The San Francisco Sentencing Commission
City & County of San Francisco
(Administrative Code 5.250 through 5.250-3)

AGENDA
March 1, 2017
10:00 a.m. – 12:00 p.m.
Hall of Justice
District Attorney Law Library
850 Bryant Street Room 322
San Francisco, CA 94103

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

1. Call to Order; Roll call.

2. Public Comment on Any Item Listed Below (discussion only).

3. Review and Adoption of Meeting Minutes from December 4, 2016 (discussion & possible action).

4. Staff Report on Sentencing Commission Activities (discussion & possible action).

5. Recidivism Work Group updates (discussion only).

6. LEAD Work Group updates (discussion only).

7. Annual Review of San Francisco Sentencing Trends by Maria McKee, Office of the District Attorney (discussion & possible action).

8. Presentation on the Realignment Sentencing Trends by Tara Agnese, Adult Probation Department (discussion & possible action).

9. Presentation on Sentencing Reform in California and Public Safety by Professor Steven Raphael, Goldman School of Public Policy (discussion & possible action).

10. Adjournment.

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SUBMITTING WRITTEN PUBLIC COMMENT TO THE SAN FRANCISCO SENTENCING COMMISSION
Persons who are unable to attend the public meeting may submit to the San Francisco Sentencing Commission, 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 Sentencing Commission. Written comments should be submitted to: Tara Anderson Grants & Policy Manager, San Francisco District Attorney's Office, 850 Bryant Street, Room 322, San Francisco, CA 941023, or via email: tara.anderson@sfgov.org

MEETING MATERIALS
Copies of agendas, minutes, and explanatory documents are available through the Sentencing Commission website at http://www.sfdistrictattorney.org or by calling Tara Anderson at (415) 553-1203 during normal business hours. The material can be FAXed or mailed to you upon request.

ACCOMMODATIONS
To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact Tara Anderson at tara.anderson@sfgov.org or (415) 553-1203 at least two business days before the meeting.

TRANSLATION
Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For either accommodation, please contact Tara Anderson at tara.anderson@sfgov.org or (415) 553-1203 at least two business days before the meeting.

CHEMICAL SENSITIVITIES
To assist the City in its efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's web site at: www.sfgov.org/sunshine.

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Administrator
Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place,
San Francisco, CA 94102-4683.
Telephone: (415) 554-7724
E-Mail: soft@sfgov.org

CELL PHONES
The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Co-Chairs may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

LOBBYIST ORDINANCE
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance (SF Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco CA 94102, telephone (415) 581-2300, FAX (415) 581-2317, and web site http://www.sfgov.org/ethics/

Criminal Justice Research Resources

The listed agencies are not necesseraily endorsed by the Sentencing Commission. This inventory was created in response to the Sentencing Commission interest in engaging in research partnerships.

