



# PUBLIC SAFETY REALIGNMENT

## SANTA CRUZ COUNTY IMPLEMENTATION

A REPORT FROM THE  
SANTA CRUZ COUNTY  
PROBATION DEPARTMENT

2011-2013

# Positive Change **through Local Control**



“Realignment has given us new opportunities to create and implement new strategies for positive change in our community. Decisions and programs that were once made at the state level are now made locally. Local control is enabling us to develop and implement solutions that are more effective at managing resources and ensuring public safety. Early results are encouraging.

Santa Cruz County has built the resources, expertise, partnerships, and innovative programs to effectively respond to AB109. The Santa Cruz County Community Corrections Partnership (CCP) is moving forward with its local partners and the support of national technical resources to evolve a new model for public safety that responds to the opportunities created by Realignment. This report provides an overview of our local implementation, along with data regarding the implementation of evidence-based strategies and preliminary outcomes in the area of recidivism.”

**Scott MacDonald**

Chair, Santa Cruz County Community Corrections Partnership,  
and Probation Chief, Santa Cruz County Probation Department

## **Defining Public Safety Realignment, AB109**

Assembly Bills AB109 and AB117 were designed to disrupt the revolving door and recidivism of low-level inmates cycling in and out of state prisons, address ongoing state and local government budget deficits, and respond to poor mental and physical health conditions in prison. The legislation is the foundation of California’s plan to reduce the number of inmates in the state’s prison system as ordered by a three-judge panel of the state court and affirmed by the U.S. Supreme Court decision which could have led to an arbitrary early release of 33,000 prison inmates. The plan, commonly called Public Safety Realignment or Realignment, was implemented October 1, 2011.

## Benefits of Local Control

While there are concerns about individuals sentenced to potentially long periods in local jails, there are some significant advantages to non-serious felons being handled locally. Santa Cruz residents who are low-level offenders receive a higher level of individualized services and supervision specifically targeted to reduce recidivism than what was previously available at state prison or under state parole. Offenders under county authority can receive treatment and be connected with local support services so they can more successfully rejoin the community as productive members and not reoffend. The focus of the Santa Cruz County Community Corrections Partnership is engaging these offenders in programs and activities that research informs us will get at the underlying cause of criminal behavior, as well as teach life skills, build self-esteem, and motivate offenders to make positive change in their lives that will break the cycle of recidivism.

## Populations Served Under Realignment

Under Realignment, Santa Cruz County assumed responsibility for two offender populations who were previously the responsibility of the California Department of Corrections and Rehabilitation (CDCR):

- **Lower-level felony offenders** sentenced for non-serious, non-violent, and non-sexual offenses (“Non-Non-Nons”) being released from state prisons to community supervision by the Santa Cruz County Probation Department, known as Post Release Community Supervision (PRCS).
- **Non-serious, non-violent, and non-sexual felony offenders** being sentenced to a new prison sentence that will be served locally in the Santa Cruz County jail. This group is known as 1170(h) offenders based on the Penal Code section.

**Typical offenses of this population are:** possession of drugs for sale, possession of drugs, auto theft, receiving or possession of stolen property, and burglary. This population, which largely consists of chronic substance abuse and property crime offenders, recidivates at the highest rate among all offender populations.

