

AB 109 and Prop 47 County Public Planning

West Sacramento

April 15th, 2015

Yolo County Board of Supervisors
and Community Corrections Partnership



Yolo County
Board of Supervisors

Supervisor Oscar Villegas

Introductions and Overview

Brent Cardall,
Chief Probation Officer

**AB 109 Realignment
in Yolo County: Year 4**

What is Realignment in CA?

- On October 1st, 2011 California's Corrections Realignment Plan, one of the most significant changes to California's criminal justice system in decades, went into effect.
- AB 109 Public Safety Realignment
- The plan shifts responsibility from the state to counties for the custody, treatment, and supervision of individuals convicted of specified non-violent, non-serious, non-sex crimes.

Public Safety Realignment

- Local Jail Custody for convictions under Penal Code 1170 for:
 - non-violent
 - non-serious
 - non-sex offenders
- Changes to State Parole
 - Local Post-Release Supervision
- Community Corrections Partnership Executive Committee
 - Chief Probation Officer Brent Cardall (Chair)
 - Municipal Police, Davis Police Chief Landy Black
 - Yolo County Sheriff Ed Prieto
 - District Attorney Jeff Reisig
 - Public Defender Tracie Olson
 - Yolo Superior Courts, Court Executive Officer Shawn Landry
 - Public Health Director Jill Cook

CCP Mission

The mission of the Yolo County Community Corrections Partnership is to protect the public by holding offenders accountable and providing opportunities that support victim and community restoration, offender rehabilitation and successful reintegration.

Early Planning Efforts

- The County's goal in 2011 was to triage criminal justice services that would receive immediate impacts from AB 109
- Year 1: FY 2011/12,
 - Re-open and maintain jail beds at Leinberger Detention Facility
 - Expanded Sheriff's Electronic Monitoring: from 30 to 100 capacity
 - Expanded Probation's supervision: lowered caseloads from 300/1 down to 50/1 for more intensive community supervision
 - Funded Frontline City Police Departments
 - Funded Severely Mentally Ill (SMI) Offender Emergency Hospitalization
 - Supplemental Funding to District Attorney and Public Defender
 - Planning facilitation and data management

Early Planning Efforts

- Year 2 Additional Priorities: FY 2012/13
 - Established a Day Reporting Center (50 in-custody;75 out-of-custody)
 - Expansion of funding for District Attorney services
 - Expansion of jail Bed support for Sheriff's Department
 - Funded transportation, clothing and hygiene products as needed by re-entry population
 - Technical assistance reviews of year 1 strategies using the Crime and Justice Institute
 - Expanded support of Probation's Pre-Trial Supervision operations
 - Expanded substance abuse and mental health treatment
 - 4th and Hope (Residential/Transitional Housing)
 - Cache Creek Lodge (Residential/Transitional Housing)
 - CommuniCare (Outpatient and Dual Diagnosis)
 - Alcohol, Drug and Mental Health (SMI Treatment)

Last Year's Priorities

- Year 3: FY 2013/14
 - Expanded Services for the Day Reporting Center
 - GED
 - Probation Case Management System
 - Victims Services Advocate
 - Jail Re-entry Senior Social Worker
 - In-Custody (Jail) GED and Vocational Education Services
 - Additional Support of Probation Pre-Trial Services
 - Additional Support of Sheriff Jail Beds
 - Police/Probation Collaborative Operations
 - Public Safety Board Ad Hoc Program Technical Assistance

Year 4: New CCP Strategic Plan

- Last year, the Board and CCP contracted with the Crime and Justice Institute to facilitate a new strategic plan
 - Goal 1: Ensure a Safe Environment For All Residents and Visitors by Reducing and Preventing Local Crime
 - Goal 2: Restore Victims and the Community
 - Goal 3: Hold Offenders Accountable
 - Goal 4: Build Offender Competency and Support Reintegration
 - Goal 5: Reduce Recidivism
- Public Outreach Meetings informed community priorities:
 - New plan established 39 Strategic Planning Projects to be completed over a three year period (2014-2017)

2015 Planning Projects

Major Initiatives

- Create an integrated criminal justice system database that provides consistent reporting of data and drives decisions by 2016
- Implement a coordinated victim notification system by January 2015 (Completed)
- Expand the juvenile and adult community review boards to West Sacramento by January 1st, 2016 and county-wide by January 1st, 2019

Before Proposition 47, Impacts from AB 109

- Jail Overcrowding
 - Full year-round
 - 80% of County jailed sentenced offenders from AB 109 Realignment
- More Higher Risk to Re-offend Supervised Offenders
 - Since October of 2011, 505 Post-Release Community Supervision (PRCS) felons came back to Yolo County from State Prisons
 - At any given time, 750-800 High Risk Offenders Under Probation's case managed supervision
- Additional Burden on County Court Attorneys

Jeff Reisig
District Attorney

Proposition 47:
Year 1

What is Proposition 47?