Institute	Focus	Support	Contact	Email
Abdul Latif Jameel Poverty Action Lab https://www.povertyactionlab.org/	Policy research, outreach, using scientific evidence and impact evaluations with related to poverty.	Supports the use of nonpublic administrative data for randomized evaluations. Provides general tips on how to obtain and use these data (in Stata). The catalog of key US data sets provides agency-specific information on how to request data.	617- 258-6368	info@povertyactionlab.org mgilmore@mit.edu
Berkeley Initiative for Transparancy in the Social Sciences http://www.bitss.org/	Focuses on connecting research to various social science depositories.	Publishes a pre-analysis plan to mitigate p-hacking or other researcher degrees of freedom. BITSS offers variety of potential solutions, such as incentives and policies, that can and should be tested to assess what works and what doesn't to change norms and practices.	510-642-4361	cega@berkeley.edu
BetaGov http://betagov.org/	Help policymakers and government agencies identify problems, develop innovative solutions, and test them using rigorous research methods.	BetaGov engages the experience, expertise, and initiative of our practitioner partners and their clients to help them identify local problems and develop local solutions.	646-308-1520	info@betagov.org
California Policy Lab http://capolicylab.berkeley.edu/	Produce scientific research and data storage	Provide technical assistance, fund APAs and research assistants working on projects involving governemnt agencies, build research partnerships with agencies, data sharing agreements, standardization, coding, data cleaaning, writing code to link across systems		Jesse Rothstein rothstein@berkeley.edu & Janey Rountree tvwachter@econ.ucla.edu
Center on Juvenile and Criminal Justice http://www.cjcj.org/index.html	Non-partisan mission to reduce incarceation paractices	Direct model service programs, state and county technical services, Sentencing Service Program (SSP), data-driven research and policy analysis.	415-621-5661	
Dataverse http://dataverse.org/	Data sharing, visibility and transparency for researchers and institutions, and promotes University collaboration.	Open source web application to share, preserve, cite, explore, and analyze research data.		support@dataverse.org
General Social Survey http://gss.norc.org/	Personal-interview survey designed to monitor changes in both social characteristics and attitudes currently being conducted in the United States.	Provides analysis and data; customizes subset of cases and/or variables from the GSS Data Explorer and the SDA.	773-256-6288	GSS2016@norc.org
Impact Justice http://impactjustice.org/	Focuses on formerly incarcerated services, restorative justice practices, and reducing incarceration	Information sharing, agency collaboration, national justice research collaboration and supports implementation.	510-899-5010	info@impactjustice.org
Institution for Social and Policy Studies (Yale) http://isps.yale.edu/	Interdsiciplinary social and policy research	Research support and field experimentation with randomized research designs with observations. Grants available.	203-432-3052	isps@yale.edu
North Carolina Education Research Data Center (Duke U.) https://childandfamilypolicy.duke.edu/research/nc-education-data-center/	Stores and manages data on states' public schools, students and teachers.	Developing and implementing evidence-based interventions, large sample research, tracking participants longitudinally, focus groups (and other qualitative strategies), developing web-based data collecting systems, management and analysis of large datasets.	919-613-9303	Beth Gifford beth.gifford@duke.edu
Pew Research Center http://www.pewresearch.org/	Independent research on U.S. politics and policy; journalism and media; internet, science and technology; religion and public life; Hispanic trends; global attitudes and trends; and U.S. social and demographic trends	Public Opinion polling, demographic research, content analysis, and data-driven social science research. Supports by collecting, synthesizing, and making sense of data and public opinion, providing context and information about the trends that are shaping the U.S. and the world.	202.419.4300	
Public Policy Institute of California http://www.ppic.org/main/home.asp	A nonprofit, nonpartisan think tank dedicated to informing and improving public policy in California through independent, objective, nonpartisan research.	Offers research support and experts related to policy work, evaluates policy goals and ways to meet them. PPIC provides camparative assessments of policy goals and strategies.	415-291-4471	Mia Bird bird@ppic.org
Public Policy Lab http://publicpolicylab.org/	Human-centered strategies, and designing policy for low income and at-risk communities.	Partners with federal and municipal agencies to research, design, and test new public services.	646-535-6535	info@publicpolicylab.org

Rhode Island Institute and Innovation Policy Lab (Brown University) http://riipl.org/	Focused on data analytics, economic evaluation and technical assistance to state agencies.	Smart policy consultancy program (place MPA students in various state agencies including Department of Health, Department of Labor and Training, Department of Human Services, Department of Education)	646-308-1520	http://riipl.org/contact/
Roper Center https://ropercenter.cornell.edu/	Public Opinion surveys (state and national)	Data sharing for topics including elections and politics, social issues, finances and the economy, education, health, international affairs, social movements and change, and historical events	607-255-8129	data-services@ropercenter.org
Texas Education Research Center (UT) https://research.utexas.edu/erc/	Have created linked longitudinal data sets involving confidential K-12, higher education, and workforce administrative records for the state of Texas. Data is stored on site.	Provides secure access to longitudinal data from a variety of sources and makes the necessary applications, tools, and other resources available to researchers for the investigation and evaluation of critical education policy issues.	512-471-4528	
The Burns Institute http://www.burnsinstitute.org/	Reducing disparity gaps and has researched disproportionate rates of youth incarceration.	Provides intensive site engagement: RAC Evaluation, Training for youth-serving agencies, and consultation to local jurisdictions on adressing racial/ethnic disparities. Provides raw data and published studies.	415-321-4100	info@burnsinstitute.org
Urban Institute http://www.urban.org/	Non-partisan research analyses and recommendations help expand opportunities for all people, reduce hardship among the most vulnerable, and strengthen the fiscal health of governments and effectiveness of public policies.	Engages community to gather and analyze data. Supports policymakers, community leaders, practitioners, and the private sector with academic and on-the-ground collaboration to diagnose problems and find solutions.	202-261-5283	externalaffairs@urban.org
Urban Lab, University of Chicago https://urbanlabs.uchicago.edu/	Focuses on crime, poverty, education, energy, health and urban leadership.	Program identification for large scale social change; science-based testing using data, randomized control trials research, and evidence-based parctices. Provides program research and evaluation.	773-834-4292	urbanlabs@uchicago.edu
Urban Strategies Council https://urbanstrategies.org/	Data sharing for equity and social justice.	Provides GIS/Mapping, research and analysis, focus groups, collaborative management.	510-893-2404	https://urbanstrategies.org/resources/data-requests/
Vera Institute of Justice https://www.vera.org/	Tackling consequences of mass incarceration, racial disparities, and the loss of public trust in law enforcement, to the unmet needs of the vulnerable, the marginalized, and those harmed by crime and violence.	Provide technical support, demonstration projects, and solution testing to non-profit, government agencies. Vera is known for their long time municipality support.	212-334-1300	contactvera@vera.org

