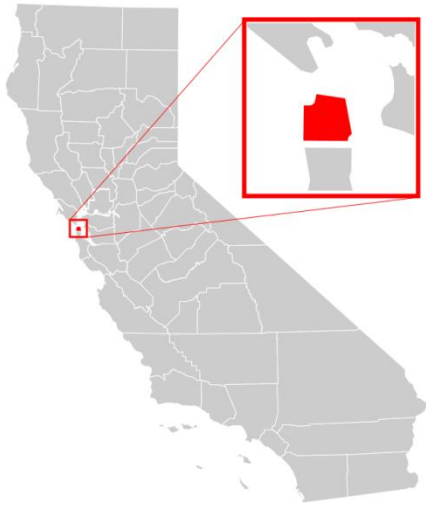
City and County of San Francisco Sentencing Commission



JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

December 12, 2012

Michael Thompson, Director

Council of State Governments Justice Center

- National non-profit, non-partisan membership association of state government officials
- Represents all three branches of state government
- Provides practical, non-partisan advice informed by the best available evidence

CSG Sharing capitol ideas.

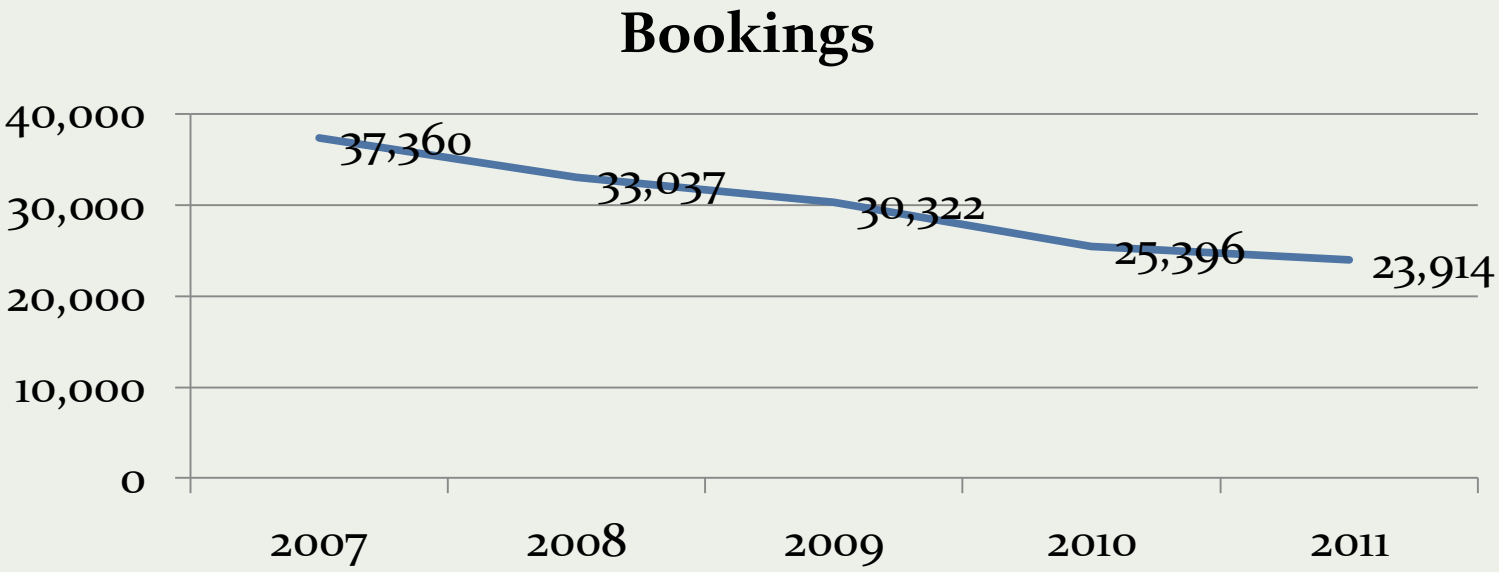
JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

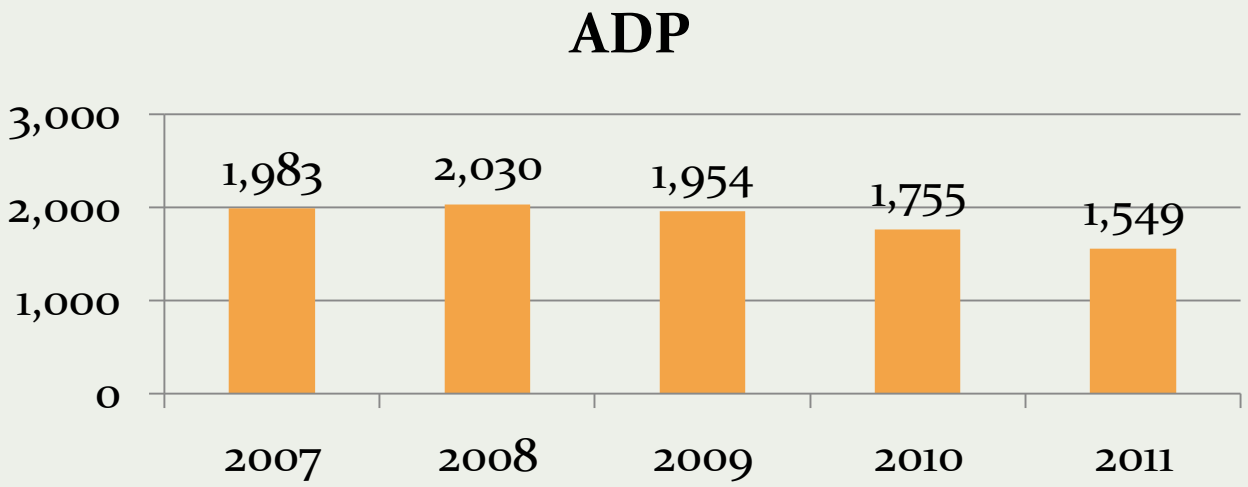
Justice and Mental Health Collaboration Program	Reentry Policy Council and National Reentry Resource Center	Justice Reinvestment

Presentation Overview

- **The Challenge: Making the Most of Limited Resources**
- To what extent are people under community supervision contributing to crime?
- How do we maximize impact of investments in community based treatment?
- Opportunities for San Francisco

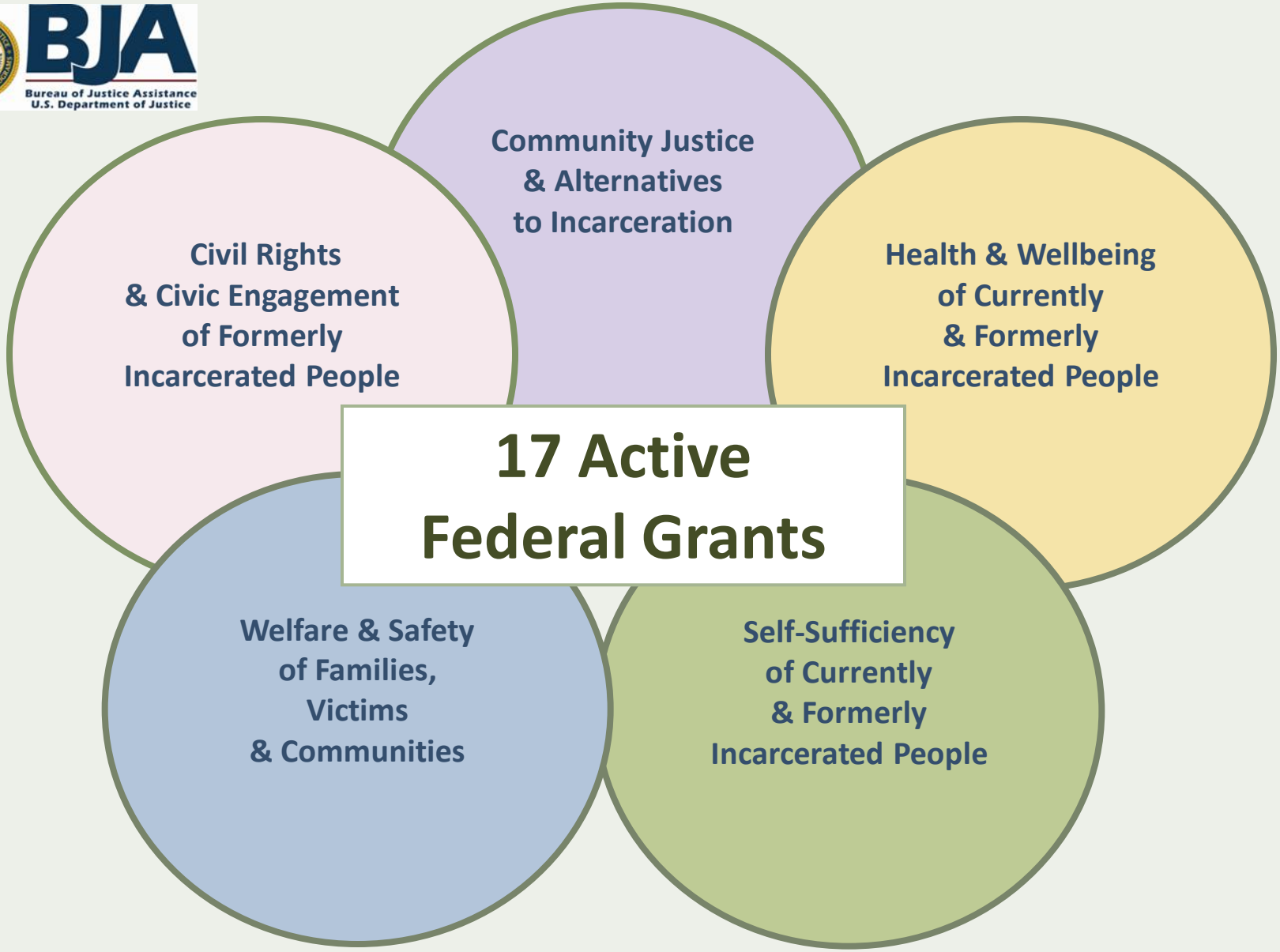
San Francisco County Jail Population



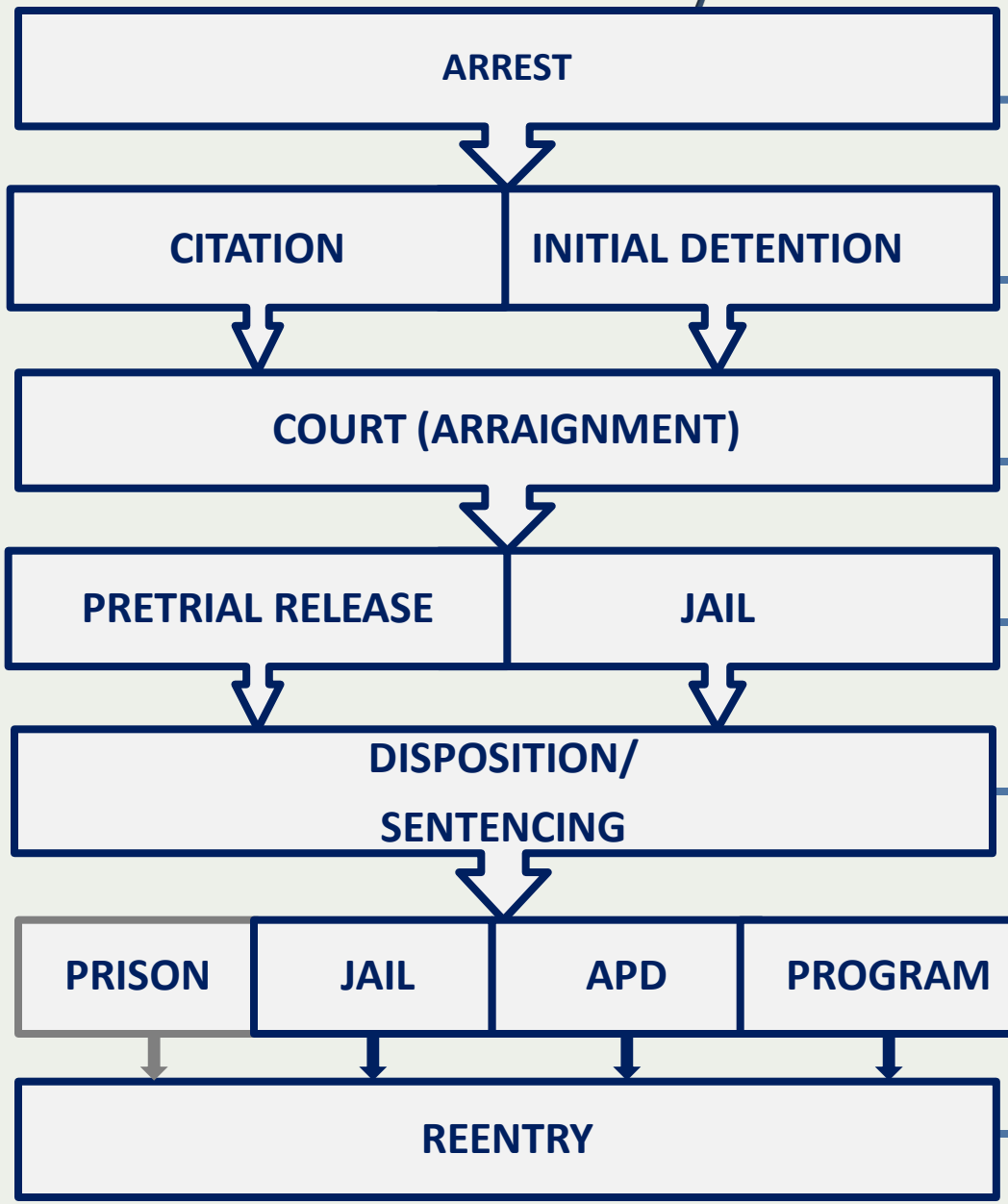


Current and Projected San Francisco County Jail Projections
JFA Analysis
Slide 6

Strong Federal Support: Active Reentry-Related Federal Funding



Initiatives across many decision points



- Training
- Mobile Crisis
- Crisis Center

- Pretrial Diversion Program

- Specialized Defender & Prosecution
- Early Resolution Program
- Collaborative Courts

- Reentry Jail Pod
- Behavioral Health Access Center/ Community Assessment and Service Center

- . . . And More!

