

**COUNTY OF SANTA CLARA**  
**PUBLIC SAFETY REALIGNMENT PROGRAM (AB 109)**  
**INITIAL RECIDIVISM REPORT**  
**Public Safety & Justice Committee – May 21, 2014**

**Introduction**

In April 2011 Governor Jerry Brown signed the Public Safety Realignment Act (AB 109) mandating the reinvestment of state resources, primarily spent on prisons and parole, to local community corrections and county programs. The shift of State prisoners to California counties, where they now serve their jail sentences or probation supervision, created opportunities to build upon and expand evidence-based programs. These programs are designed to effectively increase public safety while simultaneously holding offenders accountable through county and community based treatment.

The County, in partnership with internal and community stakeholders, is implementing two plans. The Community Corrections Partnership (CCP) Implementation Plan, adopted by the Board of Supervisors on September 27, 2011, and the Adult Reentry Strategic Plan, adopted by the Board of Supervisors in May 2012. Stakeholders continue to work in collaboration towards facilitating the goals set forth in these two plans. Ultimately, the overall goals are to reduce recidivism, streamline processes to link inmates to effective in-custody and community-based programming, and successfully re-integrate our clients back into their communities. Instead of serving their parole time on State parole jurisdiction, these individuals are now under the supervision of our County Probation Department as Post Release Community Supervision (PRCS) offenders. These individuals are eligible for local supervision if their most recent conviction was a non-violent, non-serious, and non-sexual offense. In addition to those being supervised by Probation as PRCS, additional offenders are serving their sentences in our local County jail facilities under the Penal Code section 1170(h). Many of these offenders will eventually serve a portion of their local time in the community under supervision of the Probation Department, referred to as Mandatory Supervision (MS).

## COUNTY'S APPROACH TO RECIDIVISM

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The County has managed to set an excellent foundation for a proactive, rehabilitative justice network with untold capacity for continued improvement over the years. For example, the County created the Reentry Resource Center as a one-stop centralized location where justice-involved individuals receive services and service referrals designed to increase successful reentry. As a result, our clients are starting to develop more positive outcomes and access to County programs is expanding. The level of collaboration and communication achieved across organizations/systems is very promising and admirable. These efforts often take years, if not decades, to come to fruition, and we seem to have made quite a leap in such a short time. Finally, efficacy is the ultimate achievement and preliminary numbers suggest that the County is headed in a good direction.

Every opportunity to evaluate programs and efforts is needed in order to address commonly asked questions among criminal justice partners. One such question is, “*What is the recidivism rate of the AB 109 clients?*” Another question is “*Do the services the County provides and refers to clients decrease their recidivism?*” This report will examine these questions and we are currently enlisting Resource Development Associates to assist us in providing an in-depth analysis to the second question during the next six months. This report will, for the first time, discuss the issue of recidivism among the AB 109 population, and provide highlights of what services were offered to the clients upon entering the AB 109 program.

## Defining Recidivism and the Approach

Recidivism is defined as the rate at which offenders commit additional criminal activity. In August 2013 the Board of Supervisors adopted the following definition as recommended by the CCP:

**The occurrence of convictions or sustained petitions of new law violations (both misdemeanors and felonies) within five years of exiting custody or entering supervision.**

Custody refers to time served in jail or in prison. This initial recidivism rate was tracked by cohorts of clients entering Probation supervision or existing custody from the County’s correctional facilities within a specific time period of October 2011 through December 2011 (Cohort 1) and January 2012 through June 2012 (Cohort 2). These two cohorts had at least 18 months in the community to re-offend and subsequently be convicted of a new law violation. The approach is to continue following each cohort for five years to study recidivist behavior, as we track recidivism at six months, twelve months, two years, three years and finally, five years. Additional contextual measures will include arrests, demographic factors such as race/ethnicity, risk level, and age. Recidivism will be tracked by offense type such as misdemeanor, general felony, and serious felony/violent felony.

With two years of data now available (3,897 AB 109 population between the period of October 1, 2011 through December 31, 2013) for service referrals and linkages and information about an individual’s subsequent re-offenses, an initial recidivism rate, based on convictions can be presented. In this analysis, convictions are derived from the fact that an individual has an on-view arrest, in other words, an individual is arrested by a local law enforcement officer and is suspected of committing a crime.