MacArthur Innovation Fund Award Summary
In Support of the Justice Dashboard

The San Francisco Recidivism Workgroup was awarded a grant from the MacArthur Innovation Fund to support the development of a Justice System Dashboard (Justice Dashboard). The Justice Dashboard will be a web-based, self-service recidivism analysis tool. The user will be able to generate customized results by time period, intervention, sub-population, and recidivism measure (rearrest, re-arraignment, and reconviction). Ideally, the dynamic interface will serve both the government and the public at large to better understand key outcomes at all major decision points in the criminal justice system. Moreover, by regularly reviewing outcomes and isolating for demographic information such as gender, and race, the dashboard can serve as a tool for assessing progress toward reducing disparities in the system.

The project period extends through March 2018 and involves two key components: data analysis and dashboard design.

Strategy One, Recidivism Cohort Development: Conduct timely review of individual-level incarceration, supervision, and criminal justice contact data. Specific outcomes:
- Develop San Francisco recidivism study methodology and define key cohorts of interest;
- Complete mapping of relevant criminal justice data points across agencies (for inclusion in the cohort study);
- Execute data sharing agreements between agencies that will contribute data to the study;
- Summarize analysis and key findings of study, with an emphasis on jail impact.

Strategy Two, Dashboard Design: Develop a system for informed decision making linked to resource allocation. Specific outcomes:
- Develop protocols to govern review of both Justice Dashboard design and content by key criminal justice departments;
- Develop protocols to govern approval for the public facing Justice Dashboard, including process for responding to public information requests;
- Conduct a design sprint with partners from the tech community to generate design options for the public facing Justice Dashboard;
- Soft launch for internal Justice Dashboard;
- Integrate data review into the development of 2018-2019 department budgets;
- Launch public interface;
- Agree upon roles/responsibilities, next steps, and resources needed to fully launch and maintain both interfaces.

See Innovation Fund Timeline for more information about timelines and due dates for key project deliverables.

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Defining a San Francisco Recidivism Cohort
Key Questions

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Narrowing the Universe
What are the criteria that will determine if an individual will be included in the universe of interest for the recidivism study? It may be relevant to derive multiple cohorts, but need first to set the parameters for the full population of interest.

- **Original Conviction**: are we interested in felony convictions only?
  - How do collaborative courts fit?
- **Original Sentence**: does this include all sentences to some form of supervision (state prison, straight jail, split sentence, community supervision, etc.?)
- **Missing data**: omit individuals with missing data (sentence information, DOB, etc.)
- **Starting the Recidivism Clock**: generally speaking, the recidivism clock should begin post-sentence at the point of return to the community. This process is not universal, thus could include:
  - Out of custody and conviction sustained;
  - Released from jail, following conviction:
  - Release from state prison to PRCS.
- **Time Period of Release Window:** how long do we want to have the release "window" open? Recidivism studies often limit this window to approximately one year. It is important to note key sentencing changes in California law when defining this window, namely Public Safety Realignment & Prop 47.

Recidivism Window
Researchers typically consider recidivism in six-month, one-year, and three-year time frames. The recidivism window can be longer, with several measurements at key junctures as it is useful to understand the average length to failure. Particularly, this information can help inform policies that affect probation, post-release programming, etc. for example, the San Francisco Reentry Council found that the majority of probationers who fail do so within the first 18-months. As a result, San Francisco now sets length of probation based on assessed risk level, ranging from 15-months for low risk to 36-months for very high risk (with the possibility of early release at the 24-month mark).

- **Timeframe to measure recidivism:** one-year or longer? How do we account for differences in sentencing as a result of Prop 47 & Realignment in our analysis?
- **Junctures at which to measure recidivism:** at minimum, should include: 6-months, 12-months, and 18-moths.

Recidivism Event
San Francisco has developed a three-part definition of recidivism that includes: rearrest, rearraignment, and reconviction. The RWG has access to Cal-DOJ data, which allows us to include rearrest, rearraignment, and reconviction events that occur outside of San Francisco (in California).
- **Rearrest:** includes both custodial arrests and misdemeanor citations.
- **Rearraignment:** includes both filings and discharges to MTR.
- **Reconviction:** data provides sentencing information for the *three* most serious charges.

- For both rearraignment & reconviction, assume we are interested in the date of the arrest that led to a reconviction, not the reconviction date itself. This provides a more accurate survival rate and prevents individuals from "timing out", as often a conviction may occur outside the set recidivism window.
- A case that is still open at one of the measurement junctures will be listed as a rearrest and/or rearraignment only.