- Prop 47 was a ballot initiative passed by California voters on November 4th, 2014
 - Passed with 59% of the vote
- The initiative reduces 9 classifications of "non-serious and non-violent property and drug crimes" from a felony to a misdemeanor
- Most significant, the law went into effect November 6th, 2014.
- County systems that had 6 months to plan for AB 109 but only had 24 hours to plan Prop 47

Prop 47 Offenses

- Mandates misdemeanors instead of felonies for “non-serious, non-violent crimes,” unless the defendant has prior convictions for murder, rape, certain sex offenses or certain gun crimes
- The measure requires misdemeanor sentencing instead of felony for the following crimes:
 - Shoplifting, where the value of property stolen does not exceed \$950
 - Grand theft, where the value of the stolen property does not exceed \$950
 - Receiving stolen property, where the value of the property does not exceed \$950
 - Forgery, where the value of forged check, bond or bill does not exceed \$950
 - Fraud, where the value of the fraudulent check, draft or order does not exceed \$950
 - Writing a bad check, where the value of the check does not exceed \$950
 - Personal use of most illegal drugs

Process and Conditions

- Prop 47 permits re-sentencing for anyone currently serving a prison sentence for any of the Offenses that the initiative reduces to misdemeanors.
- About 10,000 prison inmates will be eligible for resentencing, according to Californians for Safety and Justice.
- Prop 47 requires a “thorough review” of criminal history and risk assessment of any individuals before re-sentencing to ensure that they do not pose a risk to the public.
- The State did not proactively plan contingencies to support counties in providing treatment services to misdemeanors
 - Counties must priorities high risk felon substance abusers over misdemeanors due to the other elements of their offenses

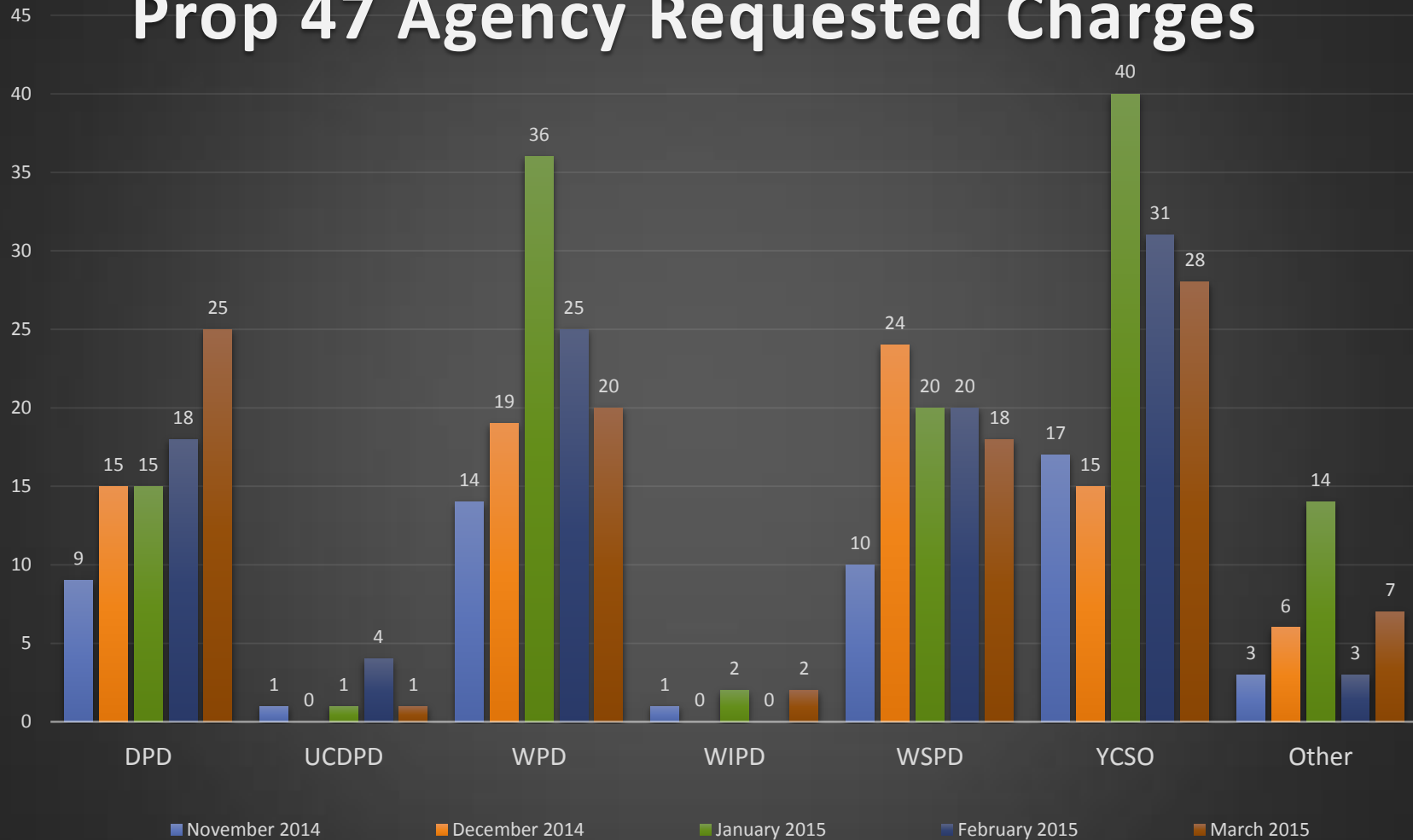
Future Funding to Mitigate System Transitions