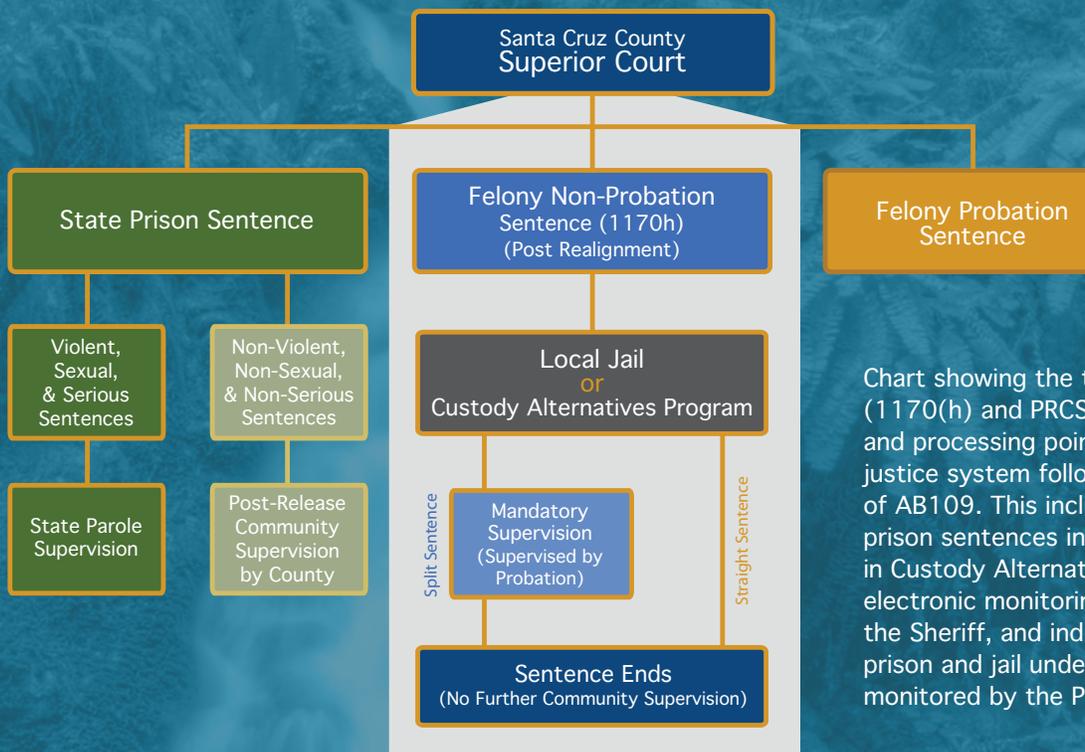


Chart showing the two AB109 populations (1170(h) and PRCS) in the various settings and processing points of the criminal justice system following the implementation of AB109. This includes individuals serving prison sentences in the Santa Cruz Jail, in Custody Alternatives Programs under electronic monitoring and supervision of the Sheriff, and individuals coming out of prison and jail under community supervision monitored by the Probation Department.

## Key Facts about Realignment in Santa Cruz County

- Realignment did not result in additional or more serious offenders on the street — it just shifted the responsibility of who supervises them in the community.
- Data shows that in Santa Cruz County more defendants are receiving a prison term (either at state prison or local jail) under Realignment than before the legislation.
- Serious offenders sentenced in Santa Cruz are still being sent to state prison under Realignment.
- No offenders coming to Santa Cruz County are being released early from state prison.
- While the jail has a history of crowded conditions, Realignment has not caused overcrowding in the Santa Cruz jail due to programs like the Sheriff's Office Custody Alternatives Program and the Probation Department's Pretrial Evaluation Program.
- The new population being served in Santa Cruz County under Realignment is a smaller number than projected, 388 unduplicated individuals. This number represents just over 8% of the Probation total caseload. While the number is small, it is an important population to focus on for treatment and services given the higher risk of recidivism for this population if proper interventions are not made.
- Realignment legislation has brought new financial and other resources to Santa Cruz County. These state dollars are being used to reshape our approach and increase levels of treatment, support services, and supervision of offenders in Santa Cruz County.



# Role of the Santa Cruz County Community Corrections Partnership

Established by law, the Santa Cruz County Community Corrections Partnership (CCP) is responsible for the development and implementation of the Community Corrections Plan. The plan is a work in progress, involving constant refinements based on an evidence-based and data-driven process.

## Membership in the CCP including a seven-member CCP Executive Committee:

Larry Biggam	Public Defender*	John Salazar	Presiding Superior Court Judge*
Karen Delaney	Reentry Coalition CBO Representative	Susan Mauriello	County Administrative Officer
Cecilia Espinola	Human Services Department Director	Sylvia Nieto	Victim Witness Program Manager
Bob Lee	District Attorney*	Giang Nguyen	Health Services Agency Director*
David Mirrione	Workforce Investment Board Director	Manny Solano	Watsonville Police Department Chief*
Scott MacDonald	Chief Probation Officer (Chair)*	Michael Watkins	County Superintendent of Education
Bill Manov	Alcohol and Drug Programs Admin	Phil Wowak	County Sheriff *

\* Denotes membership in the AB109 Executive Committee

The CCP has convened working groups in the areas of Corrections Management, Community Supervision, Data Analysis, Community Engagement and Education, Court Processing, and Intervention Services. These working groups monitor and implement programs, identify program issues, facilitate inter-agency collaboration, and report on Realignment to the CCP.

The CCP is also connected to a large, local Service Provider Network, comprised of 16 local agencies and organizations, which delivers a continuum of services to address assessed criminogenic needs and critical responsibility issues to reduce recidivism among the target group.

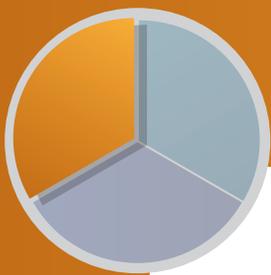
## Goals of the Santa Cruz County Community Corrections Partnership



The Santa Cruz County Community Corrections Partnership Implementation Plan rests on three goal areas. Funding is divided evenly between these three goal areas in order to achieve the best long-term public safety outcomes.