Numerous system-level planning efforts

- **Sentencing Commission**
- **Reentry Council**
- **Justice Reinvestment Initiative**
- **Community Corrections Partnership**

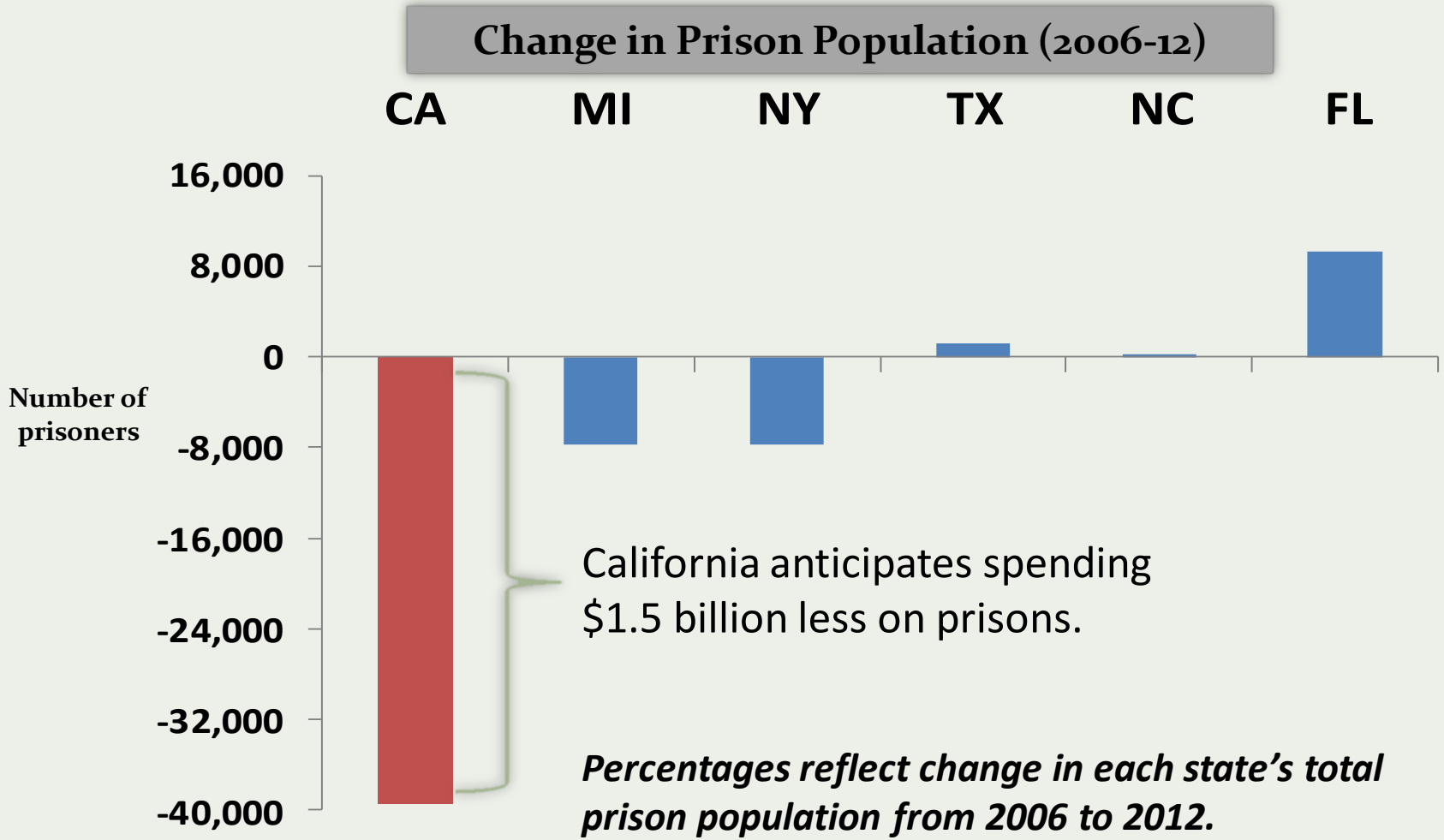
Opportunities for Sentencing Commission

- **Are we maximizing the return on our investment in strategies designed to improve outcomes for people involved in the criminal justice system?**

Presentation Overview

- The Challenge: Making the Most of Limited Resources
- **To what extent are people under community supervision contributing to crime?**
- How do we maximize impact of investments in community based treatment?
- Opportunities for San Francisco

Impact of California's Policy Changes to Reduce Prison Population Go Beyond Those of Other States



Impacts of Recent Policy Changes Raise Questions about Impacts to Public Safety

CA Prison Population Has Declined by ~30,000

Due to shifts in responsibility from State to Local jurisdictions

Parole Population Will Continue to Drop

Probation Populations Will Increase

As more people are supervised by probation, will there be a corresponding increase in crime, as measured by arrest activity?

Chiefs of Police Asked Justice Center to Study Impact of Parolees and Probationers on Arrests

February 1, 2010

Michael Thompson
Director
Council of State Governments Justice Center
100 Wall Street / 20th Floor
New York, NY 10005

Dear Mr. Thompson:

As chief law enforcement executives in cities in California, we are writing to request intensive technical assistance from the Council of State Governments Justice Center. We seek assistance in analyzing how people recently released from prison contribute to crime and developing of a set of strategies that helps local law enforcement executives better respond to the state's plan to downsize the prison population.

Nationally, state spending on corrections has risen faster over the past 20 years than spending on nearly any other state budget item, and yet at the same time, reoffense and reincarceration rates among people released from prison and jail remain unacceptably high. State policymakers, looking to cut costs wherever they can, are taking steps to downsize prison populations. This story is no different in California. As California's budget problems have worsened, crowding in our state prisons has intensified, and the federal courts have ordered the state to reduce the state prison population by 40,000 people.

We, together with our counterparts across the state, recognize that state policymakers must do something to alleviate prison crowding in addition to the new California Department of Correction and Rehabilitation (CDCR) policies. The potential impact of these policies leaves law enforcement officials uncertain about the relevant impact on public safety at the local level.

For these reasons, we would like your assistance collecting and analyzing data that will improve our understanding of how people recently released from prison contribute to crime in our communities. We are interested in answering questions such as these:

(1). What subsets of the population of people involved with the criminal justice system (e.g., recently released from prison or jail, under parole supervision, etc.) are most likely to re-offend? What risk factors do these people share in common?

(2). What additional research needs to be conducted to inform law enforcement executives about the relationship between crime and people who have been released from prison or who are under community supervision?

We request your assistance in using the results of these analyses to work collectively to identify strategies that law enforcement can employ to better respond to the influx of people returning from prison, who are under community corrections supervision and who return back without any supervision. We also are interested in designing a plan that will ensure the reinvestment of dividends earned through reduced corrections spending in effective strategies to fight crime locally.

We, together with staff we designate from our police departments, commit our cooperation (including access to appropriate information systems) to carry out the data analysis requested above and the development of plan that acts on the results of these analyses. We look forward to hearing back from you in response to this request and to working with the Justice Center in the near future.

Sincerely,

Chief George Gascón, San Francisco PD

Chief Charlie Beck, Los Angeles PD

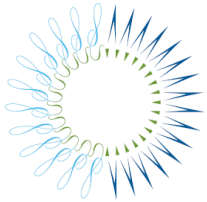
Chief Jim Bueermann, Redlands PD

Chief Rick Braziel, Sacramento PD

Funding and Partners

ROSENBERG FOUNDATION

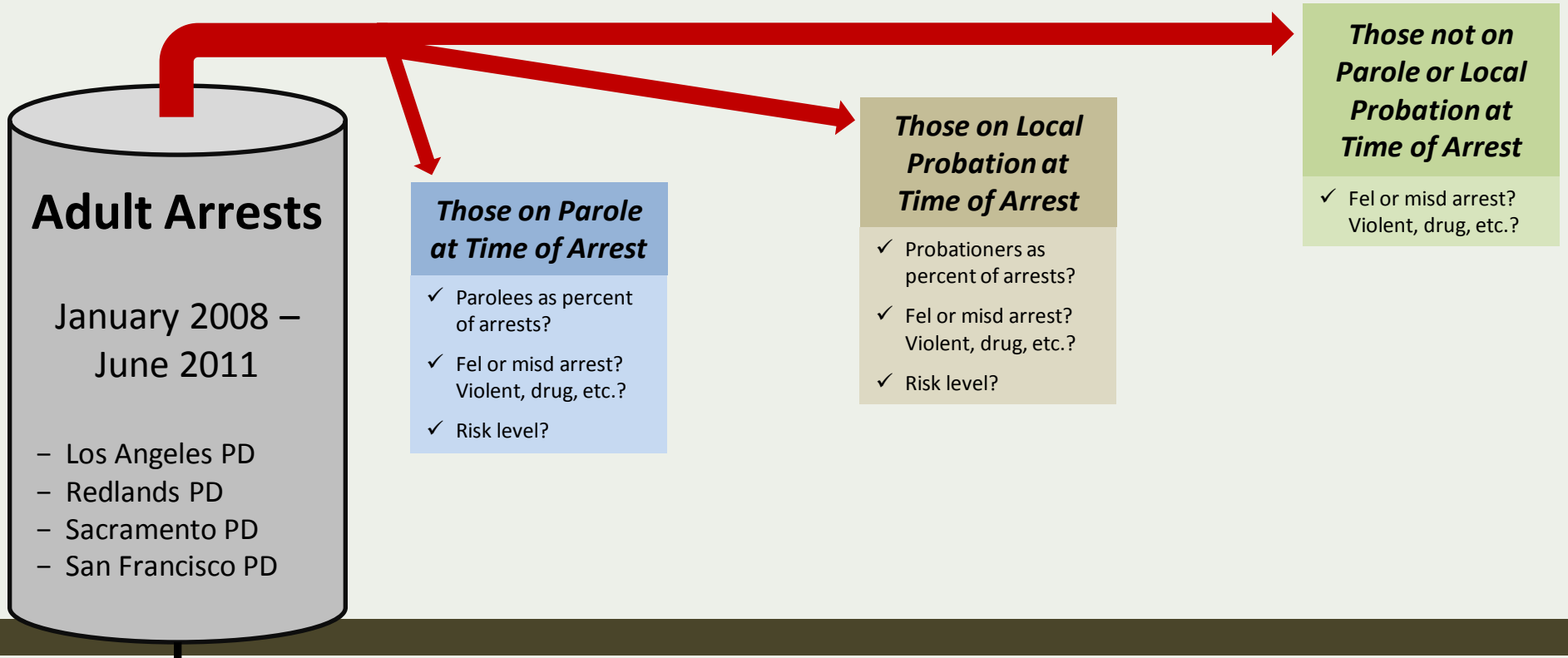
Public Welfare FOUNDATION



THE PEW CENTER ON THE STATES | Public Safety Performance Project

Fund For Nonviolence

Aim of Research:
Identify Arrests of People on Parole or Probation



Person identifiers from arrest data shared with CDCR and local county probation departments to obtain matching parole/probation records.