- Creates the Safe Neighborhoods and Schools Fund.
- The fund will receive appropriations based on savings accrued by the state during the fiscal year, as compared to the previous fiscal year, due to the initiative's implementation.
- Estimates range from \$150 million to \$250 million per year.
- Distributes funds from the Safe Neighborhoods and Schools Fund as follows:
 - 25% to the Department of Education
 - 10% to the Victim Compensation and Government Claims Board
 - 65% to the Board of State and Community Correction.

Local Impacts of Prop 47

- 273 local felony cases have been reduced since November 5th
- 36 new misdemeanor drug cases have been sentenced
- Local County Jail had 90 open beds in January
 - As of March 30th, there were 414 in-custody offenders out of 455 available beds (91% occupancy)
- The Community Corrections Partnership agreed to open up AB 109 contracts with substance abuse providers to misdemeanor offenders,
 - The penalties for non-compliance are significantly reduced
 - Before Prop 47, felony offenses had suspended incarceration terms for multiple years, and now those offenses carry a year at most.

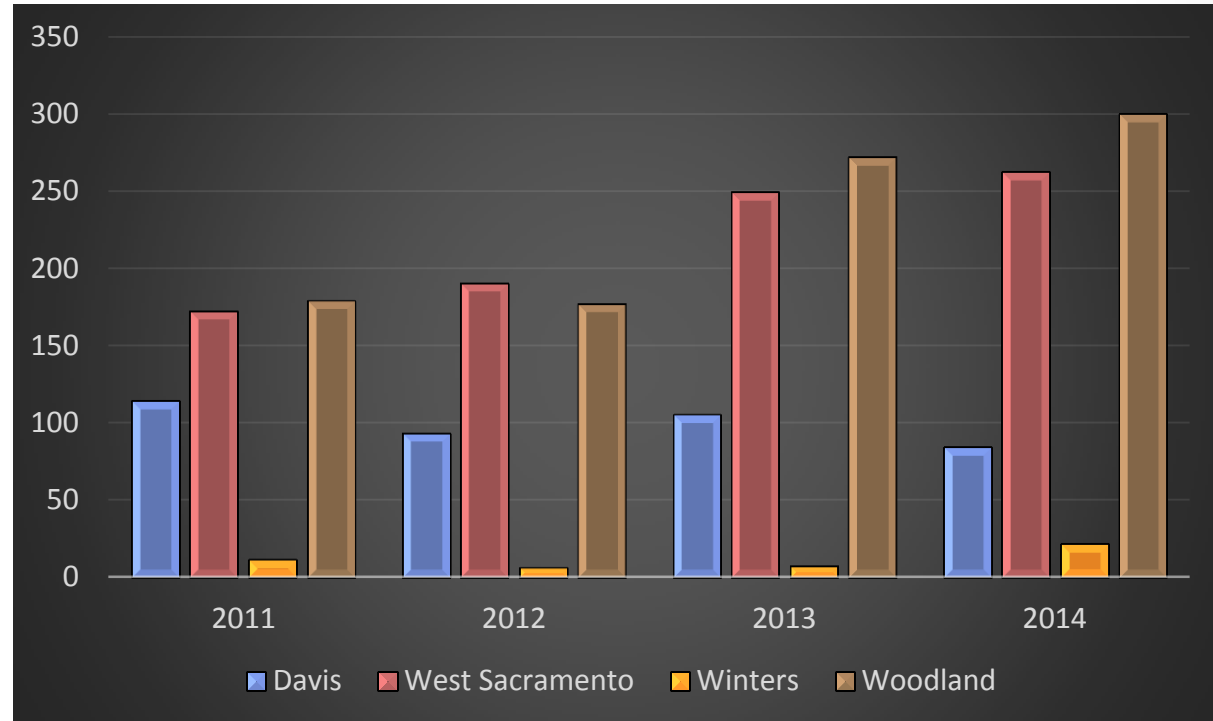
Prop 47 Agency Requested Charges



The Yolo County District Attorney's Office has received 464 Prop 47 charge referrals since November 5th from local law enforcement agencies.