Individual Characteristics of Interest

An initial list of individual characteristics of interest are included below – what are additional attributes that should be captured in the analysis?

- **Gender:** (binary marker available)
- **Age**: at original[1] sentence? Or at point of release?
- **Race and ethnicity**
- **Crime type**: most severe crime included in original conviction. This is used to establish whether subsequent offenses are of greater, equal, or lesser severity.
- **Criminal history**: These should be categorized - i.e. first conviction, previous conviction, two or more prior convictions
- **Risk Level:** is this possible to ascertain from COMPAS?

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[1] For the purposes of this study, original refers to the conviction that preceded an individual's release that starts the recidivism clock.

San Francisco Recidivism Workgroup
An Initiative of the San Francisco Sentencing Commission

I.   Overview

The San Francisco Sentencing Commission passed a motion to convene a Recidivism Workgroup on December 18, 2014. The Workgroup is comprised of representatives from a cross-section of City and County departments and an academic researcher. The goals of the Workgroup are to:

- Recommend a recidivism definition for San Francisco that includes multiple measures;
- Design and pilot a cohort study to better understand outcomes across all defined recidivism measures in San Francisco;
- Establish protocols for data collection, review, and analysis to enable San Francisco to standardize and institutionalize the tracking of recidivism outcomes;
- Develop a plan for dissemination of this information to City and County departments and the public.

II.   Guiding Principles

The Recidivism Workgroup is guided by the four steps outlined in Ryan King's presentation to the Sentencing Commission to improve recidivism as a performance measure: [1]

- **Definition:** Utilize multiple indicators of success carefully calibrated to the outcomes intended to measure.
- **Collection:** Develop protocols to ensure recidivism data collections are consistent, accurate, and timely.
- **Analysis:** Utilize statistical techniques that account for the underlying composition of the population being studied.
- **Dissemination:** Package recidivism findings succinctly to maximize impact and disseminate to key decision makers to influence policy and practice.

III.   Completed

The Recidivism Workgroup has convened several times over the past few years, with four meetings in 2016. Below is a summary of the key accomplishments achieved in pursuit of the overall goals.

Develop a Recidivism Measure for San Francisco
In an effort to standardize measurement of and operationalize responses to recidivism in the city, the Sentencing Commission approved a multi-component definition of recidivism that allows all criminal justice agencies to monitor key points of 'subsequent criminal justice system contact.' This shift away from a singular definition of recidivism to 'subsequent criminal justice system contact' is a means to create a cohesive understanding between City and County departments, while maintaining individual department mandates and reporting requirements. San Francisco will track and report outcomes on three measures: rearrest, rearraignment, and reconviction.

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[1] King, Ryan and Brian Elderbroom. "Improving Recidivism as a Performance Measure." Urban Institute. October 2014. Available at: https://www.bja.gov/Public.ations/UI-ImprovingRecidivism.pdf.

Table One: Subsequent Criminal Justice System Contact Measures

Subsequent Contact	Measurement	Policy Implications
Rearrest	First instance of arrest after an inmate is released from state prison or local custody.	System input that can inform enforcement, supervision, and clinical strategies.
Rearraignment	First arraignment after release.	Provides opportunity to track subsequent use of court and custody resources.
Reconviction	First conviction after release.	Most commonly accepted subsequent contact point used by California state agencies for measuring recidivism. This ultimate case outcome is the most resource intensive subsequent system contact.

Survey of State and National Recidivism Cohort Studies

The Workgroup analyzed a cross-section of recidivism studies conducted by government agencies, think tanks, and academic researchers. This survey elucidated the key decision points that San Francisco needs to answer in defining its cohort, such as cohort and recidivism window. A matrix of sample recidivism cohorts can be found in **Appendix I.**

Average Monthly Sentences to County Supervision

To help define the cohort, the Workgroup analyzed 18-months[2] of data for dispositions that resulted in county supervision or jail time.[3] This analysis was undertaken to help members better understand court disposition trends, crime type, racial/ethnic and gender breakdowns, APD supervision type, and COMPAS risk score. However, this analysis was restricted to what was available through Damion, the DA's internal case management system, and some questions were not answered. The following trends were evident from the analysis:

- County Jail with Probation was the most frequent disposition that resulted in some form of supervision (73%).
- Males comprise the majority of the sample (85%).
- The most common crime type is DUI (20%), followed by Assault (10%), and Drug (8%).

San Francisco Data Source Mapping

San Francisco will rely upon multiple agencies and data systems to obtain the necessary information to create the cohort study. The below table summarizes the key data point, data source, authority, and rationale for each event that will be captured in the study.