- 1 **COST-EFFECTIVE CORRECTIONS MANAGEMENT**  
Ensure there is space in jail for locally sentenced offenders, by reducing unnecessary jail for misdemeanants and low-level offenders.
- 2 **EFFECTIVE COMMUNITY SUPERVISION**  
Employ probation supervision utilizing proven methods to reduce recidivism and ensure the proper balance of monitoring and assistance.
- 3 **EFFECTIVE INTERVENTIONS**  
Provide evidence based services and programs proven to reduce recidivism.

To achieve the goals of the Santa Cruz County Community Corrections Partnership Implementation Plan, a transparent, research-based and data-driven approach is being used that informs decision making and expedites continuous progress. The purpose, ultimately, is to reduce the high rate of recidivism of this population. A key factor in implementing Realignment in Santa Cruz County has been the presence of multiple criminal justice initiatives that link the CCP with highly regarded national organizations and apply cutting edge technical and evaluation tools in each of the three goal areas. These initiatives are discussed on the following pages.



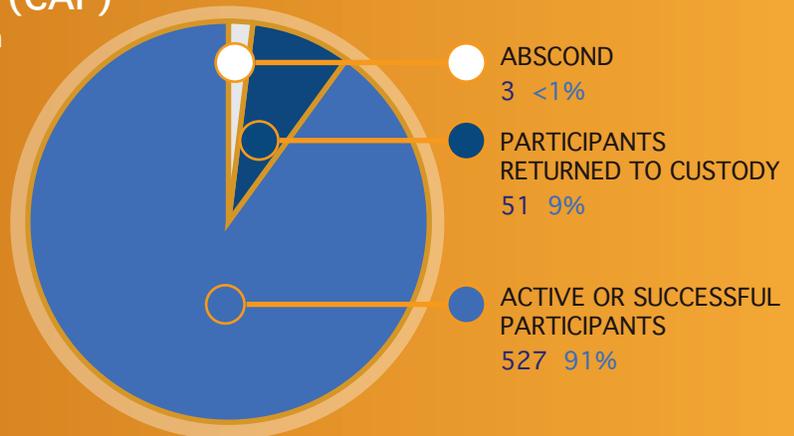
# COST EFFECTIVE CORRECTIONS MANAGEMENT

The CCP has established an array of effective alternatives to incarceration to ensure that there is jail space for serious offenders, to avoid crowding in the jail, and avoid poor conditions of confinement. These alternatives have been implemented without jeopardizing public safety outcomes.

The Custody Alternatives Program (CAP) was recognized by the California State Association of Counties (CSAC) as a model of cost-effective strategies to maintain public safety with a 2013 CSAC Challenge Merit Award. The CAP Team is a multi-disciplinary partnership of the Sheriff’s Office and Probation Department that uses electronic monitoring and law enforcement supervision in lieu of correctional housing. With CAP, a seamless transition from incarceration to community is realized through risk assessment, case management, and community supervision. CAP allows low-level offenders that meet certain criteria to serve their sentence by performing light labor such as landscaping and litter pick-up at specific supervised worksites throughout the county.

## Custody Alternatives Program (CAP) Outcomes Over 2 Years of Implementation

Since the Custody Alternatives Program (CAP) began in September 2011, 581 inmates have participated (including 52 1170(h) inmates). Of those 581 participants, 51 participants were returned to custody for program violations and only 3 participants absconded. The return and abscond rates demonstrate that participants are not only held accountable for their behavior, but the right participants are being selected for the program. Approximately 57 inmates per day are in CAP [2013 statistics].



The Santa Cruz County Probation Department’s Jail Alternative Programs which include pretrial services, Warrant Reduction Advocacy Project (WRAP), electronic monitoring and post-sentence custodial alternatives are also part of ongoing jail reduction strategies initiated by jail overcrowding and Public Safety

Realignment. Through enhanced pretrial services, supervised release, the Warrant Reduction Advocacy Project and post-sentencing electronic monitoring, the department has reduced the jail population by approximately 40-45 beds per day.



“I just finished my seventh prison term. My experience has been that there are people actually out there who really want to help. Now I’m involved in my life. I’m no longer secluded and missing in action. I’m there, I’m actually there.”

— Pedro T.

Overall, AB109 has resulted in a larger number of individuals with a prison sentence than in the year immediately preceding AB109 implementation. It appears that under Realignment, many defendants that were previously receiving a probation sentence are now receiving a local prison sentence. In addition, during the first year the number of female commitments to prison were also higher than before AB109 implementation. This trend has decreased but is still above the previous baseline. These are impacts to the criminal justice system that will continue to be tracked over time.

