department introduced an ordinance on June 25, 2013 that would authorize such a program (File No. 130650), although it has not been scheduled for a committee meeting.

The Sheriff's Department has not identified additional criteria that would be used to select pretrial inmates for release on electronic monitoring beyond the criteria set forth in Penal Code 1203.018, discussed above. Therefore, it is difficult to estimate the number of inmates that could be released under such a program.

#### IV. Alternatives for Replacing County Jails #3 and #4

##### Alternatives Examined by the Budget and Legislative Analyst

The jail currently being proposed by the Sheriff's Department and DPW to replace County Jails #3 and #4 would have 320 cells, with a maximum capacity of 640 rated beds. The Budget and Legislative Analyst has considered six alternatives for replacing County Jails #3 and #4 including the proposed project, shown in Table 14 below, and has examined the alternatives based on three criteria: (1) bed capacity, (2) construction, transportation, and holding cell costs, and (3) safety and security.

**Table 12: Six Alternatives for Replacing County Jails #3 and #4**

	Total Jail Beds	
	W/out existing County Jail #6	With existing County Jail #6
1. No replacement jail	1,238	1,610
2. 256-bed San Bruno Jail (remodel of existing County Jail #6)	1,494	-
3. 256-bed Hall of Justice Jail	1,494	1,866
4. 384-bed Hall of Justice Jail	1,622	1,994
5. 640-bed San Bruno Jail (256-bed remodel of County Jail #6 and construction of new 384-bed San Bruno Jail)	1,878	-
6. 640-bed Hall of Justice Jail (Proposed)	1,878	2,250

The six alternatives shown above range from not constructing a replacement jail to constructing the proposed 640-bed replacement jail.

- Alternative #2 is to remodel County Jail #6 into a maximum security jail with a capacity of 256 beds, which is the number of maximum security beds the existing structure could hold, according to DPW.
- Alternative #3 is to construct a replacement jail with a 256-bed capacity near the HOJ.
- Alternative #4 is to construct a replacement jail with a 384-bed capacity near the HOJ.<sup>7</sup>

<sup>7</sup> Alternatives #1, #2, #3 and #4 and associated cost estimates shown in Table 17 were derived from Alternative #5, which was developed by the Sheriff's Department with cost estimates provided by DPW.

- Alternative #5 was developed by the Sheriff's Department for the purpose of comparing the construction of 640 beds at the San Bruno site to the construction of 640 beds near the Hall of Justice (the proposed replacement jail). Under Alternative #5, County Jail #6 would be remodeled into a maximum security jail with a capacity of 256 beds, and an additional 384 beds would be built by constructing a new jail at the San Bruno site.
- Alternative #6 is the current proposal to construct a replacement jail with a 640-bed capacity near the HOJ.

#### Questions about the Usability of County Jail #6

As discussed in the *County Jail Needs Assessment*, the Sheriff's Department has concerns about the future use of County Jail #6 due to its operational and design limitations. The Sheriff's Department plans to address the building's deficiencies as part of a master planning process in 2014.

County Jail #6 was opened in 1989 to house inmates sentenced or charged with misdemeanors, and was built as a low-security jail with dormitory-style housing units appropriate to that population. According to the Sheriff's Department, because the proportion of misdemeanor and minimum-security inmates has decreased substantially, County Jail #6 no longer meets the needs of housing most of the inmate population safely and securely and is currently closed.

#### Concerns about Transportation

Currently, inmates in County Jails #3 and #4 are transported through secure elevators and corridors to court appearances at the HOJ. According to the Sheriff's Department, the ability to transport inmates to and from the HOJ through an underground corridor, rather than by vehicle from a remote location, is a major advantage of locating any replacement jail adjacent to the HOJ, both for cost-efficiency and for the safety and security of inmates and staff.

#### **Analysis of Bed Capacity**

If the average daily jail population in 2019 is 1,478, as estimated by the Budget and Legislative Analyst in Table 10 above, the County would require from 1,626 to 1,788 jail beds to meet classification and peak population requirements.

**Table 13: Comparison of Jail Bed Capacity under Six Alternatives to 1,626 Forecasted Jail Bed Requirements in 2019**

		Total Jail Beds			Over/ (Under) Required Beds	
		W/out existing County Jail #6	With existing County Jail #6	Estimated Required Jail Beds	W/out existing County Jail #6	With existing County Jail #6
1	No replacement jail	1,238	1,610	<b>1,626</b>	(388)	(16)
2	256-bed San Bruno Jail (remodel of existing County Jail #6)	1,494	-	<b>1,626</b>	(132)	n/a
3	256-bed Hall of Justice Jail	1,494	1,866	<b>1,626</b>	(132)	240
4	384-bed Hall of Justice Jail	1,622	1,994	<b>1,626</b>	(4)	368
5	640-bed San Bruno Jail (256-bed remodel of County Jail #6 and construction of new 384-bed San Bruno Jail)	1,878	-	<b>1,626</b>	252	n/a
6	640-bed Hall of Justice Jail (Proposed)	1,878	2,250	<b>1,626</b>	252	624

If the County requires 1,626 jail beds in 2019, the County could construct a:

- 384-bed jail at the Hall of Justice (Alternative #4) rather than the currently planned 640-bed jail without using the existing County Jail #6 to meet peak population or classification requirements.<sup>8</sup>
- 256-bed jail at the Hall of Justice (Alternative #3) if the Count were to use the existing County Jail #6 to meet peak population or classification requirements.

<sup>8</sup> Although the 1,626 jail beds required to meet peak population and classification factors, the difference of 4 between the required number of beds at peak capacity and the available number of beds is 0.3 percent of total capacity, and could probably be accommodated through diversion of low-level offenders (see Section III) or other procedures.



**Table 14: Comparison of Jail Bed Capacity under Six Alternatives to 1,788 Forecasted Jail Bed Requirements in 2019**

		Total Jail Beds			Over/ (Under) Required Beds	
		W/out existing County Jail #6	With existing County Jail #6	Estimated Required Jail Beds	W/out existing County Jail #6	With existing County Jail #6
1	No replacement jail	1,238	1,610	<b>1,788</b>	(550)	(178)
2	256-bed San Bruno Jail (remodel of existing County Jail #6)	1,494	-	<b>1,788</b>	(294)	n/a
3	256-bed Hall of Justice Jail	1,494	1,866	<b>1,788</b>	(294)	78
4	384-bed Hall of Justice Jail	1,622	1,994	<b>1,788</b>	(166)	206
5	640-bed San Bruno Jail (256-bed remodel of County Jail #6 and construction of new 384-bed San Bruno Jail)	1,878	-	<b>1,788</b>	90	n/a
6	640-bed Hall of Justice Jail (Proposed)	1,878	2,250	<b>1,788</b>	90	462

If the County requires 1,788 jail beds in 2019, the County could construct a 256-bed or 384-bed jail at the Hall of Justice (Alternatives # 3 and #4) rather than the currently planned 640-bed jail if the County were to use the existing County Jail #6 to meet peak population or classification requirements.

**The Average Daily Inmate Population in 2019 Could Be Less than the Forecasted Population**

The Budget and Legislative Analyst’s 2019 County jail population forecast is based on historical data from 1996 through 2013, which includes years in which the average daily inmate population was higher than the current population, as shown in Figure 1 above.<sup>9</sup> If the County jail population stays the same or decreases from the 2013 average daily inmate population, then the actual jail population in 2019 could be lower than the current estimates, potentially allowing the City to construct a smaller replacement jail than the Budget and Legislative Analyst’s estimate.

**Analysis of Costs**

Table 15 below presents the estimated project costs for constructing a replacement jail and total estimated costs including debt service and

<sup>9</sup> The Budget and Legislative Analyst’s methodology is similar to the Jay Farbstein Study, which was conducted in 2011 and used 1996 to 2011 average daily inmate population data.

transportation of inmates between San Bruno and the HOJ, for each of the six replacement alternatives.

**Table 15: Estimated Costs for Six Replacement Alternatives**

	Estimated Project Costs	Debt Service, Reserve, and Other Financing Costs	Total Project and Financing Costs	Transportation and Holding Cell Costs <sup>10</sup>	Total
1 No replacement jail <sup>1</sup>	\$9,000,000	\$9,900,000	\$18,900,000	\$301,478,711	\$320,378,711
2 256-bed San Bruno Jail (remodel of existing County Jail #6) <sup>1</sup>	\$85,200,000	\$95,700,160	\$180,900,160	\$301,478,711	\$482,378,871
3 256-bed Hall of Justice Jail	\$134,000,000	\$157,034,175	\$291,034,175	\$0	\$291,034,175
4 384-bed Hall of Justice Jail	\$193,800,000	\$227,158,575	\$420,958,575	\$0	\$420,958,575
5 640-bed San Bruno Jail (256-bed remodel of County Jail #6 and construction of new 384-bed San Bruno Jail) <sup>1</sup>	\$228,100,000	\$250,910,460	\$479,010,460	\$367,272,198	\$846,282,658
6 640-bed Hall of Justice Jail (Proposed)	\$290,000,000	\$339,610,125	\$629,610,125	\$0	\$629,610,125

<sup>1</sup> According to cost estimates provided by DPW, the City would need to construct \$9 million in improvements to County Jails #1 and #2, adjacent to the HOJ, to accommodate inmates transported from San Bruno to the HOJ for court proceedings if the City does not construct a replacement jail at the HOJ.

Construction Costs

As shown in Table 15, the estimated project costs increase with the number beds. In addition, constructing beds at the San Bruno site would be less costly than constructing the equivalent number of beds near the HOJ. According to cost

<sup>10</sup> According to estimates provided by the Sheriff's Department and DPW, the annual operating costs of transporting inmates between the San Bruno site and the HOJ would range from \$3,902,674 for 256 inmates to \$4,680,083 for 640 inmates. These costs include uniform staff to provide transportation and holding cell security, fuel costs, and contracts for visitor shuttles. The Sheriff's Department and DPW estimate such costs would increase at 3% per year due to inflation. In addition, there would be one-time costs to hire and train uniform staff ranging from \$976,904 to \$1,193,994 depending on the number of inmates, and the cost of purchasing a new fleet every 10 years, which would range from \$592,500 to \$1,253,750 in the first year depending on the number of inmates expected. Finally, if a replacement jail is not constructed near the HOJ, there would be capital costs of \$9,000,000 associated with constructing holding cell space and other essential facilities needed to operate County Jails #1 and #2 that are currently housed at County Jails #3 and #4.

estimates provided by DPW, the estimated construction costs associated with remodeling County Jail #6 are 75 percent of the cost per square foot of constructing a replacement jail near the HOJ containing the equivalent number of beds. The estimated construction costs associated with constructing a new jail at the San Bruno site are 90 percent of the cost per square foot of constructing a replacement jail near the HOJ containing the equivalent number of beds. Finally, constructing the equivalent number of beds at the San Bruno site is also less costly because the City would not have to acquire property. As shown in Table 3 above, the costs associated with acquiring property are budgeted at \$30,700,000.

Transportation and Holding Cell Costs

The City would incur new transportation and holding cell costs over the long term, which vary depending on the number of inmates being housed at the San Bruno site. Because the actual number of inmates could be less than the number of estimated inmates, the estimated transportation and holding cell costs shown in Table 16 are maximum costs. Actual costs could be less.

The estimated transportation and holding cell costs over 40 years are such that constructing and filling beds at the San Bruno site would be significantly more costly than constructing and filling the same number of beds near the HOJ, despite the lower construction costs at the San Bruno site. Because there is no other apparent benefit to housing inmates at the San Bruno site compared to housing inmates near the HOJ, the significant cost differential would seem to rule out remodeling County Jail #6 or constructing a replacement jail at the San Bruno site (Alternatives #2 and #5).

The cost estimates in Table 16 also indicate that not constructing a replacement jail would be more costly over a 40-year period than constructing a 256-bed replacement jail near the HOJ, but less costly than constructing a 384-bed or 640-bed replacement jail near the HOJ.

Comparison of Debt Service for Alternatives #3, #4 and #6

Table 17 below presents the estimated total debt service and average annual payments over 23 years for constructing a replacement jail at the HOJ (Alternatives #3, #4 and #6), provided by the Controller’s Office of Public Finance.

**Table 17: Total Debt Service and Annual Average Payments over 23 Years**

	Alternative #3	Alternative #4	Alternative #6
	256-bed HOJ Jail	384-bed HOJ Jail	640-bed HOJ Jail
	\$134,000,000	\$193,800,000	\$290,000,000
Total Debt Service	291,034,175	420,958,575	629,610,125
Annual Average	12,653,660	18,302,547	27,374,353

Source: Controller’s Office of Public Finance

### **Analysis of Safety and Security**

- **Alternative #1:** As discussed above, housing inmates at the existing County Jail #6 would provide less safety and security for inmates and staff, according to the Sheriff's Department. In addition, transporting inmates between the San Bruno site and the HOJ would be less safe and secure for inmates and staff.
- **Alternative #2:** Remodeling County Jail #6 into a maximum security jail with 256 beds would provide a higher level a safety and security for inmates and staff inside the jail, but transporting inmates between the San Bruno site and the HOJ would be less safe and secure for inmates and staff.
- **Alternative #3:** Constructing a 256-bed jail near the HOJ would provide a higher level of safety and security for inmates and staff both inside the jail and in transporting inmates between the jail and the HOJ.
- **Alternative #4:** Constructing a 384-bed jail near the HOJ would provide a higher level of safety and security for inmates and staff both inside the jail and in transporting inmates between the jail and the HOJ.
- **Alternative #5:** Remodeling County Jail #6 into a maximum security jail with 256 beds and building an additional 384-bed jail at the San Bruno site would provide a higher level of safety and security for inmates and staff inside the jails, but transporting inmates between the San Bruno site and the HOJ would be less safe and secure for inmates and staff.
- **Alternative #6:** Constructing a 640-bed jail near the HOJ would provide a higher level of safety and security for inmates and staff both inside the jail and in transporting inmate between the jail and the HOJ.

### **Conclusion**

Based on the analysis above, the Budget and Legislative Analyst concludes that constructing no replacement jail is the least viable among Alternatives #1, #3, #4 and #6, unless the inmate population decreases to an average daily population of 1,023 inmates and County Jail #6 therefore does not need to be reopened.

Alternatives #3, #4 and #6 are equal in terms of safety and security, but vary in terms of bed capacity and cost. Because of the continuing downward trend in the average daily inmate population and the significant savings that could be achieved if the City constructs a smaller replacement jail, the City should re-evaluate the number of replacement jail beds required in 2019 after environmental review is completed in late 2015 and construct a smaller replacement jail if the average daily jail population remains at its current level or declines further.

# Comprehensive Community Corrections Master Plan

## *Draft Outline*

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### **I. Fundamental Elements of a Progressive Community Corrections Paradigm**

1. Decisions are based on an individual's risk level and treatment needs to determine sanctions, supervision level, and interventions.
2. Provide opportunities and incentives for positive behavioral changes while holding individuals accountable.
3. Limit use of incarceration to those who cannot be safely supervised in the community; otherwise maximize alternatives to incarceration that protect the public while holding individuals accountable.
4. Recognize that avoiding disruption to employment, schooling, housing, and families will improve outcomes and save taxpayer dollars for individuals who can be safely supervised in the community.
5. Recognize that victims/survivors of crime are an integral part of the justice process.
6. Reduce institutional bias and ensure all individuals receive fair, equal access to the justice system, including opportunities for diversion and alternatives to incarceration.
7. Offer opportunities for diversion, starting at point of arrest, based on individual's amenability and qualifications for diversion.
8. Implement science-based, data-driven approaches, which yield better outcomes and reduce future victimization over a punitive approach.
9. Reduce collateral consequences of criminal convictions, as well as barriers to reintegration/rehabilitation, when public safety is not otherwise compromised.
10. Recognize and strive to break the intergenerational cycle of crime and incarceration by strengthening families and addressing their needs throughout the justice process.
11. Strong, effective inter-agency collaboration to facilitate system-wide perspective.

### **II. Partners in a Progressive Community Corrections System**

1. Agencies:
  - a. Adult Probation
  - b. Office of the District Attorney
  - c. Office of the Public Defender
  - d. Sheriff's Department
  - e. Police Department
  - f. Superior Court
    - Collaborative Courts
  - g. Public Health
  - h. Human Services Agency
    - Child Welfare
  - i. Child Support
2. Partnerships/Local Planning and Oversight:
  - a. Community Corrections Partnership
  - b. Reentry Council

- c. Sentencing Commission
- d. Justice Reinvestment Initiative
- e. Victim/Survivor Services Committee

### **III. Jurisdictional Organizational Components of a Progressive Community Corrections Model**

#### **1. Adult Probation**

- a. Organizational management:
  - Mission, vision, and values aligned with EBP
  - Organizational culture supportive of and aligned with EBP
  - Policies and procedures aligned with EBP
  - Effective organizational communication
  - HR recruitment/interviewing/hiring/promotional strategies that reflect mission, vision, and values
  - Training supports EBP
  - Staff evaluation and feedback processes support skill development
  - Succession planning
  - Field supervision program, including peer-led safety and field training
  - Special recognition and awards program for employees and partner agencies
  - Appropriate caseload sizes with consideration of clients' risk/supervision levels
  - Officer caseload assignments based on individual strengths and skill-development needs
- b. Validated and gender-responsive assessments for general criminogenic risk and needs, risk of sexual re-offense, and secondary assessments for specific populations
- c. Presentence investigation reports
  - Integrated, individualized risk and need information
  - Family impact statements
  - Risk and need-based sentencing recommendations
- d. Supervision strategies aligned with EBP:
  - Strength-based, trauma-informed, gender-responsive, family-focused, culturally-sensitive supervision strategies
  - Risk-needs-responsivity-dosage-based supervision model
  - Telephone reporting and minimal intervention for low-risk people
  - Dynamic reassessment instrument
  - Pre-release contact and programming; development of release plan
  - Individualized treatment and rehabilitation plans based on criminogenic risk and needs; modification of plan as needs/circumstances change
  - Structured decision making for incentives and responses to client behavior, including brief flash incarceration and a range of alternatives to incarceration
  - Cognitive-behavioral programming
  - Motivational interviewing
  - Structuring time with pro-social activities
  - Treatment and program referrals based on criminogenic needs and important responsivity factors
  - Skill building during and between supervision contacts

- e. Information technology and electronic case management system that enhance case management, facilitate data-driven oversight, track outcomes, and provide a foundation for evaluation and quality assurance efforts.
  - f. Continuous quality improvement and quality assurance:
    - Key outcome measures for performance monitoring
    - Risk assessment validation; initial validation and re-validation every 4 years
    - Super-trainers for risk assessment, reassessment, in-house CBT programming, motivational interviewing
    - Officer-client one-on-one interactions
    - Case reviews and audits
    - Rewards and responses (swift, certain, proportional, overrides, ratio of rewards to responses, availability of appropriate rewards/responses)
    - Inter-rater reliability for Court report recommendations, risk and needs assessments, dynamic risk and need reassessment, case reviews and audits, rewards and responses
    - External partners and service providers (availability, quality, responsiveness, EBP adherence)
  - g. Victim services and restoration programs:
    - Presentence determination of victim restitution
    - Communication with victims as appropriate about the case
    - Victim referral to gender-responsive and culturally-sensitive municipal and community resources
    - In-house gender-responsive, culturally-sensitive programming for victims
  - h. Facilities:
    - Jail pod for intensive pre-release, reentry work
    - Community assessment and service center, in collaboration with community partners, to provide evidence-based services: coordinated case management, mental health treatment, cognitive behavioral therapy, anger management, substance abuse treatment, relapse prevention, gender responsive programs, programs addressing trauma and victimization, parenting classes, education, vocational training, and employment readiness and placement. Additional services such as recovery meetings, family reunification, community service projects, and referrals to other needed resources.
    - Learning/education center
    - Emergency and stabilization housing
    - Alternative sentencing facilities, such as mother-infant program
- 2. Office of the District Attorney**
- a. Alternative sentencing planners
  - b. Community neighborhood courts for early intervention
  - c. Victim services
  - d. Staff capacity and training
  - e. Data collection and analysis
- 3. Office of the Public Defender**
- a. Expungement program
  - b. Specialty/reentry program
  - c. Mental health program

**4. Sheriff's Department**

- a. In-custody programming: veterans, treatment, education, violence prevention, cognitive behavioral
- b. Community programming: work alternative program, case management, education, employment, counseling, violence intervention, substance abuse treatment, life skills, and parenting.
- c. Pretrial release program based on risk assessment (public safety risk and risk of failure to appear)
- d. Electronic monitoring as supervision tool and alternative to incarceration
- e. Home detention as alternative to incarceration
- f. Restorative justice programs for survivors of violence: case management, empowerment groups, community outreach, and referrals.
- g. Gender-responsive programming: case management, education, employment, counseling, violence intervention, substance abuse treatment, life skills, parenting skills, health, vocational skills, nutrition, financial literacy.
- h. Victim notification
- i. In-custody visitation

**5. Police Department**

- a. Warrant recovery team
- b. Partnership with probation
- c. Diversion of mental health and substance abuse offenses (including chronic inebriates) to treatment/service providers in lieu of arrest

**6. Superior Court**

- a. Evidence-based sentencing
- b. Information technology and data reporting and analysis
- c. Collaborative Courts: Behavioral health court, drug court, veterans court, community justice center, intensive supervision court.
- d. Collection of fines, fees, and victim restitution

**7. Public Health Agency**

- a. 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.
- b. Procurement of services: residential substance abuse treatment, residential mental health treatment, intensive outpatient services, and transitional housing.
- c. Leverage Affordable Care Act to increase capacity of mental health and substance abuse programs

**8. Human Services Agency**

- a. Maximize enrollment into health care programs expanded by Affordable Care Act, including primary care medical, mental health, and substance abuse services
- b. Homeless services: rental subsidies, financial assistance, and supportive services
  - a. Coordinated family-focused supervision for families engaged in both child welfare and probation systems in order to support family reunification and family well-being

**9. Child Support**

- a. Partnership with probation to establish achievable child support payment plan that supports family reunification, enhances accountability, and enables reinstatement of driving privileges in order to obtain gainful employment.