Summary of Key Findings

1. Arrests involved a smaller share of people on parole or probation supervision than expected.

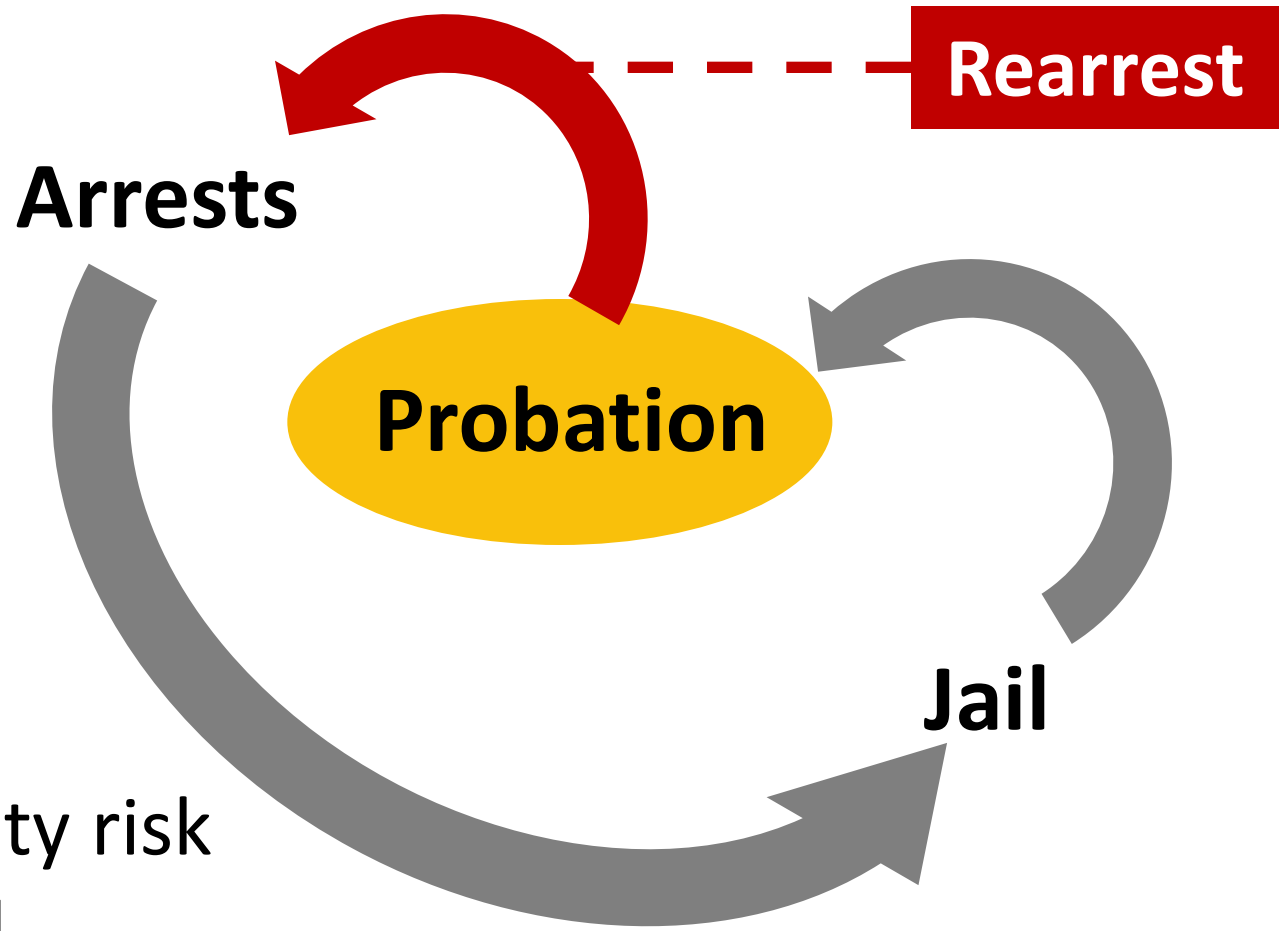
2. Arrests involving those on supervision are driven mostly by drug related offenses, with half as many driven by violent offenses.

3. Risk levels of parolees fit with rates of arrest while on parole. The same can be said for probation in some jurisdictions, but not in others.

What Will the Share of Arrests Attributable to Probationers Look Like Post-Realignment?

Effective Probation Supervision Is Essential to Success

Cycle we want to break...



The tool is quality risk assessment and tailored supervision

Recommendations Moving Forward

1. Employ use of validated risk assessment tools across probation agencies.

2. Target enhanced supervision and treatment resources for those with higher probability for rearrest.

3. Explore ways for law enforcement to work with probation to reduce reoffense rates among people under community supervision.

4. Continue the collection of arrest and supervision data for purposes of tracking share of arrests accounted for by those on supervision.

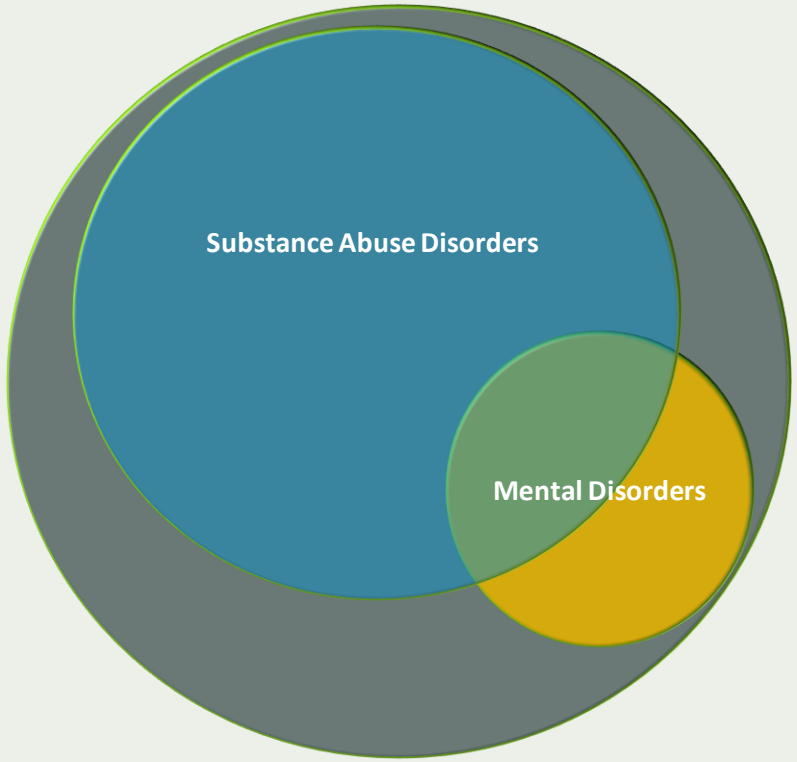
Presentation Overview

- The Challenge: Making the Most of Limited Resources
- To what extent are people under community supervision contributing to crime?
- **How do we maximize impact of investments in community based treatment?**
- What can the Sentencing Commission do?

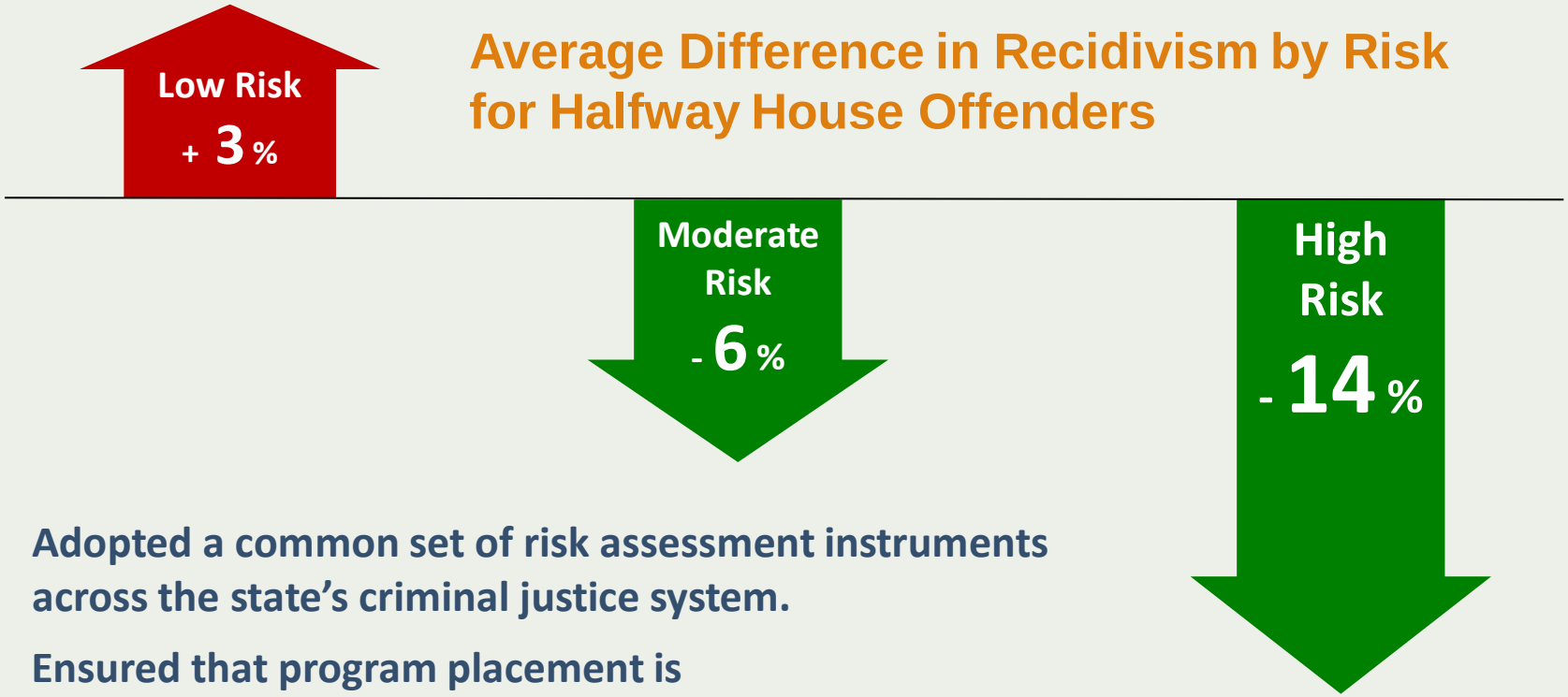
Estimated Proportion of Substance Use, Mental Health, and Co-Occurring Disorders in Jails

According to the SF Department of Public Health:

- **An estimated 75 to 80 percent of jail inmates have substance abuse problems.**
- **An estimated 14 percent of jail inmates have significant mental health problems.**



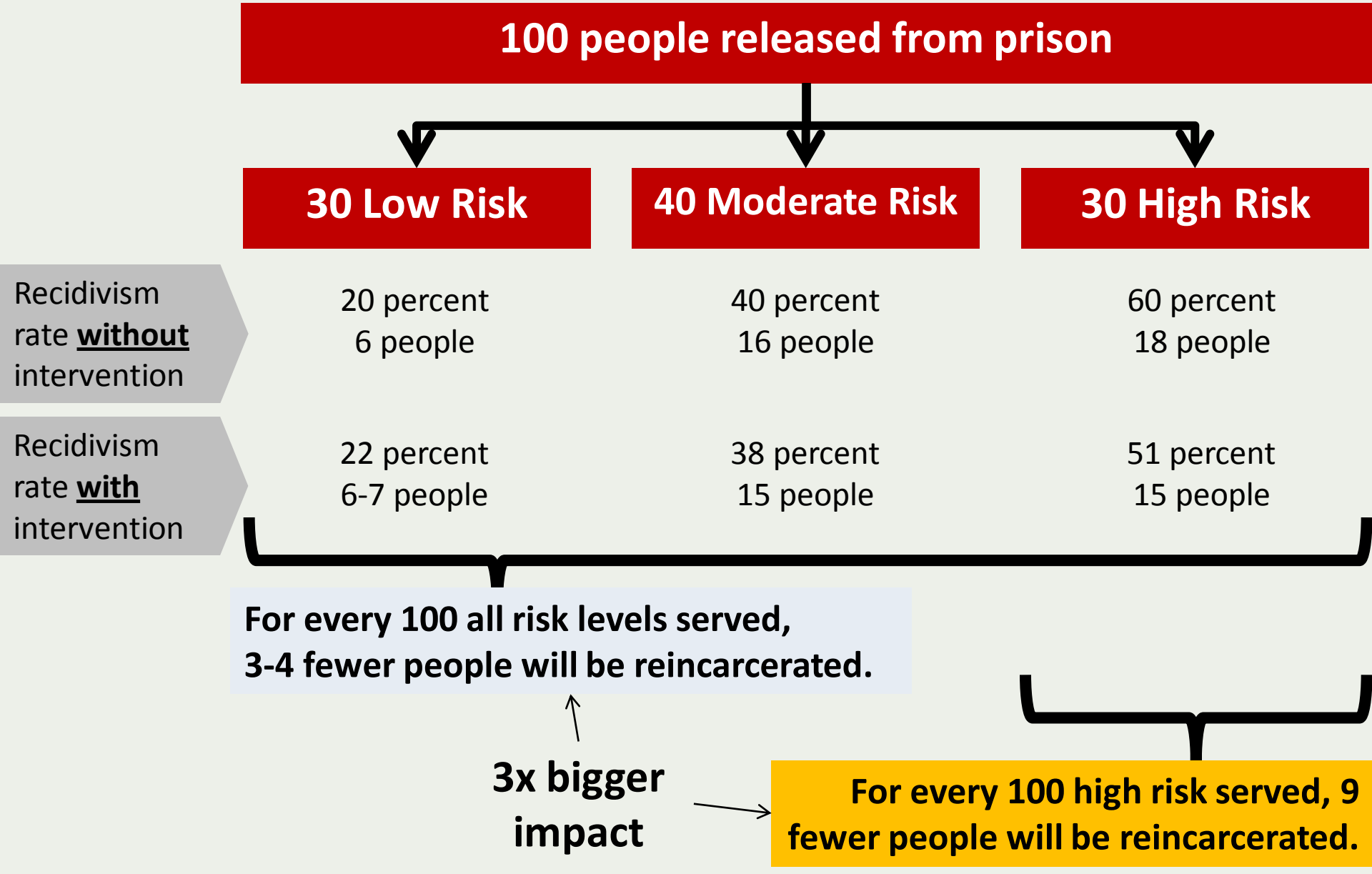
Focus on individuals most likely to reoffend (Ohio)