### Total Prison Commitments State and Local



### Realignment Population

	Released or Sentenced during first 2 Years	On Active Supervision or Serving Sentence on 9/30/2013
PRCS	199	105
Mandatory Supervision	44	27
Inmates 1170(h)	162	77

Realignment provided for a third sentencing option [local prison] for Judges, prosecutors, and defense attorneys versus either probation or state prison. In the first year after Realignment, there was a 57% increase in defendants receiving a prison sentence over the previous year. In the second year after Realignment, there was an additional 7% increase over the first year of Realignment.

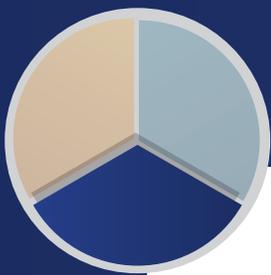
## Supportive Initiatives

### Pretrial Program Evaluation

Pretrial Services utilize a validated risk assessment instrument to determine which defendants need to be incarcerated and which can safely be released to the community. Based on risk, recommendations may include incarceration, electronic monitoring, probation supervised release, or release on one's own recognizance. Santa Cruz County is working with expert research-based pretrial consultants from Luminosity, Inc. to conduct an evaluation of the current state and fidelity of the Santa Cruz Pretrial Program with regard to its implementation of pretrial core concepts and legal and evidence-based practices. The evaluation will also assess whether the program is right-sized.

### Justice Reinvestment Initiative

Santa Cruz County is completing the first phase of a BJA Justice Reinvestment Initiative (JRI) that provides the department with technical assistance from national experts. JRI will examine local justice system's practices and outcomes to identify system inefficiencies and determine reinvestment strategies that maximize public safety benefits without incurring new costs. JRI, through analysis of data, seeks to inform justice realignment planning and assessment of outcomes of local programs, strategies, and policies.

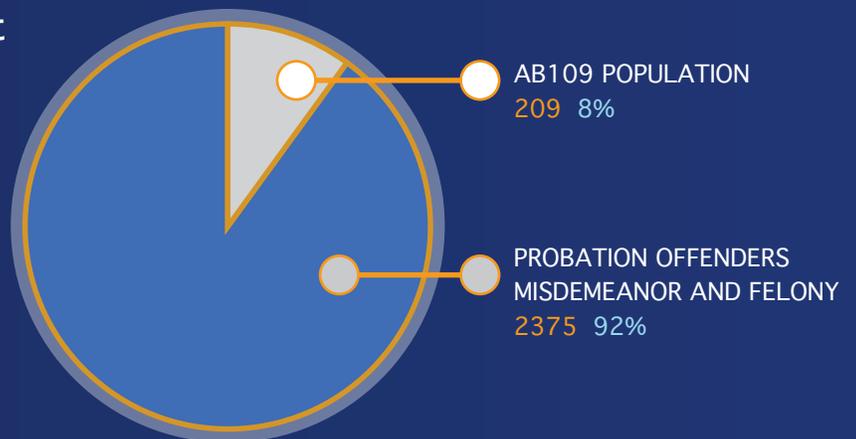


## EVIDENCE-BASED COMMUNITY SUPERVISION

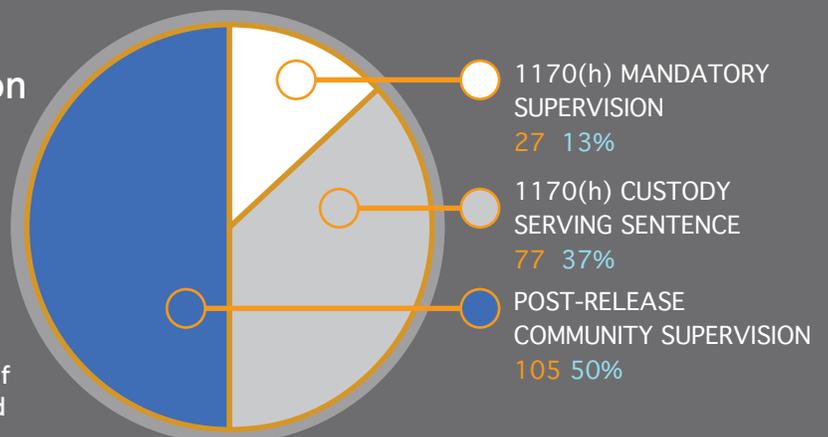
The Probation Department plays a pivotal role as both lead administrator for AB109 implementation as well as the central hub for complex case management. Probation Officers assess individual risk and needs, develop plans, motivate offenders, manage service referrals, and ensure that offenders stay engaged and accountable throughout the process of reentry and positive change. Evidence-based probation supervision begins by properly assessing risk factors associated with recidivism, and provides effective probation interviewing, case planning, and community supervision to ensure public safety and reduce recidivism. The Probation Department conducts rigorous and ongoing review of data to make sure that resources are used wisely to meet community needs over time.