## Executive Summary

### Review Batterers Intervention Programs (BIP)

### 2012-2013 Fiscal Year

This report summarizes the work of the BIP review team of Beverly Upton, Director of Domestic Violence Consortium, Andrea Wright Deputy Probation Officer of the SFAPD Domestic Violence Unit and Sunny Schwartz, Director of Education and Community Restoration Programs of the SFAPD.

#### Review Results:

1. SFAPD has ten BIP certified. Virtually all ten agencies have approximately three groups each within their agency. The BIP review teams observed approximately 28 BIP classes representing all 10 of the (then) certified programs.
 

The common modalities included:

  - The Duluth Model
  - Cognitive Behavioral Groups
  - Health Realization
  - Various Hybrids of Modalities

(Modalities defined in the full Administrative Review Report)
2. Out of the ten certified BIP, two were decertified for significant failure to comply with Penal Code and SFAPD mandates. (e.g. no record keeping other than names of clients, inadequate facilitator training, curriculum was in violation of the APD's Standards for BIPs and pursuant to the Ca. Penal Code)
3. The remaining eight BIP's had compliance issues ranging from incomplete record keeping and continuing education training to insufficient curriculum and facilitation for a BIP. (i.e. weak accountability curriculum, allowing chronic victim blaming)
4. Notice of non-compliance was given whereby compliance was satisfied for 8 of the 10 BIPs within the requisite fourteen days per California Penal Code section 1203.097.
5. General Recommendations and observations from the BIP Review Team include:
  - Ongoing and unannounced site-visits to be performed by APD and / or the BIP Review Team
  - Consideration should be given to having one DPO assigned to perform ongoing quality assurance and oversight
  - Amend all APD's applications and corresponding forms for certification to be consistent with the APD's standards, protocols and the California Penal Code
6. Research and identify and certify where appropriate BIP groups for the following communities:
  - Cantonese-speaking offenders
  - Transgender offenders
  - Young adults
  - Gender specific for women offenders
7. Progress Update
  - APD identified an agency that worked with the DV clients within the LGBT community. They went through the certification process successfully and are now certified for LGBT client referrals

**Update on the Progress toward Implementation of Recommendations in the  
Women's Community Justice Reform Blueprint: A Gender-Responsive and Family-Focused  
Approach to Integrating Criminal and Community Justice  
Community Corrections Partnership  
January 23, 2014**

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The *Women's Community Justice Reform Blueprint* is beginning the implementation phase, based on work led jointly by the Adult Probation Department and the Sheriff's Department. We will examine the strategies and recommendations formulated by Drs. Barbara Bloom and Barbara Owen, nationally-recognized experts on the experiences of justice-involved women and girls, who met over a year-long process with local stakeholders to develop the Blueprint.

Goals of this project include implementing recommendations for integrated and coordinated case management across justice and community partners; expanded pretrial and community-based alternatives to incarceration, particularly for pregnant and parenting women; community-based services that women can access during and after their justice involvement; and improved systems for collecting and analyzing data to inform evaluation and program monitoring.

The following activities have been reported to staff since the October 23, 2013 meeting:

- The Adult Probation Department (APD) continues to work with the Center on Juvenile and Criminal Justice to expand services at Cameo House and implement an alternative sentencing program for pregnant and parenting women.
- The Sheriff's Department (SFSD) designee Leslie Levitas is working with staff at APD to categorize the Blueprint recommendations into specific areas such as policy, operations, direct service and collaboration for improving service delivery through collaborative, interagency leadership.
- APD and SFSD designees are working with community collaborators to coordinate outreach and referrals and to improve strategies for engaging women to participate in gender-responsive services at the Community Assessment and Services Center (CASC) and the Women's Resource Center (WRC).
- APD continues planning a comprehensive review of its Family Impact Statement in order to understand the influence of this tool on sentencing decisions.
- SFSD continues to enhance programming at the Women's Resource Center and to strengthen pathways from jail into community-based reentry services.

*For input or questions, please contact Jennifer Scaife, Reentry Resources Coordinator:  
(415) 241-4254 or [jennifer.scaife@sfgov.org](mailto:jennifer.scaife@sfgov.org)*

# Realignment in San Francisco: Two Years in Review

JANUARY 2014

*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





## CCPEC Members

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**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 Community Corrections Partnership Executive Committee would like to thank its members and the Human Services Agency, the Office of Economic and Workforce Development, 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 the the Adult Probation Department's Reentry Division.*

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

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# Executive Summary

Intended to reduce overcrowding, spending, and recidivism in California's prison system, the Public Safety Realignment Act of 2011 (AB109) posed a challenge to all of California's 58 counties. Realignment transferred the responsibility for many individuals convicted of lower-level felony offenses from the California Department of Corrections and Rehabilitation to county jails and probation departments, many of which themselves were overcrowded and under-resourced. California's counties have responded to this challenge in vastly different ways and have therefore felt the impact of Realignment very differently. The following dramatic figures illustrate criminal justice population dynamics in San Francisco since the onset of Realignment: San Francisco's County Jail population is at a 40-year low and the Adult Probation caseload has dropped by 25 percent in the last four years alone; San Francisco has reduced its probation revocations to state prison by 75 percent since 2009; in September 2013, the County Jail's average daily population of AB109 individuals was 75 percent lower than the average daily population of AB109 individuals over the previous 23 months; and of those individuals completing community supervision terms, 75 percent completed successfully.

The City and County of San Francisco (CCSF) was uniquely positioned at the outset of Realignment implementation to develop a coordinated response to Realignment, given CCSF's history of partnership and collaboration among criminal justice, health and human services, and community based agencies and organizations. These partnerships resulted in reforms aimed at providing evidence-based community supervision and sentencing, alternatives to incarceration, mental health and substance abuse treatment programs, and comprehensive reentry programs and services. Building on this foundation, San Francisco's response to Realignment implementation was robust and comprehensive. The Mayor's Office, Superior Court, District Attorney, Public Defender, Police Department, Sheriff's Department, Adult Probation Department, Department of Public Health, Office of Economic and Workforce Development and Human Services Agency worked together to create and implement a Realignment strategy that emphasizes collaboration, alternatives to incarceration, due process protections for clients, risk based community supervision, wrap-around services, and evidence-based practices to reduce recidivism and improve outcomes.

Two years after the implementation of Realignment, the results of these strategies have become apparent, not only for those individuals directly affected by AB109, but for all those involved in CCSF's criminal justice system. While the number of people impacted by Realignment has grown over the last two years, overall the number of people in San Francisco County Jail and under the supervision of the Adult Probation Department (APD) has declined significantly: San Francisco's jail population is at a 40-year low and the Adult Probation caseload has dropped by 25 percent in the last four years alone.

Within this context, in the last two years CCSF served over 4,400 individuals under Realignment, the vast majority of whom were parole violators serving sentences in County Jail. The final policy change resulting from AB109, which transferred parole revocation hearings from the Board of Parole Hearings to county Superior Courts, was implemented in July 2013. At the same time, the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations began using a system of graduated sanctions to respond to parole violations. Together, these changes have caused a dramatic drop in the parole violator population in San Francisco County Jail, first evident in September 2013 when the jail's average daily population of AB109 individuals was 75 percent lower than the average daily population of AB109 individuals over the previous 23 months.

San Francisco continues to use split sentences for over half of the PC § 1170(h) sentences imposed, at a rate that is double the statewide average for use of split sentences. Given the investment in rehabilitation, treatment, and evidence-based supervision strategies employed by APD, CCSF's criminal justice partners are committed to increasing the use of split sentences, which will provide more individuals sentenced under PC § 1170(h) with evidence-based services and supervision.

San Francisco's AB109 population over the last two years has been substantially larger than the State projected. While the monthly number of individuals released to Post Release Community Supervision (PRCS) dropped slightly in the second year of Realignment implementation, overall the number of PRCS clients returned to San Francisco exceeded the State's projections by 25 percent over the two years.

Those serving sentences in County Jail or under the supervision of APD due to Realignment are significantly higher risk for recidivating, with longer criminal histories, and more significant criminogenic needs than non-AB109 inmates and probationers. Using results of the risk and needs assessments conducted with every AB109 client, APD is able to identify the unique set of services and treatment interventions that are most greatly needed by each client. In the coming year, further analyses will be conducted to identify any gaps that exist between clients' needs and CCSF's service delivery system.

After the first year of Realignment implementation, San Francisco's Community Corrections Partnership Executive Committee (CCPEC) reported on the impacts of and responses to Realignment in CCSF, emphasizing the collaborative initiatives and innovations that were put into place during that year and those that were still being developed. The key Realignment initiatives planned for 2013 were the launch of the Reentry Pod and the Community Assessment and Services Center, both of which opened their doors to clients in the past year. The CCPEC's strategy of providing a seamless transition from in-custody reentry planning to community supervision is now in place. This strategy emphasizes treatment and services tailored to each client's criminogenic risk and needs, and utilizes the expertise and resources of CCSF's criminal justice, human services, public health, education, workforce development, and community partners to provide these services for individuals both in and out of custody.

In addition to reviewing key Realignment programs, this report also describes outcomes of the Realignment populations. Of those clients who started a Mandatory Supervision or PRCS term during this time, 57 percent remained in compliance, receiving no custodial sanctions or new arrests. This is a significant shift from the return to custody rate of 78 percent for parolees in San Francisco prior to Realignment. During the last two years, 437 individuals completed jail sentences under PC § 1170(h) and 303 completed Mandatory Supervision or PRCS terms. Of those completing community supervision terms, 75 percent completed successfully.

While a majority of Realignment clients have remained in compliance and had successful outcomes, a number have returned to County Jail through a flash incarceration, violation, or new arrest; many of these individuals have returned more than once. APD is undergoing analyses to identify those factors that are most predictive of a client's repeated arrests and will tailor responses, strategies, and services to address those factors.

Two years into Realignment implementation, the CCPEC is now pleased to present this report containing descriptions of the new initiatives implemented over the past year, and plans and priorities for the coming year. San Francisco will continue to invest in the collaborative Realignment strategies implemented thus far, using data on the impacts of these strategies to continuously make needed adjustments and improvements. CCPEC members will continue to expand strategies that provide alternatives to incarceration, even in the context of a historically low jail population.



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# Introduction

From the outset of Realignment implementation, San Francisco's Community Corrections Partnership Executive Committee (CCPEC) has emphasized collaborative initiatives, innovative approaches to complex challenges, and research and evaluation. During the second year of Realignment, CCSF has continued to advance these priorities. Two of the key initiatives described in San Francisco's prior Realignment Implementation Plans were launched in 2013: the opening of the Reentry Pod and the Community Assessment and Services Center, providing a seamless transition from in-custody reentry planning to community supervision. This strategy benefits from the expertise and resources of CCSF's criminal justice, human services, public health, education, workforce development, and community partners.

The CCPEC has also continued to improve data collection, reporting, and evaluation capabilities as they relate to Realignment implementation and outcomes. As a result of this work, the CCPEC is able to present preliminary outcomes for the Realignment population in San Francisco over the last two years (ending September 30, 2013) and identify research and evaluation priorities for the coming year.

The CCPEC is pleased to present this report on the first two years of Realignment implementation in San Francisco, containing descriptions of the new initiatives implemented over the past year, preliminary outcomes of the Realignment populations, and descriptions of the CCPEC's plans and priorities for the coming year.



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# Legislative Background and Context

Over the last two years, the City and County of San Francisco (CCSF) has embraced the implementation of the Public Safety Realignment Act of 2011 (“Realignment,” also known as Assembly Bill 109 [AB109]), and related legislation. It has been widely observed that Realignment is the most significant change in California’s criminal justice policy in over 50 years. Realignment amended a broad array of statutes concerning where a defendant will serve his or her sentence and how a defendant is to be supervised upon release from custody.<sup>1</sup> In enacting Realignment, the Legislature declared, “Criminal Justice policies that rely on building and operating more prisons to address community safety concerns are not sustainable and will not result in improved public safety. California must reinvest its criminal justice resources to support community based corrections programs and evidence-based practices that will achieve improved public safety returns on this state’s substantial investment in its criminal justice system. Realigning low-level felony offenders who do not have prior convictions for serious, violent or sex offenses to locally run community based corrections programs, which are strengthened through community based punishment, evidence-based practices, improved supervision strategies, and enhanced secured capacity, will improve public safety outcomes among adult felons and facilitate their reintegration back into society.” [Cal. Pen. Code § 17.5(a)(3)-(5)]

A summary of the four major changes enacted by Realignment follows:

**POST RELEASE COMMUNITY SUPERVISION (PRCS):** 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). Prior to October 1, 2011, these individuals would have been released to Parole. The San Francisco Adult Probation Department administers PRCS. PRCS revocations are heard in San Francisco Superior Court, and violation sentences are served in San Francisco County Jail.

**CAL. PEN. CODE § 1170(H):** Individuals convicted of certain felonies on or after October 1, 2011, may be sentenced to San Francisco County Jail for more than 12 months. Individuals sentenced under PC § 1170(h) may be sentenced to the low, mid, or upper term of a triad. The individual may be sentenced to serve that entire time in County Jail, or may be sentenced to serve that time split between County Jail and Mandatory Supervision. Mandatory Supervision is administered by the San Francisco Adult Probation Department.

**FLASH INCARCERATION:** Flash Incarceration is defined under Cal. Pen. Code § 3454(b) as a period of detention in County Jail for up to ten consecutive days. The San Francisco Adult Probation Department is authorized to impose flash incarcerations for individuals on PRCS, giving the Department the ability to impose shorter, but if necessary, more frequent sanctions for violations of PRCS conditions.

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<sup>1</sup> Additional background information on legislation related to Realignment is provided in Appendix C.

**ADJUDICATION OF PAROLE VIOLATIONS (CAL. PEN. CODE § 3000.08, EFFECTIVE JULY 1, 2013):** Beginning July 1, 2013, parole revocation proceedings (with the exception of cases involving individuals released from prison following a life sentence) are no longer administrative proceedings under the jurisdiction of the Board of Parole Hearings. Instead, revocation proceedings are heard by the Superior Court in the county where the parolee was released. The California Department of Corrections and Rehabilitation, Division of Adult Parole Operations continues to supervise persons placed on parole. As of October 1, 2011, parole violation sentences are no longer served in state prison, but in San Francisco County Jail.

## ***California Community Corrections Performance Incentives Act of 2009***

The California Community Corrections Performance Incentives Act of 2009, or Senate Bill 678 (SB678), created the Community Corrections Performance Incentives Fund to encourage the implementation of evidence-based practices in probation departments across California in order to reduce probation revocations to state prison. The law also mandated the creation of a Community Corrections Partnership, chaired by the Chief Probation Officer in each county, to advise on the uses of these funds.

San Francisco has been successful in safely reducing felony probation revocations to state prison. In 2009, 256 individuals on felony probation in San Francisco were revoked to state prison. Through implementation of evidence-based practices in sentencing and probation supervision, CCSF's state prison revocations were reduced from the 2009 rate by 22 percent in 2010, 48 percent in 2011 and 75 percent in 2012. With only 27 state prison revocations from January through September 2013, CCSF is on track to achieve an 86 percent reduction in annual state prison revocations since 2009 by the end of 2013.

A portion of the reduction of probation revocations sent to state prison is attributable to changes in sentencing due to AB109. Since October 2011, eligible probationers facing a revocation are sentenced to County Jail under PC § 1170(h) rather than state prison. The striking reduction in state prison revocations successfully reduces the burden on the state prison system. However, a more complete measure of the efficacy of San Francisco's evidence-based practices in probation supervision is measured by the reduction in all state prison eligible revocations, including those sentenced to County Jail under PC § 1170(h), since 2009. When these are taken into account, and given the trends in the first three quarters of 2013, CCSF is on track to achieve a 64 percent reduction in prison-eligible revocations since 2009, from 256 in 2009 to only 92 in 2013.

**Chart 1. Probation Revocations to State Prison and County Jail under PC § 1170(h), 2009 through Sept 2013**



Source: Adult Probation Department Case Management System and Superior Court's Court Management System.

As a result of its success from 2009 through 2011, the San Francisco Adult Probation Department was awarded \$2,187,642 in SB678 Incentive Funds.<sup>2</sup> In Fiscal Year 2013/14, San Francisco was allocated \$632,779 in SB678 funds, a reduced amount from prior years due to changes in the State's funding formula. APD has invested all of these funds in services, treatment, and housing for probation clients.

<sup>2</sup> APD received \$831,075 for the decrease in state prison revocations achieved between 2009 and 2010, and \$1,356,567 for the decrease achieved between 2010 and 2011.



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# Local Planning and Oversight

San Francisco agencies impacted by Realignment benefit from the activities of advisory and policy bodies tasked with examining best practices and approaches to support individuals involved in the criminal justice system.

## ***Community Corrections Partnership (CCP) & Community Corrections Partnership Executive Committee (CCPEC)***

California Penal Code § 1203.83 established a Community Corrections Partnership (CCP) in each county, to be chaired by the Chief Probation Officer and charged with advising on the implementation of SB678-funded initiatives. AB109 and AB117 (2011) established an Executive Committee of the CCP charged with development of a plan to implement Realignment, for consideration and adoption by the Board of Supervisors (Cal. Pen. Code § 1230.1). Chaired in San Francisco by the Chief Adult Probation Officer, the CCPEC developed the 2011 and 2012 Implementation Plans, which were approved by the Board of Supervisors on September 29, 2011, and by the CCPEC on June 1, 2012, respectively. The complete 2011 and 2012 Implementation Plans are available at <http://sfgov.org/adultprobation>.

The CCPEC provides leadership on the Implementation Plan, oversees the Realignment process, and votes on annual funding allocations.

The CCSF's Realignment budget detail for Fiscal Years 2011/12 through 2013/14 follows on the next page.

**Table 1. City and County of San Francisco Realignment Budget Detail**

SOURCES	FY 11–12 (9 months)	FY 12–13	FY 13–14
AB109 Revenue	\$5,787,176	\$17,298,112	\$21,300,000
Sheriff*	\$350,938	\$8,539,301	\$10,500,000
Adult Probation, On-going Revenue	\$4,498,899	\$8,539,301	\$10,500,000
Adult Probation, One-time Revenue	\$556,325	\$0	\$0
District Attorney	\$190,507	\$109,755	\$200,000
Public Defender	\$190,507	\$109,755	\$200,000
General Fund Support	\$6,908,912	\$2,339,714	\$2,500,000
<b>Total Sources</b>	<b>\$12,696,088</b>	<b>\$19,637,826</b>	<b>\$23,800,000</b>

USES	FY 11–12 (9 months)	FY 12–13	FY 13–14
Adult Probation	\$5,055,224	\$9,379,126	\$12,100,000
APD Supervision, Staff Training and Operations	\$3,238,062	\$6,471,139	\$5,546,400
APD Services, Treatment, and Housing	\$1,817,162	\$2,907,987	\$6,553,600
Sheriff*	\$7,259,850	\$9,679,800	\$11,100,000
Public Defender	\$190,507	\$289,450	\$300,000
District Attorney	\$190,507	\$289,450	\$300,000
<b>Total Uses</b>	<b>\$12,696,088</b>	<b>\$19,637,826</b>	<b>\$23,800,000</b>

\* The Sheriff's Department did not receive a net increase to its budget because General Fund dollars were reduced commensurately with AB109 dollars allocated to the Department. The Sheriff's Department does not track expenses related to AB109 prisoners separately from costs associated with non-AB109 prisoners.

## ***Reentry Council of the City and County of San Francisco***

San Francisco's criminal justice leadership recognized the need for coordination of services, policies, and operational practices before the State mandated the creation of the CCP and CCPEC. From 2005 until 2008, two ad hoc reentry councils focused on different aspects of the reentry process in San Francisco communities: the Safe Communities Reentry Council (SCRC), co-chaired by Supervisor Ross Mirkarimi and Public Defender Jeff Adachi, and the San Francisco Reentry Council (SFRC), co-chaired by District Attorney Kamala D. Harris and Sheriff Michael Hennessey. The two councils coordinated their efforts, and jointly developed *Getting Out & Staying Out: A Guide to San Francisco Resources for People Leaving Jails and Prison* in September 2007. In September of 2008, these ad hoc councils were unified and strengthened through the creation of the Reentry Council of the City and County of San Francisco (Reentry Council). The purpose of the Reentry Council (San Francisco Administrative Code 5.1) is to coordinate local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. The Council coordinates



information sharing, planning, and engagement among all interested private and public stakeholders to the extent permissible under Federal and State law.