## Initial Recidivism Rate

Based on this definition, **we are reporting an overall AB 109 recidivism rate for the first two cohorts of 35%**. Specifically, out of the 1,630 individuals that belong to these two cohorts, 571 were arrested and subsequently convicted. For Cohorts 1 and 2:

- Out of the 1,007 PRCS and 1170(h) MS entered and exited Probation supervision, 352 were arrested and subsequently convicted of new law violation.
  - Approximately, 30% were felonies (top conviction is meth possession) and 70% were misdemeanors (top conviction is drug paraphernalia)
- Out of the 623 1170(h) exited custody, 222 were arrested and subsequently convicted of new law violation.

# RECIDIVISM RATE BY SIGNIFICANT FACTORS

The total AB 109 population between October 1, 2011 and December 31, 2013 is 3,897 with a breakdown as follows:

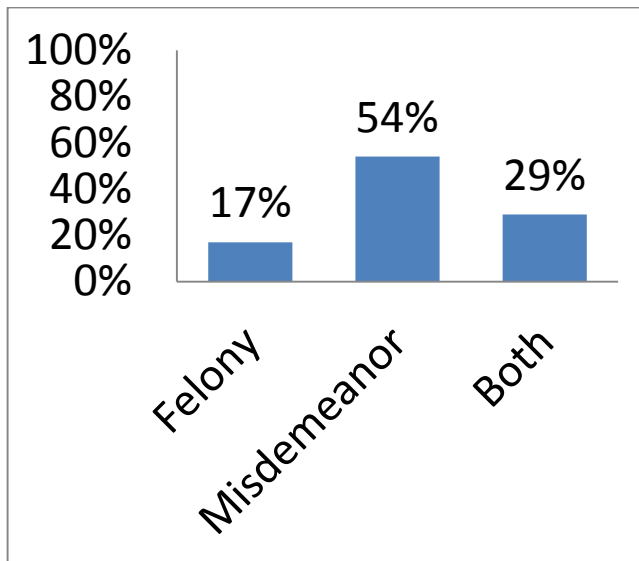
- 49% Hispanic; 25% Caucasian; 14% African American; 9% Asian/Pacific Islander; and 2% Other;
- 34% Age 25-34; 30% Age 35-44; 20% Age 45-54, 8% Age 18-24 and 7% Age over 55;
- 85% Male and 15% Female; and
- 45% 1170(h); 44% PRCS; and 11% 1170(h) MS

Similar to most Probation client's profiles, larger proportions of the AB 109 population are male, Hispanic, and 35 years or younger. Recidivism rates will be tracked by significant factors that can provide some understanding of a client's recidivist behavior. These factors include demographic characteristics, client type, risk level, offense type, technical violations, chronic violators, and sentencing or dispositional outcomes. For this report we are providing information for race/ethnicity, age, gender and classification for both cohorts described above. Additionally, arrest information.

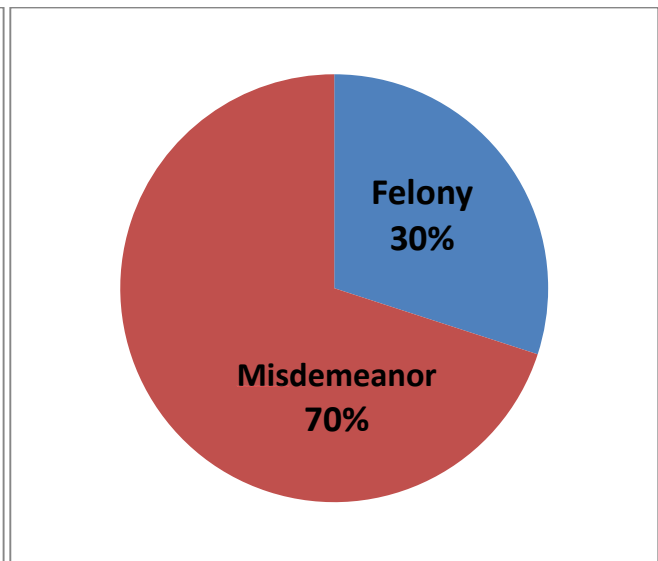
## Type of Convictions Data and Overall Adult Recidivism Rate

In reviewing the type of convictions, 848 PRCS/1170(h) MS individuals had at least one or more new convictions and were responsible for 1,672 total convictions. Out of this total convictions, 70% were misdemeanors and 30% were felonies.