Part I Crimes: Violent

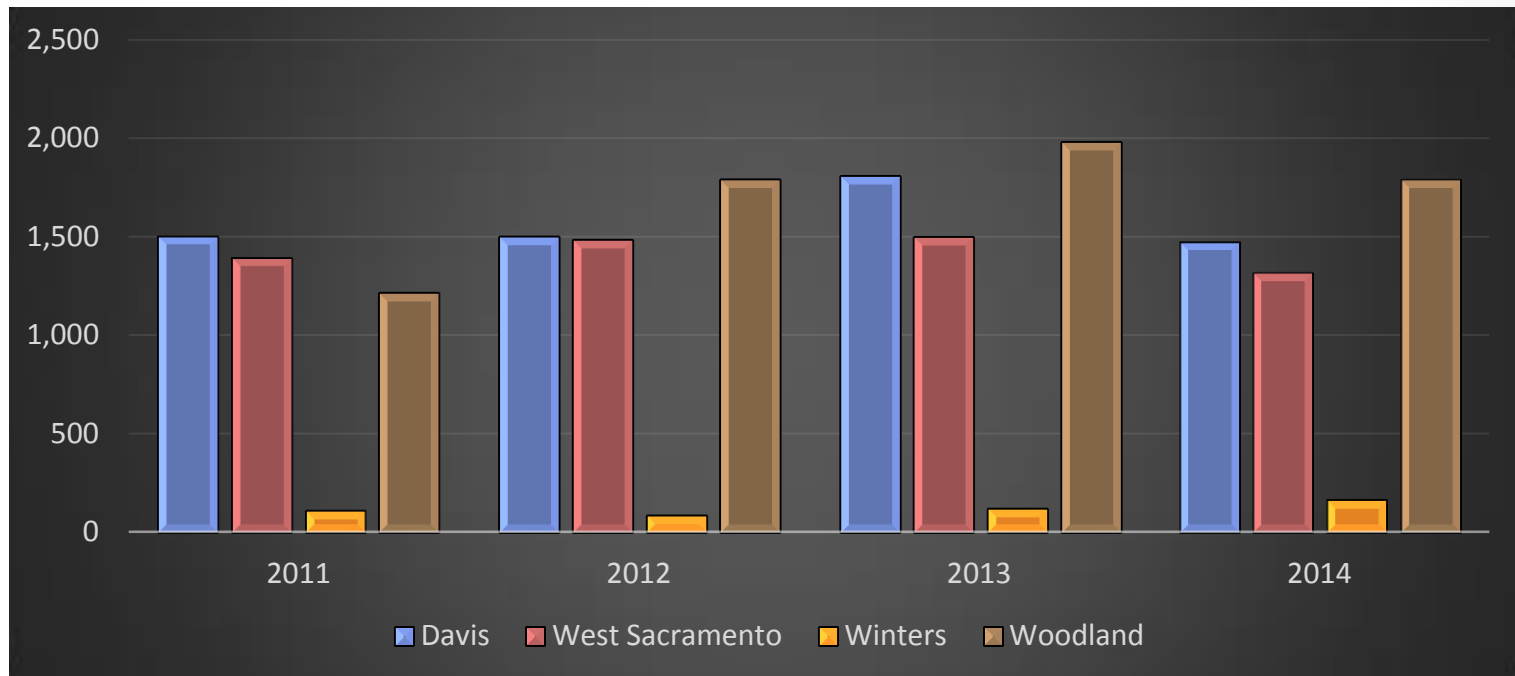
(2011-2014)



	2011	2012	2013	2014
Davis	114	93	105	84
West Sacramento	172	190	249	262
Winters	11	6	7	21
Woodland	179	177	272	300

Part I Crimes: Property

(2011-2014)



	2011	2012	2013	2014
Davis	1,499	1,497	1,805	1,470
West Sacramento	1,389	1,480	1,494	1,313
Winters	106	84	117	159
Woodland	1,213	1,787	1,978	1,785