Table Two: Data Source Mapping

Event	Data Points	Data Source	Lead	Rationale
Recidivism Window Opens	(1) Out of custody and conviction sustained	Court Management System (CMS)	CMS Committee	Defines cohort
	(2) Release from jail, following conviction	Jail Management System (JMS)	Sheriff	
	(3) Release from state prison to PRCS	Adult Probation Files	Adult Probation	
Rearrest	(4) Arrest in San	DAMION	SFDA	Represents law

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[2] The time period captures cases with disposition dates between January 1, 2015 and June 30, 2016.

[3] The Workgroup does not have access to identified state data; thus restrained the analysis to dispositions whose outcome was measurable. [Note: amend if we do get DOJ data to state we did not expect access to this information at the time the analysis was conducted].

(includes both custodial arrests & misdemeanor citations)	Francisco			enforcement activity
	(5) Arrest in California (outside of San Francisco)	California Law Enforcement Telecommunication System (CLETS)	CA DOJ	
Rearraignment (includes both new filings and discharges to MTR)	(6) Arraignment for a new charge	DAMION	SFDA	Represents court activity
Reconviction	(7)Convicted of a new crime in San Francisco	CMS	CMS Committee	Impacts number in jail or on supervision
	(8) Convicted of a new crime in California (outside of San Francisco)	Rap sheets outside of SF, CLETS	Cal DOJ	

IV.   In Process

The Recidivism Workgroup has several tasks remaining to fulfill its mandate. Each item includes an estimated timeline and required participants.

Cohort Design – Timeline and Next Steps

The Recidivism Workgroup plans to present its initial cohort analysis at the June 2017 Sentencing Commission meeting. The necessary steps and assigned responsibilities to ensure completion prior to June are highlighted below. However, these are subject to change due to funding and resource ability. The Sentencing Commission staff will provide an update on progress at the March 2017 Commission meeting.

- **Methodology:** Sentencing Commission Fellow, with support from Steve Raphael and Tara Anderson, is developing a guide of key questions and considerations for jurisdictions undertaking a recidivism analysis. This document will be completed by February 2017 and circulated to Workgroup members for review and input.
- **Data:** The Recidivism Workgroup currently has two data options:
    PPIC Data: PPIC has offered to return San Francisco's clean and identified recidivism data[4] used in the Multi-County Study (MCS). Additionally, PPIC hopes to provide San Francisco with summary level DOJ data for its residents, including recidivism rates by county. The estimated timeline is early 2017, but subject to change.
    - **CMS & JMS Data:** as an alternative, programming support from a trusted academic partner, such as UC Berkeley, can match CMS and JMS records to create the dataset necessary for the cohort.
- **Cohort Design:** The Recidivism Workgroup will convene in February 2017 to agree upon cohort design, using the developed methodology questionnaire. The cohort(s) will be designed by the end of March 2017.

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[4] PPIC received data from both CMS and JMS.

▪ **Recidivism Analysis:** The recidivism analysis will be conducted in April 2017. The Workgroup will convene in May to review results prior to presentation at the June Commission meeting.

Recidivism Dashboard Design

The Recidivism Dashboard is a collaborative data sharing project between local criminal justice agencies. Ultimately the Dashboard will be a web-based, self-service criminal justice system outcome analysis tool. The user would be able to customize the tool by time period, intervention, sub-population, and recidivism type. Ideally the dynamic interface will serve both government and the public at large to understand key outcomes at all major decision points in the criminal justice system. Moreover, by regularly reviewing outcomes and isolating for demographic information such as gender, and race, the dashboard can serve as a tool for assessing progress toward reducing disparities in the system.

The foundational work performed by the Recidivism Workgroup will inform the Dashboard design. Separately, as noted in the previous section, the Workgroup will use both internal and external expertise to develop the recidivism cohorts, which will populate the Dashboard. Additionally, Adult Probation (APD), as the convener of the San Francisco Reentry Council will serve to ensure that equity measures integrated into the Recidivism Dashboard align with the objectives of San Francisco's Justice Reinvestment Initiative priority focus on reducing racial and ethnic disparities in the criminal justice system.

The Oregon Criminal Justice Commission (CJC) created a statewide Recidivism Dashboard that offers a potential model for San Francisco.[5] The Tableau dashboard is easily accessible online and users can toggle different details to see outcomes for specific cohorts of interest (see picture below). The Recidivism Workgroup also learned PPIC plans to create local dashboards with the MCS data to help counties visualize and manipulate their own data. Similarly, PPIC plans to use Tableau to host this platform. The Recidivism Workgroup will continue to coordinate with PPIC to better understand if their platform can be manipulated to achieve the objectives of the Recidivism Dashboard.