- **Adopted a common set of risk assessment instruments across the state's criminal justice system.**
- **Ensured that program placement is driven by risk assessment score.**

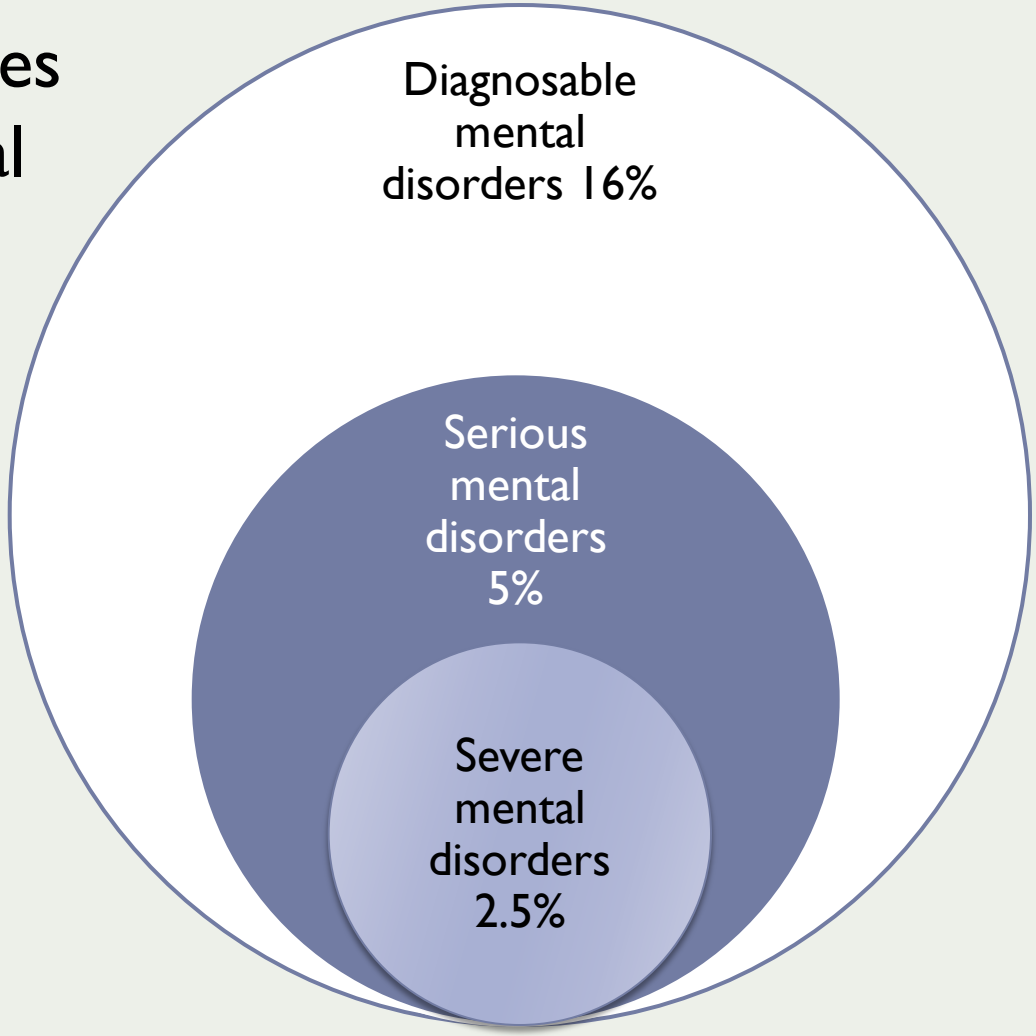
Source: Presentation by Dr. Ed Latessa, "What Works and What Doesn't in Reducing Recidivism: Applying the Principles of Effective Intervention to Offender Reentry".

Risk Impacts Program Outcomes



Not All Mental Illnesses Are Alike

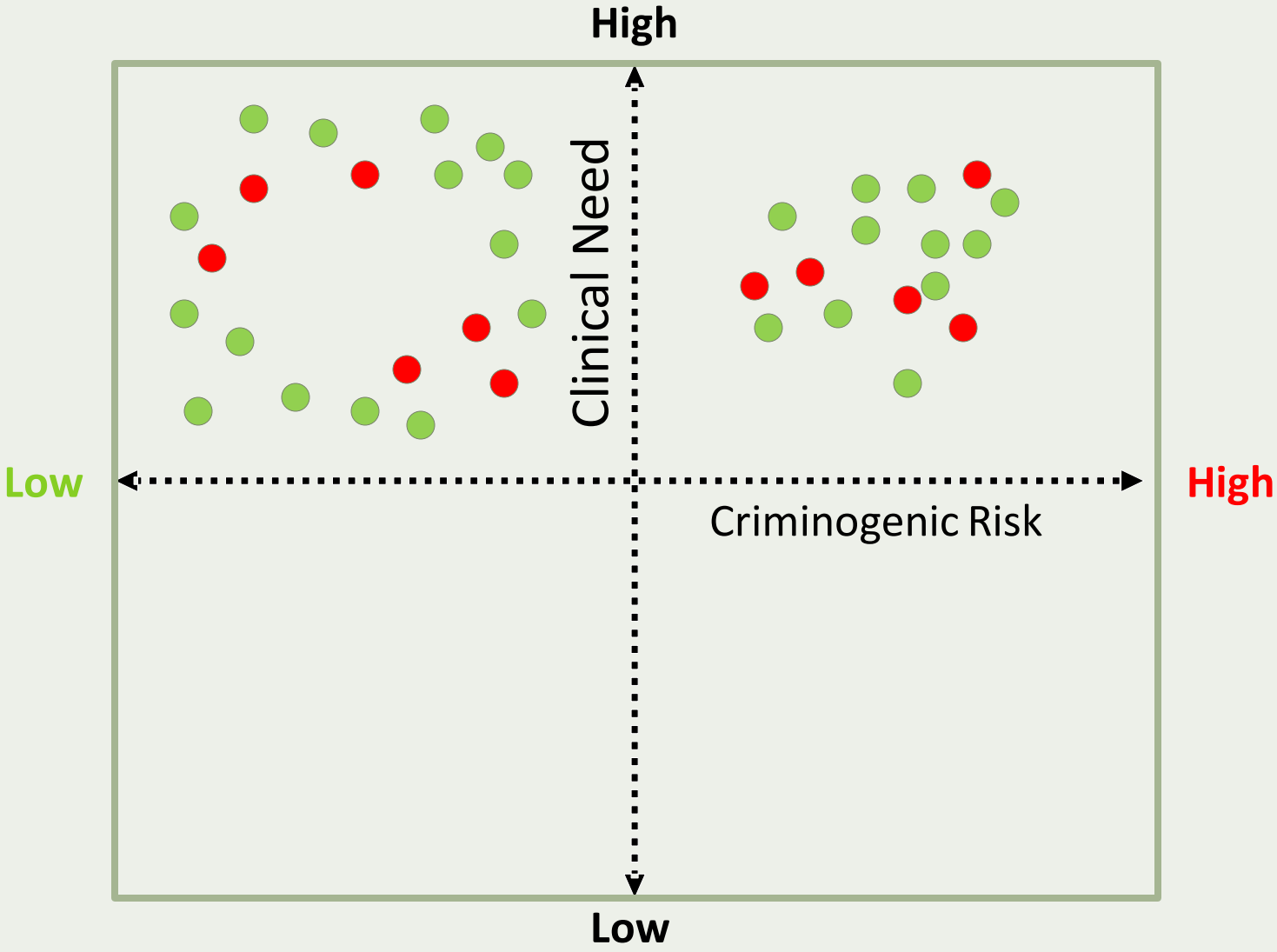
Mental Illnesses In the General Population



Not all Substance Use Disorders are Alike

The Substance Abuse Continuum

Using assessment to target resources. . .



ADULTS WITH BEHAVIORAL HEALTH NEEDS UNDER CORRECTIONAL SUPERVISION:

A Shared Framework for Reducing Recidivism and Promoting Recovery

Federal Support:

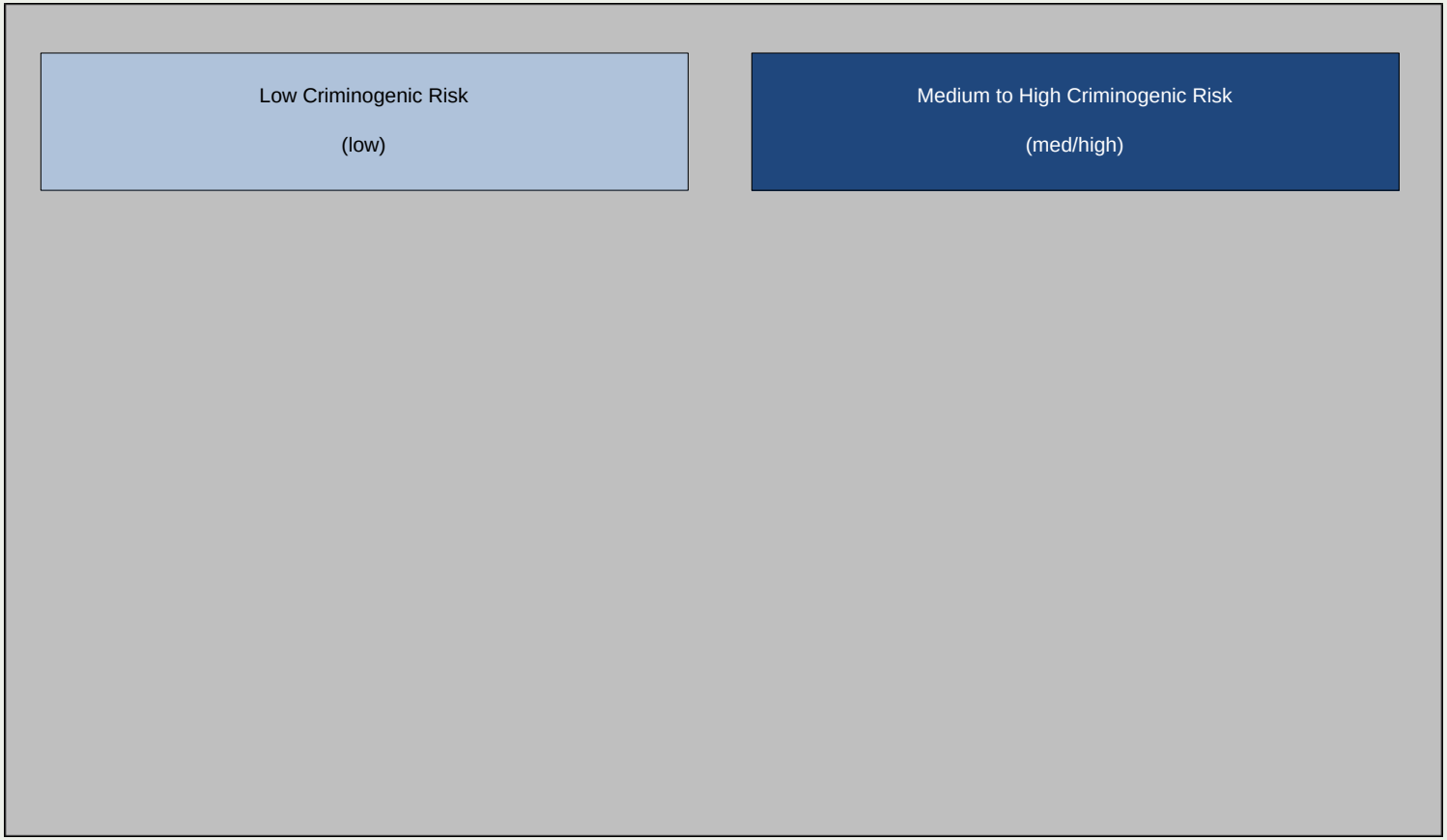
NIC National Institute of Corrections

BJA Bureau of Justice Assistance U.S. Department of Justice

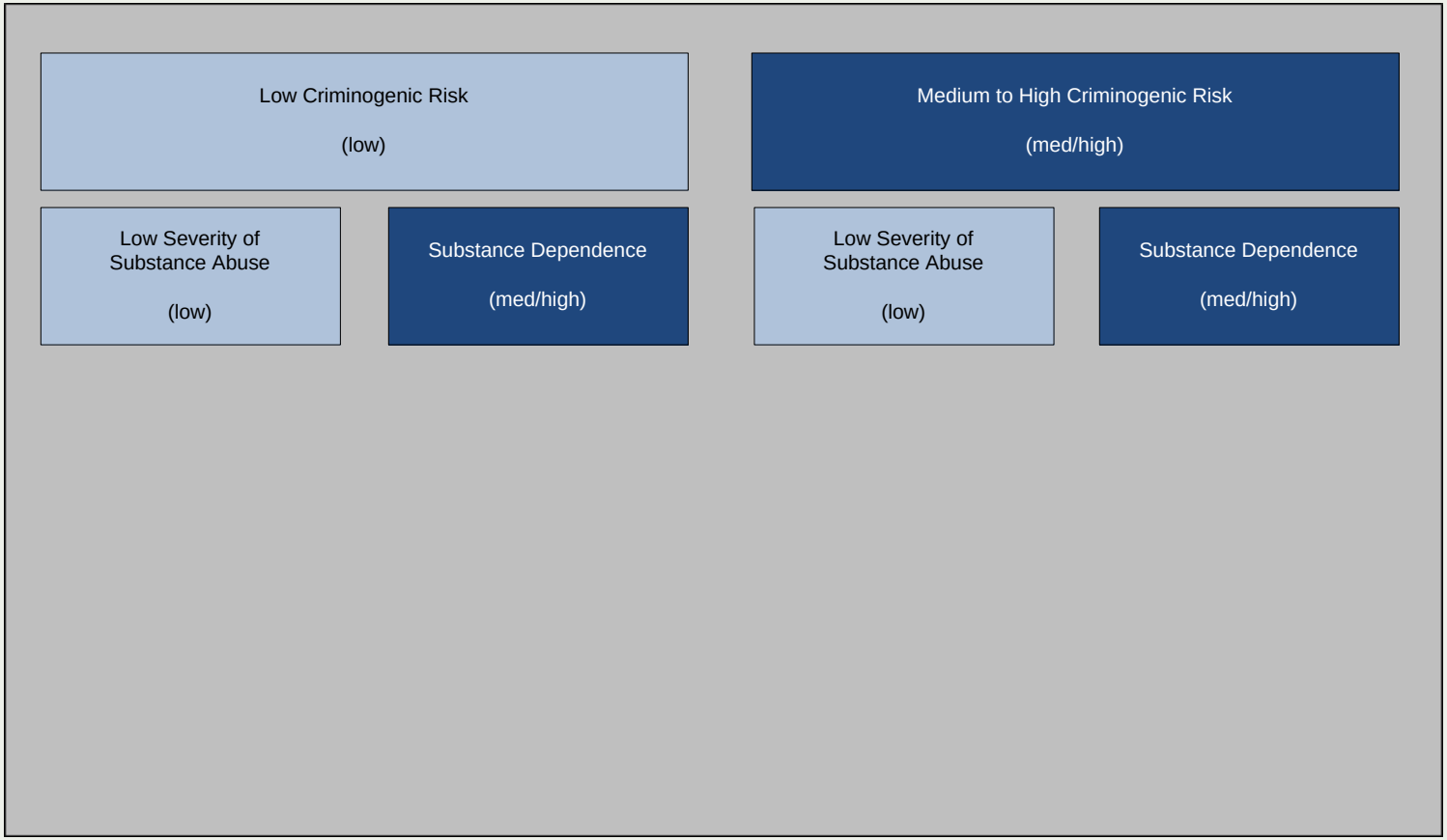
Substance Abuse and Mental Health Services Administration SAMHSA

www.samhsa.gov • 1-877-SAMHSA-7 (1-877-726-4727)

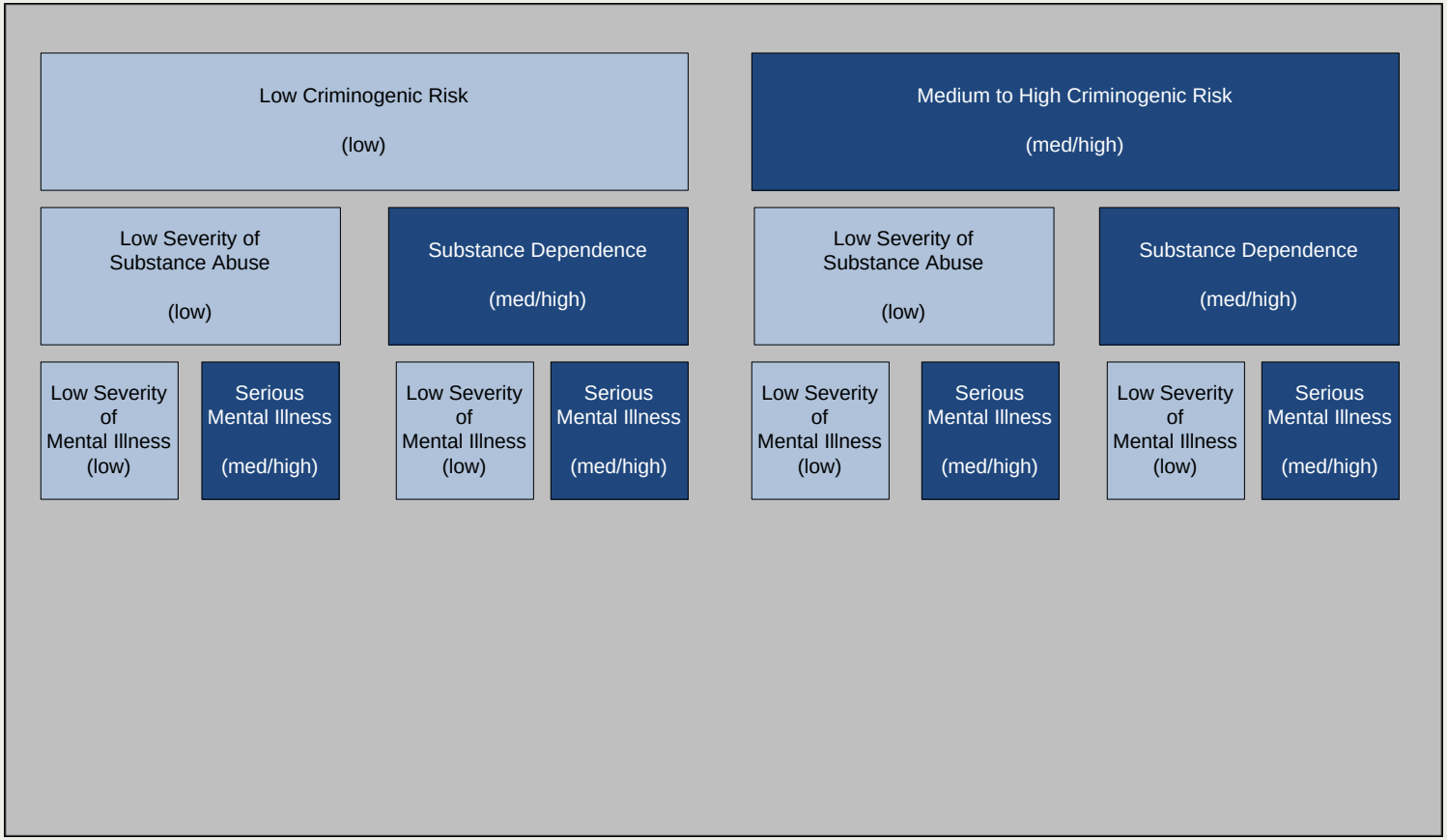
Framework to Address SA and MH Needs of Individuals under CJ Supervision



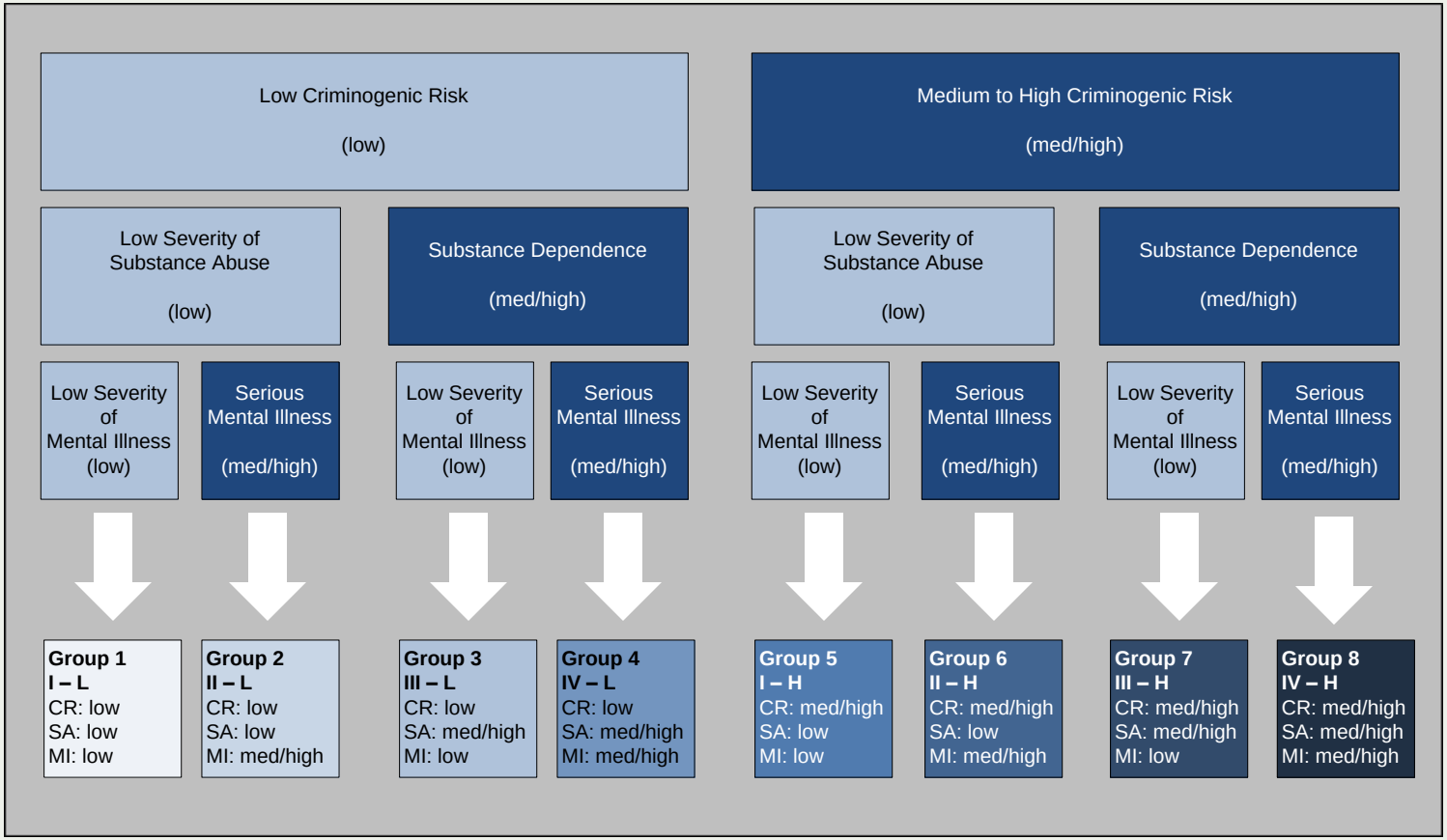
Framework to Address SA and MH Needs of Individuals under CJ Supervision