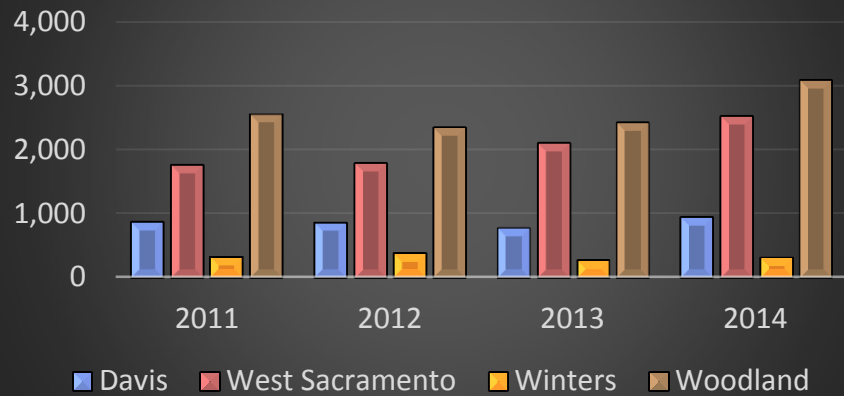


2013: Burglaries and larcenies were abnormally high in Davis & Woodland

Adult & Juvenile Arrests

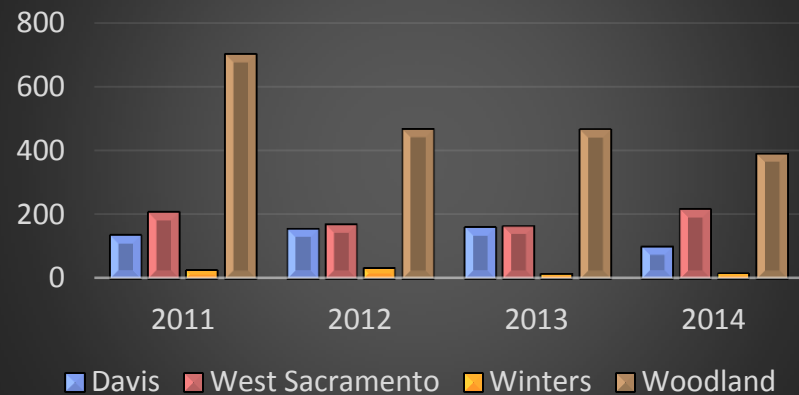
(2011-2014)

Adult Arrests



	2011	2012	2013	2014
Davis	860	852	766	936
West Sacramento	1,757	1,792	2,101	2,523
Winters	307	362	259	298
Woodland	2,549	2,344	2,416	3,083

Juvenile Arrests



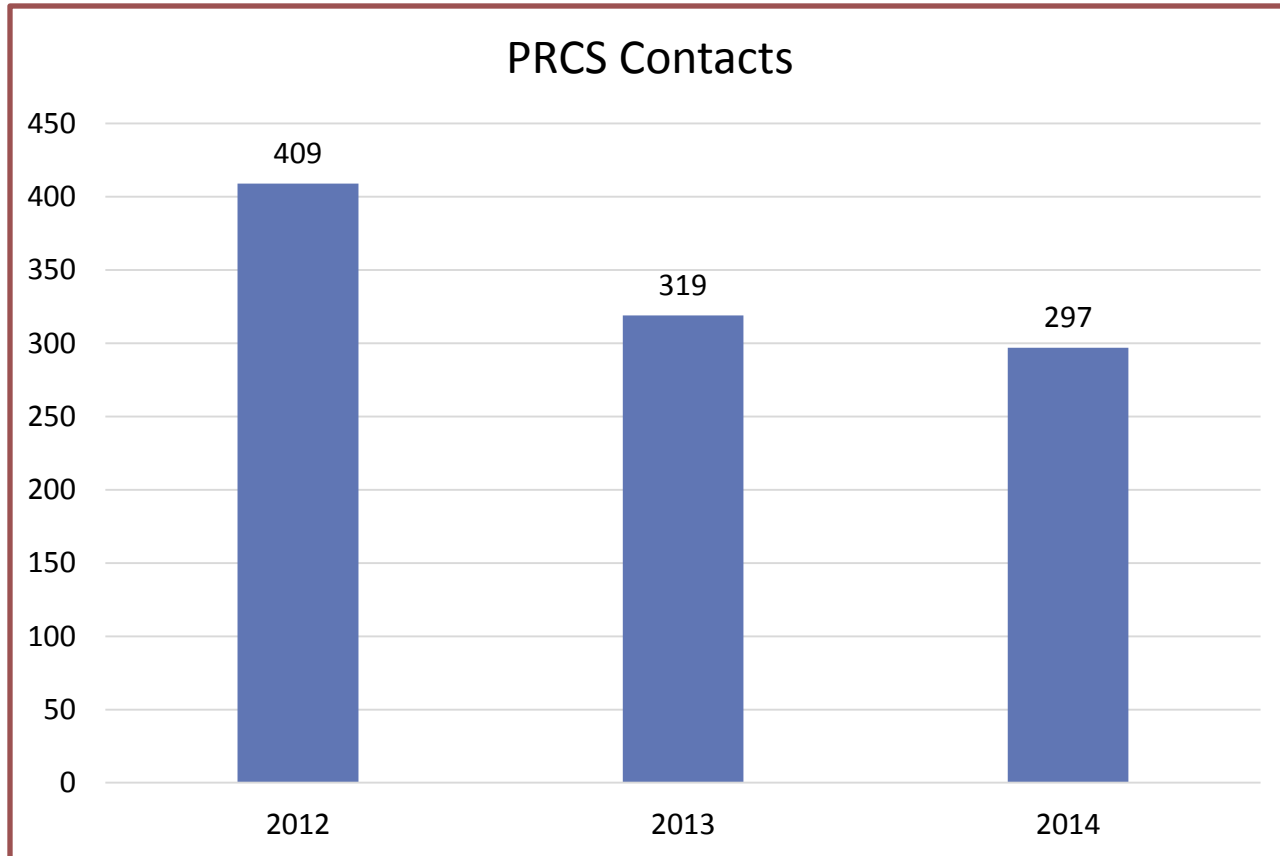
	2011	2012	2013	2014
Davis	133	152	157	98
West Sacramento	206	168	163	215
Winters	23	29	13	14
Woodland	702	467	466	390