**Convictions by Individuals**



**PRCS/1170 (h) MS**



Females seem to recidivate at a lower rate than males and the data suggests that recidivism rate decreases with age. The recidivism rates seem to be the highest among African American/Black when classified as PRCS and 1170(h) MS while the recidivism rate is highest among Caucasian for 1170(h) individuals.

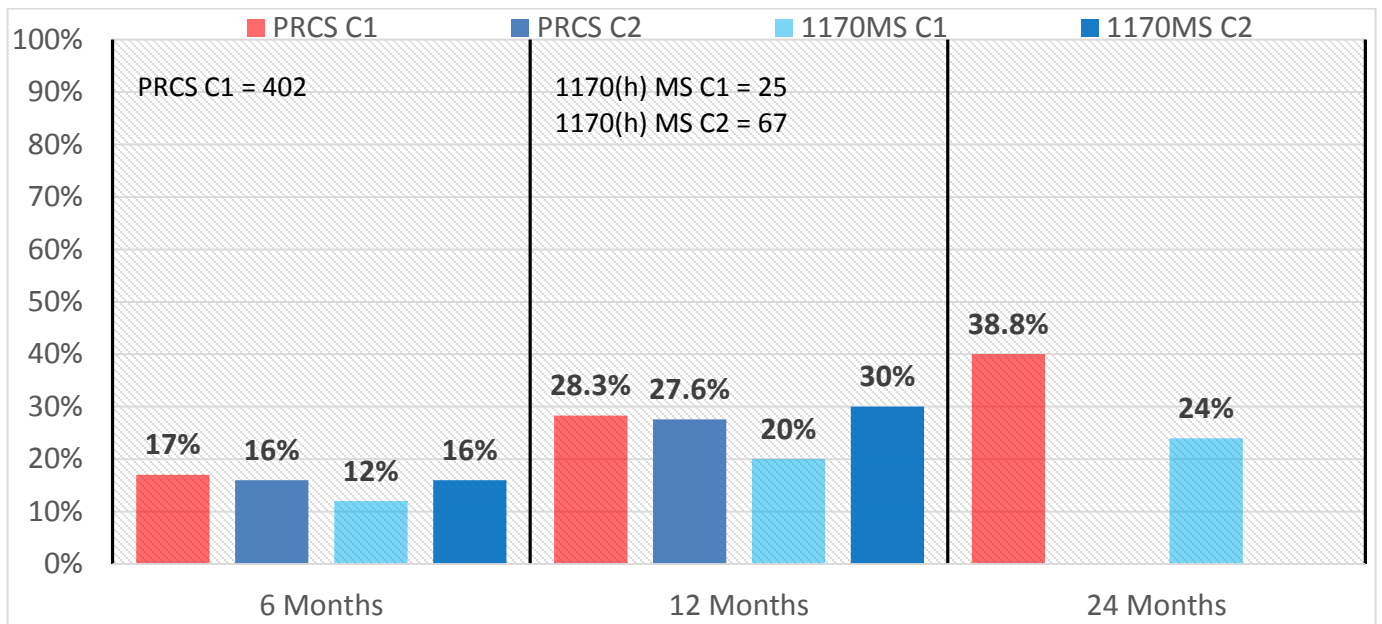
- Out of the 1,007 PRCS and 1170(h) MS entered and exited Probation supervision, 352 were arrested and subsequently convicted of new law violation.
  - Recidivism rate for males is 36% compared to females at 28%
  - Recidivism rate for Age 18-24 is 48% compared to Age over 55 at 26%
  - Recidivism rate for African American/Black is 41% compared to 35% for Hispanic/Latino
- Out of the 623 1170(h) exited custody, 222 were arrested and subsequently convicted of new law violation.
  - Recidivism rate for males is 38% compared to females at 30%
  - Recidivism rate for Age 18-24 is 52% compared to Age over 55 at 14%
  - Recidivism rate for Caucasian is 65% compared to 37% for Hispanic/Latino