The success of the Reentry Council is rooted in its shared leadership, engagement of formerly incarcerated representatives, and strong participation of safety net and health care partners. It is co-chaired by the Chief Adult Probation Officer, District Attorney, Mayor, Public Defender, and Sheriff. The Public Defender's Office provided primary staffing of the Council from February 2007 until October 2011, at which time the Adult Probation Department assumed staffing the Council. Centralizing support for the Reentry Council and Community Corrections Partnership in the Reentry Division of the Adult Probation Department has strengthened citywide collaboration, coordination of resources, and Realignment efforts. The Reentry Council has three subcommittees: the Subcommittee on Policy and Operational Practices, the Subcommittee on Support and Opportunities, and the Subcommittee on Assessments and Connections.

### ***San Francisco Sentencing Commission***

The San Francisco Sentencing Commission, established by Article XXV Chapter 5.250 of the San Francisco Administrative Code, was spearheaded and is chaired by District Attorney George Gascón. The Sentencing Commission encourages the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices, and efficiently utilize San Francisco's criminal justice resources. The Sentencing Commission analyzes sentencing patterns and outcomes; advises the Mayor, the Board of Supervisors, and other City departments on the best approaches to reduce recidivism; and makes recommendations for sentencing reforms that advance public safety and utilize best practices in criminal justice.

The Second Report of the San Francisco Sentencing Commission was issued in December 2013 and is available at <http://www.sfdistrictattorney.org/index.aspx?page=191>.

### ***Justice Reinvestment Initiative***

In April 2011, the Reentry Council was awarded a technical assistance grant by the U.S. Department of Justice Bureau of Justice Assistance to participate in the Justice Reinvestment Initiative (JRI). The purpose of JRI is to assist jurisdictions in identifying the major cost drivers of their criminal justice systems, exploring ways to make these systems more cost effective, and generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable. States and localities engaging in justice reinvestment collect and analyze data on drivers of criminal justice populations and costs, identify and implement changes to increase efficiencies, and measure both the fiscal and public safety impacts of those changes. Cal. Pen. Code § 3450(b)(7), as added by AB109, states that "fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county."

The Crime and Justice Institute at Community Resources for Justice was the technical assistance provider for San Francisco's JRI Phase I. During Phase I, local partners met with consultants to discuss challenges and identify inefficiencies in San Francisco's criminal justice system. The consultants then conducted an in-depth analysis of San Francisco's criminal justice data and identified the main drivers of criminal justice costs. This analysis led to policy recommendations, developed by local partners with support of the JRI team, aimed at reducing inefficiencies and improving outcomes. The three policy strategies that grew out of this work, and which will be pursued in a forthcoming application for a Phase II JRI award, are as follows:

- > **STRATEGY 1:** Shorten the standard probation term from 36 to 24 months.
- > **STRATEGY 2:** Maintain and expand pretrial alternatives to detention, including a consideration of the bail schedule, to further reduce the County Jail population.
- > **STRATEGY 3:** Reduce or eliminate disproportionately high involvement of people of color, African Americans in particular, in San Francisco's criminal justice system.

## ***California Risk Assessment Pilot Project***

The Administrative Office of the Courts (AOC) and the Chief Probation Officers of California (CPOC) have been working since 2009 with San Francisco, Napa, Santa Cruz and Yolo Counties in order to implement evidence-based sentencing practices through the California Risk Assessment Pilot Project (CalRAPP). The project is a collaborative effort bringing together county teams from the Superior Court, probation departments, public defenders, district attorneys, and other justice partners.

APD implemented COMPAS (Correctional Offender Management Profiling for Alternative Sanctions), a validated risk and needs assessment instrument which calculates a client's criminogenic risks and needs and informs the development of a client's individualized treatment and rehabilitation plan (ITRP), in 2011. As part of the CalRAPP, Deputy Probation Officers incorporate COMPAS data into the Pre-Sentence Investigation (PSI) report provided to the court, which contains critical information about an individual's criminogenic risk and needs factors for use in sentencing decisions.

Recidivism and revocation rates will be tracked by the CalRAPP team for up to three years for both participating offenders and a control group of similar offenders not participating in the project, to identify the effects of using risk assessment information in sentencing recommendations and decisions.

## ***Women's Community Justice Advisory Group***

Throughout 2012, the Adult Probation Department and Sheriff's Department convened meetings of the San Francisco Women's Community Justice Advisory Group, comprised by local stakeholders and practitioners and guided by Dr. Barbara Bloom and Dr. Barbara Owen, nationally-recognized experts on the experiences of justice-involved women and girls. The purpose of this working group was to examine the services and policies impacting women involved in the San Francisco criminal justice system, and to develop recommendations for improving service delivery through collaborative, interagency leadership; integrated and coordinated case management across justice and community partners; expanded pretrial and community-based alternatives to incarceration, particularly for pregnant and parenting women; community-based services that women can access during and after their justice involvement; and improved systems for collecting and analyzing data to inform evaluation and program monitoring. The *Women's Community Justice Reform Blueprint: A Gender-Responsive, Family-Focused Approach to Integrating Criminal and Community Justice* is the culmination of this year-long process, and continues to guide departments' efforts to provide gender-responsive, trauma-informed services throughout the criminal justice system. The *Women's Community Justice Reform Blueprint* is available at <http://sfgov.org/adultprobation>.

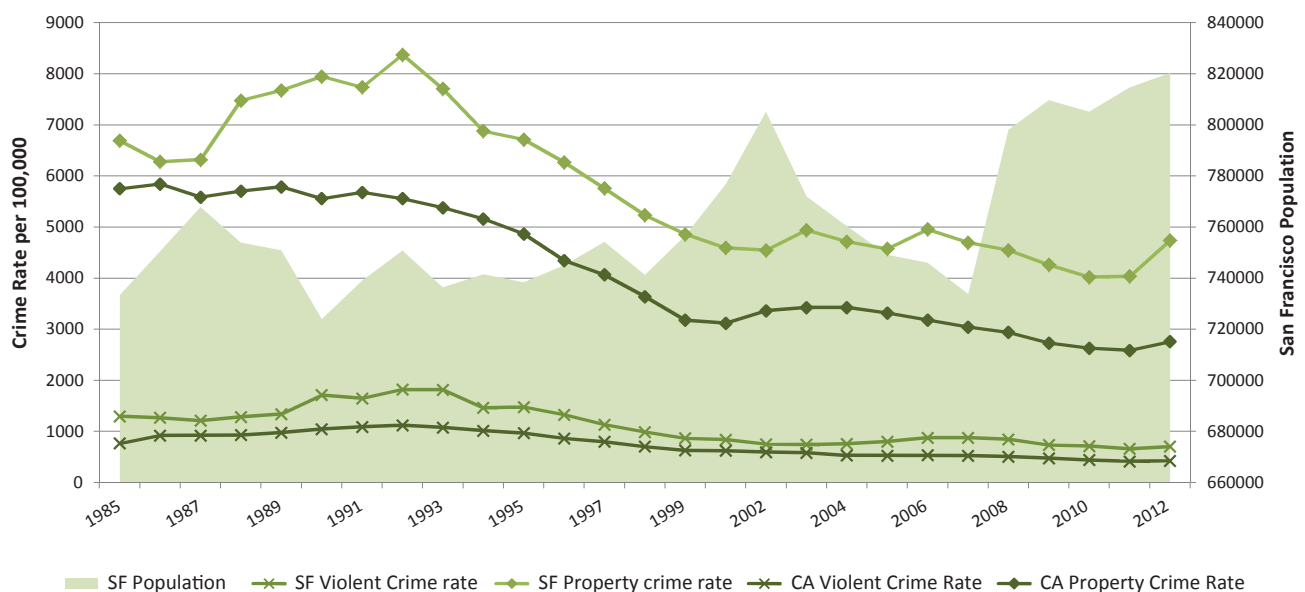
# Impacts Across San Francisco

## Criminal Justice Trends

Realignment took effect in California following a downward trend in crime rates that began over 20 years ago. While San Francisco's property and violent crime rates have consistently been higher than statewide averages, San Francisco's rates have declined significantly since the mid-1980s along with the State's, with a temporary uptick from 1987 through 1992.

After a consistent downward trend since the 1980s, San Francisco's property and violent crime rates increased slightly in 2012. While this trend was mirrored statewide, San Francisco's crime rate increased by a slightly larger margin from 2011 to 2012 than in the State as a whole. San Francisco's property crime rate increased 17 percent and its violent crime rate increased by seven percent while statewide crime rates increased by seven and three percent, respectively. Nationwide, between 2011 and 2012, the violent crime rate did not change and the property crime rate decreased but at a lower rate than previous years, thus suggesting that the slight increase in California's and San Francisco's crime rates in this time period may be reflecting nationwide increases in crime rates.

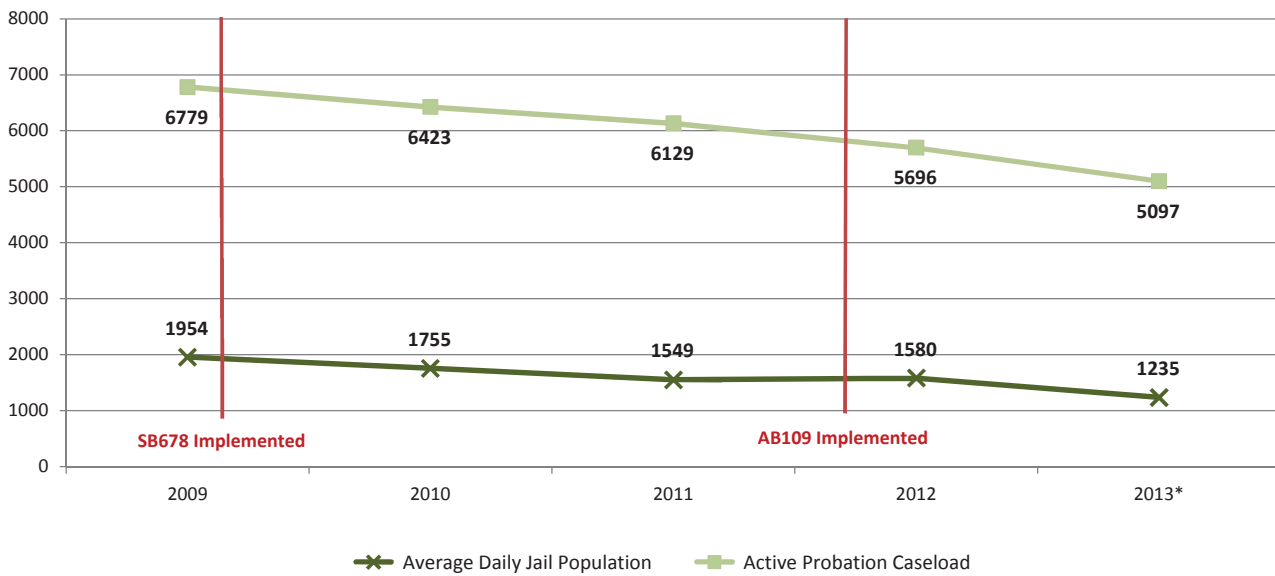
Chart 2. San Francisco and California Crime Rates, 1985 – 2012



Source: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data  
Date of download: Dec 19 2013

Within this context, San Francisco has strategically increased its use of evidence-based practices, alternative sentencing, collaborative courts, and diversion programs, thus compounding the effects of decreasing crime rates to result in historic lows in the number of people in CCSF’s criminal justice system. San Francisco’s County Jail population is the lowest seen in 40 years, having decreased almost 40 percent in the last four years alone. The population supervised by the Adult Probation Department has also reduced dramatically, dropping by 25 percent since 2009. The declines in the County Jail and Adult Probation populations have continued throughout the first two years of Realignment implementation. These trends, combined with the successful completion rates of probationers discussed above, illustrate the long-term effects of San Francisco’s evidence-based practices and strategies.

**Chart 3. San Francisco’s Criminal Justice Trends, 2009 – 2013**



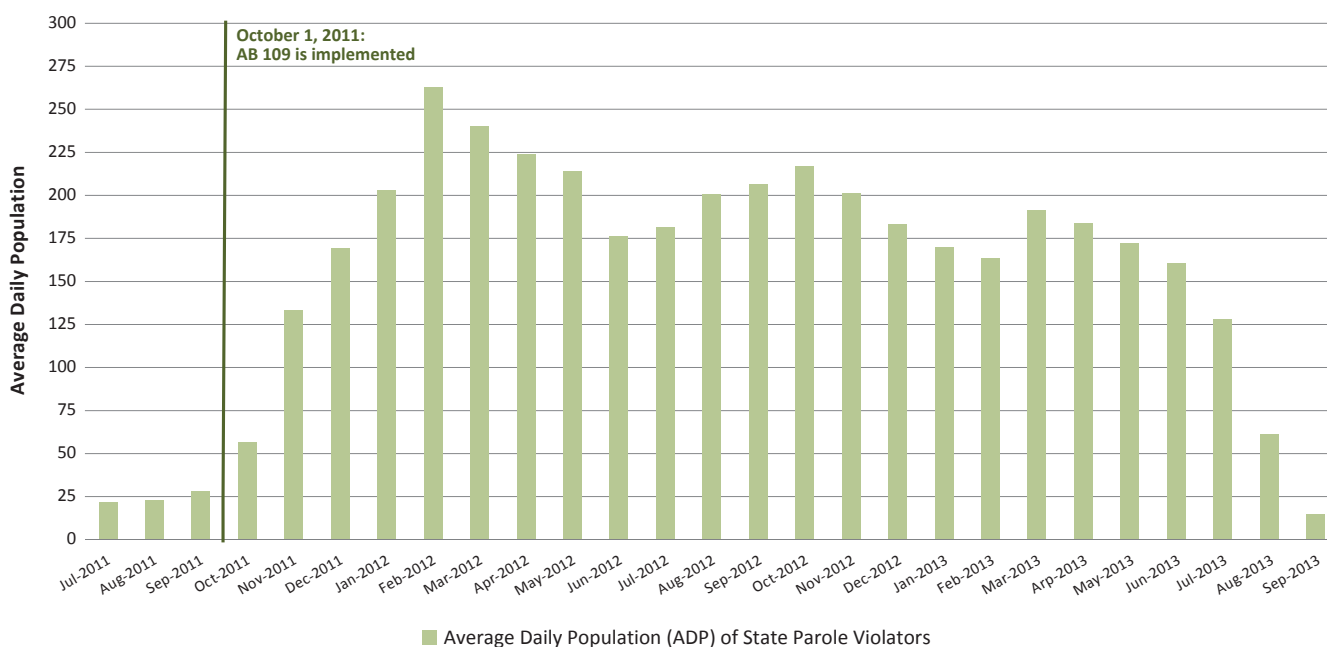
\* 2013 population numbers are as of December 12, 2013. Other years' population numbers are as of the end of the calendar year.  
Sources: Adult Probation Department Case Management System and Sheriff's Department Jail Management System

## Impacted Populations

During the first month of Realignment—October 2011—San Francisco criminal justice agencies housed or supervised over 200 individuals on PRCS, PC § 1170(h) County Jail or Mandatory Supervision, or serving parole revocation sentences in County Jail. This monthly number continued to grow to a high of 261 in January 2012. In 2012, an average of 199 individuals started new AB109-related sentences every month. From January through August of 2013, the monthly average dropped to 160, consistent with reductions in the number of releases to PRCS, the number of new PC § 1170(h) sentences imposed, and the number of State Parole violators in County Jail.

From the beginning of Realignment through August 2013, the overwhelming majority of individuals impacted by AB109 changes were State Parole violators, who made up over 75 percent of CCSF’s AB109 individuals. An average of 145 individuals began a State Parole violation sentence every month during this time period. In July 2013, State Parole violation hearings were transferred from the Board of Parole Hearings to Superior Courts in the counties in which the parolee was released, increasing the burden of proof for conviction, as well as the defense resources available to defendants. This development, along with Parole’s implementation of graduated sanctions, rewards, and responses and greater latitude by the supervising Parole Unit to make sanctioning decisions, has led to a dramatic drop in the number of individuals awaiting parole violation proceedings in County Jail. This drop became apparent in the jail population in September 2013, as those previously sentenced for parole violations completed their sentences and drastically fewer new sentences were imposed beginning in July. While this report shows only the first month in which the effect of these changes was fully realized, the trend has continued.

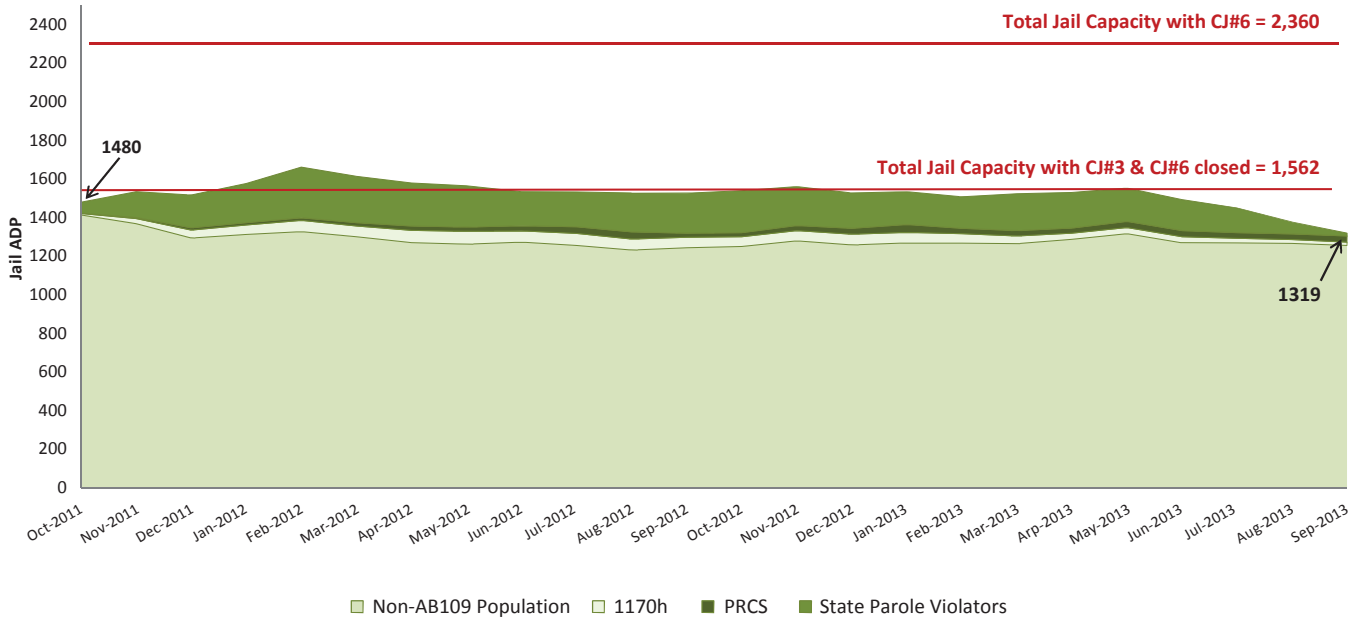
**Chart 4. State Parole Violators: Average Daily Population in County Jail Pre-Implementation and Post-Implementation of AB109**



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 2013). The total monthly amount of State Parole Violator custody days by individual is the number of days that falls in that month between their "Parole Only Date" and their "Release Date" or the last day of that month, whichever date is sooner. The "Parole Only Date" represents the date that local charges were adjudicated and any local charges were sentenced. The monthly ADP is calculated by adding the total number of "Parole Only" custody days across all State Parole Violators in a given month and dividing that number by the number of days in that month.

Source: Sheriff's Department Jail Management System

**Chart 5. Average Daily Jail Population, by Type of Commitment, October 2011 – September 2013**



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 inmates serving a sentence for a violation of 1170h, PRCS, or Parole, the total amount of AB109 custody days is the number of days in custody after any local charges are adjudicated and sentences are served, so that the custody time is only as a result of an AB109-related charge.

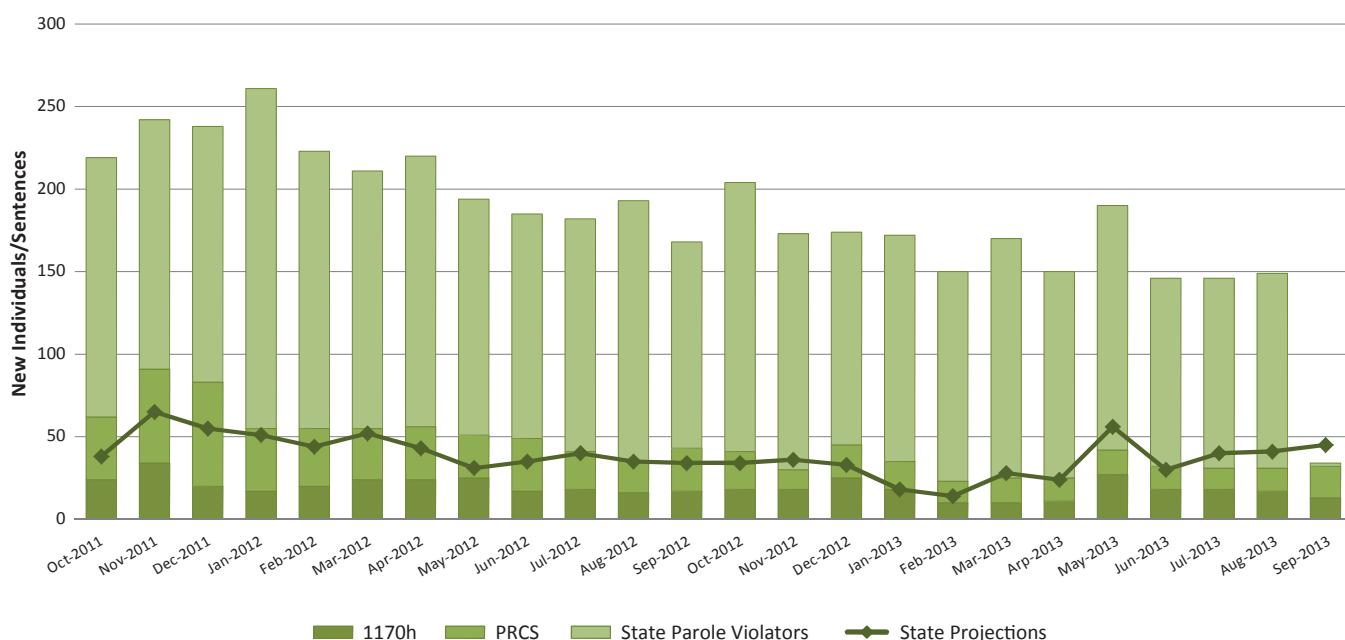
Source: Sheriff's Department Jail Management System

## Population Projections and Actual Impacts

At the outset of Realignment, the State projected the number of individuals that would be released from CDCR to PRCS in each county, in addition to the number of PC § 1170(h) sentences expected by month. The State made no projections regarding State Parole violators serving sentences in county jails.