West Sacramento Police Department

Chief Thomas McDonald

Crime Summary

AB109 and PRCS Contacts (2012-2014)



There are currently **72** PRCS and **11** 1170(h) subjects living in West Sacramento.

Prop 47

Penal Codes that were Felonies and are now Misdemeanors

Property Related Codes – Now Misdemeanors

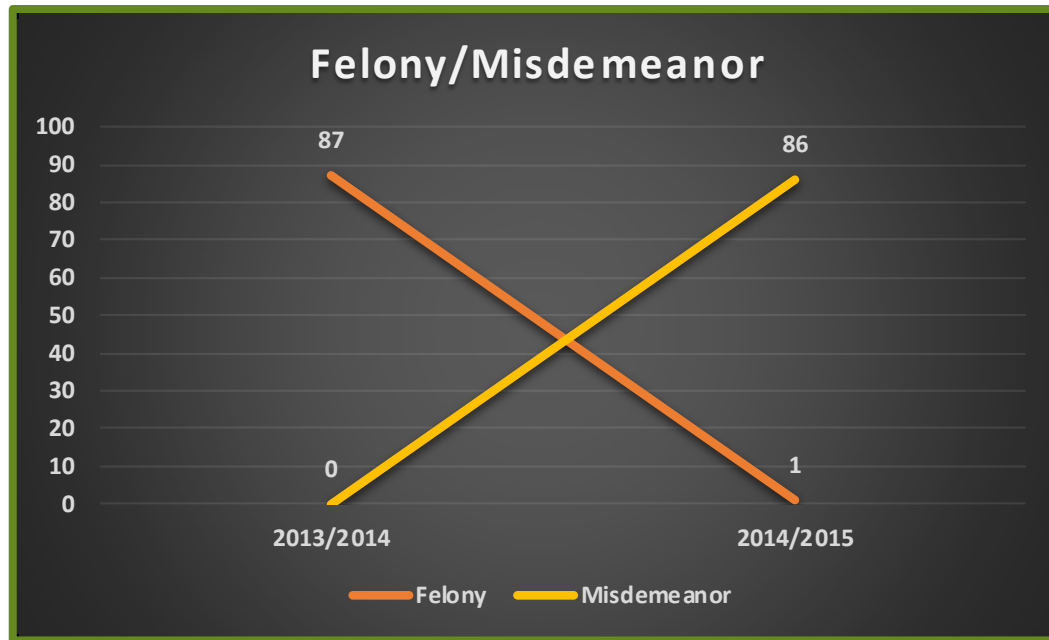
- **459.5** = Shoplifting
- **473(b)** = Forgery less than \$950
- **476a** = NSF checks less than \$950
- **490.2** = Grand Theft less than \$950
- **496(a)** = Receiving/Concealing stolen property less than \$950
- **666** = Petty Theft with a prior

Drug Related Codes – Now Misdemeanors

- **11350 HS** = simple possession of heroin, cocaine, listed controlled substances
- **11357(a) HS** = simple possession of concentrated cannabis
- **11377 HS** = simple possession of methamphetamine, ecstasy, GHB, listed substances

Prop 47 Adult Arrests

(5 Month Period – Nov 2014-Mar 2015)



In 2013/2014 there were **87** Felony charges.

Since the implementation of Prop 47 these same codes are now charged as Misdemeanors.

In 2014/2015 there are **86** Misdemeanor charges and **1** Felony charge.