### Recidivism Rate by Cohorts

The total AB 109 population between October 1, 2011 and December 31, 2013 is 3,897 with a breakdown as follows:

- Recidivism rate for Cohort 1 is 37% compared to 34% for Cohort 2
- Recidivism rate for Cohort 1 male is 38% and female is 32% compared to Cohort 2 male at 34% and female at 24%
- Recidivism rate for Cohort 1 Age 18-24 is 53% compared to Cohort 2 Age 18-24 at 48% while Cohort 1 Age over 55 is 24% compared to Cohort 2 Age over 55 at 19%
- Recidivism rate for African American/Black, Caucasian and Other decreased between Cohort 1 and Cohort 2.

The table below depicts the recidivism rate (percent and count) based by the timeframe, of the PRCS and 1170(h) MS Cohorts 1 and 2.



The recidivism rates appear slightly lower with PRCS over time.

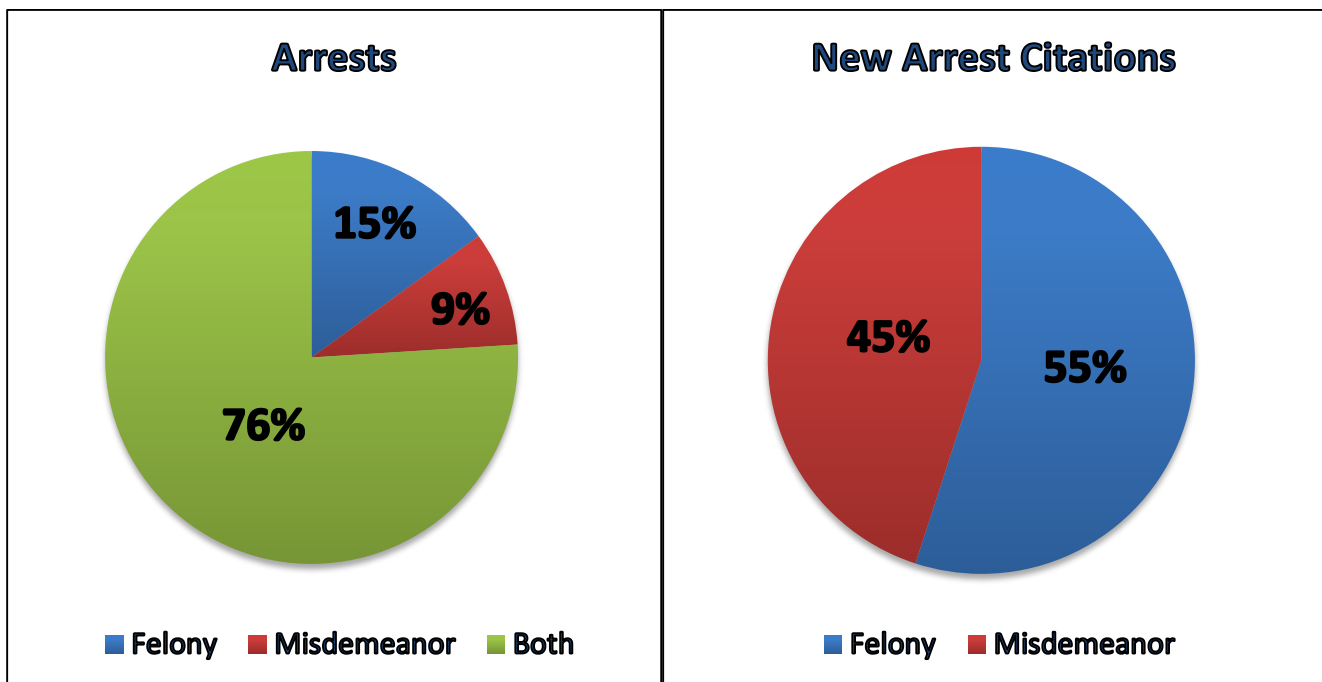
## Arrest Data by Cohorts

The arrest rate for Cohort 1 at six months is 20% compared to 33% at 12 months. The arrest rate for Cohort 2 at six months is 22% compared to 30% at 12 months. While the arrest rate increases as more time elapses for an individual to re-offend, Cohort 2 begins to show a reduction in the arrest rate as more services became available for Cohort 2 to assess. The vast majority of adult arrests are misdemeanor level crimes, of which a significant number are for drug and alcohol related violations.