Cumulatively, since October 2011, San Francisco sentenced 466 individuals under PC § 1170(h) while the State projected 424 sentences, and received 614 PRCS clients while the State projected 498. The impact of Realignment on San Francisco, therefore, exceeded the State's expectation by 17 percent, not accounting for the impact of State Parole violators in County Jail, which has been the population with the largest impact on CCSF's criminal justice system under AB109. Of the 466 individuals sentenced under PC § 1170(h), 219 started a Mandatory Supervision sentence.

**Chart 6. Individuals Newly Processed Under AB109 Countywide, October 2011 – September 2013**



Notes: 1170h individuals are counted in the month in which they receive an 1170h 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.

Sources: Superior Court's Court Management System, Adult Probation Department's case management system, Sheriff's Department Jail Management System. State projections for AB109 are based on the California Department of Finance (DOF) 1170h Estimates and on the California Department of Corrections and Rehabilitation (CDCR) PRCS estimates.

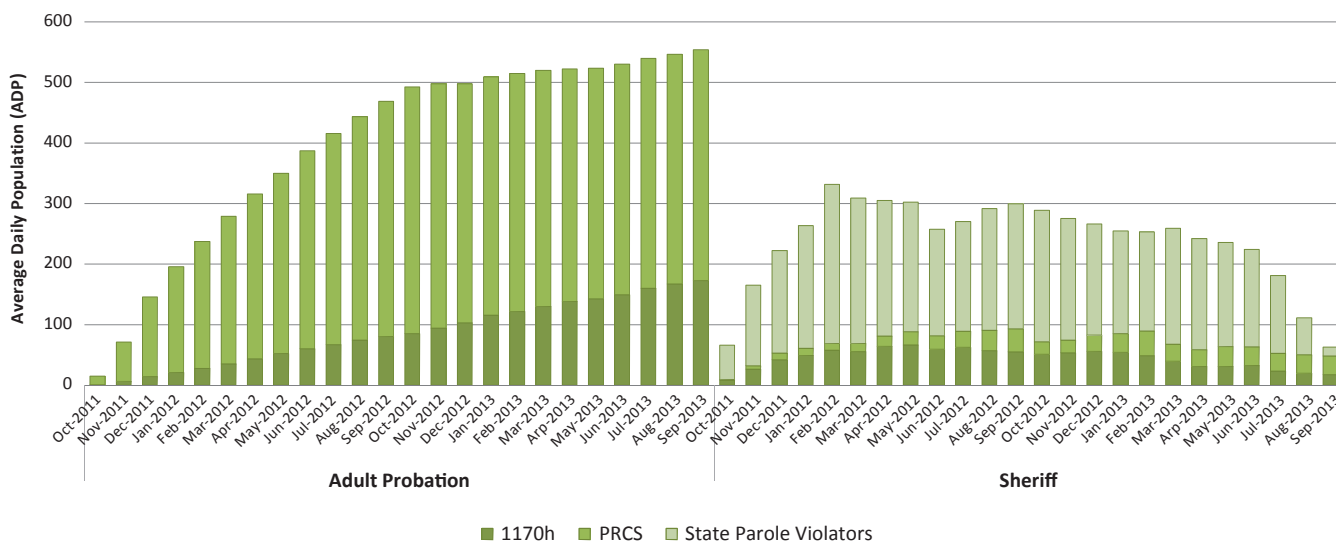
## Average Daily Population

While the discussion above summarizes the number of individuals impacted by Realignment, a discussion of the impacts of Realignment on CCSF’s criminal justice agencies requires accounting for the length of sentences these individuals serve. A calculation of each agency’s Average Daily Population (ADP) takes into account the average number of individuals served over a period of time, given the number of individuals starting a sentence during that time period and the lengths of their sentences.

Not surprisingly, the Adult Probation Department’s ADP of AB109 individuals has increased steadily since October 2011, as new PRCS and Mandatory Supervision clients start sentences that range from several months to several years. The Sheriff’s Department’s ADP of AB109 individuals grew in the beginning of Realignment implementation and then leveled off, due to the fact that the largest AB109 population serving time in County Jail were parole violators, who serve no more than 90 days.<sup>3</sup> As discussed above, the number of parole violators in County Jail dropped dramatically in September, 2013, thus reducing the Sheriff’s AB109 ADP to 63 in September 2013, compared to a high of 332 in February 2012.

**Chart 7. Average Daily AB109 Population by Month, October 2011 – September 2013**

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



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. Average Daily Population (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 inmates serving a jail sentence for a violation of 1170h, PRCS, or Parole, the total amount of AB109 custody days is the number of days in custody after any local charges are adjudicated and sentences are served, so that the custody time is only as a result of an AB109-related charge.

Sources: Adult Probation Department’s Case Management System, Sheriff’s Department Jail Management System

<sup>3</sup> Per AB109, the maximum sentence for a parole violation is 180 days. Parole violations are eligible day-for-day credits, which results in a maximum time to serve of 90 days.



The AB109 ADP in the Adult Probation Department grew from 279 in the first year of Realignment to 522 in the second. In contrast, the Sheriff’s Department’s AB109 ADP dropped slightly from 265 to 226. Given the reduced numbers of parole violators in County Jail beginning in September 2013, the AB109 annual ADP in County Jail is expected to drop significantly in the coming year.

**Chart 8. Average Daily AB109 Population, Adult Probation and Sheriff’s Departments, Years One and Two of Realignment**

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



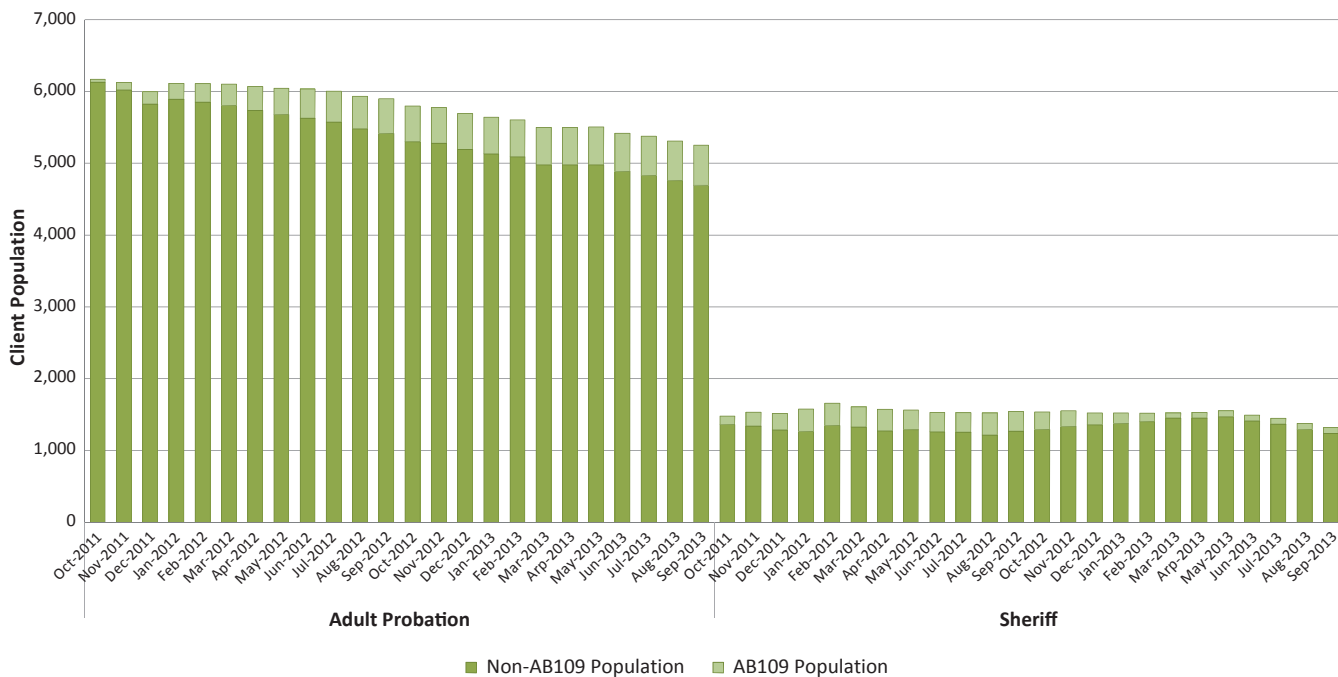
Notes: Each department has a unique role in managing individuals newly processed under AB109; measuring the Average Daily Population (ADP) of AB109 clients by department does not account for differing service needs. Average Daily Population (ADP) by year represents the total amount of service days rendered for AB109 clients by a department divided by the number of days in that year. For inmates serving a jail sentence for a violation of 1170h, PRCS, or Parole, the total amount of AB109 custody days is the number of days in custody after any local charges are adjudicated and sentences are served, so that the custody time is only as a result of an AB109-related charge.

Sources: Adult Probation Department’s Case Management System, Sheriff’s Department Jail Management System

While the impact of AB109 on CCSF’s criminal justice system has been significant, AB109 clients represent a fraction of the total population served by this system, as illustrated below. However, as indicated by the COMPAS risk and needs assessments conducted, the AB109 population is, on average, a higher risk and higher need population than the non-AB109 clients served in San Francisco.

**Chart 9. AB109 Population Caseload by Adult Probation and Sheriff’s Departments, October 2011 – September 2013**

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



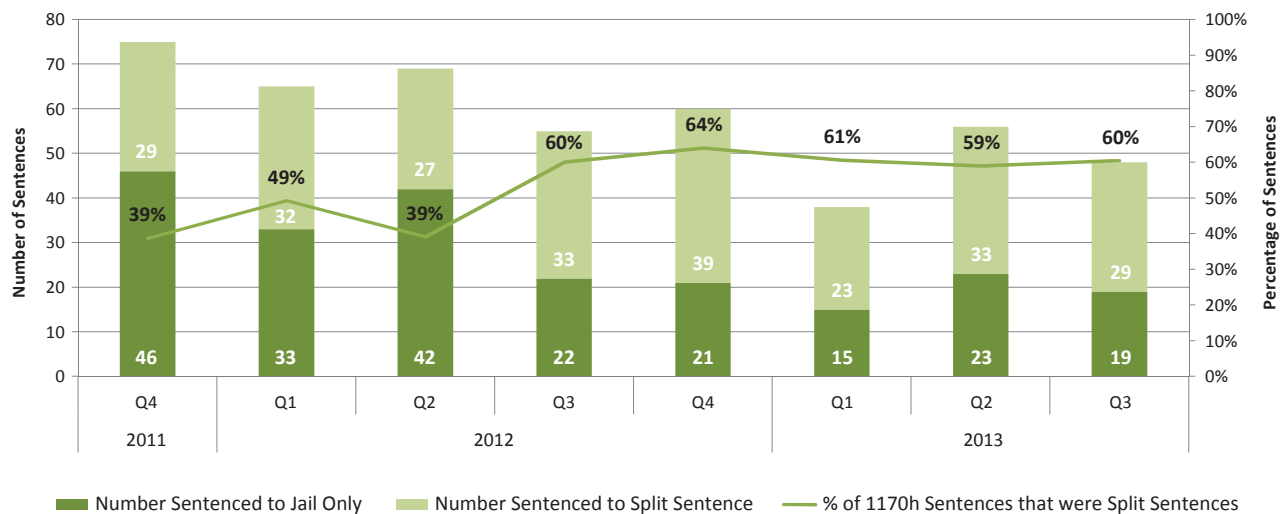
Notes: Each department has a unique role in managing newly processed AB109 individuals; measuring volume of new individuals processed by month does not account for differing service duration and service needs across departments. For each department, the AB109 Population by month is the cumulative total number of individuals for each of the AB109 population types under that department’s supervision. The Non-AB109 Population is the average monthly client population for the department, less the AB109 population. Those serving jail sentences for 117oh, PRCS, or Parole violations are counted in the month when their local charges are adjudicated and every subsequent month they remain in custody, such that they are in custody for only AB109-related charges.

Source: Adult Probation Department’s Case Management System, Sheriff’s Department Jail Management System

## PC § 1170(h) Sentences Imposed

San Francisco’s District Attorney, Public Defender, and Chief Adult Probation Officer are in agreement regarding the value of Mandatory Supervision (the community supervision portion of a PC § 1170(h) split sentence) and the services and treatment that can be offered during that time. However, the first quarter of Realignment implementation saw a relatively low proportion (39 percent) of total PC § 1170(h) sentences that were split sentences. This low rate can be explained by the large number of individuals sentenced during the first month of Realignment who had significant custody credits for the time they were incarcerated prior to sentencing. Many of these individuals were sentenced to a straight jail sentence under PC § 1170(h)5(a) and released for time served at sentencing. Since then, the proportion of split sentences has increased to 64 percent in the fourth quarter of 2012 and 60 percent in the third quarter of 2013. Of all PC § 1170(h) sentences imposed in San Francisco since October 2011, 52 percent have been split sentences, which is twice the statewide average of 26 percent. The District Attorney, Public Defender, and Chief Adult Probation Officer are working with the Court to further increase the proportion of split sentences in San Francisco and expand criteria in the collaborative courts to include the 1170(h) population.

**Chart 10. 1170(h) Straight and Split Sentences Imposed by Quarter, Q4 2011 – Q3 2013**



Source: Superior Court’s Court Management System

**Table 2. PC § 1170(h) Sentence Lengths, Oct 2011 – Sept 2013**

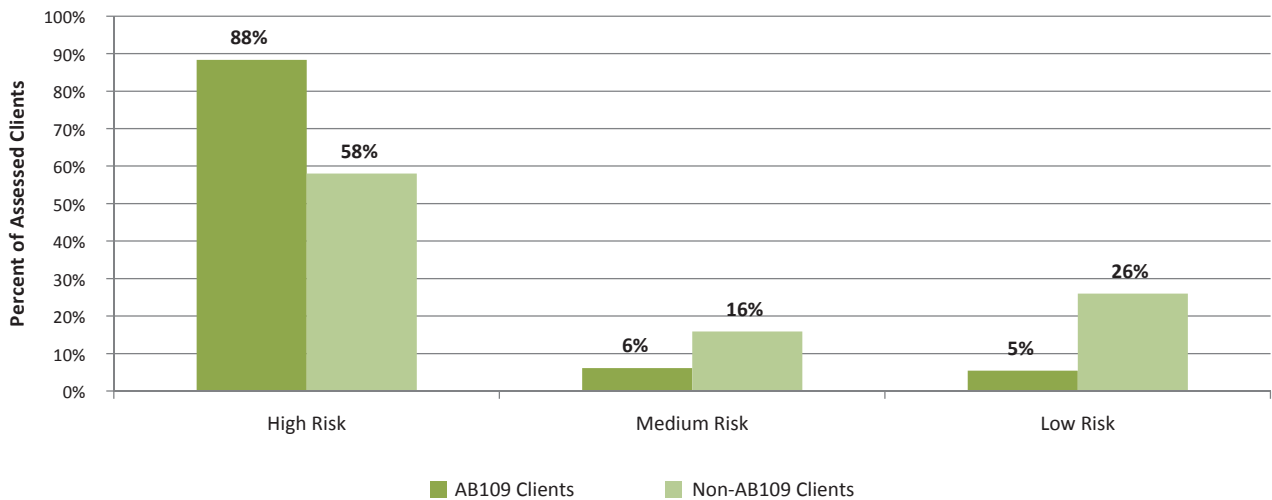
	Straight Jail Sentences (221 sentences)	Split Sentences (245 sentences)	
		Jail Time	Mandatory Supervision
Average Sentence Length	30 months	13 months	25 months
Average Time Served with Credits (if not released at sentencing)	8 months	5 months	N/A
Low Sentence Length	3 months	0 months	1 month
High Sentence Length	144 months	55 months	78 months

## AB109 Clients' Risks and Needs

San Francisco has a long-standing commitment to collaborative court models which provide alternatives to eligible individuals involved in the criminal justice system. Individuals sentenced to state prison in San Francisco tend to be those who have exhausted or are not eligible for these programs because they have been convicted of more serious crimes or have a longer criminal history than individuals who have historically been on probation or in County Jail. Thus, the AB109 population is a significantly higher-risk and higher-need population than the non-AB109 populations served.

San Francisco's PRCS clients have had an average of eight prior felony convictions and a quarter of PRCS clients have had 11 or more prior felony convictions. Furthermore, while PRCS eligibility requires individuals' current offense to be a non-serious, non-violent, or non-sex offense, over two-thirds of PRCS clients have a serious, violent, or sex offense in their past.

**Chart 11. Risk Level of Adult Probation Department AB109 and non-AB109 Clients**



Notes: Risk Level is calculated by the COMPAS Risk and Needs Assessment instrument and refers to a client's risk of recidivating. Includes all clients who were active on PRCS or Mandatory Supervision (AB109 Clients) or probation (non-AB109 clients) on September 26, 2013, who had completed a COMPAS risk assessment (after 2011) or a CAIS assessment (prior to 2011), the result of which was recorded in APD's case management system.

Source: Adult Probation Department's Case Management System

APD Deputy Probation Officers conduct a COMPAS assessment with clients to determine their risk of recidivating and to identify their criminogenic needs. A vast majority of APD's clients have significant needs, with most assessed as having the following: vocational/education, substance abuse, cognitive behavioral, criminal opportunity, criminal personality, social environment, residential instability, and criminal thinking self-report.<sup>4</sup> A large proportion of AB109 clients have needs in every need category.

APD has used this information to target AB109 funding to those services that meet the most prevalent needs, including vocational/education programs, substance abuse treatment, cognitive behavioral programming, mental health treatment, and housing, as discussed in more detail below.

<sup>4</sup> Needs are defined and categorized by the COMPAS criminogenic need subscales.

**Chart 12. Assessed Needs of APD’s AB109 and Non-AB109 Clients**



Notes: Needs are identified through the COMPAS Risk and Needs Assessment conducted by APD Deputy Probation Officers and recorded in the COMPAS case management system. Needs shown here are those identified as "Highly Probable" or "Probable." Data includes all needs assessments completed for active APD clients as of June 12, 2013.  
 Source: Adult Probation Department's COMPAS Case Management System

In order to further analyze the needs and risk factors of AB109 clients, Dr. Steven Raphael, professor of Public Policy at University of California Berkeley’s Goldman School of Public Policy and member of the San Francisco Sentencing Commission, partnered with APD to conduct an analysis of re-arrest incidents for PRCS clients during their first year on PRCS. Based on preliminary findings of an analysis of arrest incidents for PRCS clients released through June 26, 2012, the following characteristics were most highly correlated with multiple arrests within a client’s first year on PRCS:

- > Failure to report to APD within two days of release from CDCR
- > High COMPAS risk score
- > Mental health designation by CDCR
- > Self-reported as homeless at release from CDCR

While still in progress, this analysis serves as a logical basis for fine tuning, streamlining and expanding strategies and services that best address the risk factors identified. For example, placing clients who do not report within two days of their release from state prison on an intensive supervision caseload with comprehensive wraparound services; increasing access to behavioral health services; and expanding housing resources for PRCS clients are strategies strongly supported by this analysis. In the coming year, APD will explore these strategies in light of the final findings of this analysis.



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# Creating a Model

## ***Shared Values***

Evidence-based practice is grounded in specific service approaches that are strength-based, trauma-informed, and gender-responsive. The CCPEC signaled its commitment to these approaches in prior Realignment plans, and recommits to them through this report. Deputy Probation Officers and service providers that receive Realignment funding to serve AB109 clients employ the following approaches to working with this population:

### Strength-based Practices

- > Build upon the strengths of individuals in order to raise their motivation for treatment,
- > Empower individuals to recognize personal responsibility and accountability,
- > Provide positive reinforcements, and
- > Provide positive behavior support through peers or mentors.

### Trauma-informed Practices

- > Take the trauma into account,
- > Avoid activities or behaviors that trigger trauma reactions,
- > Adjust the behavior of counselors, staff, and the organization to support the individual, and
- > Allow survivors to manage their trauma symptoms.