This year the Probation Department has implemented Effective Practices in Community Supervision (EPICS), a model developed by the University of Cincinnati Corrections Institute. EPICS enables Probation Officers to strengthen their skills in developing professional relationships with offenders and better addressing their needs. The model provides evidence-based supervision strategies, skill building with directed practice, development of rapport, enhancing motivation, and redirecting antisocial thinking.

### Probation Department Case Management Responsibility



### Santa Cruz County Realignment Population at the 2-Year Mark



\* Realignment offenders make up just over 8% of total Probation caseload

EPICS is implemented in coordination with other key supervision strategies, including:

- The Correctional Assessment and Intervention System (CAIS) risk and needs assessment, which provides empirical data to guide case management and supervision strategies.
- Reduced probation caseload ratios to meet best-practices standards that provide proper programming dosage for higher risk cases, allowing officers to focus on criminogenic needs (drivers of criminal behavior), and match programming responsivity to needs.
- Increasing positive reinforcement through development of an incentives policy and grid.
- Targeting interventions through implementation of an administrative violation response policy and grid along with the needs assessment.

## Supportive Initiatives

### Justice Reinvestment Initiative

The initiative, described in the Corrections Management section, will also provide analysis and cost-effective strategies to enhance probation effectiveness.

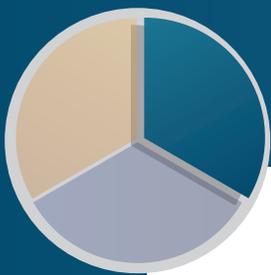
### California Risk Assessment Pilot Project (CalRAPP)

In conjunction with Santa Cruz County Superior Court, the Probation Department has participated with three other counties in CalRAPP through the Administrative Office of the Courts. This project provides technical support for the implementation and infusion of structured decision making tools. Technical assistance has given momentum to the department and the Courts towards incentivized probation, shorter length probation supervision when appropriate, and the revision of pre-sentence reports to include assessment results related to risk and needs.

“I feel that everyone is in my court. I’ve had more success with you guys than parole. When I was on parole, I was in and out of prison. You did me a big service by meeting me at the gate and taking me straight to a program. I needed to make a change and you offered to help.”

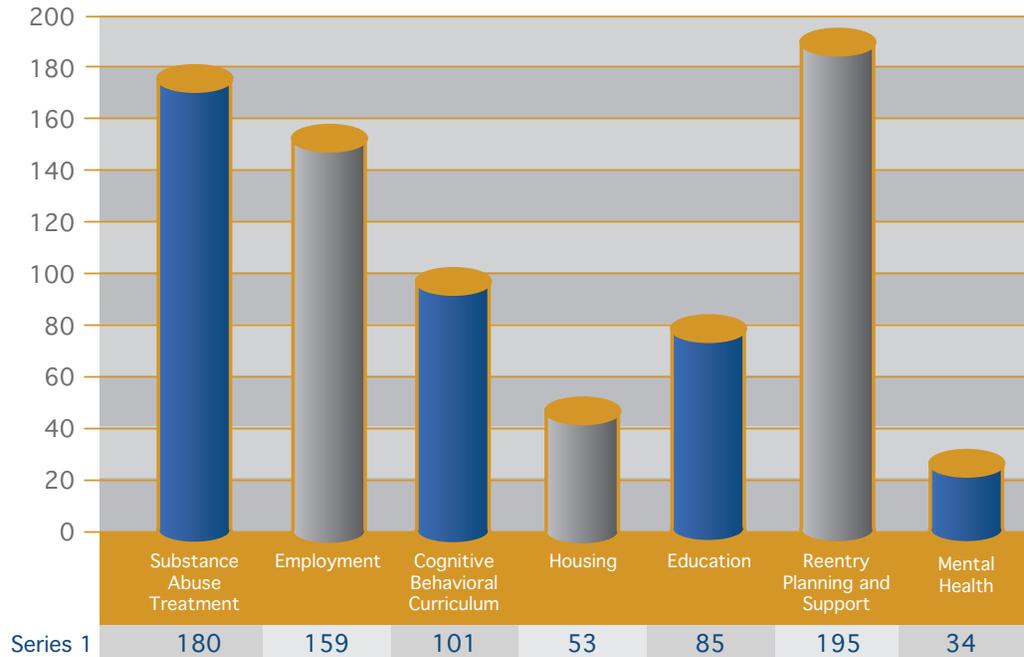
— Steve W.