- Arrest rate for Hispanic/Latino between Cohort 1 and 2 increased by 2%, the arrest rate for Caucasian slightly decreased between cohort 1 and 2.
- Arrest rate for Cohort 1 PRCS/1170(h) MS is 48% compared to 49% for Cohort 2 PRCS/1170(h) MS.
- Arrest rate for Cohort 1 1170(h) is 56% compared to 50% for Cohort 2 1170(h).

## Overall Arrest Data

In total, 1,300 PRCS/1170(h) MS clients accounted for 10,494 arrest citations from October 2011 through December 2013 (5,796 felonies; 4,695 misdemeanors). Out of the 1,300 clients, 198 were arrested on at least one felony charge during the time period; 116 were arrested on at least one misdemeanor charge during the time period; and 985 were arrested on both felony and misdemeanor charges during the time period. The diagram below depicts the percentage of arrests and new arrest citations for PRCS/1170(h) MS:



Additionally, 1,425 1170(h) clients accounted for 13,127 arrest citations from October 2011 through December 2013 representing 56% felonies, 41% misdemeanors, and 3% infractions.

# PROGRAM-SERVICE AND TREATMENT LINKAGES

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Over the course of the first two years, partner agencies learned to create greater efficiency in assessing client needs and linking clients to treatment, general assistance, housing services, education and employment, and cognitive behavior treatment. Additionally, the Custodial Alternative Supervision Program was expanded. These services and programs were created at various periods during the first two years and are seen as critical interventions for successful outcomes and reduction in recidivism. Clients in Cohort 1 did not have the same service treatment opportunities and referrals as clients in Cohort 2. During this initial review it became evident that the next phase in the study is to analyze service needs and determine whether services are deployed where they are most needed and whether high risk individuals are receiving programs. Below is a snapshot of the type of services and treatments Cohorts 1 and 2 received and the number of individuals referred as compared to actual completions.

## Mental Health and Substance Abuse Treatment Services

During the first year of AB 109, Mental Health treatment services consisted of full service partnership contracts and transitional housing units. Substance abuse treatment consisted of outpatient substance abuse counseling slots, residential treatment beds, detoxification beds, and transitional housing units that focused on substance abuse treatment services. The Multi-Agency Program, made up of staff from Mental Health, Department of Alcohol & Drug Services (DADS), Custody Health and Social Services Agency, linked clients to the services provided by the County.

In the second year, staffing at the County’s Evans Lane Wellness and Recovery Center increased to provide outpatient support services and residential housing for individuals suffering from mental illness and that focuses on maximizing an individual’s self-dependence and social interdependence. Additionally, the Mental Health Department added outpatient treatment to transitional housing units that supported shelter services and day socialization services and funded crisis residential beds requiring intensive short-term crisis stabilization to avoid hospital or other long-term locked care.

<b>MENTAL HEALTH</b>	<b>DRUGS AND ALCOHOL</b>
October 2011-December 2013 Overall, <b>211</b> PRCS and 1170(h) MS clients received mental health services.	October 2011-December 2013 Out of 1,296 PRCS and 1170(h) MS clients, <b>670</b> clients received drugs and alcohol services.
<p><b><u># Clients Served by Service Type:</u></b></p> <ul style="list-style-type: none"> <li>• Case Management = 196</li> <li>• Medication = 138</li> <li>• Therapy/Treatment = 105</li> <li>• THU= 79</li> <li>• Rehabilitation = 95</li> <li>• 164 received one or more of the other services provided</li> </ul>	<p><b><u># Clients Served by Service Type (duplicated):</u></b></p> <ul style="list-style-type: none"> <li>• Outpatient = 622</li> <li>• THU= 144</li> <li>• Residential= 183</li> <li>• Alcohol Detox= 41</li> <li>• Continuing Care= 70</li> <li>• Various Other Services= 21</li> </ul>
<p><b>THU = Transitional Housing Unit</b></p>	