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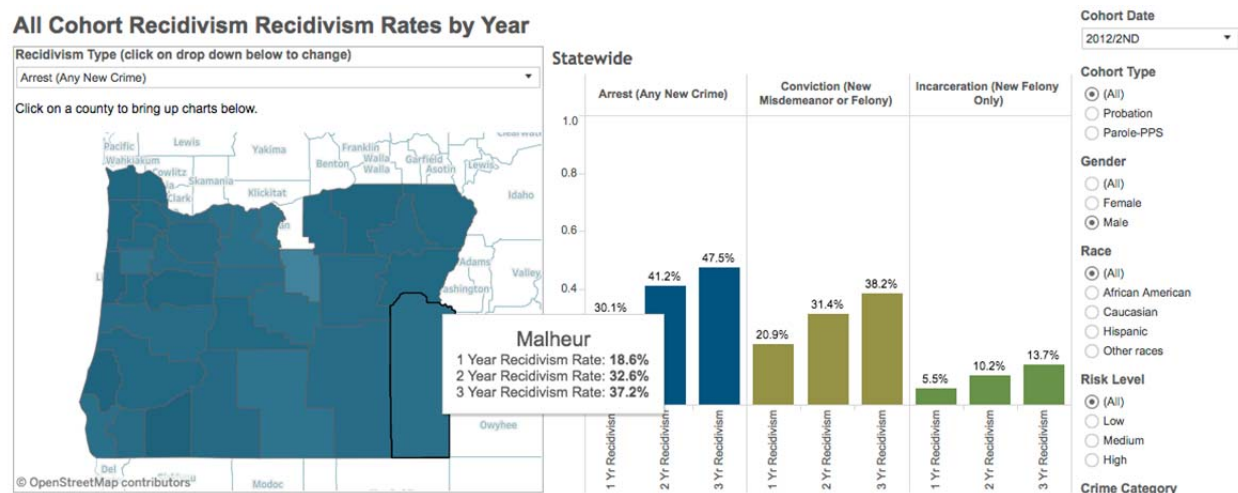
[5] The Oregon Recidivism Dashboard can be accessed at: http://www.oregon.gov/cjc/data/Pages/recidivism.aspx

Appendix I: Methodology Snapshot

Study	Cohort	Recidivism Event	Recidivism Window
California Department of Corrections and Rehabilitation: 2015 Outcome Evaluation Report	All felons who were released from the Division of Adult Institutions (DAI) in FY 2010-11 The cohort includes inmates who were: • released to parole for the first time on their current term; • directly discharged from CDCR; and • released to parole on their current term prior to FY 10-11, returned to prison this term, and then re-released during FY 10-11.	Defined as a conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction"	This report measures recidivism at one-, two-, and three-year intervals.
United States Sentencing Commission: Recidivism Among Federal Offenders	The cohort includes federal offenders who: • are citizens; • who re-entered the community after discharging their sentences of incarceration or by commencing a term of probation in 2005; • whose pre-sentence investigation report was submitted to the Commission; • who were not reported dead, escaped, or detained; and • whose federal sentence was not vacated.	Utilizes the three measures of rearrest, reconviction, or reincarceration; includes all recidivism events (felonies, misdemeanors, and "technical" violations of the conditions of supervision), except for minor traffic offenses.	Eight-year follow up, reporting the following: • time to first recidivism event; • median number of recidivism events; and • the most serious post-release event.
PPIC: Is Public Safety Realignment Reducing Recidivism in California	Focuses on recidivism among those released from the state prison system, excluding 1170(h) felons, broken down as follows: • Group One: State inmates released between 10/1/09 & 9/30/10 • Group Two: inmates released under state parole supervision between 10/1/09 & 9/30/10. Offenders who would have been eligible for PRCS, but were released in the year before 10/1/11, spent part of the one-year observation period under the old parole system and part under the new system. • Group Three: post-realignment, released between 10/1/11 and 6/1/12, supervised either by state parole or PRCS.	Rearrest, felony and misdemeanor reconvictions, and returns to prison.	One year tracking period.
Virginia Department of Corrections Annual Recidivism Report, 2014	Cohort is comprised of State Responsible (SR) releases, which includes all Virginia felons who are sentenced to an incarceration period of one year of more and were released from SR incarceration. Note: recidivism measures for those under community supervision are under development and not included in the report.	VA utilizes rearrest; reconviction resulting from a rearrest that occurs within the specified time period; and SR re-incarceration within the specified time period	Three years, with multiple measurements taken between the 6- and 36-month markers.