## INTERVENTION SERVICES TARGETED TO REDUCE FACTORS LEADING TO RECIDIVISM

Santa Cruz County has made a commitment to address the criminogenic factors that lead to repeat criminal behavior among the AB109 population. The extensive process engaged community and justice system stakeholders in identifying the areas of need and prioritizing treatment and intervention services tailored to meet those needs. A distributed network of community organizations were selected to provide services coordinated through the Probation Department, which conducts individual assessment, case planning and case management for AB109 participants. Service providers are held to high standards for evidence-based practices, on-going monitoring of service implementation and outcomes, and participation in coordination and training to establish an integrated service delivery network.



**AB109 Service Provider Utilization to Date**  
Number of Individuals Accessing Services by Type

The above chart shows the number of individuals receiving services in each category. A total of 381 unduplicated individuals received services to date, and each individual may have received services in more than one category. Approximately 64% of those receiving services were AB109; the remaining third included long-term inmates programming with the AB109 population, as well as individuals under community supervision who were at high risk of becoming AB109 offenders. Service utilization is growing as Probation Officers and staff from service providing agencies continue to refine the process of referral and sequencing of services.

**Substance Abuse Treatment and Relapse Prevention.** A full range of professional treatment services, including detox, outpatient, intensive outpatient, residential, life skills and medically assisted treatment. Service providers include [Alto Counseling Center](#), [Community Action Board](#), [New Life Community Services](#), [Janus of Santa Cruz](#), [Pajaro Valley Prevention and Student Assistance](#), [Santa Cruz Residential Recovery](#), [Si Se Puede](#), and [Sobriety Works](#).

**Employment.** Job readiness workshops, resume writing, practice interviews, job placement and linkage to additional employment resources. Services provided by [Community Action Board](#).

**Cognitive-Behavioral Curricula.** Systematic interventions to address criminal thinking, low self control and problem solving. Curricula include Thinking for a Change, Moral Reconciliation Therapy, Seeking Safety, Aggression Replacement Training. Partners include the [Volunteer Center](#), the [Probation Department](#), [Santa Cruz Barrios Unidos](#) and the [Walnut Avenue Women's Center](#).

**Housing.** Emergency, temporary, and transitional housing to enable individuals without stable or safe housing to participate in treatment and other services. In addition, sober living environments to support individuals maintaining a drug-free lifestyle. Partners include the [Homeless Services Center](#), [Pajaro Valley Shelter Services](#), [Community Action Board](#), and [Encompass Community Services](#).

**Education and Vocational Training.** Adult education services, both classroom and individual tutoring, focused on achieving GED and Adult Basic Education, as well as vocational training and linkage to post-secondary education. Services are provided by [Watsonville Aptos Adult Education](#) and the [Literacy Project of the Volunteer Center](#).

**Reentry Planning and Support.** Detailed plans for successfully reentering the community, with on-going support and case management to access services, engage with pro-social support networks, and work towards self-sufficiency. In-custody outreach and community follow-up are provided by [Friends Outside of the Volunteer Center](#) and staff from the [RISE](#) and [Gemma](#) programs of the [Community Action Board](#). Additional reentry support programs are provided by the [Conflict Resolution Center](#), [Encompass Community Service](#), [Janus of Santa Cruz](#), [Pajaro Valley Prevention and Student Assistance](#), [United Way](#), the [Volunteer Center](#), and the [Watsonville Law Center](#).

**Mental Health.** Assessment, mental health system navigation, along with individual and group counseling. Long-term support for severely mentally ill individuals in the criminal justice system. Partners include [Encompass Community Services](#) and the [County Mental Health Department](#).