### Family-focused Practices

- > Provide services to strengthen family systems,
- > Promote healthy family functioning,
- > Encourage families to become self-reliant,
- > Provide a course specific to developing effective parenting skills, and
- > Develop strategies to support children of incarcerated and supervised parents to break the intergenerational cycle of crime and incarceration.

### Gender-responsive Practices

- > Acknowledge that gender makes a difference,
- > Understand that there are different pathways into the criminal justice system based on gender, and
- > Design gender-responsive programming with consideration of site, staff selection, curricula, and training that reflects an understanding of the realities of women's lives and addresses their pathways.

## ***Interagency Collaboration: San Francisco Reentry Pod***

San Francisco's criminal justice partners recognize the importance of assisting individuals in planning for reentry and providing comprehensive coordination and delivery of services throughout the criminal justice system. The San Francisco Sheriff's Department, in partnership with the Adult Probation Department, opened the Reentry Pod in County Jail 2 in February 2013. The Reentry Pod houses up to 56 men who will be released to Mandatory Supervision, PRCS, or felony probation who have 30 to 120 days left of a sentence to serve and have been assessed as medium-high or high risk for recidivism. APD and the Sheriff's Department are in the process of entering into a contract with CDCR to bring individuals who will be released to PRCS in San Francisco to the Reentry Pod for the last 60 days of their prison sentence, as part of a three-year pilot project authorized by the Budget Act of 2013 (Assembly Bill 110). Starting in early 2014, PRCS clients will be transferred to the County Jail 60 days prior to the completion of their prison sentence to allow APD to begin providing necessary services and interventions in the San Francisco County Jail.

The Reentry Pod, the first of its kind in California, joins pre- and post-release programs to improve public safety, reduce recidivism and provide the necessary continuum of resources for a successful reentry into the community and the tools to complete community supervision productively. APD and the Sheriff's Department have worked with community partners to design a rigorous schedule for individuals in the Reentry Pod to engage them in individualized and group interventions and allow them to continue these interventions during their supervision in the community and at the Community Assessment and Services Center. These interventions are designed to address offenders' criminogenic risks. Reentry Pod clients have access to: educational credit through Five Keys Charter School, computer and job readiness training, behavioral health assessments and treatment, cognitive behavioral programming, case management, and other community based services and programs. In addition to these services, APD in collaboration with the Forensic AIDS Project and the Harm Reduction Coalition has established an Overdose Prevention pilot program in the Reentry Pod. Clients are educated and trained on how to identify an overdose and how to administer Naloxone (Narcan), which can counter the effects of an opiate overdose; this pilot program provides clients with two Narcan kits upon release.

The Reentry Pod allows easier access to probation officers as individuals prepare to be released back to the community. Two Deputy Probation Officers are assigned to the Reentry Pod to facilitate programming, refer clients to services, and coordinate supervision goals. Deputy Probation Officers who will supervise these individuals in the community visit their clients in custody to develop individualized treatment and rehabilitation plans and build rapport.

As of the end of September 2013, 106 individuals had been housed in the Reentry Pod, with a majority (57 percent) serving sentences for a probation violation. Twenty-two percent of Reentry Pod participants were PRCS violators; 18 percent were serving the jail portion of their PC § 1170(h) 5(b) split sentence; and three percent were Mandatory Supervision violators. Ninety-two individuals had exited the Reentry Pod after an average stay of 37 days.



## ***Interagency Collaboration: Community Assessment and Services Center***

The Community Assessment and Services Center (CASC) was a cornerstone community corrections initiative of the City and County of San Francisco's Public Safety Realignment Plan of 2012. Opened in June 2013, the CASC is a partnership of the Adult Probation Department and Leaders in Community Alternatives, Inc. (LCA). The CASC was created to protect public safety, reduce victimization, maximize taxpayer dollars, and contribute to San Francisco's community vitality. The CASC is an innovative one-stop reentry center that serves the comprehensive needs of clients under APD probation supervision. The CASC model tightly aligns law enforcement and support services into an approach focused on accountability, responsibility, and opportunities for long-term change.

The CASC is targeted to APD's highest risk and highest need clients, providing services and APD community supervision for these individuals on-site. APD's Realignment Division is located at the CASC, along with APD's sex offender and homeless units. In addition to meeting with probation officers, clients use the CASC to access a range of evidence-based services provided by LCA and other service providers, including coordinated case management, mental health treatment, cognitive behavioral therapy, anger management, substance abuse treatment, relapse prevention, gender responsive programs, programs addressing trauma and victimization, parenting classes, education provided by Five Keys Charter School, vocational training, and employment readiness and placement. Additional services include recovery meetings, family reunification, community service projects, and referrals to other needed resources. APD and LCA staff closely coordinate efforts so that clients access a unique blend of CASC services contingent on the results of their Individualized Treatment and Rehabilitation Plan (ITRP), and Client Service Plan, which is developed by LCA in concert with the client.

Public partner agencies hold hours at the CASC to reduce barriers for clients and increase opportunities for engagement. Partners include the Department of Child Support Services, the Department of Public Health, and the Clean Slate Program of the Public Defender's Office. The following partner organizations also provide services at the CASC: America Works, Center on Juvenile and Criminal Justice, Community Works, and the Senior Ex-Offender Program. Forthcoming partnerships include Tenderloin Housing Clinic and a Batterer's Intervention Program on-site for individuals mandated to 52 weeks of domestic violence counseling.

CCPEC partners are working together to expand the use of the CASC as an alternative sentencing option for probation, PRCS, and Mandatory Supervision violators. Requiring regular reporting to the CASC, as well as engagement with specified programs and services, would allow eligible individuals to remain in the community to address their criminogenic needs in lieu of the jail time, a more costly option.

## ***Interagency Collaboration: Cameo House***

The Adult Probation Department has partnered with the Center on Juvenile and Criminal Justice, the Human Services Agency, the District Attorney, the Public Defender, and the Superior Court to develop an alternative sentencing program for pregnant and parenting women at Cameo House, prioritizing women who are eligible for PC § 1170(h) sentencing. Cameo House provides housing, treatment, and supportive services to up to 11 women and 22 children in San Francisco's Mission District. Pregnant and parenting women will be identified and assessed for eligibility prior to sentencing; the Adult Probation Department Investigations Division will make recommendations to the Court regarding a defendant's placement at Cameo House. Women sentenced to Cameo House will be under the supervision of the Adult Probation Department and will be required to participate in a range of treatment, educational, and vocational activities according to their assessed needs. Women whose children have involvement with Child Welfare Services will receive support from Cameo House staff in facilitating reunification plans. The goals of this program include preserving family integrity through decreased time spent in custody by primary care-givers; holding women accountable for criminal behavior by requiring participation in a year-long residential program offering opportunities for treatment, education, employment, and pathways to permanent housing; and strengthening San Francisco's community-based alternatives to incarceration.

## ***Research and Evaluation***

A key component of San Francisco's Realignment implementation strategies has been collaboration across departments to collect and share data. Prior to October 1, 2011, San Francisco's criminal justice partner agencies began weekly working group meetings to share information, report on data and trends, and develop collaborative strategies for Realignment implementation. A data working group later formed that met regularly to identify data elements to collect regarding Realignment populations, identify the data systems and points of contact to track these elements, and troubleshoot challenges regarding information sharing and tracking AB109-related events and individuals.

The Controller's Office of the City and County of San Francisco convened the data sharing working group and collected data from the Adult Probation Department, Sheriff's Department, and Public Health Department to develop the data elements in the report *Public Safety Realignment in San Francisco: The First 12 Months*, released in December 2012. The Adult Probation Department then assumed responsibility for collecting data and updating these charts for subsequent reports. Criminal justice partners have maintained open and consistent communication and information sharing regarding Realignment clients, programs, trends, and strategies.

While the data working group ceased meeting after resolving all major data and information gaps related to tracking and sharing information on Realignment implementation, the larger Realignment Working Group has continued to meet biweekly. At each Working Group meeting, every partner agency reports on current trends and statistics related to Realignment populations.

In the coming year, research and evaluation will continue to be a key strategy in Realignment implementation. With two years of experience and data available, San Francisco will now be able to assess the efficacy and outcomes of programs and strategies, as well as use data and information to adjust programs, target those clients most likely to benefit from those programs, and identify CCSF's gaps between available services and clients' needs. In Fiscal Year 2013/14, the Adult Probation Department will implement program evaluations of its Realignment-funded services, including the CASC.

Also in the coming year, San Francisco will be one of eleven counties participating in the Public Policy Institute of California's (PPIC) collaborative project with the Board of State and Community Corrections (BSCC) to measure the performance and outcomes of California's Public Safety Realignment. As stated by PPIC, "[t]he ultimate goals of the project are to identify the sanctions, interventions, and services that are most effective for reducing recidivism and to provide the necessary information for counties to plan further steps to reduce criminal justice costs while maintaining public safety." San Francisco will provide data on demographic and criminogenic characteristics of its AB109 clients, as well as incarceration, sanctions, and recidivism information. PPIC will then analyze the relationship between San Francisco's reentry strategies and public safety outcomes and compare these relationships and outcomes with other counties throughout the State. This analysis will provide valuable information for San Francisco to assess the Realignment services and strategies put into place thus far, as well as to ensure that future funding is directed to those services and strategies that have proven positive outcomes.

San Francisco will also partner in the coming year with George Mason University's Center for Advancing Correctional Excellence! (ACE!) to analyze the criminogenic needs of the Adult Probation Department's clients and the services provided by San Francisco reentry service providers. ACE! will collect data from APD and service providers to conduct a gap analysis using its Risk Needs Responsivity (RNR) Simulation Tool. The outcome of this analysis will be a summary of the service needs of APD clients, the services currently provided, and the gaps where CCSF's service delivery system could better meet clients' identified needs. This will further assist San Francisco in directing funding and Realignment resources towards those programs that will most effectively meet the needs of clients.

Therefore, in the coming year, a strategic focus on research and evaluation will allow San Francisco criminal justice partners to further refine and tailor their Realignment strategies to be more effective, cost efficient, and evidence-based.

# Reentry Pod at a Glance

## PROCESS AND PROGRESS

The Reentry Pod represents a unique and unprecedented collaboration between the Sheriff's Department and the Adult Probation Department (APD) to develop a continuum of services from County Jail to the community for individuals who will be released to community supervision. A working group of Sheriff's Department and APD staff meets weekly to identify clients for the Reentry Pod through a collaborative review of individuals in jail custody. Eligibility criteria include length of sentence, criminal justice status upon release (individuals must be under the supervision of APD), and classification as medium to high risk (according to a COMPAS assessment). Clients meeting the eligibility criteria are transferred to the Reentry Pod where they meet with a Pre-Release Deputy Probation Officer (DPO) and develop an Individual Treatment and Rehabilitation Plan (ITRP). If the client is already on probation, the Pre-Release DPO works with the client's supervising DPO to adjust the ITRP according to client's current needs and the programs offered in the Reentry Pod.

The Reentry Pod is designed to lead into and enhance APD's reentry services in the community, which are centered at the Community Assessment and Service Center (CASC), and to provide a continuum of service for the client based upon their ITRP. Case managers from the CASC provide reentry planning in conjunction with the supervising DPO. When a client exits the Reentry Pod, he may continue accessing services initiated in the Reentry Pod at the CASC.

Current classes in the Reentry Pod include:

- > Relapse Prevention Groups
- > Thinking for a Change
- > Seeking Safety
- > Five Keys Charter School
- > Job Readiness Training
- > Anger Management
- > Family Dynamics
- > Restorative Justice
- > Yoga

**PRELIMINARY DATA\***

The Reentry Division has begun a preliminary analysis of the outcomes of Reentry Pod clients who have left the Pod. Reentry Pod clients are the highest risk population under supervision and many have been cycling in and out of custody for years. As such, it is not surprising that some clients return to the Pod after an initial stay. The Reentry Division will be supplementing this analysis with a process evaluation in 2014 to identify adjustments that can be made to improve outcomes.

As of October 2013:

Cumulative no. of individuals in the Reentry Pod .....	106
No. of individuals who have exited the Reentry Pod .....	92
Average no. of days in the Reentry Pod .....	37
Exit Pathways	
To APD Community Supervision .....	52
Early Release by Court .....	9
Early Release to Sheriff’s Programs .....	5
Removed for rule violation.....	15
Other.....	8
Total individuals released from Reentry Pod and re-arrested .....	26
Total re-arrests of individuals released from the Reentry Pod .....	45
Individuals released from Reentry Pod and re-arrested within 3 months.....	22
Individuals released from Reentry Pod and no re-arrests .....	26

While the sample is too small for robust statistical analysis, a preliminary comparison of clients who have completed the Reentry Pod and have not been re-arrested and clients who have been re-arrested within 3 months of release yields insight into potential trends.

Level/Type of Service Engagement	Individuals who have not been re-arrested (n = 26)	Individuals re-arrested within 3 months of release (n = 22)
Client was met at release by DPO, case manager, or other service provider	12	2
Received housing placement upon release	14	7
Received substance abuse treatment post-release	15	4
Average number of contacts with DPO post-release**	4.5	2.1

\* Data sources include: 1) APD Reentry Pod Database; 2) Sheriff Department’s Reentry & Re-arrest records; 3) APD Case Files.

\*\* Includes office meetings, field visits, and phone calls either initiated by DPO or by the client.

# Community Assessment and Services Center: The First Six Months

On June 18, 2013, Leaders in Community Alternatives, Inc. (LCA) and the San Francisco Adult Probation Department (APD), along with numerous public and community based partner agencies, launched the Community Assessment and Services Center (CASC), a “one stop” reentry services site that provides a broad array of services to clients of the Adult Probation Department. The CASC is designed to reduce recidivism and increase public safety by effectively engaging clients in skills-building activities and other transformative service opportunities that are known to increase self-sufficiency and self-efficacy and to help clients successfully exit the criminal justice system.

Current classes and services offered at the CASC include:

- > America Works
- > Anger Management
- > Case Management
- > Community Recovery Resources
- > Department of Child Support Services
- > Five Keys Charter School
- > Fridays at 3pm
- > Helping Women Recover
- > Job Readiness and Job Placement
- > Life Skills
- > Occupational Therapy Training Program
- > Parenting and Family Dynamics
- > Thinking for a Change
- > Substance Abuse Prevention
- > Seeking Safety

The CASC integrates evidence-based criminal justice practices, restorative justice principles, and individualized service delivery. New clients are assigned an LCA case manager who has reviewed the Individual Treatment and Rehabilitation Plan (ITRP) and referral information provided by the case carrying Deputy Probation Officer (DPO). A Client Service Plan is then created collaboratively by the client and case manager. The process includes a review of all intake materials, with an emphasis on the ITRP and the COMPAS assessment results, a discussion of the client’s immediate needs, short-term and long-term goals, and a review of the multiple program components and on-site services available through the CASC partner continuum. Psychiatric social workers from the Department of Public Health are stationed on-site to conduct assessments, provide brief therapy sessions, and make referrals for additional psychiatric and health needs. Additional public partner agencies present at the CASC include the Clean Slate program of the Public Defender’s office and the Department of Child Support Services.

### PRELIMINARY DATA†

LCA consistently collects data regarding clients referred to and engaged at the CASC. Individuals referred to the CASC can either engage in “Standalone Services” (i.e., classes and groups) or “Full Case Management” (i.e., intensive case management as described above).

Total APD Referrals during the period of 7/1/13 to 12/20/13: 480 Clients

#### *Breakdown of APD Referrals:*

> AB109 clients	239
> Non-AB109 clients	241

#### *Breakdown of APD Referrals by service type:*

> Standalone Services	196
> Full Case Management	284

### WORKSHOPS DELIVERED

1. **Thinking for a Change:** A total of 56 clients have completed Thinking for a Change (T4C), a cognitive behavioral program designed by the National Institute of Corrections. At the time of this report, there are four T4C cohorts in progress—three cohorts serving male clients and one dedicated to female clients.
2. **Anger Management:** three cohorts to date—two currently in progress and one cohort completed with one graduate.
3. **Seeking Safety:** four cohorts to date—two currently in progress and two cohorts completed with two graduates.
4. **Substance Abuse:** four cohorts to date—all are currently in progress.

### FUTURE GOALS

Increased client engagement and retention are the primary goals of the CASC moving forward. Given that this population is high risk, high need, and challenging to serve, the CASC will continue to work within its collaborative structure to devise viable strategies to incentivize participation.

† Data sources: LCA CASC Database





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# Individual Department Responses

## ***Adult Probation Department Initiatives***

The Adult Probation Department has invested substantial resources in developing infrastructure, human resources, and client services in order to respond effectively to Realignment. These investments have led to improved outcomes and significant reductions in the overall Adult Probation population. APD is the proud recipient of the 2013 American Probation and Parole Association's President's Award, which recognizes exemplary community corrections programs which serve to advance the knowledge, effectiveness and the integrity of the system.

A major effort of the department over the last year has been the selection of and preparation for new case management software to replace the department's legacy system. Smart Probation, developed by Homeland Justice, will dramatically expand and improve APD's ability to capture data about clients and report on a full range of outcomes. Smart Probation is expected to launch in late spring 2014.

APD is committed to providing exceptional service by staff trained in evidence-based practices. In the fall of 2012, APD hired 22 Deputy Probation Officers (DPOs) to support the department's response to Realignment. DPOs working in the AB109 Division of APD have undergone training in Motivational Interviewing, Street Drug Identification, Force and Weaponry, administering the Static 99R (for sex offenders), AB109 Fundamentals, Felony Sentencing After Realignment, Probation Supervision After Realignment, Supervising Offenders with Mental Health and Substance Abuse Treatment Needs, and CalRAPP Evidence Based Practices 101. Additionally, APD has expanded its capacity to provide peer-led safety trainings to DPOs. Three Deputy Probation Officers from the Realignment Division were recently trained to become firearms instructors, and three Deputy Probation Officers have become certified weaponless defense instructors. During the spring of 2014, staff will receive training in Field Officer Training, Non-violent Crisis Intervention, and Why Gender Matters: Creating Trauma-Informed Services for Women and Men. Staff from the Realignment Division and Reentry Division have attended the following conferences to present and share ideas with other jurisdictions: American Probation and Parole Association Annual Training Institute, Association of Female and Juvenile Offenders 15th Bi-Annual Adult & Juvenile Female Offender Conference, Association of Criminal Justice Research of California conferences, and the 3rd Annual Public Safety Realignment Conference.

APD supervises its population according to COMPAS-assessed risk and need, and accordingly has created specialized caseloads in its Realignment Division. A Pre-Release Unit of two Deputy Probation Officers works in the Reentry Pod to assist clients in their reentry planning and conducts pre-release planning for clients who will be released to PRCS directly from state prison. The PRCS unit has a women-specific caseload, a gang caseload, a sex offender caseload, and two 20:1 intensive supervision caseloads. All Realignment caseloads maintain client-to-officer ratios of no more than 50:1, which is in keeping with the American Probation and Parole Association's recommendations.

Information about clients' criminogenic risk and need, as identified by COMPAS, drives the formulation of clients' Individual Treatment and Rehabilitation Plans (ITRP). Deputy Probation Officers work collaboratively with clients to implement the ITRP and refer clients to services and programs to fulfill the goals it contains. APD has launched a broad array of services and resources for clients since the onset of Realignment. A detailed description of the programs and services available to APD's AB109 clients is provided in Appendix A.

APD is in the process of developing a Victim Restoration Program (VRP) for victims of individuals supervised by APD and for those clients who have been victims of violence and other crimes. The VRP will create a unique and critical opportunity to work collaboratively with targeted community-based organizations to address the myriad needs of victims of sexual assault, domestic violence, stalking, robbery and other crimes that have far-reaching effects on people's lives. The VRP will deliver services to victims in diverse communities in a manner that effectively addresses language, cultural and other barriers.

Shortly before Realignment began, APD created the Reentry Division to direct collaborative efforts to promote policy, operational practices, and supportive services to effectively implement Realignment and coordinate reentry services within APD and with partner agencies. The Division provides support to the CCP, the CCPEC, and the Reentry Council and provides research and analysis related to Realignment to CCSF agencies, the Mayor, the Board of Supervisors, the State of California, and other stakeholders. The Reentry Division also coordinates contracts for Realignment-related services and programs and provides information and support to APD sworn staff in making appropriate service referrals for APD clients. The Reentry Division also publishes *Getting Out and Staying Out: A Guide to San Francisco Resources for People Leaving Jail and Prison* (<http://sfreentry.com/resource-guide>).

## ***Office of the District Attorney Initiatives***

### **ALTERNATIVE SENTENCING PLANNER (ASP)**

The District Attorney created the Alternative Sentencing Planner (ASP) position in 2012 to examine and recommend cost effective sentencing alternatives that lead to better long-term outcomes for defendants and the community. The ASP contributes toward thoughtful sentences that address the seriousness of the crime, the criminogenic needs of the offender, and victim restoration. From February 2012 through September 2013 the ASP has conducted 155 in-depth reviews and 31 case consults for prosecutors. Preliminary results of the program show that the ASP's recommendations are associated with significant increases in the average amount of time a defendant is sentenced to rehabilitative programming. The Office is pursuing a comprehensive outcome evaluation to further assess the program's impact on case and defendant outcomes.

In 2013 the Alternative Sentencing Planner continued to conduct outreach to community based organizations and expanded casework outreach to include in-custody defendant interviews. These interviews allow the ASP to gather information, make an assessment of the criminogenic needs of the defendant, and determine an appropriate sentence.