Framework to Address SA and MH Needs of Individuals under CJ Supervision



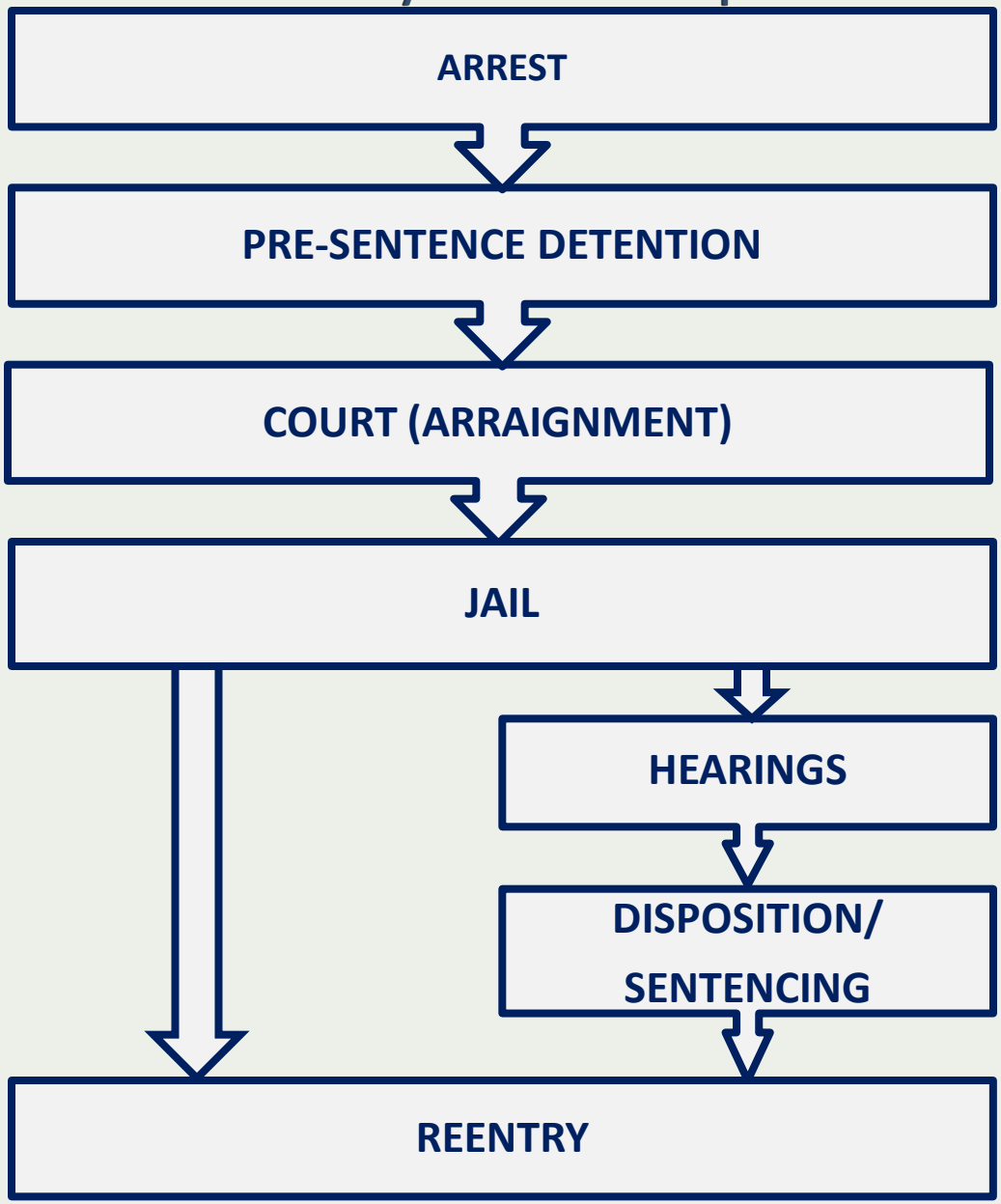
Framework to Address SA and MH Needs of Individuals under CJ Supervision

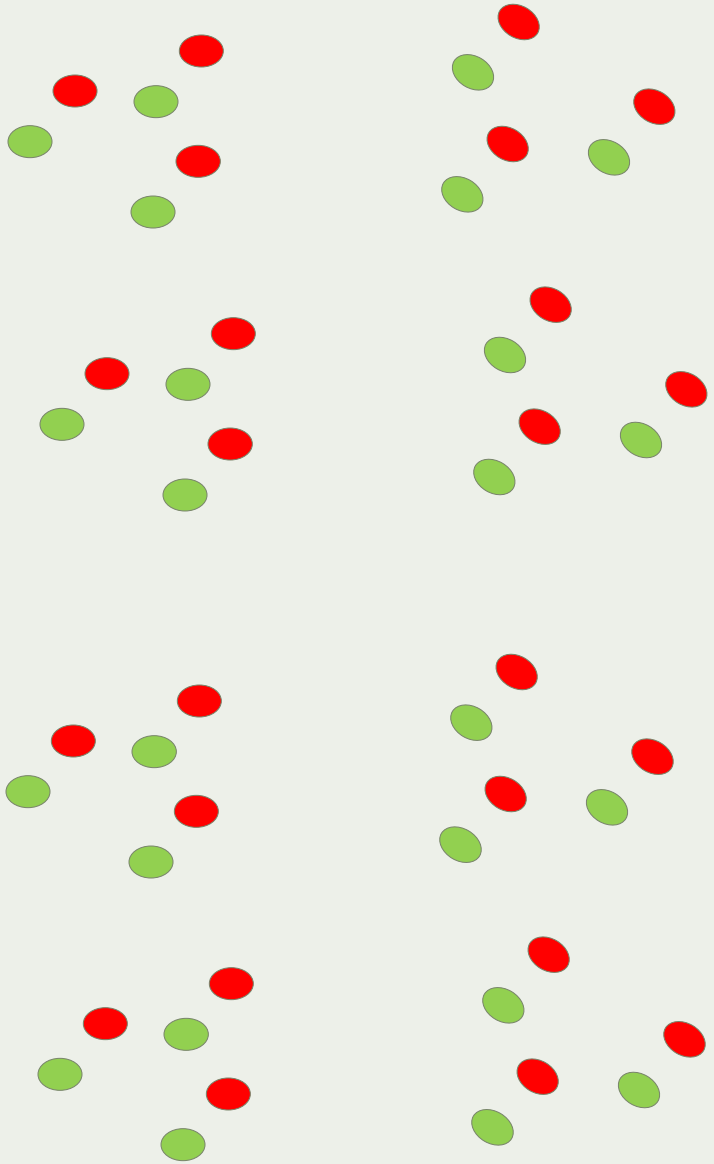


High Criminogenic Risk with High Behavioral Health Treatment Needs

- Priority population for corrections staff time and treatment
- Intensive supervision and monitoring; use of specialized caseloads when available
- Access to effective treatments and supports
- Enrollment in interventions targeting criminogenic need including cognitive behavioral therapies

Across many decision points. . .

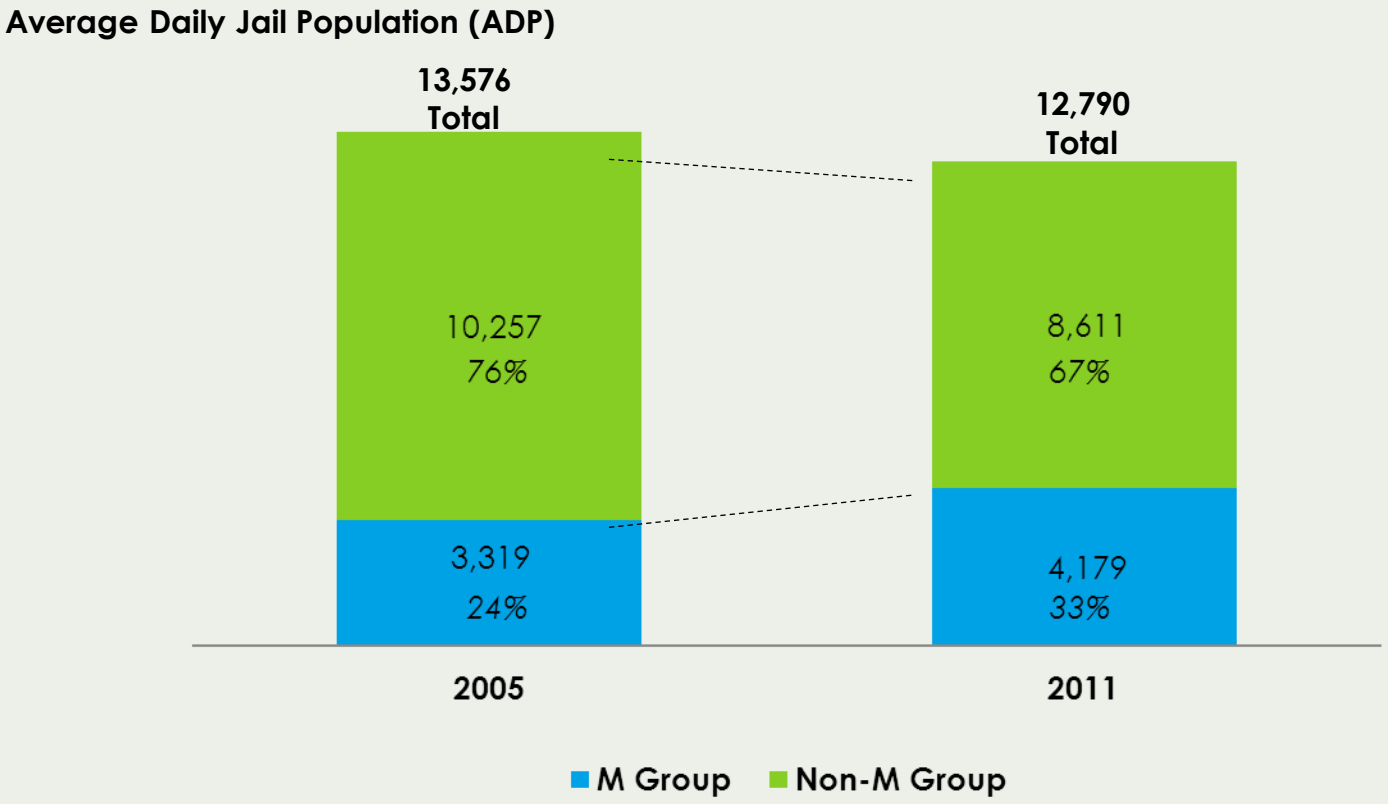




Case Study: New York City

Average Daily Jail Population (ADP) and ADP with Mental Health Diagnosis (2005-2011)

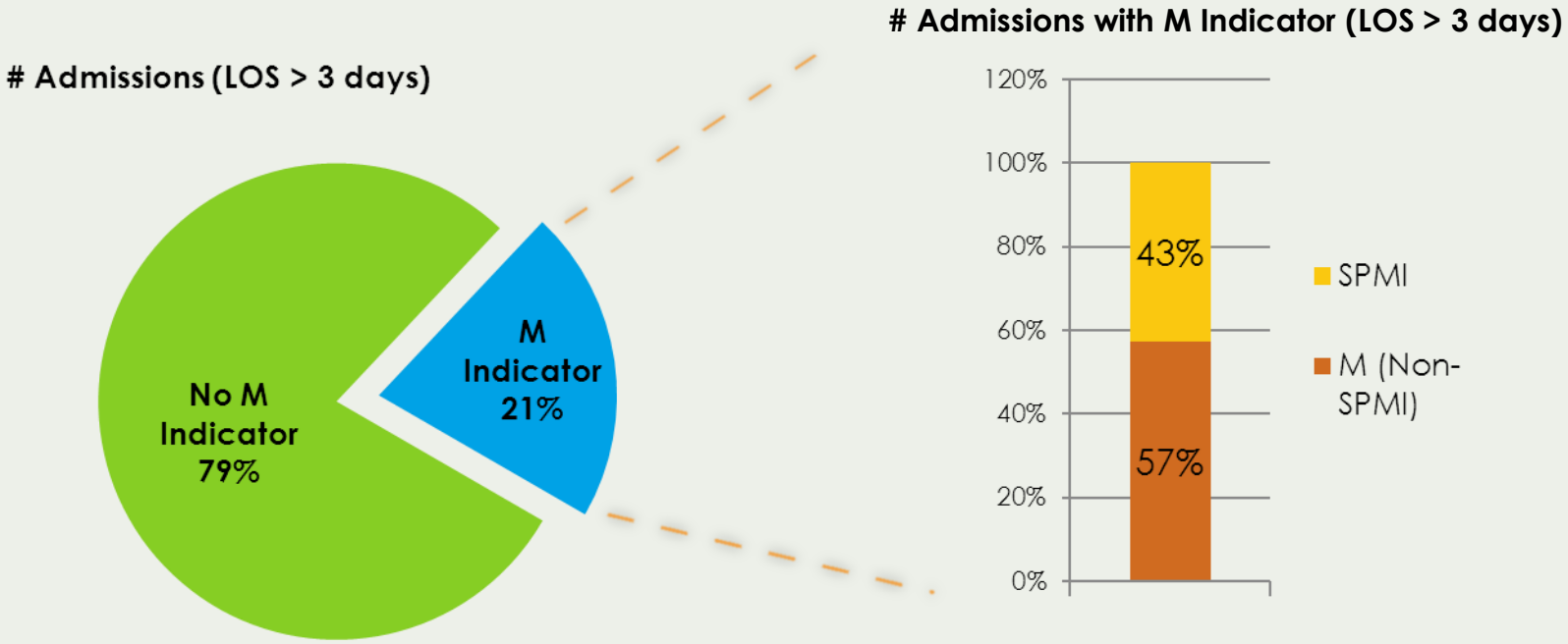
With total average population declining (-6%) and the sub-population with mental health diagnoses increasing (+26%), a **greater proportion** of the average daily jail population has a mental health diagnosis.