## Social Services Agency

Social Services Agency (SSA) joined the Reentry Resource Center in April 2012 with one outstation eligibility staff to assist with public benefits such as MediCal, CalFresh and General Assistance eligibility. In the second year, SSA added two additional staff to improve the accessibility of clients applying for these benefits and added CalWorks eligibility.

Between April 2012 and December 2013, 2,112 applications were submitted, of which:

- 284 MediCal applications were approved;
- 12 CalWorks applications approved;
- 833 General Assistance applications approved; and
- 966 CalFresh applications approved.

The total dollar amount provided to all the clients in General Assistance was \$472,002 and \$987,460 in CalFresh support.

## Housing Services

In February 2012, the Board of Supervisors approved \$325,000 for 25 housing vouchers designated for AB 109 clients, specifically, for those that are under Probation supervision. The housing voucher provides rental subsidy up to \$1,000 per month for six months with one additional six months renewal. Between February 2012 and December 2013, 46 AB 109 individuals received a housing vouchers representing \$334,058 issued in total assistance.

## Education, Employment & Vocational and Cognitive Behavior Treatment

The Probation Department contracted with Center for Training & Careers and Catholic Charities to provide vocational, education and employment for the PRCS and 1170(h) MS clients addressing a critical need that improves outcomes and reduces recidivism. Additionally Probation contracted with Family Children Services to provide cognitive behavior treatment services addressing the underlying thoughts and beliefs that led an offender to commit crimes.

EDUCATION, EMPLOYMENT, & VOCATIONAL	COGNITIVE BEHAVIOR TREATMENT (CBT)
<p>October 2011-December 2013 Out of 1,296 PRCS and 1170(h) MS clients, the following was provided:</p> <ul style="list-style-type: none"> <li>• High School Diploma/GED Education = 37</li> <li>• Vocational Education = 39</li> <li>• Employment Services = 378</li> <li>• Clients attained GED = 2</li> <li>• Clients enrolled in Post-Secondary Education = 2</li> <li>• Clients attained employment = 127</li> </ul> <p><b>Counts are duplicated. Clients may have received more than one service type or referred to multiple providers.</b></p>	<p>October 2011-December 2013 Out of 1,296 PRCS and 1170(h) MS clients, 333 clients received cognitive behavioral therapy.</p> <ul style="list-style-type: none"> <li>• Successful CBT closures = 175</li> </ul>

## Custodial Alternative Supervision Program (CASP)

The CASP program provides intensive monitoring of both pre-sentenced and post-sentenced inmates assigned to alternative environment rather than custodial confinement. The supervision process requires compliance checks at different locations, including work release, school release, residential programs, and at the Reentry Resource Center. Between March 2012 and December 31, 2013, 261 inmates concluded the CASP enrollment with 189 successful completions, a 72% completion rate. Of those who completed, only 27 were convicted of a new law violation.

## NEXT STEPS

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In 2012 the County contracted Resource Development Associates (RDA) to perform an interim evaluation of AB 109 to measure alignment between implementation activities and the CCP Plan and to determine preliminary outcome findings related to client recidivism and service referral, enrollment and completion rates. Currently, RDA is performing a two-year evaluation of the County's reentry services, including the Reentry Resource Center, Adult Reentry Strategic Plan and AB 109 efforts. Phase II beginning in July 2014 will focus on overall recidivism rate of AB109 population, types of commitment offense, and trends of success and failures.

On a quarterly basis, departments will continue to provide individual-level data that will assist the Office of Reentry Services to consider additional questions such as Does the recidivism rate change for clients under Probation or CASU supervision compared to clients with closed supervision cases? For those that did not recidivate, what type of services did they receive? Moving forward it is critical to identify the key drivers of jail population, sentencing practices and subsequent implications for length of stay.