In fiscal year 2013–2014 the San Francisco District Attorney's office will conduct an internal survey to identify the most valuable point at which prosecutors can utilize ASP recommendations and the elements of the ASP recommendations that are most useful to achieve the appropriate disposition. The District Attorney's office is confident that the ASP resource should be expanded to meet demand, including an additional full time staff person, and continues to explore replicating the ASP model in the juvenile division. The District Attorney's office Early Resolution Program (ERP) continues to help settle PC § 1170(h) and prison-eligible cases quickly,

ensuring efficient use of county resources and expanding opportunities for alternatives to incarceration. The ASP also conducts case reviews for managing attorneys on ERP cases.

Over the past year, the District Attorney's office has enhanced its relationships with residential treatment centers and now supports defense counsel to determine drug treatment program eligibility while defendants are in custody, allowing for more timely and appropriate placements based on community expertise.

#### **VICTIM SERVICES**

The District Attorney's office continues to provide comprehensive services to victims and witnesses of crimes, including assistance in filing claims with the State Victim Compensation Program, providing crisis intervention and emergency assistance, identifying appropriate community resources and services, securing restitution, assisting with relocation, meeting transportation needs, and providing help navigating the criminal justice system. The Victim Services Division provides these services in English, Cantonese, Mandarin, Spanish, and Vietnamese and utilizes the language line services for additional language assistance. The Victim Service Division caseloads continued to increase in 2013 to over 5,778 victims.

The San Francisco District Attorney's office anticipates submitting requests for additional victim services resources from Realignment funds to appropriately meet the demand for services and ensure adequate coverage of Realignment-related hearings by the District Attorney's office Victim Services Division. Consistency in victim notification and court support for victims at the hearings are essential elements for meeting obligations to victims under Marsy's Law.

#### **PAROLE HEARINGS**

From July through September 2013 the District Attorney's office participated in 53 parole hearings. Parole violators were represented by the Public Defender's office in all but one of these proceedings.

The San Francisco District Attorney's office, Public Defender's office, CDCR Parole Division and the Superior Courts have worked closely together to establish a fair process for parole hearings that places minimal burden on the court calendar. The District Attorney's office and Public Defender's office, utilizing current department resources, have each designated a single attorney to handle all parole revocation proceedings to ensure continuity in policy and successful implementation of the new responsibilities. While each office has successfully maintained continuity, there are practical administrative challenges as these attorneys must balance parole revocation duties with other caseloads requiring representation in other courtrooms.

#### **STAFF CAPACITY AND TRAININGS**

The District Attorney's office has been actively engaged in staff capacity building, inter-agency collaboration, and training throughout 2013. Among other Realignment-specific trainings, District Attorney's office staff received training on CDCR restitution practices in regards to the PRCS population.

The Alternative Sentencing Planner is currently working in collaboration with the San Francisco Criminal Justice Transitional Age Youth Partnership Planning Committee and organized an Asian Pacific Islander (API) Cultural Awareness Training for District Attorney's office investigators, victim services staff, and community based service providers on best practices for supporting API community members in crisis. In addition to the identified Realignment-related trainings, the office facilitated over 200 trainings for investigators, victim witness advocates, paralegals, and attorneys.

### **DATA COLLECTION AND ANALYSIS**

In 2013, the District Attorney's office increased its data analysis and collection capacity by hiring a Chief Information Officer. However, the office remains underresourced in developing Realignment data tracking systems, regularly reviewing those systems, and performing complex data analysis to inform agency practice.

The District Attorney's office continues work on establishing a case data tracking protocol for PC § 1170(h) eligible cases. Once complete, the system will allow analyses of outcomes for all PC § 1170(h) eligible cases, including comparisons between those that did result in PC § 1170(h) sentences and those that did not. This will help to further inform future sentencing decisions and case outcomes.

### **VICTIM RESTITUTION COLLECTION**

In 2012, Senate Bill 1210 Lieu., Collection of Criminal Fines and Fees was chaptered into law. The provisions of SB 1210 provide local county jurisdictions with the authority to collect restitution from post disposition Realignment defendants while in local custody, on Mandatory Supervision, or on PRCS. In the coming year, the District Attorney's office will continue to work with criminal justice partners to review the feasibility of restitution collection from the Realignment population while in custody of the San Francisco County Jail.

## ***Office of the Public Defender Initiatives***

The Public Defender's office is working to reduce the number of people coming into the criminal justice system under Realignment in a variety of ways.

### **PUBLIC DEFENDER REALIGNMENT TEAM**

The Realignment Team consists of an attorney and criminal justice specialist within the office's existing Reentry Unit. The team has worked exclusively with individuals impacted by Realignment, and they provide services and due process protections to those who are on PRCS.

The attorney assigned to the Realignment Team is fully versed in evidence-based practices and understands the wide range of service needs of its clients. The attorney is an effective advocate for the use of alternative sentencing strategies and equally well-versed in the legal issues and advocacy techniques required in the revocation process. The attorney provides legal representation during administrative hearings and investigates cases, litigates motions, and conducts formal revocation hearings.

The attorney has also been responsible for designing alternative sentencing strategies and identifying clients who are eligible for collaborative courts and other evidence-based programs. This attorney trains fellow deputy public defenders on alternative sentencing strategies and how to implement evidence-based strategies to improve legal and social outcomes. This position also works closely with the District Attorney's Alternative Sentencing Planner to explore and develop new sentencing schemes.

Another addition to the team is the criminal justice specialist, a highly experienced reentry specialist with a social work background, who conducts comprehensive assessments to determine client needs and collaborates with the Adult Probation Department's AB109 unit to help identify new referrals and to discuss progress of clients who are receiving services. The criminal justice specialist performs clinical work, assesses client needs, refers clients to services, and advocates for these individuals both in and out of court. Together with the attorney, the criminal justice specialist explores and advocates for community-based sanctions and seeks appropriate placements and programs for qualifying individuals.

There are limited resources available to provide representation to individuals at PRCS violation hearings. The volume of hearings, as well as the court's protocol for handling the hearings, will determine the resources required. Additional attorneys, investigators and paralegals may be required to provide representation at these hearings depending on the actual number of hearings that are required.

### **COORDINATION WITH EXISTING REENTRY PROGRAMS**

The Public Defender's Realignment team and Reentry Unit provide an innovative blend of legal, social and practice support through its Clean Slate and Social Work components. The Reentry Unit's social workers provide high quality clinical work and advocacy, effectively placing hundreds of individuals in drug treatment and other service programs each year.

The office's Clean Slate Program assists over 4,000 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 Clean Slate program also holds hours at the CASC to serve APD clients. The

Public Defender will seek to expand these services to the population under AB109, contributing to the overall success of Realignment.

#### **ADVOCATE USE OF ALTERNATIVE SENTENCES**

The Public Defender's office has conducted multiple in-house trainings about alternative sentences, reflected in CCSF's high percentage of PC § 1170(h)5(b) split sentences. The Realignment Social Worker successfully advocates in court for alternative sentences, including making appropriate placements of PC § 1170(h) individuals in residential programs prior to completion of their jail sentences and working with the District Attorney's office Alternative Sentencing Planner to identify alternative sentences. The Office has also worked to expand eligibility for Collaborative Courts, including advocating for the expansion of Drug Court eligibility criteria to include PC § 1170(h) clients. The Public Defender is currently working with the District Attorney to identify potential candidates for a Pilot Program.

#### **PRE-TRIAL REFORM**

The Public Defender's office is actively involved in the San Francisco Sentencing Commission. The Public Defender, along with others, advocated against cuts to Pre Trial Diversion Services, and is working to develop strategies to reduce San Francisco's pre-trial jail population.

#### **PAROLEE REPRESENTATION**

In response to the shift of responsibility for parole revocation hearings to the San Francisco Superior Court, the Public Defender appointed one full-time attorney to handle all San Francisco parole revocation cases. As of September 30, 2013, this attorney has represented 52 individuals at parole revocation proceedings and is working to identify resources and services for this high risk and high needs population. Of the 52 individuals represented thus far, 23 have been PC § 290 registrants (sex offenders) who have significant housing and service barriers to their reintegration into the community. In the coming year the Public Defender and criminal justice partner agencies will explore avenues for addressing these barriers in order to connect these individuals with needed housing and treatment services.

## ***San Francisco Sheriff's Department Initiatives***

#### **IN CUSTODY PROGRAMS**

The San Francisco Sheriff's Department (SFSD) continues to provide programming and services focused on reducing recidivism for individuals in custody and in the community. The Sheriff's in custody programs include: Resolve to Stop the Violence Project (RSVP), Roads to Recovery, Sisters in Sober Treatment Empowered in Recovery (SISTERS), Community of Veterans Engaged in Recovery (COVER), NextCourse culinary programming, academic and vocational education by Five Keys Charter School, and a bicycle repair and maintenance class.

The Sheriff's Department provides staff support to the Reentry Pod in partnership with the Adult Probation Department. APD and SFSD staff meet weekly to review inmate eligibility for the Reentry Pod, to discuss operational and programmatic developments in the Reentry Pod, and to plan for the addition of inmates who will be transferred from CDCR institutions to the Reentry Pod 60 days prior to their release.

## **VICTIM NOTIFICATION**

The Sheriff's Department implemented Victim Information and Notification Everyday (VINE) in August 2013. VINE is a free and anonymous service provided to crime victims, allowing victims to receive notifications regarding changes to an offender's custody status. Notifications of an inmate's transfer to another jurisdiction occur within eight hours and notifications of an inmate's release occur within 30 minutes.

## **EXPANDED VISITING**

A pilot project of the Sheriff's Department expanding visiting hours in County Jails 3 and 4 at the Hall of Justice began in September 2013.<sup>5</sup> Additionally, family and friends visiting inmates at County Jail 5 are now able to utilize an online visiting sign up system, rather than signing up through the phone hotline or in person at the jail. These initiatives improve inmates' connections to their families and communities, which can improve their successful transition to the community upon their release from custody.

## **COMMUNITY PROGRAMS**

The Sheriff's Department has an established Jail Alternatives Division. This division oversees the Sheriff's Department Community Programs, a variety of employment and educational programs including: the Sheriff's Work Alternative Program (SWAP), a work program available to eligible individuals in lieu of incarceration; the Post Release Education Program (PREP), which provides reentry, educational, vocational, substance abuse treatment, anger management, and batterers' intervention classes; electronic monitoring; and a variety of specialized services designed to help ex-offenders successfully re-enter the community following periods of incarceration.

The Five Keys Charter School, with classrooms in the County Jail, APD's office in the Hall of Justice, and the CASC, provides individual skill development to students in pursuit of their High School Diploma, GED, or other academic goals, including basic literacy and services for English language learners. Assessment tools are used to establish students' academic level and Five Keys instructors work with students to establish academic goals and plans to achieve them.

The Women's Resource Center (WRC), located at 830 Bryant Street, is designed to give women the services necessary to achieve and maintain safe and healthy lifestyles. Services include assistance and referrals for housing, substance abuse programs, employment readiness training and placement, mental health services, and legal assistance. Personal development classes including empowerment groups, relapse prevention, and visual and written performing arts are offered. Workshops focus on vocational skills, life skills, violence prevention, computer instruction, culinary arts and nutrition, parenting skills, and financial literacy.

## **SERVICES FOR VICTIMS**

The Sheriff's Department Survivor Restoration Program (SRP) provides community-based and in custody services for survivors of violence and crime. SRP provides survivors with a needs assessment, safety planning, and domestic violence support groups, and connects clients to other Survivor Restoration Programs. SRP also raises awareness about the importance of restorative justice programs that hold offenders accountable, repair the harm caused by crime, and provide survivor restoration, empowerment, and community involvement for both. Survivors are supported while navigating through family, criminal, and civil appearances, as well as other criminal justice and city agencies. Through the SRP, survivors of domestic and random violence whose perpetrators are participating in Sheriff's Department in custody offender programs are provided with advocacy and support services. Offenders are provided with the opportunity to hear about the experiences of survivors of violence and the lifelong impact of crime.

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5 Since then, County Jail 3 has been closed.

## ***Department of Public Health Initiatives***

The Department of Public Health (DPH) continues to partner with APD in creating innovative mechanisms for providing services to those AB109 clients in need of behavioral health, primary care, and stabilization housing. Through the work of the AB109 Case Management Unit within DPH's Community Behavioral Health Services, AB109 clients who meet medical necessity have access to a larger system of care intended to provide holistic, appropriate and culturally competent services. This matrix of care is comprehensive and assists clients in achieving wellness and recovery.

The AB109 Case Management Unit is intentionally co-located with other programs that address the needs of clients with health concerns. The services include assessment and placement authorization into care, primary care medical services, narcotic replacement therapy such as methadone and buprenorphine, treatment engagement activities, detoxification services, access to pharmacy services and medications, and stabilization housing.

It is with a commitment to the AB109 population that that the program attempts to inspire those it serves, achieving wellness and recovery for all program participants. Efforts over the past year have focused on three system accomplishments:

1. Enhancing the matrix of services to be more responsive the needs of San Francisco's AB109 clients.
2. Recruiting experienced staff with the clinical expertise and knowledge of the forensics population.
3. Investing in specific clinical interventions that target critical areas of concern for AB109 clients.

With funding through APD, DPH was able to work closely with APD in analyzing trend data to identify those treatment and program interventions in which program participants achieved satisfactory outcomes. These program interventions include:

- > residential substance abuse treatment
- > residential mental health treatment
- > intensive outpatient services
- > stabilization housing for PRCS clients
- > access to physicians for primary care concerns
- > clinical staff for short term therapy and crisis resolution
- > toxicological screening as a treatment indicator

As part of the accessibility to necessary care and in light of changing landscape of health care provision as a result of the Affordable Care Act, the AB109 Case Management Unit engages in targeted outreach to enroll all AB109 participants in insurance coverage and newly expanded entitlements. As a result, 127 AB109 clients who were not already receiving coverage have been enrolled and now benefit from affordable health care.

Over the first two years of Realignment in San Francisco, a total of 681 unduplicated AB109 clients on community supervision were referred to DPH. Of these, 119 were PC § 1170(h) sentenced individuals and 562 were PRCS clients. Of the PRCS clients, 28 were designated as Enhanced Outpatient Program (EOP) participants in state prison, and therefore affected by acute and severe mental illness, and 39 participated in the CDCR Correctional Clinical Case Management System (CCCMS). Of the total number of referrals, 46 percent met medical necessity and were authorized and placed into ongoing care.



As part of increased efforts to integrate the access to care with the criminal justice system, DPH has detailed clinical staff to the CASC for the purposes of early intervention and early engagement for returning individuals. With in-reach to the Reentry Pod and seamless transition to care, AB109 clients may benefit from wrap-around and support services intended to prevent recidivism and re-offense.

## ***Superior Court Initiatives***

Throughout the first two years of Realignment implementation, the Superior Court has reviewed and made appropriate adjustments to current processes and procedures to respond to the requirements of Realignment legislation. The Court has also provided continuing education and training for all court staff, judges, and hearing officers in the areas of PRCS, Mandatory Supervision, PC § 1170(h) sentencing, and parole hearings.

In the last year, the Court has focused on enhancing its information technology and data analysis capacity in order to produce data on Realignment populations within the Court. As a result, the Court has developed and refined processes and procedures regarding PC § 1170(h) sentencing and PC § 3455 PRCS violations. The Court is examining and refining current processes and updating, amending, and revising them as necessary, including making improvements to court forms and sentencing reports.

The Court designated Department 22 to hear parole revocation hearings two afternoons a week beginning in July 2013. A Standing Committee meets regularly to discuss current policies and procedures related to parole revocations and to identify adjustments and refinements that are needed. In addition, information and Court forms regarding parole revocation hearings have been updated and revised.

## ***Human Services Agency Initiatives***

### **HEALTH CARE REFORM**

Major provisions of the Affordable Care Act went into effect on January 1, 2014, including expansion of the Medi-Cal program to low-income single adults, which will benefit many justice-involved individuals. Throughout summer and fall of 2013, APD, DPH, and the Human Services Agency (HSA) engaged in a joint planning process to identify strategies for enrolling jail inmates and reentry clients into health coverage. Strategies currently under exploration include certifying APD community-based partners as enrollment assisters, training APD and service provider staff on how to help clients enroll online, and stationing DPH or HSA staff at APD service sites and the jails to enroll clients. DPH has already dedicated one staff person to providing application assistance to APD clients at the CASC. Setbacks in the State's implementation of technology systems needed to facilitate smooth enrollment into coverage have delayed the ability to move forward on these strategies in 2013, but progress is anticipated in 2014.

### **NEW ROADS PROGRAM**

The New Roads program provides individuals who are homeless or temporarily housed 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.

Launched in January 2012, New Roads was initially administered by a local nonprofit, Hamilton Family Center, through a contract with the HSA. For Fiscal Year 2012/13 the contract was re-bid to the Tenderloin Housing Clinic. In October 2013, administration of the contract was shifted from HSA to APD.

In FY 12/13, twenty-eight clients received rent subsidies and services; three additional people enrolled in the program during the first quarter of FY 13/14. Of the 15 clients who exited the program in FY 12/13, two-thirds completed successfully. Of those who could be contacted six months after their rental subsidy had ended (n=5), all remained permanently housed. Though the numbers served by New Roads are relatively small, these outcomes are promising.

#### **CAMEO HOUSE**

As discussed above, HSA has partnered with APD to enhance programming at Cameo House, which has been supported for several years by Housing and Urban Development Continuum of Care funding, administered by HSA. Through this continued partnership, HSA will continue to support homeless women's access to permanent housing and economic opportunity, and to facilitate reunification plans on behalf of homeless women residing at Cameo House whose children are involved in Family and Children Services (Child Welfare).

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# Outcomes from the First Two Years

## *Completions, Sanctions, and Recidivism*

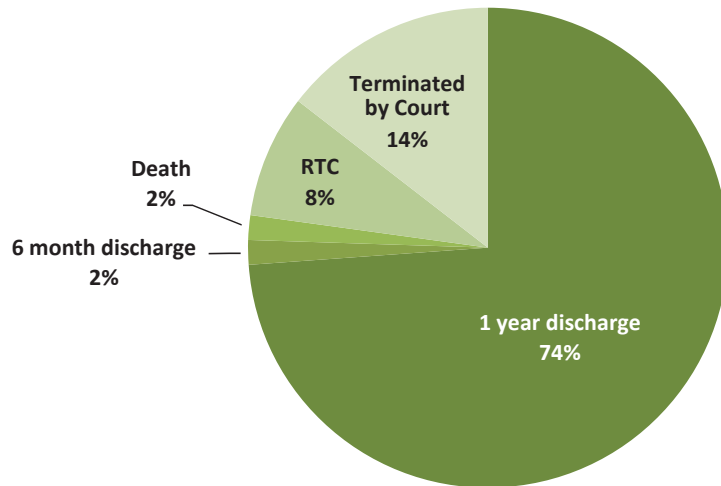
### **COMPLETIONS**

Since the outset of Realignment, 437 individuals sentenced under PC § 1170(h) have completed their jail sentences, including 169 individuals who were released at sentencing due to their credits for time served.

Overall, 75 percent of the 303 individuals completing a PRCS or Mandatory Supervision term with APD during the first two years of Realignment completed successfully. Mandatory Supervision clients complete supervision through completion of their court-ordered Mandatory Supervision term, revocation or termination of their term by the Court, or transferring their supervision to another jurisdiction. PRCS clients serve a term of up to three years, but are released after any 12 consecutive months without a custodial sanction and may be released after six successful months on PRCS, per the Chief Adult Probation Officer's discretion. As of September 30, 2013, 425 PRCS clients had spent at least 12 months on PRCS. Of these, 178 (42 percent) were released for having no custodial sanctions for 12 consecutive months.

Of those released to PRCS during the first two years of Realignment, 241 (39 percent) completed or were terminated from PRCS, with most of these completions (178 or 74 percent) due to the clients completing 12 consecutive months without a custodial sanction. Four PRCS clients were released early after six successful months on PRCS. Thirty-five PRCS clients (15 percent of all completions) were terminated by the Court, mostly due to other pending charges. Twenty clients who completed PRCS during this time period (8 percent) were on PRCS to complete their parole terms after having been returned to custody. Four clients died while on PRCS.

**Chart 13. PRCS Completions, October 2011 – September 2013**

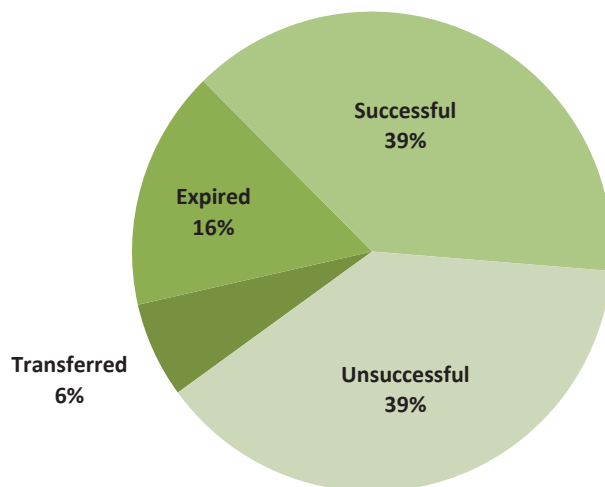


Notes: RTC refers to those parole violators who were returned to custody (RTC) to state prison prior to October 1, 2011 and released to PRCS after October 1, 2011 to complete the remainder of their parole term on PRCS.