Source: The City of New York Department of Correction

Who are "individuals with mental illnesses" in NYC DOC?

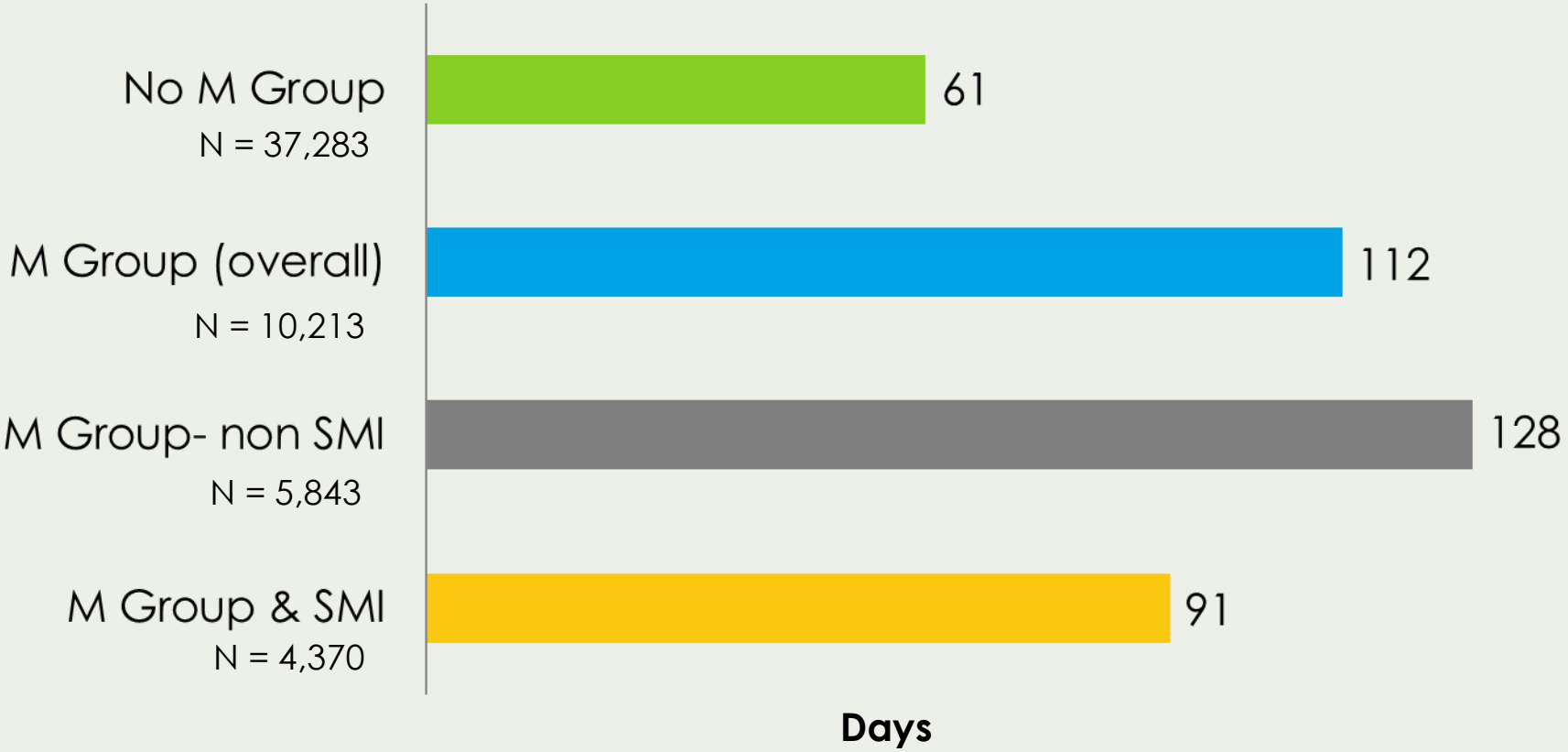
Diverse mental health needs within the 21% of admissions with the M Indicator



*M indicator at discharge. 34% ADP.

**SPMI based on New York Office of Mental Health definition of serious and persistent mental illness. Individuals with an SPMI have functional impairments due to their mental illness that can be expected to continue over an extended period of time. Individuals with an SPMI have a high level of need for treatment and supports. An SPMI diagnosis is required for entry into many adult public mental health treatment programs.

Average Length of Stay by Mental Health Status

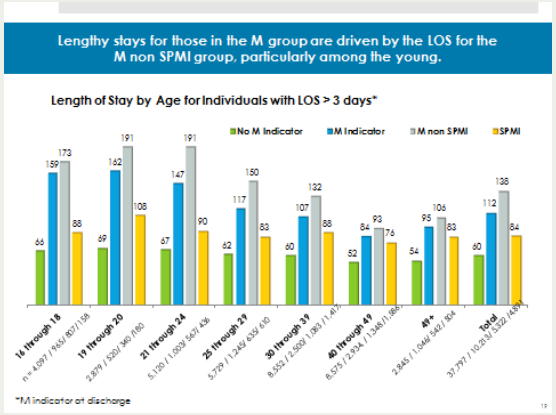


Source: The City of New York Department of Correction & New York City Department of Health and Mental Hygiene
2008 Department of Correction Admission Cohort with Length of Stay > 3 Days (First 2008 Admission)

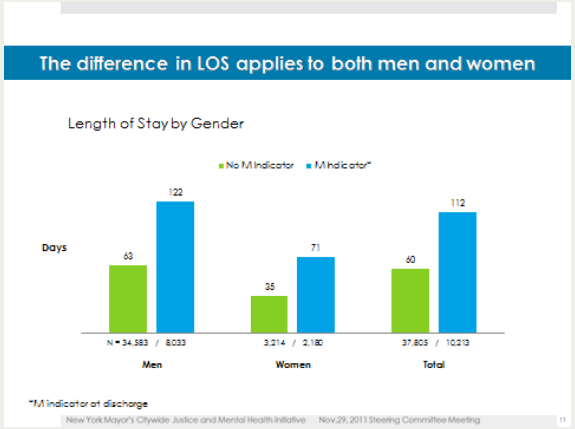
How does the population with mental illness differ from the general population?

. . . Increased lengths of stay persist across different dimensions:

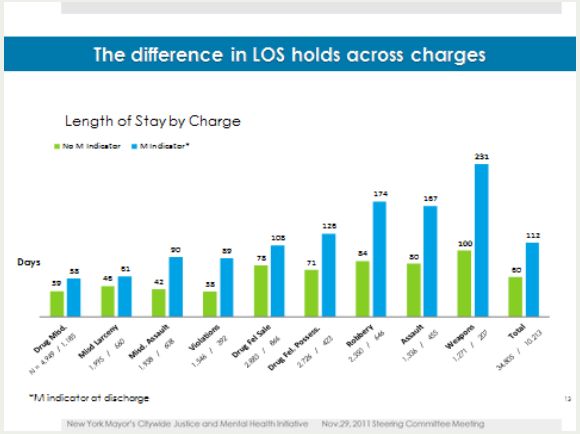
Age



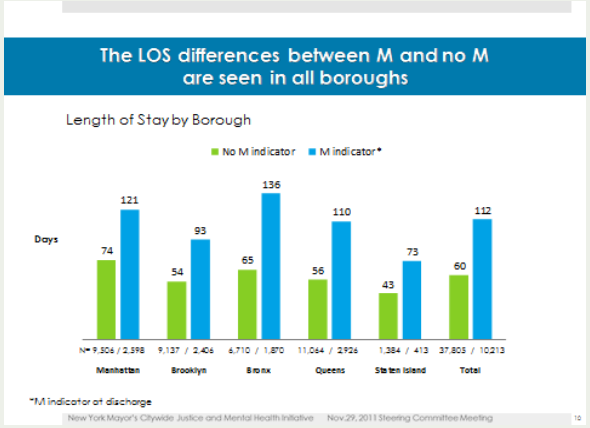
Gender



Charge

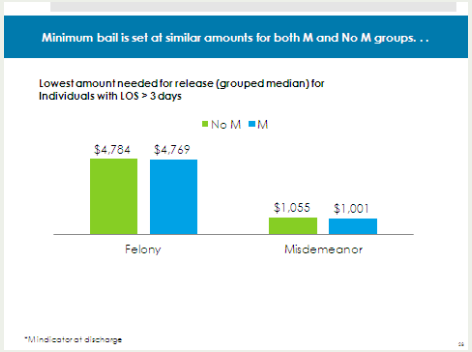


Borough

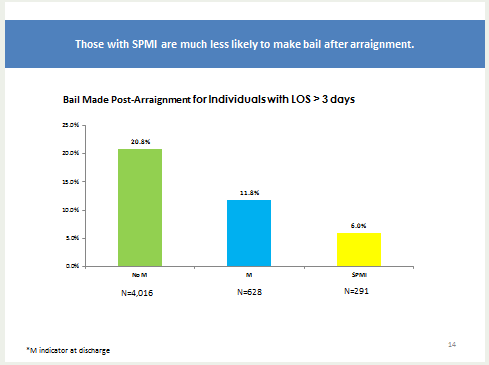


What's driving significant pretrial differences?

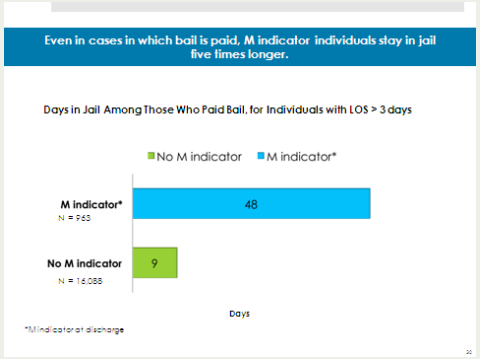
Ms and No Ms have similar bail amounts set



BUT Ms are less likely to make bail, particularly those with SPMI



AND when they do, it's taking 5 times longer

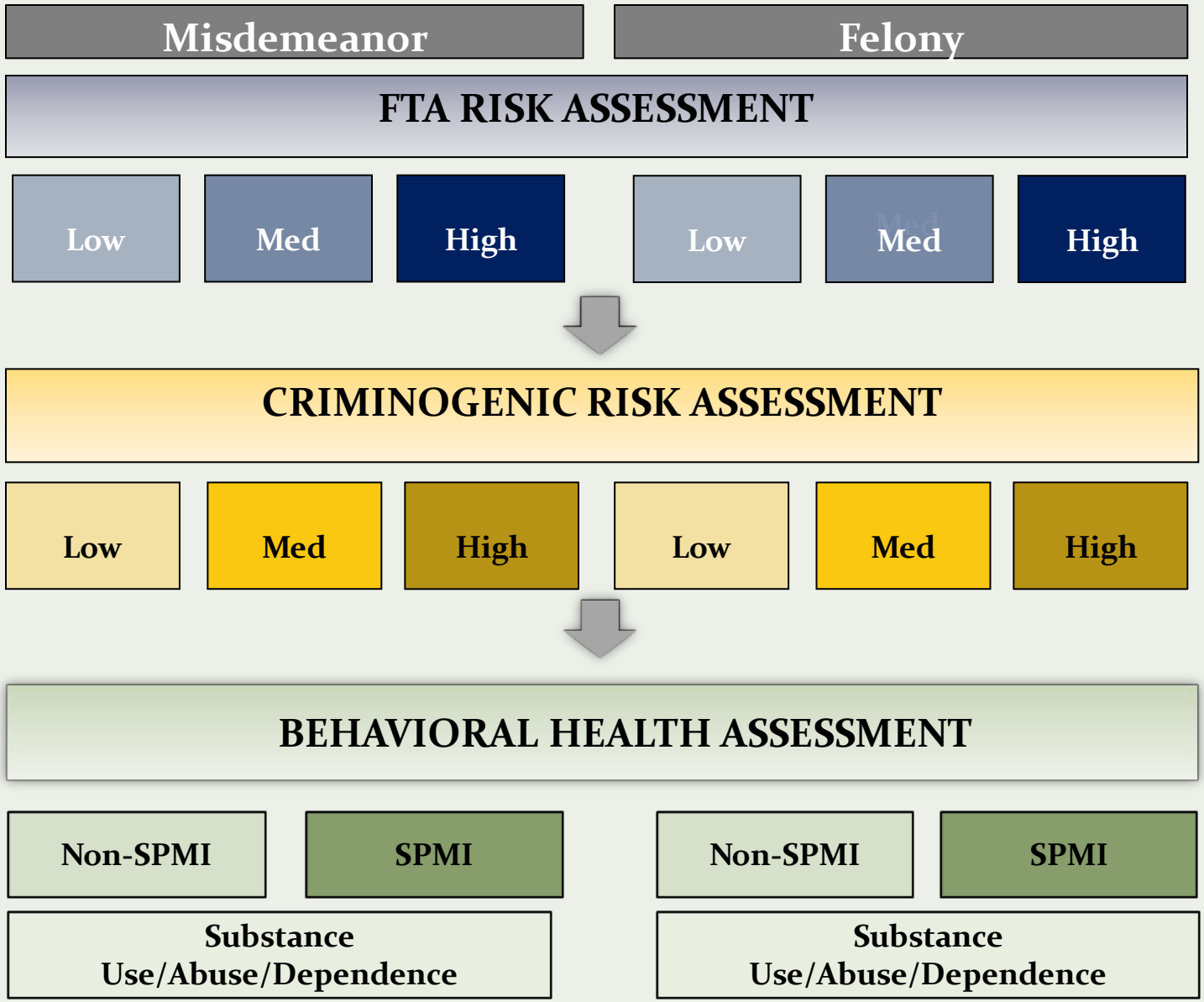


Conclusions from Focus Group Findings and Stakeholder Feedback

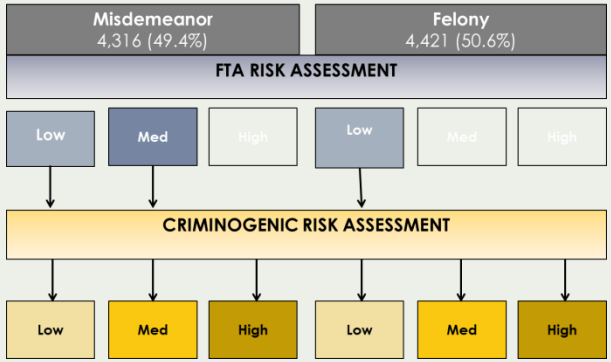
At each stage of the criminal justice system, things "slow down" for individuals with mental illnesses for the following reasons:

- The needs/risks of this population are often unknown and sometimes assumed.
- Decision-makers have insufficient information about the needs/risks and insufficient community-based options for safe release.
- Time is spent identifying and brokering deals for community-based treatment and supervision.
- These individuals challenge traditional management approaches.
- Community treatment and supports are frequently lacking.

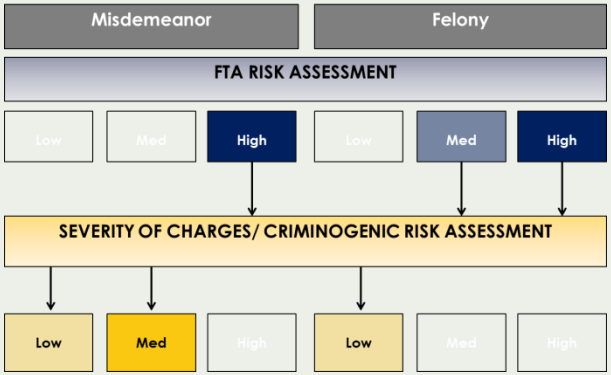
Using the Risks and Needs of this Diverse Population. . .



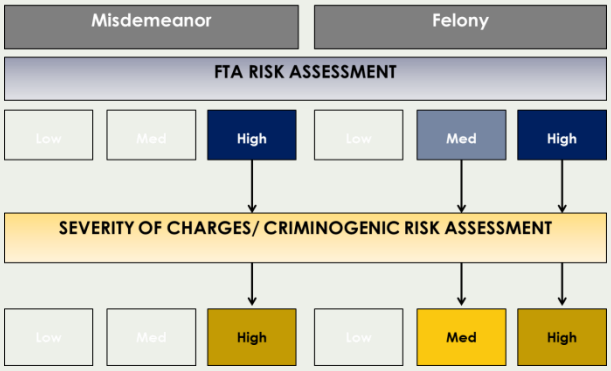
. . . For Appropriate Diversions to Community-Based Treatment and Supervision



Pretrial:
Group A: Those who can be safely supervised and provided treatment in the community based on assessed risks and needs

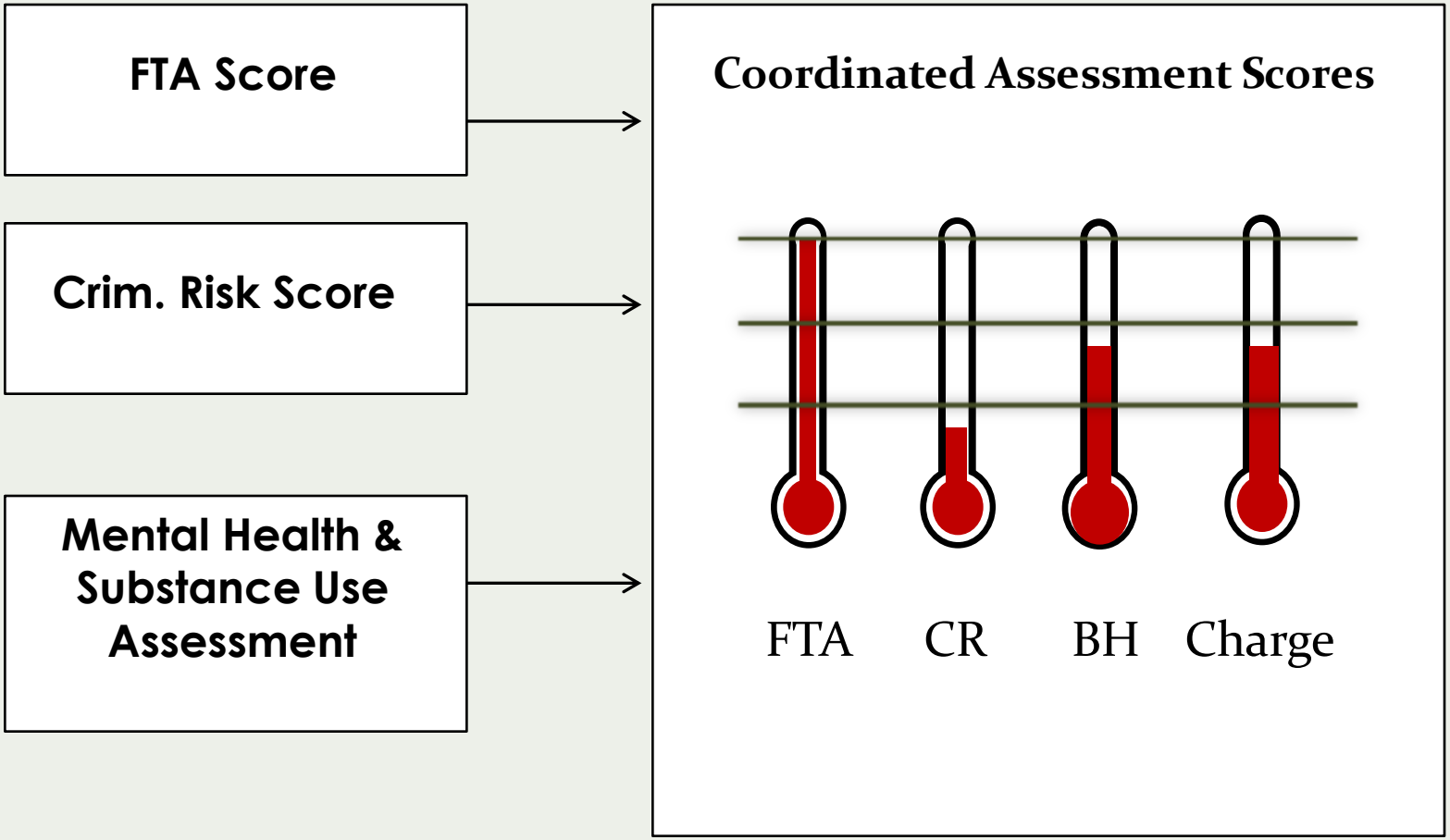


Post-adjudication:
Group B: Those who are appropriate for expedited disposition to community-based supervision and treatment based on assessed risks and needs

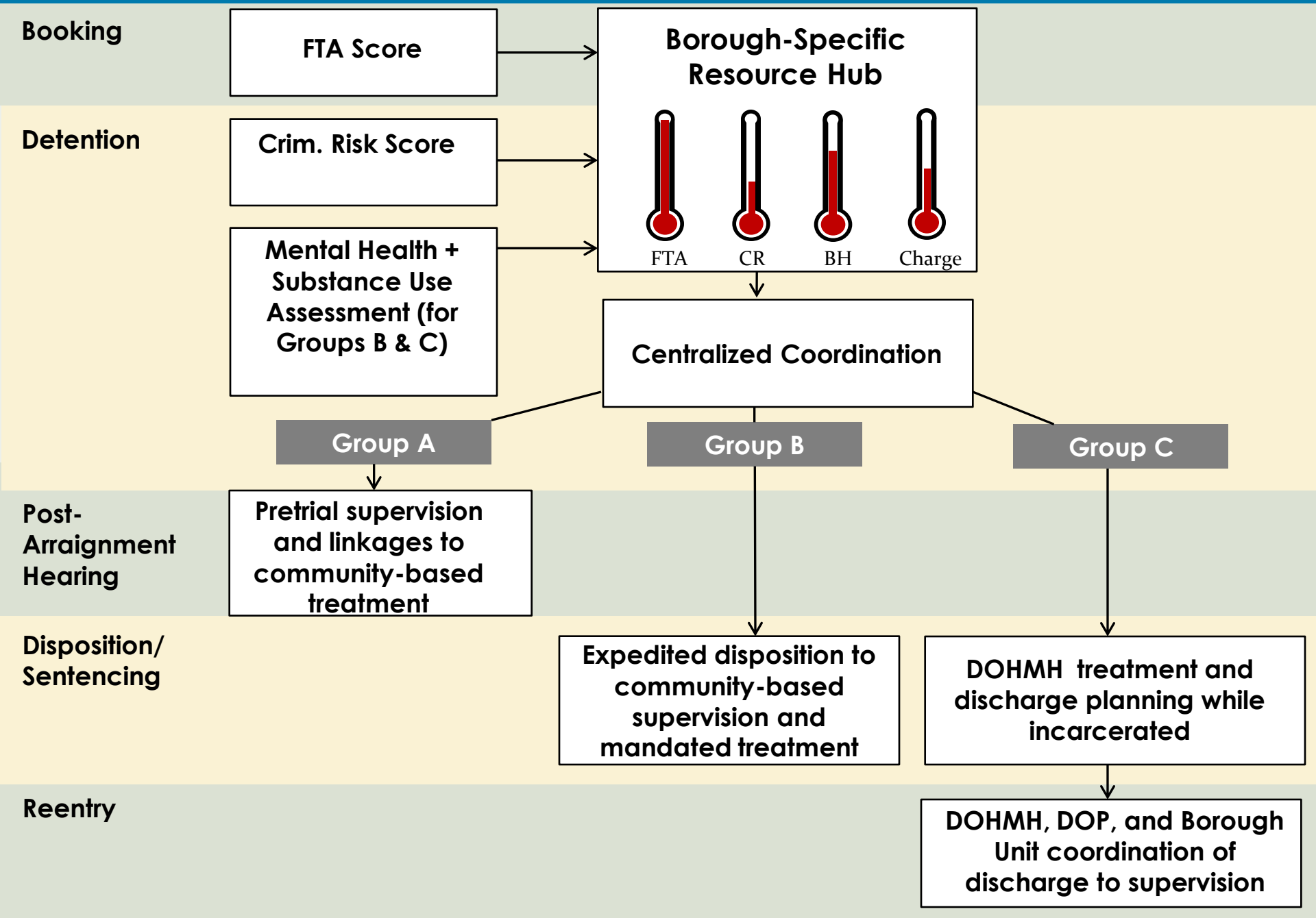


Post-adjudication:
Group C: Those who are appropriate for incarceration followed by post-release supervision and treatment in the community based on assessed risks and needs

Coordinate Assessments



Possible Systemic Approach



Presentation Overview

- The Challenge: Making the Most of Limited Resources
- To what extent are people under community supervision contributing to crime?
- **How do we maximize impact of investments in community based treatment?**
- What can the Sentencing Commission do?

Challenges Cited in JRI Application

High Rates of Recidivism

- 78% in comparison to a statewide average of 67.5%

Disproportionate Incarceration of African Americans

- 59.8% compared to 6.8% of the general population

Significant Proportion of Non-Violent, Non-Serious Offenders in State Prison

- Non-violent, non-serious offenders represent 65% of San Francisco's prison commitments

Source: Crime and Justice Institute. "Justice Reinvestment At The Local Level City and County of San Francisco, California." July 2012.

Sentencing Commission: Use Data to Drive Decision Making

- **Use data from arrest study (and continue data collection post realignment) to learn who under community supervision is driving arrest activity**
- **Analyze who (based on their risk and needs) is being assigned to what form of supervision and services, determine what difference those allocation of resources is making, and redesign system accordingly**
- **Identify what gaps in data exist that limit such an analysis and develop a plan to fill those gaps**

Thank you!

For additional information, please contact:

Hallie Fader-Towe
Program Director, Courts
hfader@csg.org

JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

---

www.justicecenter.csg.org