## Supporting Initiatives

### Pew-MacArthur Results First

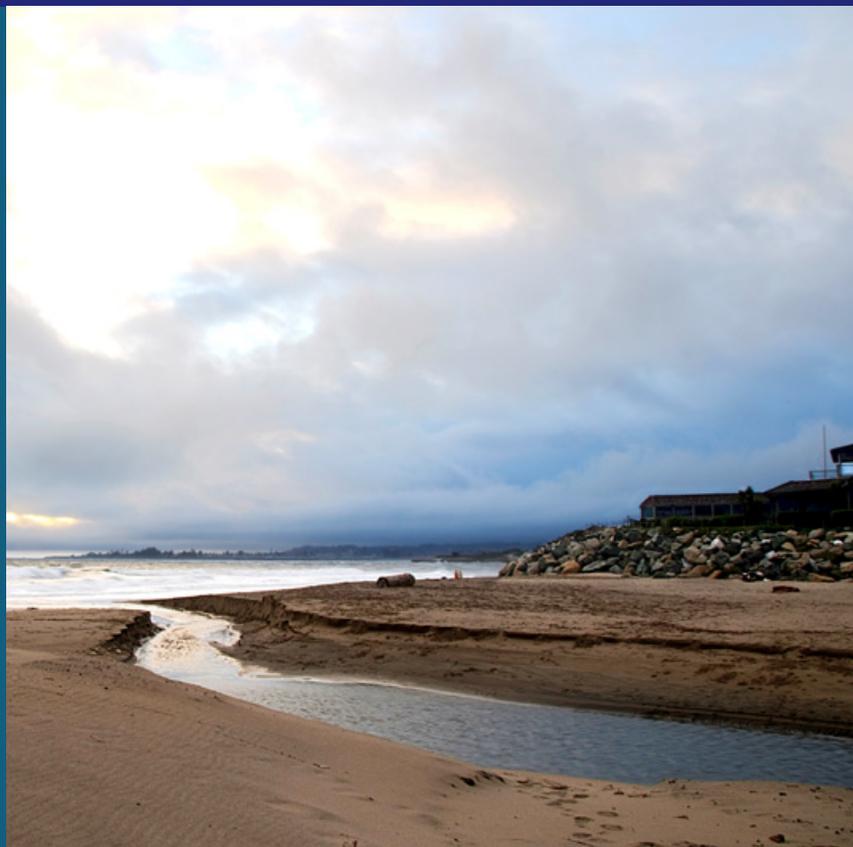
Results First is a data-driven decision making model designed to assess the costs and benefits of policy options and programs. The initiative has been implemented on a statewide basis in over a dozen states across the nation, and is now being piloted at the county level. Participation in Results First involves intensive technical assistance to apply the Washington State Institute for Public Policy cost-benefit analysis model to help maximize public safety benefits that are also cost effective. This model includes the following components: analysis of all the available research on what criminal justice interventions work to reduce crime and recidivism; prediction of impacts that each policy change or program will have; calculation of potential return on investments; ranking of programs based on costs, benefits and risks; identification of programs to be eliminated; assessment of policy options; and making findings available for policy makers and the public.

### Risk-Need-Responsivity Simulation Tool (RNR)

In May 2013, the Board of Supervisors approved a contract with George Mason University for the services of Dr. Faye Taxman and the Center for Advancing Correctional Excellence to provide the Probation Department, Sheriff's Office, and the Santa Cruz County AB109 Service Provider Network with onsite training and support for completion of the Program Tool component of the RNR. The contract also provides technical assistance for service system integration and the redesign of local correctional classification procedures. Through this contract, utilization of the RNR provides a quality assurance and fidelity tracking model to evaluate AB109 services in order to maximize recidivism reduction. The model also provides a system for client treatment matching, an objective assessment of services, and the ability to identify critical service gaps.

"I've been incarcerated over fifty times. AB109 services have been more than helpful in and out of jail. Their willingness to follow through on what they say they're going to do. Which is a lot for people who don't have anyone in their corner most the time. And Friends Outside taught me a lot in the class, Thinking for a Change. I want to find a career that I'd be happy at, that interests me. I want to be a good father. I want to get my own place. And basically make up for all the time that I've wasted. Now I've completed a program. I'm in college. I'm getting my driver's license back. I've had a job for about 4 months. I'm getting back to zero. I dug myself a hole and now I'm getting back."

— Robert K.