Source: Adult Probation Department's Case Management System

The average length of Mandatory Supervision sentences given over the first two years of Realignment is 25 months. A majority of Mandatory Supervision clients have therefore not reached the end of their sentenced term, thus limiting the number of clients who have been able to complete their terms successfully thus far. Therefore, those who have completed are more likely to have been terminated unsuccessfully prior to the end of their sentenced term than to have reached the end of their sentenced term and completed successfully. Nonetheless, during this time period, 62 of the 219 individuals (28 percent) that started a Mandatory Supervision term completed or were terminated from supervision. Of those, 24 (39 percent) completed their Mandatory Supervision term successfully, 24 (39 percent) were terminated unsuccessfully or had their Mandatory Supervision term revoked, 10 individuals' (16 percent) Mandatory Supervision term expired while in custody for a violation or new charge, and 4 (6 percent) were transferred to another jurisdiction.

**Chart 14. Mandatory Supervision Completions, October 2011 – September 2013**

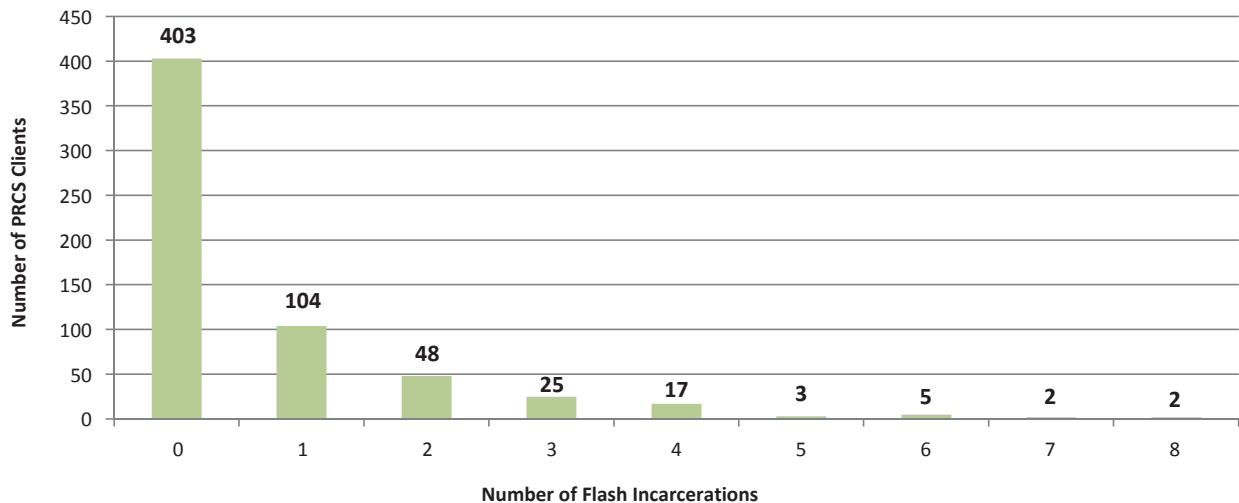


Source: Adult Probation Department's Case Management System

## SANCTIONS

Under the authority granted by AB109 to impose flash incarcerations for PRCS clients for up to 10 days (PC § 3454b) APD imposed 418 flash incarcerations for 206 PRCS clients. A majority of PRCS clients, 66 percent, had no flashes imposed, while 17 percent had received one flash, 8 percent had received two flashes, 4 percent had received three flashes, and 5 percent had received four or more flashes. The average length of a flash incarceration was 9 days.

**Chart 15. PRCS Clients by Number of Flash Incarcerations Received, October 2011 – September 2013**



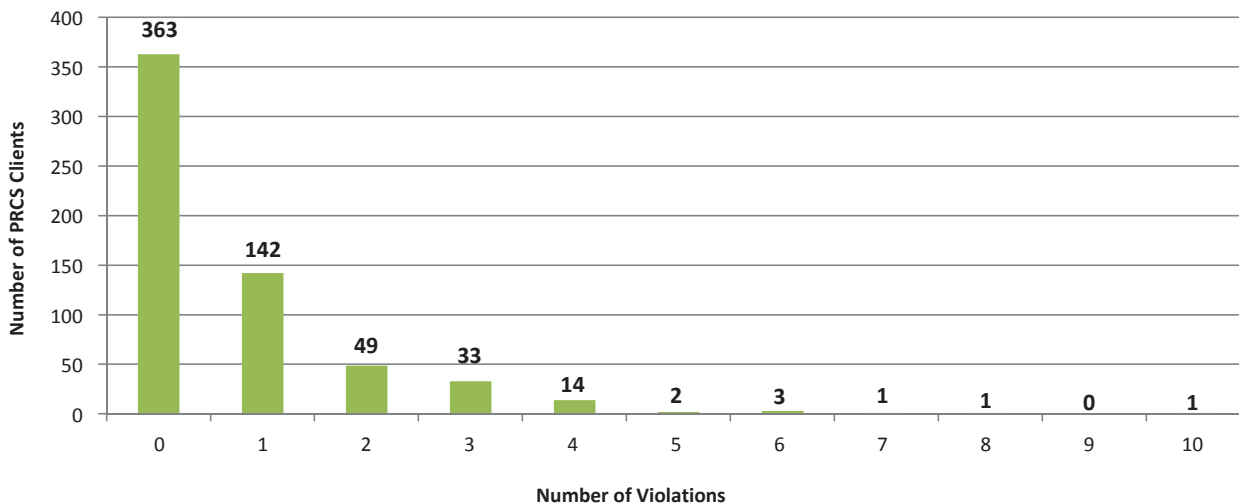
Source: Adult Probation Department's Case Management System

The next level of sanction imposed for PRCS clients, after a flash incarceration, is a PRCS violation (PC § 3455a), which is filed for a more serious violation of supervision terms, a pattern of non-compliance that continues after flash incarcerations have been imposed, or for a new crime violation that may or may not be pursued as a new charge. A majority of PC § 3455a violations result in a sentence in County Jail. Others result in a period of time on electronic monitoring. Over the first two years of Realignment, APD imposed 448 PC § 3455a violations for 246 PRCS clients, 15 of which resulted in an electronic monitoring sentence while the rest resulted in jail sentences averaging 75 days.<sup>6</sup>

A majority, 60 percent, of PRCS clients did not receive a PC § 3455a violation during the first two years of Realignment. Twenty-three percent of PRCS clients received one violation, eight percent received two, five percent received three, two percent received four, and one percent received five or more violations.

6 Time served for a PC § 3455a violation is eligible for half time credits and therefore individuals serve half of their sentence.

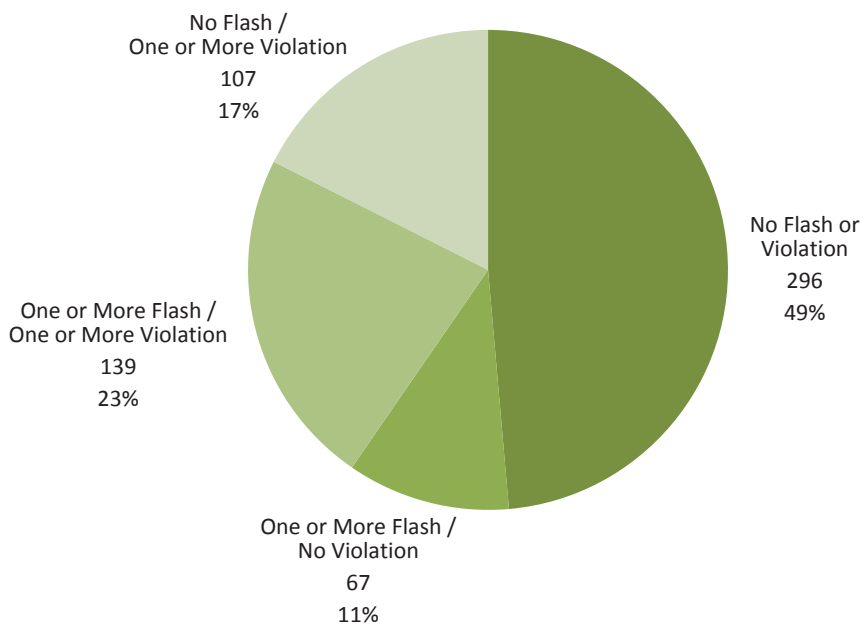
**Chart 16. PRCS Clients by Number of PC § 3455a Violations Imposed, October 2011 – September 2013**



Source: Adult Probation Department's Case Management System

Almost one-half of PRCS clients, 49 percent, received neither a flash incarceration nor a violation during the first two years of Realignment. Eleven percent received one or more flash but did not subsequently receive a PC § 3455a violation, while 23 percent received one or more flash and one or more violation. Seventeen percent of PRCS clients received a violation but not a flash, almost all of which (102 out of 107 violations) were for new law violations.

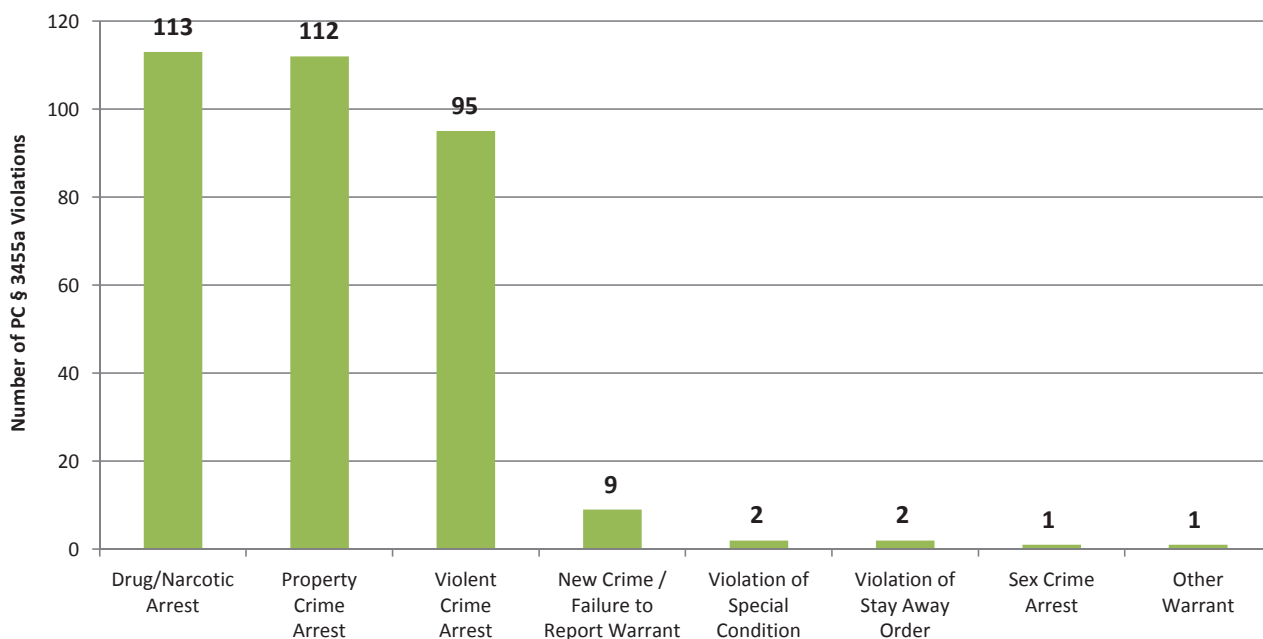
**Chart 17. PRCS Clients, by Sanction(s) Imposed**



Source: Adult Probation Department's Case Management System

Of the 448 PC § 3455a violations imposed, 335 (75 percent) were due to a new law violation, rather than a technical violation. One-third of these were due to a drug or narcotic crime or arrest, one-third to a property crime arrest, and 28 percent to a violent crime arrest. The remaining five percent of PC § 3455a violations issued for new law violations were due to an arrest for a new crime when a failure to report warrant was outstanding (three percent), a special condition violation, a violation of a stay away order, a sex crime arrest, or another warrant (each less than one percent).

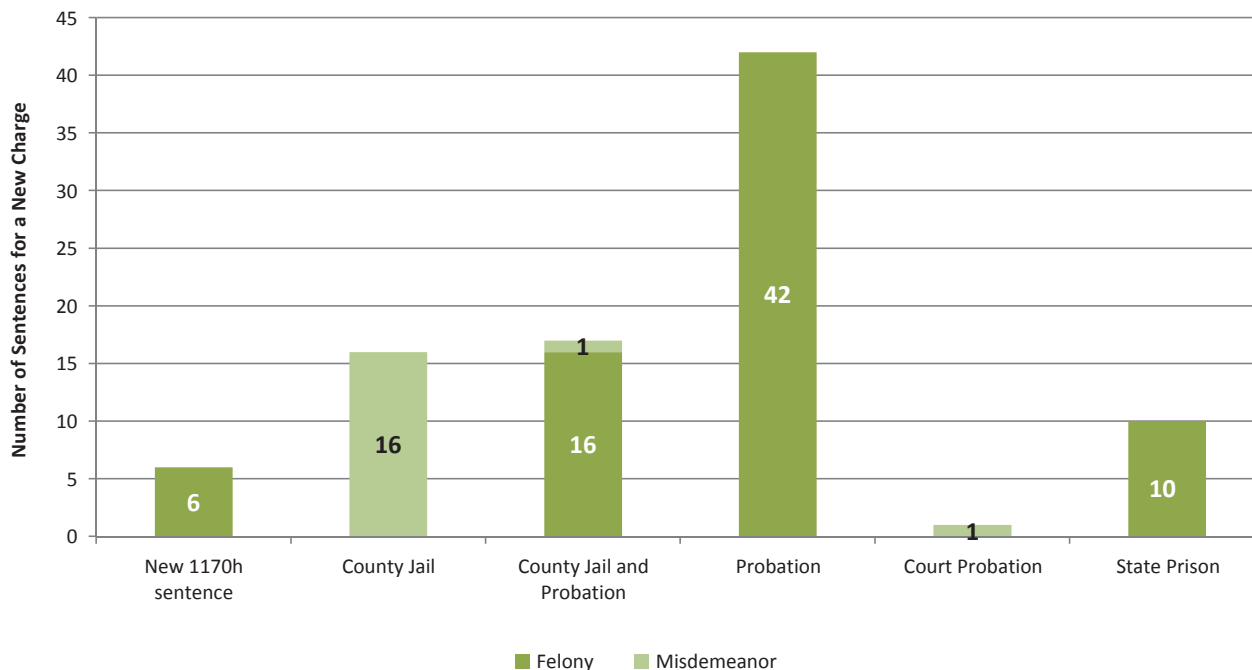
**Chart 18. PC § 3455a Violations Issued for New Law Violations, by Type of Crime**



Source: Adult Probation Department's Case Management System

Of the 335 violations issued for a new law violation, 92 resulted in a new sentence, most of which (46 percent) were a new felony probation grant. Seventeen percent were felony charges resulting in a County Jail and probation sentence, another 17 percent were misdemeanor charges resulting in County Jail sentences, 11 percent resulted in state prison sentences, and seven percent resulted in PC § 1170(h) sentences.

**Chart 19. PRCS Violations for New Charge Resulting in a New Sentence, by Type of Sentence**



Source: Adult Probation Department's Case Management System

PRCS clients are required to report to APD within two days of their release from state prison. Of the 614 PRCS clients released to San Francisco from October 2011 through September 2013, 89 percent complied with this requirement. Of the 66 individuals who did not report within two days and for whom a warrant was issued, 64 subsequently reported, over half of them within two weeks of issuance of the warrant. Two individuals have yet to report. As noted above, a preliminary analysis examining risk factors that are correlated with multiple arrest incidents while on PRCS found that a failure to report within two days of release from state prison is one of the most predictive factors for multiple arrests after reporting. APD is therefore exploring strategies for interrupting this cycle for those who fail to initially report.

Per AB109, probation departments are not provided the same sanctioning tools for Mandatory Supervision as for PRCS, namely the authority to impose flash incarcerations and PC § 3455a violations. Therefore, when a Mandatory Supervision client is not in compliance, the result is either a charge for a new crime or a Motion to Revoke (MTR) for a violation of his or her supervision terms.

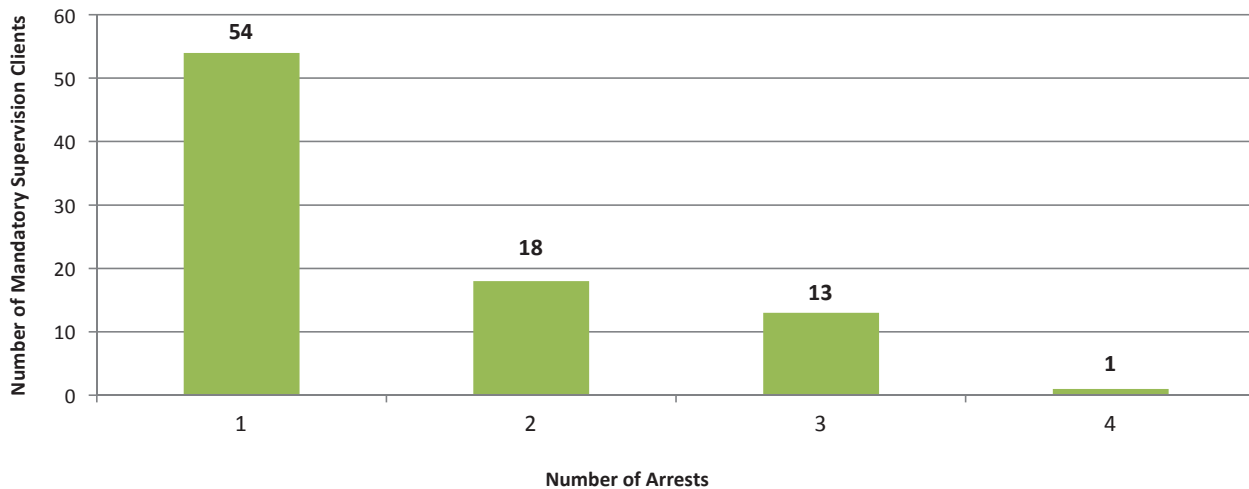
During the first two years of Realignment, 101 Mandatory Supervision clients (46 percent) were arrested at least once on new charges for a total of 187 arrests.<sup>7</sup> Of these arrests, 54 (29 percent) resulted in charges being dismissed, 73 (39 percent) resulted in a Motion to Revoke, 50 (27 percent) resulted in a sentence for a new charge, and 10 (5 percent) were pending as of September 30, 2013.

Of the 86 clients whose arrest charges were not discharged or dismissed, most were arrested only once. Twenty-one percent of these clients were arrested twice, 15 percent three times, and one client was arrested four times. About one-third of the arrests that were not subsequently dismissed were due to a drug or narcotics charge, one-third were due to a property crime charge, 23 percent were due to a non-compliance charge, and seven percent to a violent crime charge.

<sup>7</sup> Not including arrests for technical violations or those that were connected to the same court number as the original Mandatory Supervision sentence.



**Chart 20. Mandatory Supervision Clients by Number of Arrests, October 2011 – September 2013**



Notes: Arrests do not include those for which charges were discharged or dismissed.  
 Source: Adult Probation Department's Case Management System

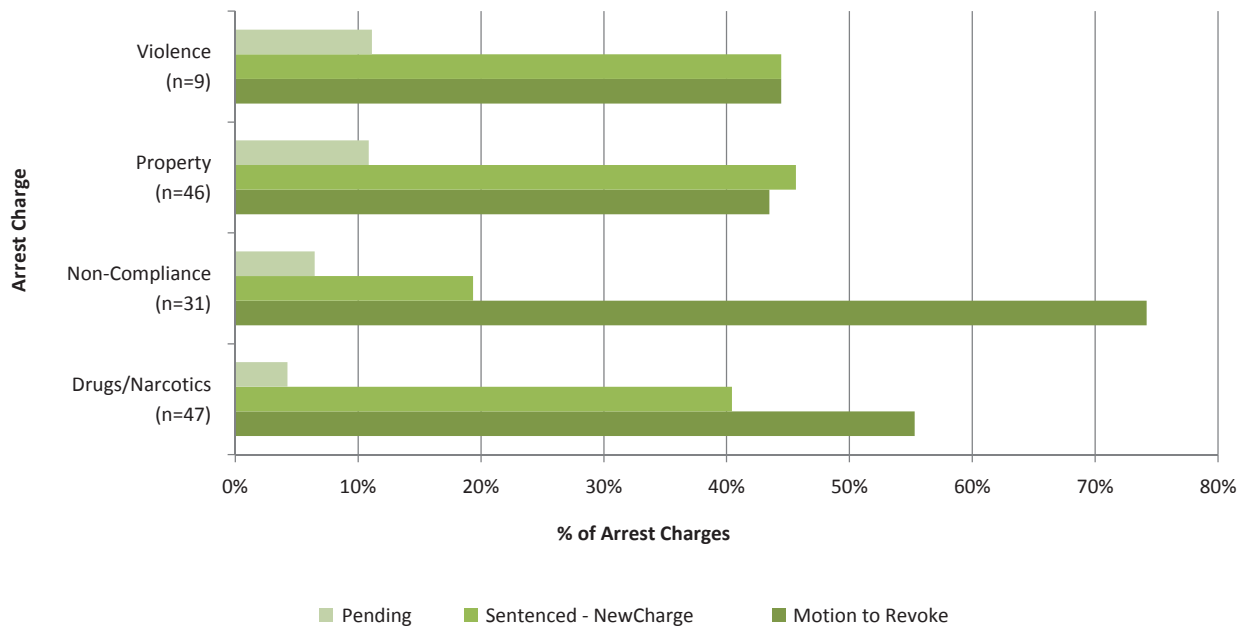
**Chart 21. Mandatory Supervision Arrests, by Arrest Reason**



Notes: Arrests do not include those for which charges were discharged or dismissed.  
 Source: Adult Probation Department's Case Management System

Arrests due to violent or property crime charges were equally likely to result in a new sentence as in an MTR. Slightly more drug and narcotics arrests resulted in an MTR than in a new sentence and a vast majority of non-compliance arrests arrested in an MTR while few resulted in a new sentence.