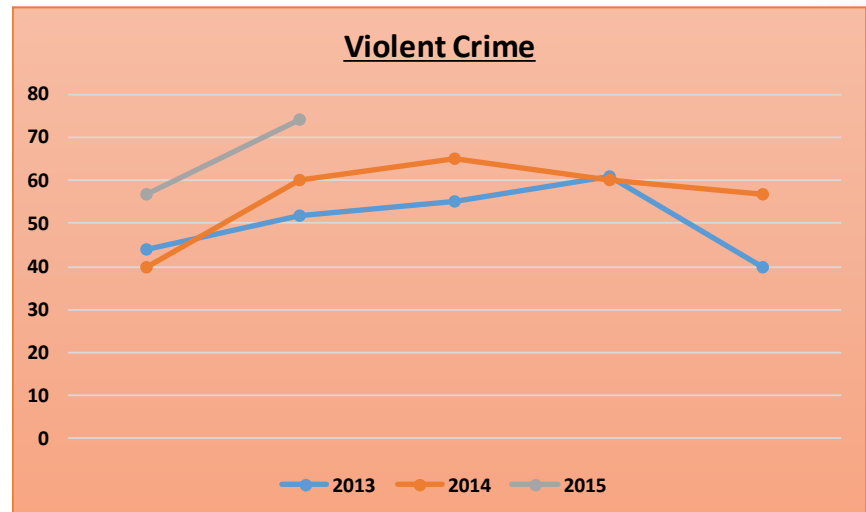
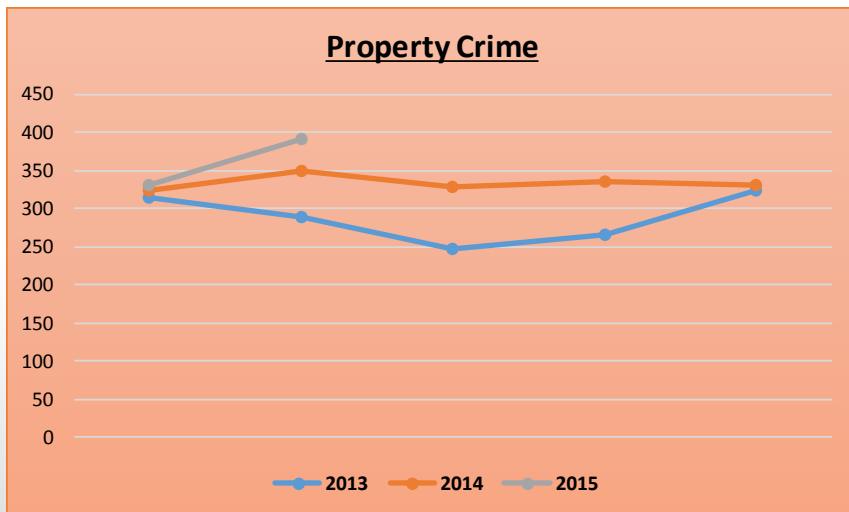
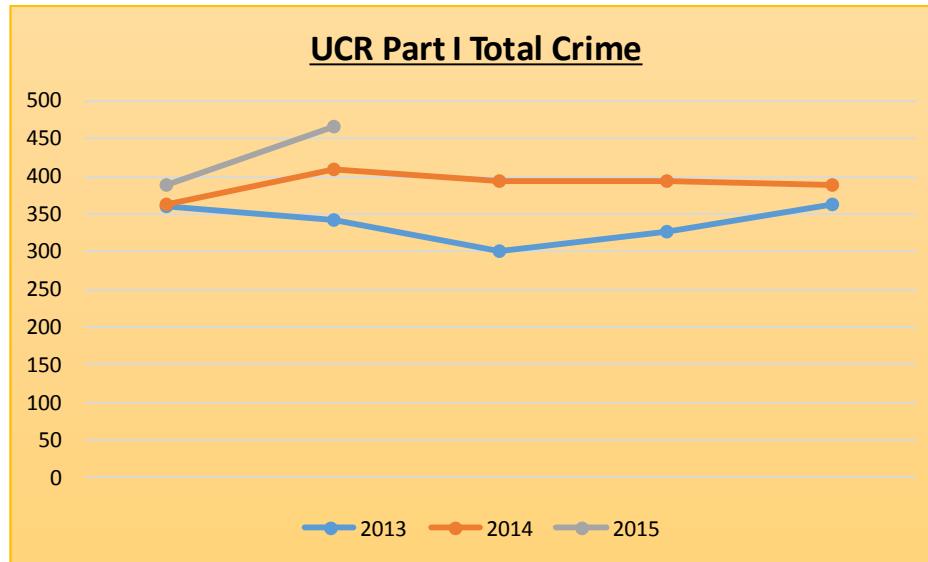
First Quarter Stats (2015 YTD)

Week 1-13

- Violent Crime has increased by **22%**
- Property Crime has increased by **12%**
- Overall Part I UCR Crime has increased by **14%**

- Adult Arrests have increased by **19%**
 - Misdemeanor Adult Arrests have increased by **48%**
 - Felony Adult Arrests have **decreased** by **24%**
 - Adult H&S Arrests are the same as the first quarter of 2014.