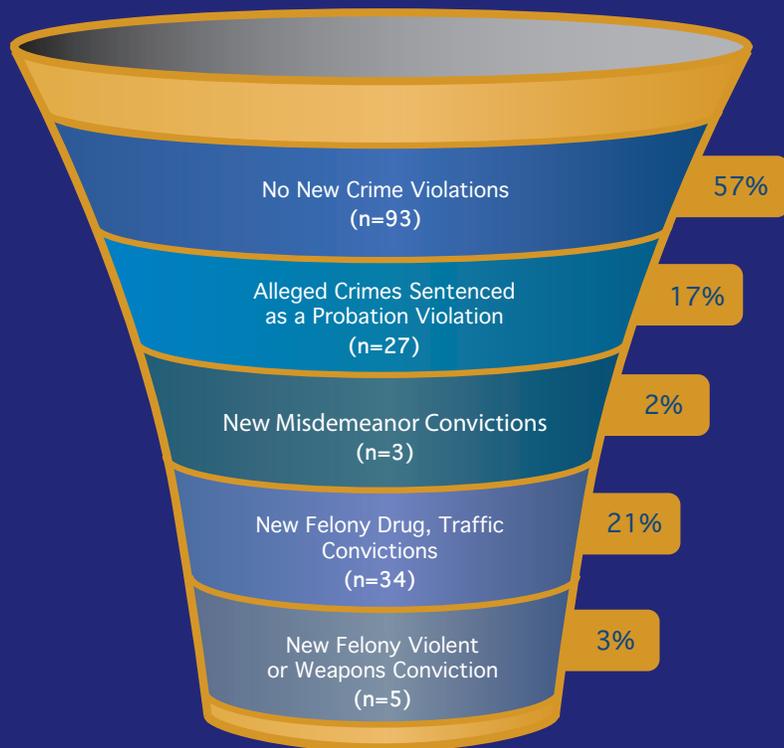
## Preliminary 1-Year Public Safety Outcomes

The AB109 population is comprised primarily of lower-level felons who are at high risk for recidivism. Historically, State and local data indicate that this population is at high risk to commit new crimes, with recidivism rates of 70% or higher. Chronic, untreated substance use disorders, coupled with entrenched criminal thinking and associates, is largely responsible for this pattern. Although the overall number of AB109 individuals is relatively small, and although they do not represent the most serious public safety offenders, reducing the recidivism rate of this population will provide considerable benefit to the criminal justice system and to the community as a whole.

Recidivism has been defined by the Santa Cruz County Community Corrections Partnership as: new criminal behavior within three years following conviction and release to the community from secure incarceration, as measured by conviction for a new law violation. Additional outcomes to be tracked will include re-arrest, violations of probation, and re-incarceration. These will be disaggregated by felony, misdemeanor, offense type, and population (1170(h), PRCS, CAP).

Given that we have just completed two years under AB109, three full years of data is not yet available to measure recidivism as defined, but preliminary data is available for AB109 participants who have been in the community for at least one full year. To date, 243 offenders have been released to community supervision. Of these, 162 have been in the community for at least one year. The following chart shows the current public safety outcomes for this population.

### VIOLATIONS AND RECIDIVISM FOR INDIVIDUALS (1170(h) AND PRCS) IN THE COMMUNITY FOR ONE YEAR OR MORE TOTAL COUNT = 162



The majority of offenders who have been in the community for at least one year have not re-involved themselves in the criminal behaviors that have led to their original prison incarceration. Of those that have committed new offenses, most are committing crimes similar to their prior history. Only a small percentage are involved in more serious criminal behavior. Much of this new criminal activity is a continuation of drug-driven criminal behaviors that need to be addressed through drug treatment and cognitive-behavioral interventions. Overall, 97% of this population has not been convicted of a new violent or weapons offense. Note that new conviction data is limited to convictions resulting in new state prison sentence, new 1170(h) jail sentence or probation sentence.

## Conclusion

Santa Cruz County has successfully implemented AB109 Public Safety Realignment for the first two years, with promising outcomes and strong partnerships and a growing commitment to and capacity for effective, data-driven practices to reduce recidivism among the target population. Issues such as high numbers of female offenders and increased prison sentencing will continue to be tracked to understand their causes and impacts. More comprehensive measures of recidivism will be available over time as more of the Realignment population reenter the community. New opportunities are emerging to leverage funding and link Realignment with emerging criminal justice and public health initiatives.

The many strengths of our county will continue to enable us to see Realignment as an opportunity to improve public safety and serve as a model of an effective and efficient criminal justice system.





Jerry Brown said his realignment plan, which he called 'vast and historic,' will return decisions and authority to cities, counties and schools and 'allow government at all levels to focus on core functions and become more efficient and less expensive' by reducing duplication of services and administrative costs.

— January 10, 2011

## **Santa Cruz County Probation Department**

### **Felton**

#### **Juvenile Probation**

3650 Graham Hill Rd., Felton, CA 95018

Ph: 831-454-3800 Fax: 831-454-3827

#### **Juvenile Detention Facility**

3650 Graham Hill Rd., Felton, CA 95018

Ph: 831-454-3800 Fax: 831-454-3824

### **Santa Cruz**

#### **Adult Probation**

303 Water St., Suite 9, Santa Cruz, CA 95060

Ph: 831-454-2150 Fax: 831-454-3327

### **Watsonville**

#### **Adult and Juvenile Probation**

1430 Freedom Blvd., Watsonville, CA 95076

Ph: 831-763-8070 Fax: 831-763-8233

#### **Mailing Address for All Locations**

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