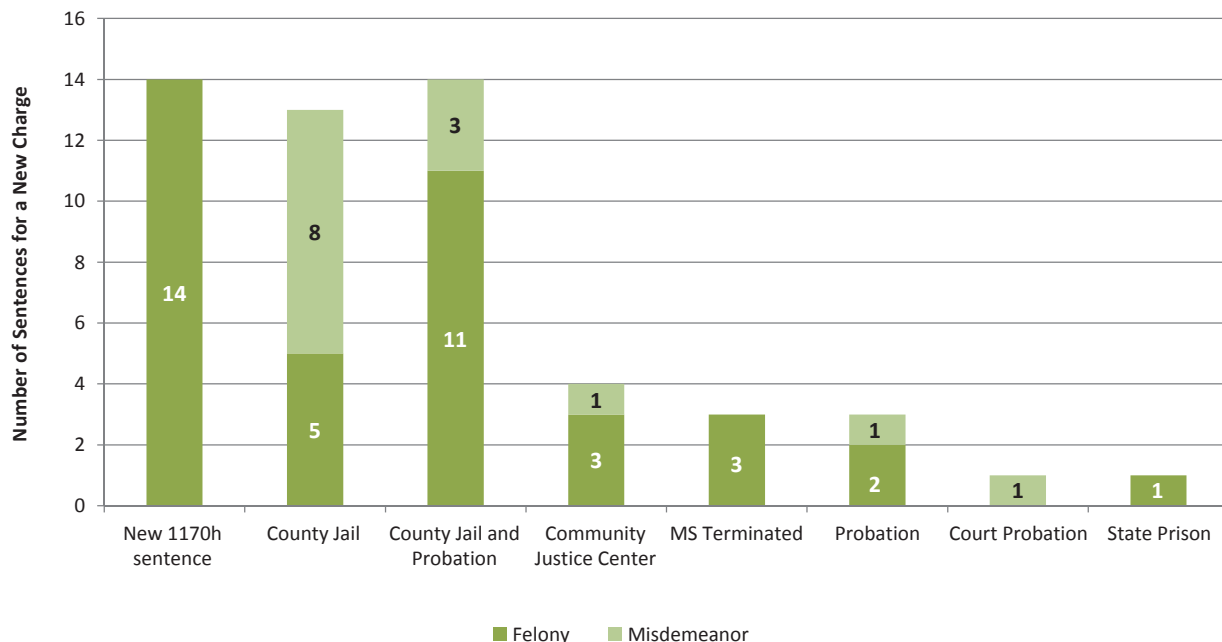
**Chart 22. Arrest Charge Results for Arrest Types, Mandatory Supervision Arrests, October 2011 – September 2013**



Notes: Arrests do not include those for which charges were discharged or dismissed.  
 Source: Adult Probation Department's Case Management System

Of the 50 Mandatory Supervision arrests that resulted in new sentences, 72 percent were felony charges and 28 percent were misdemeanors. About a quarter were sentenced to a new PC § 1170(h) term, a quarter to County Jail, a quarter to County Jail and probation, and the remaining quarter were sentenced to the Community Justice Center (4), had their Mandatory Supervision terminated (3), were sentenced to a new grant of probation (3), court probation (1), or state prison (1).

**Chart 23. Mandatory Supervision Arrests Resulting in a New Sentence, by Type of Sentence**

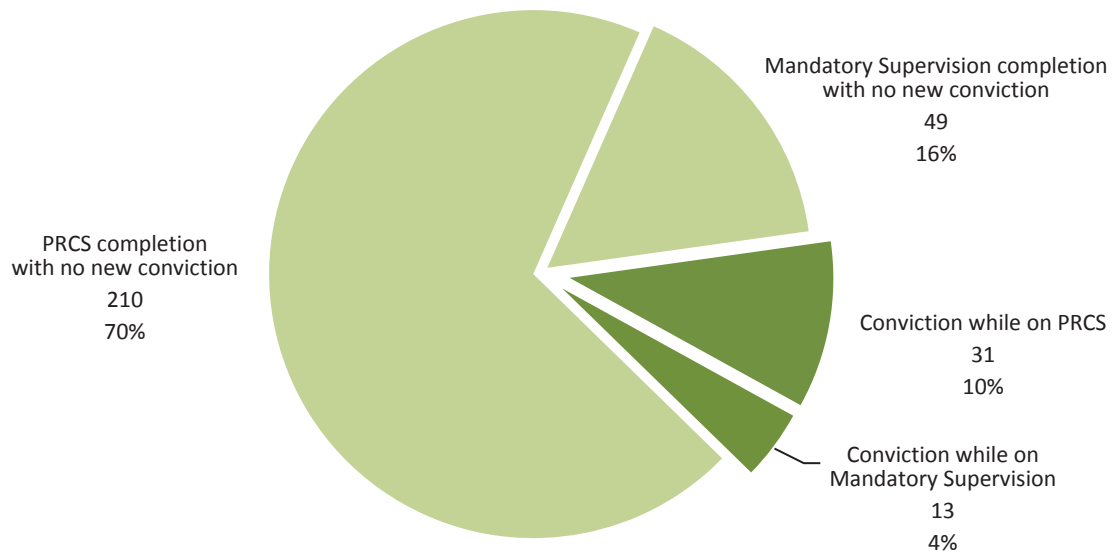


Source: Adult Probation Department's Case Management System

**RECIDIVISM**

The Chief Probation Officers of California (CPOC) defines recidivism as “a subsequent criminal adjudication/conviction while on probation supervision,” as determined at the time the individual completes supervision. According to this definition, San Francisco’s recidivism rate for AB109 clients for the first two years is 14 percent—14 percent of clients who completed a PRCS or Mandatory Supervision term during this time period were convicted of a new crime while on supervision.<sup>8</sup> The recidivism rate for PRCS clients is slightly lower, 13 percent, and for Mandatory Supervision clients it is slightly higher, 21 percent.

**Chart 24. PRCS and Mandatory Supervision Recidivism, October 2011 – September 2013**



Source: Adult Probation Department’s Case Management System

Direct comparisons to recidivism rates for this population prior to AB109 are difficult, due to the fundamental differences in the recidivism definitions used. Prior to AB109 implementation, CDCR reported a parole recidivism rate in San Francisco of 78 percent, defining recidivism as any return to custody in the first three years after release from state prison. The recidivism definition used by CPOC is more specific, measuring only new convictions during one’s time on supervision. The most comparable measure to CDCR’s pre-AB109 recidivism measure is APD’s compliance rate for PRCS and Mandatory Supervision clients. Those clients who did not receive any custodial sanctions (PRCS) or new arrests<sup>9</sup> resulting in an MTR or new sentence (Mandatory Supervision) are considered in compliance. Over the first two years of Realignment, the compliance rate for PRCS clients was 49 percent and for Mandatory Supervision clients the compliance rate was 60 percent. Therefore, 51 percent of PRCS and 40 percent of Mandatory Supervision clients were returned to custody during the first two years of Realignment, a drastic reduction from the parole return to custody rate prior to AB109 of 78 percent.

8 This includes those whose new conviction resulted in terminating their supervision term.

9 Includes only those arrests for new charges rather than for technical violations, thus making the measure not fully comparable to CDCR’s recidivism measure, as CDCR’s measures a return to custody for any reason.



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# Looking Ahead

San Francisco's criminal justice, public health, and human services partners have met the challenge posed by Realignment by drastically expanding services and programs, enhancing community supervision, and strengthening inter-agency collaboration related to CCSF's new responsibilities. The outcomes from the first two years of Realignment illustrate that these strategies are on the right track. They also suggest opportunities to further strengthen these strategies and partnerships in the coming years.

Looking ahead, San Francisco's Realignment strategies will continue to prioritize inter-agency collaboration, using outcome data to make needed adjustments and improvements to these strategies. CCPEC members will promote strategies that provide appropriate alternatives to incarceration, even in the context of a historically low jail population. Together, CCSF's criminal justice and partner agencies will continue to expand the services and treatment options available to the high-need population affected by Realignment and will remain committed to using evidence-based sentencing and supervision strategies to enhance public safety and interrupt the cycle of crime.



# Appendix A

**Table 3. APD-Funded Services**

Type of Service	Description of Service	Capacity
<b>Assessment and Placement in Outpatient and Residential Behavioral Health Treatment, and Benefits Enrollment</b>	APD clients are referred to the Department of Public Health’s Behavioral Health Access Center or the Community Assessment and Services Center (CASC), where Care Coordinators assess for placement in behavioral health treatment and sober living environments. Clients are also connected to health coverage and other benefits.	<i>All APD clients can be referred to DPH for assessment and placement in array of community based placements.</i>
<b>Basic Needs for Clients</b>	DPOs distribute MUNI tokens, hygiene kits, meal vouchers, and clothing vouchers to clients in need. Clients are provided assistance in applying for the Federal Lifeline cell phone service program and provided verification for reduced-fee California IDs from the Department of Motor Vehicles.	<i>All APD clients are eligible to receive basic needs items.</i>
<b>Intensive Case Management</b>	Eligible clients receive intensive case management and barrier removal services from Leaders in Community Alternatives (LCA), which operates the CASC in partnership with APD. Forthcoming partnerships with Senior Ex-Offender Program and Citywide Case Management will provide intensive case management for those who demonstrate a need.	<i>LCA/CASC: 150</i>  <i>SEOP (for clients ages 40+): 30</i>  <i>UCSF/Citywide (for clients with mental health challenges): 30</i>
<b>Clinical Interventions</b>	In partnership with the Department of Public Health, clients of APD may be referred for clinical assessments, brief therapy, and resource brokerage by clinicians based at APD and the CASC.	<i>DPH Clinicians: Up to 50 clients.</i>  <i>PAC/ISP: Up to 50 for comprehensive clinical services.</i>
<b>Community Assessment and Services Center (CASC)</b>	The CASC is an innovative “one-stop” community corrections reentry center that provides on-site supervision of clients and comprehensive case management, and co-locates services including a charter school, vocational training, behavioral health services, and cognitive behavioral groups that address criminal attitudes and behaviors. The CASC also helps to reduce barriers to accessing health and income benefits by providing dedicated office space for public sector partners, including the Department of Public Health and the Human Services Agency.	<i>600 unduplicated APD clients per year.</i>
<b>Education</b>	Five Keys Charter High School provides educational instruction and preparation for students interested in receiving a GED or High School Diploma. Five Keys has sites at the Learning Center at the Hall of Justice inside APD and at the CASC.	<i>Learning Center at HOJ: Up to 15 students at a time.</i>  <i>CASC Learning Center: Up to 15 students at a time.</i>

Type of Service	Description of Service	Capacity
<b>Emergency Stabilization Units</b>	Homeless and extremely unstable clients of APD are referred to short-term stabilization rooms in partnership with Department of Public Health, Housing and Urban Health Division.	<i>There are 46 stabilization units.</i>
<b>Job Training and Employment</b>	Clients of all ages and educational backgrounds are referred to America Works, which provides job training and placement services. 18–25 year old clients may also be referred to the Interrupt Predict and Organize Employment Initiative, a project of the Mayor’s Office of Violence Prevention Services; 18–21 year-old clients may be referred to the Occupational Therapy Training Program.	<i>America Works: 108 APD clients to be placed in unsubsidized employment.  IPO: Potential for 100 clients as Mayor’s office adds new cohorts</i>
<b>Reentry Pod</b>	In collaboration with the Sheriff’s Department, APD and its partner agencies provides pre-release case management, engagement, and interventions to up to 56 individuals who will be released to probation supervision. The Reentry Pod serves individuals who have 30–120 days remaining to serve in custody. Eligible clients include individuals who will be released to PRCS, Mandatory Supervision under PC § 1170(h)5(b), or Felony Probation.	<i>There are 56 beds.</i>
<b>Restorative Justice/Victim-Offender Education</b>	APD clients may be referred to attend Victim-Offender Education process groups provided by Insight Prison Project. These groups meet for six hours per week for up to 20 weeks.	<i>Up to 30 clients. 15 per cohort, 2 cohorts per year.</i>
<b>Sex Offender Treatment</b>	APD clients who are mandated to treatment under the Containment Model receive treatment from San Francisco Forensics Institute. Clients receive treatment for at least one full year, typically during one group and one individual session per week.	<i>All mandated clients to be referred for services under the containment model.</i>
<b>Thinking for a Change</b>	APD clients may be referred to cognitive behavioral groups facilitated by staff trained by the National Institute of Corrections. Thinking for a Change groups meet twice per week for 13 weeks, for a total of 26 two-hour sessions.	<i>Up to 225 clients. 15 per cohort, 15 cohorts per year.</i>
<b>Transitional Housing and Sober Living</b>	Partnerships with community-based providers provide clients access to transitional housing, which combine short-term housing with assistance in identifying permanent housing options in San Francisco. Forthcoming partnerships will provide congregate sober living environments for eligible clients.	<i>There are 24 transitional housing units.</i>
<b>Transitional Rental Subsidies</b>	Work-ready or employed clients may be referred to the New Roads Rental Subsidy Program, operated by Tenderloin Housing Clinic, for partial rental subsidies for up to one year.	<i>Up to 15 rental subsidies at any point in time.</i>



# Appendix B

## CHARACTERISTICS OF AB109 POPULATION

Table 4. Characteristics of AB109 Individuals, October 2011 through September 2013

	PRCS Individuals		1170h-Sentenced Individuals		Parole Violators		Total		San Francisco Pop. (2010 Census)
	#	% of Total	#	% of Total	#	% of Total	#	% of Total	
Total	614		466		3,342		4,422		805,235
<b>GENDER</b>									
Male	564	92%	409	88%	3,167	95%	4,140	94%	51%
Female	50	8%	57	12%	176	5%	283	6%	49%
<b>AGE</b>									
Average Age, Men	39		38		41		40		39
Average Age, Women	37		38		36		37		39
18–24 Years	52	8%	58	12%	189	6%	299	7%	10%
25–39 Years	261	43%	213	46%	1,341	40%	1,815	41%	30%
40–54 Years	250	41%	154	33%	1,496	45%	1,900	43%	22%
55–69 Years	51	8%	39	8%	307	9%	397	9%	16%
70+ Years	0	0%	2	0%	9	0%	11	0%	10%
<b>RACE / ETHNICITY</b>									
American Indian or Alaskan Native	2	0%	NA	NA	18	1%	20	0%	NA
Asian or Pacific Islander	29	5%	19	4%	90	3%	138	3%	36%
African American / Black	358	58%	273	59%	2,099	63%	2,730	62%	7%
Hispanic	73	12%	NA	NA	NA	NA	NA	NA	7%
Other	24	4%	NA	NA	83	2%	107	2%	NA
White	126	21%	162	35%	1,016	30%	1,304	29%	54%
Unknown	2	0%	12	3%	37	1%	51	1%	3%

**Table 5. Characteristics of Post Release Community Supervision Clients**

	#	% of Total		#	% of Total
Total PRCS Population	614		<b>ACTIVE PRCS CLIENTS BY CDCR FACILITY OF RELEASE</b>		
<b>PRCS COMPLETIONS</b>			California State Prison, San Quentin	218	36%
Return to Custody PRCS Clients Completing	20	3%	California Correctional Center	38	6%
Successful Early Completions (6 month)	4	1%	Valley State Prison for Women	30	5%
Successful Completions (12 months)	178	29%	Deuel Vocational Institution	23	4%
Terminated by the Court	35	6%	Folsom State Prison	21	3%
Completions due to Client's Death	3	0%	California Medical Facility	18	3%
<b>HOLDS</b>			Avenal State Prison	15	2%
PRCS Clients with ICE Holds	13	2%	Sierra Conservation Center	15	2%
PRCS Clients with Federal Hold	2	0%	Correctional Training Facility	14	2%
PRCS Clients with State Hold	4	1%	California State Prison, Solano	14	2%
PRCS Clients with Other County Hold	8	1%	High Desert State Prison	11	2%
<b>PRCS CLIENTS' PRIOR FELONY CONVICTIONS</b>			CA Substance Abuse Treatment Facility	9	1%
Average Number of Prior Convictions	8		California State Prison, Sacramento	9	1%
0 Prior Convictions	11	2%	North Kern State Prison	8	1%
1 – 2 Prior Convictions	62	10%	Pelican Bay State Prison	8	1%
3 – 5 Prior Convictions	180	29%	California Men's Colony	7	1%
6 – 10 Prior Convictions	203	33%	California Institute for Men	7	1%
11 or More Prior Convictions	140	23%	Salinas Valley State Prison	7	1%
<b>PRCS CLIENTS' MOST SERIOUS PRIOR CONVICTION</b>			California Correctional Institution	6	1%
Violent Crime	259	42%	California State Prison, Corcoran	5	1%
Property Crime	133	22%	California Institution for Women	5	1%
Weapons Crime	100	16%	Central California Women's Facility	5	1%
Drug Crime	59	10%	Mule Creek State Prison, Lone	4	1%
Vehicle Crime	21	3%	Contract Bed Unit	4	1%
Sex Offense	15	2%	California State Prison, LA County	3	<1%
Fraud	7	1%	Kern Valley State Prison	2	<1%
Arson	3	0%	California Rehabilitation Center	2	<1%
Gang Crime	2	0%	Calipatria State Prison	1	<1%
Total with violent, weapons, or sex crime	374	61%	Centinela State Prison	1	<1%
			Richard J. Donovan Correctional Facility	1	<1%
			Court Walkover / Transfer from another County	96	16%

**Table 6. Characteristics of PC § 1170(h)-Sentenced Individuals**

	#	% of Total		#	% of Total
<b>ALL 1170(H) SENTENCES</b>			<b>1170(H)(5)(B) - SPLIT SENTENCES</b>		
Total Sentenced under 1170(h)	466		<i>Jail Portion</i>		
Total Sentenced to Jail Only - 1170(h)(5)(a)	221	47%	Low Sentence Length (months)	0	
Total Sentenced to Split Sentence - 1170(h)(5)(b)	245	53%	High Sentence Length (months)	55	
			Average Sentence Length (months)	13	
<b>1170(H)(5)(A) - STRAIGHT JAIL SENTENCES</b>			Number Whose Jail Sentence is Served with CTS	91	37%
Low Sentence Length (months)	3		Average Sentence if Not Released at Sentencing	5	
High Sentence Length (months)	144		<i>Mandatory Supervision Portion</i>		
Average Sentence Length (months)	30		Low Sentence Length (months)	1	
Number Whose Jail Sentence is Served with CTS	78	35%	High Sentence Length (months)	78	
Average Sentence if Not Released at Sentencing	8		Average Sentence Length (months)	25	

Notes: PRCS data includes all individuals released to PRCS, including those with federal, state, INS, or other county holds. Age refers to the age at their release from CDCR custody to PRCS. 1170h data includes all individuals sentenced under 1170(h)(5)(a) and 1170(h)(5)(b) through September 30, 2013. Parole violator data includes all individuals in county jail for a parole violation through September 30, 2013. Race and ethnicity data reported is that recorded in each data management system. For PRCS clients, race/ethnicity is as recorded by CDCR and/or the individual's Deputy Probation Officer at APD. For 1170h-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. Parole violator categories used here are those race categories 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.

Sources: Adult Probation Department's Case Management System, Sheriff's Department Jail Management System, Superior Court's Court Management System



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# Appendix C

## **AB109 REALIGNMENT LEGISLATIVE BACKGROUND**

The Public Safety Realignment Act (AB109) was signed into law on April 4, 2011. Amended by AB 117 on June 28 2011, AB109 transfers responsibility for supervising specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation to counties. Implementation of the Public Safety Realignment Act began on October 1, 2011.

Section 1230.1 of the California Penal Code was amended by AB109 and AB117 to read “(a) Each county local Community Corrections Partnership established pursuant to subdivision (b) of Section 1230 shall recommend a local plan to the County Board of Supervisors for the implementation of the 2011 public safety realignment. (b) The plan shall be voted on by an executive committee of each county’s Community Corrections Partnership consisting of the Chief Probation Officer of the county as chair, a Chief of Police, the Sheriff, the District Attorney, the Public Defender, presiding Judge or his or her designee, and the department representative listed in either section 1230 (b) (2) (G), 1230 (b) (2) (H), or 1230 (b) (2) (J) as designated by the county board of supervisors for purposes related to the development and presentation of the plan. (c) The plan shall be deemed accepted by the County Board of Supervisors unless rejected by a vote of 4/5ths in which case the plan goes back to the Community Corrections Partnership for further consideration. (d) Consistent with local needs and resources, the plan may include recommendations to maximize the effective investment of criminal justice resources in evidence-based correctional sanctions and programs, including, but not limited to, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and Global Positioning System (GPS) monitoring programs, victim restitution programs, counseling programs, community service programs, educational programs, and work training programs.

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