San Francisco Criminal Case Statistics

Superior Court of California, County of San Francisco

San Francisco District Attorney's Office

March 1, 2017

I. Superior Court:
Felony Filings, 1992-2016

MIR 4541- Felony Filings 1992-2016

Total # Felony Filings per Year

Year	Value
1992	9745
1993	8491
1994	7887
1995	7441
1996	8389
1997	7770
1998	8058
1999	7607
2000	7006
2001	6825
2002	7556
2003	6659
2004	6338
2005	6701
2006	6075
2007	6675
2008	7459
2009	6886
2010	6054
2011	4966
2012	4104
2013	3813
2014	3435
2015	3255
2016	3699
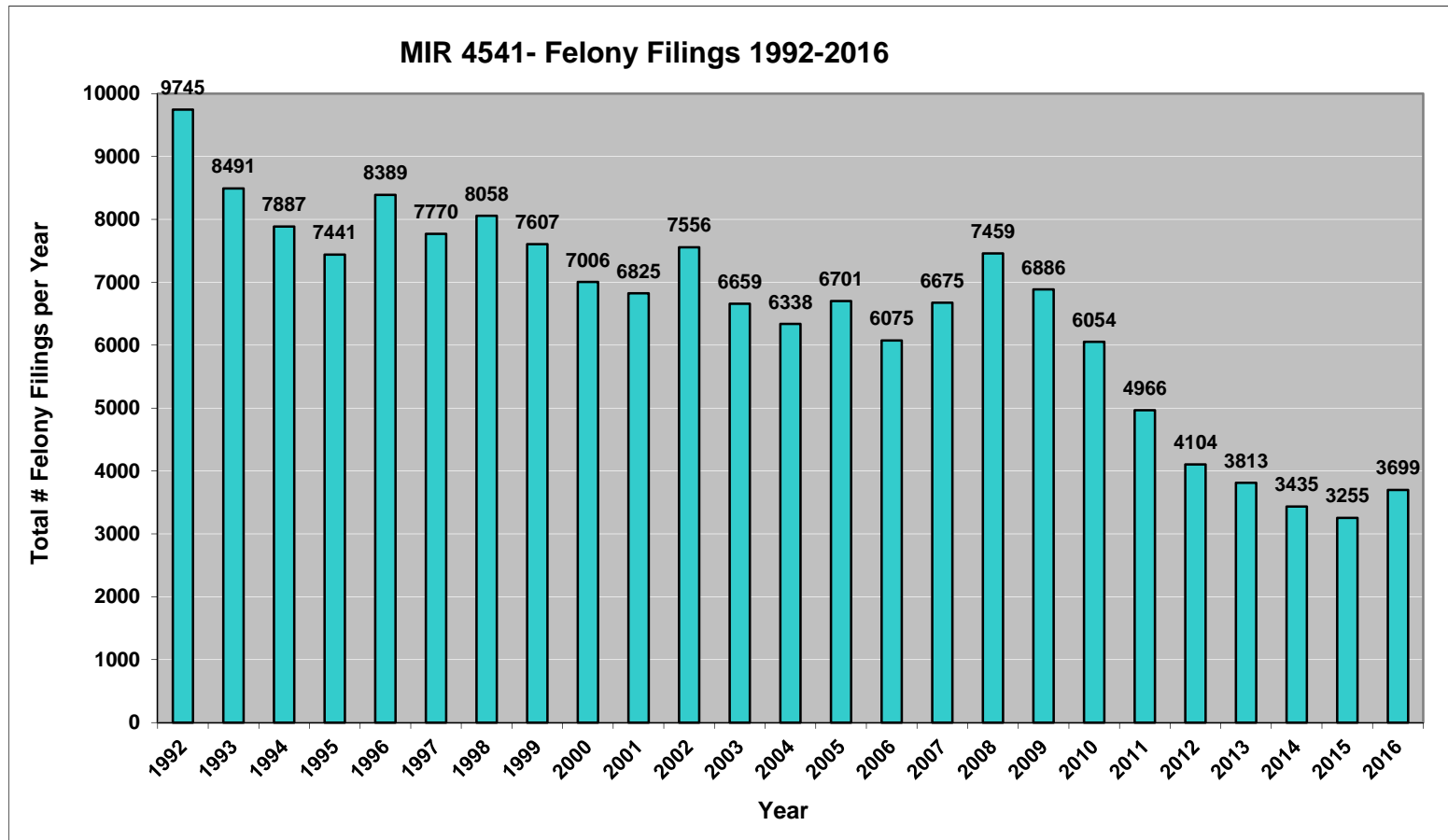
Source: CMS; Unit: Court Numbers