Quarterly UCR Comparison (2013-2014)



First Quarter (Jan-Mar) UCR Comparison (2013-2015)

VIOLENT CRIME

2013-2014 = **15% Increase**
2014-2015 = **22% Increase**

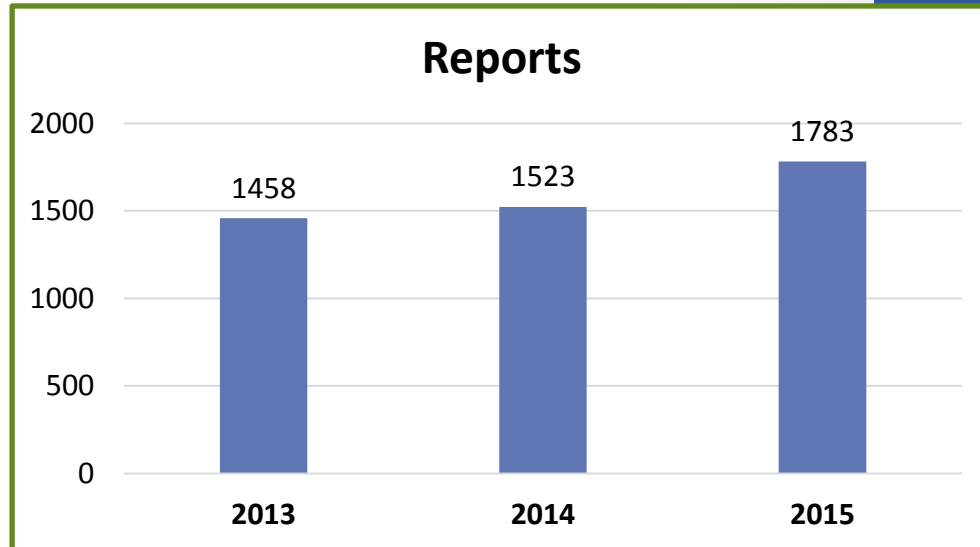
PROPERTY CRIME

2013-2014 = **20% Increase**
2014-2015 = **12% Increase**

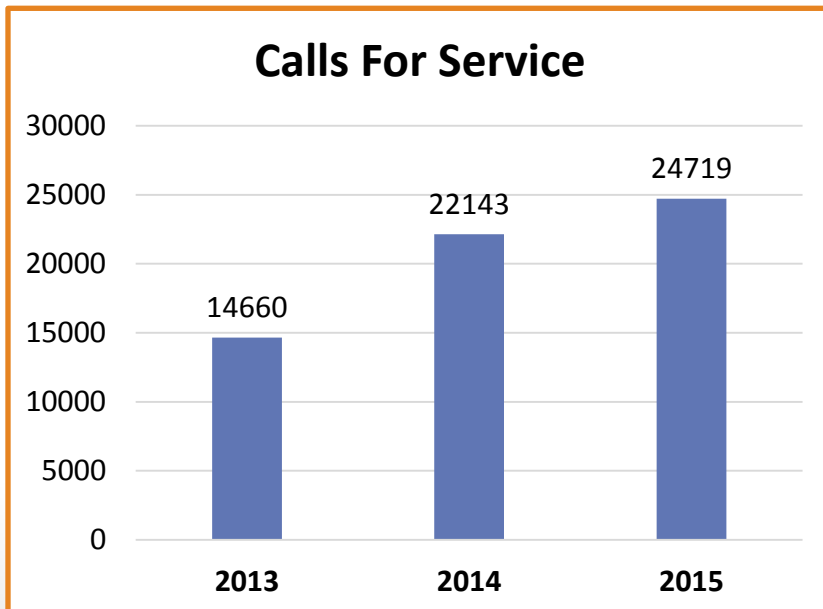
TOTAL CRIME

2013-2014 = **20% Increase**
2014-2015 = **14% Increase**

Activity/Productivity (First Qtr.) (2013-2015)



Reports: 2013-2015 = **22% Increase**



Calls For Service: 2013-2014 = **123% Increase**

Officer Initiated Activity (2013-2014):

Adult Arrests: +21%

Juvenile Arrests: +23%

Citations: +25%

Field Interviews: +395%

Officer Initiated Calls For Service: +44%

Question and Answer

Thank you for your
involvement!

Contact Information:

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