II. San Francisco District Attorney's Office: Felony Incident Filing, 2014-2016 (Incident Numbers)

Felony Arrest Incidents Presented & Filed
2014-2016

Legend: Felony Arrests Presented ▮ | Felonies Filed ▮ | ─●─ Charge Rate

Year	Felony Arrests Presented	Felonies Filed	Charge Rate
2014	9200	4366	47%
2015	7668	3882	51%
2016	7546	4078	54%

Source: DAMION; Unit: Incident Numbers

3
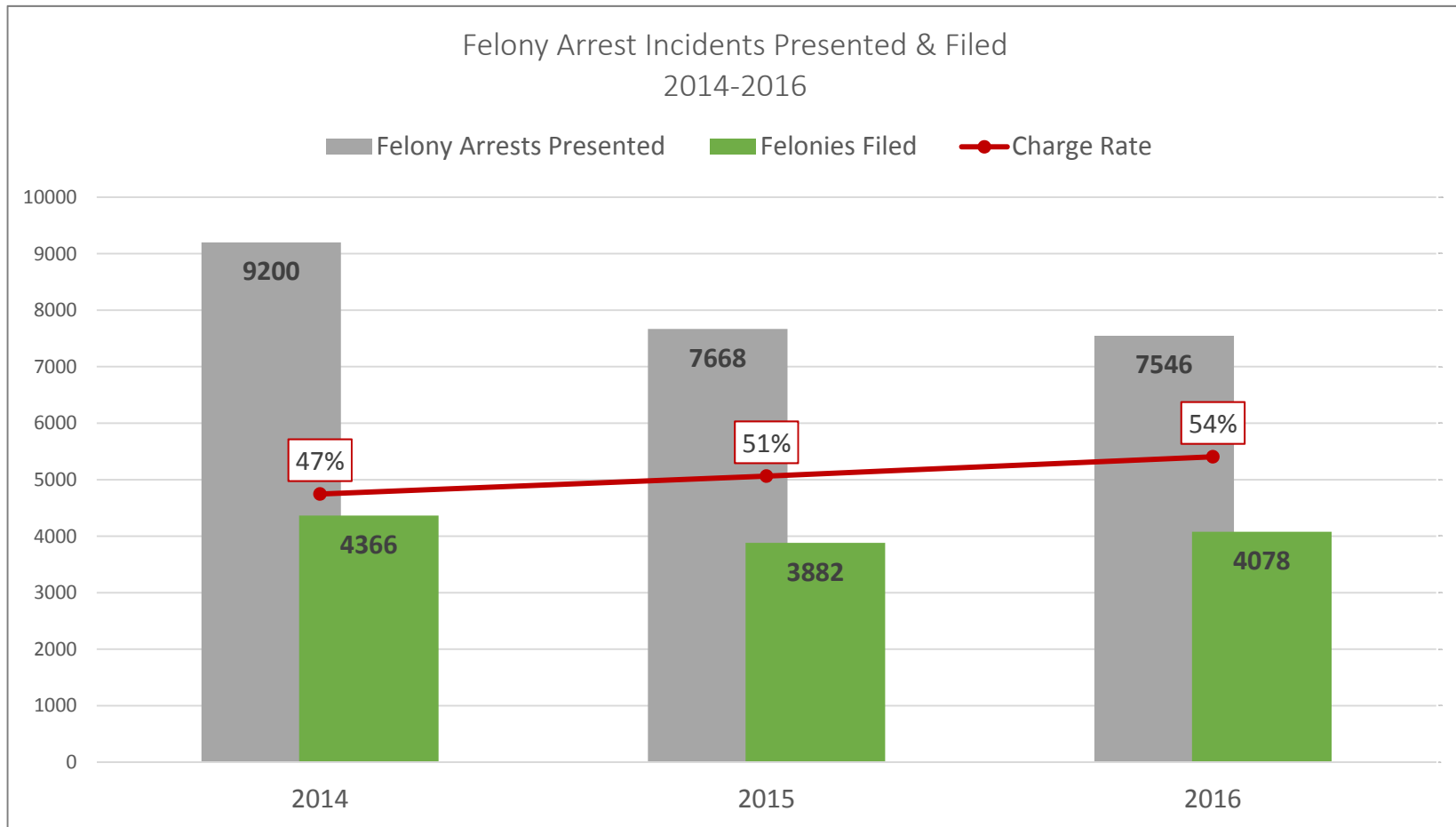
III. San Francisco District Attorney's Office: Incoming Caseload, 2014-2016

SFDA Incoming Filings (Court Numbers)
Felony, Misdemeanor, MS/MTR Filings, 2014-2016

	2014	2015	2016
MS/MTR Filings	1,322	1,097	1,194
Misd. Incoming	3,075	3,289	3,230
Felony Incoming	3,261	3,153	3,479
Total Incoming	7,658	7,539	7,903
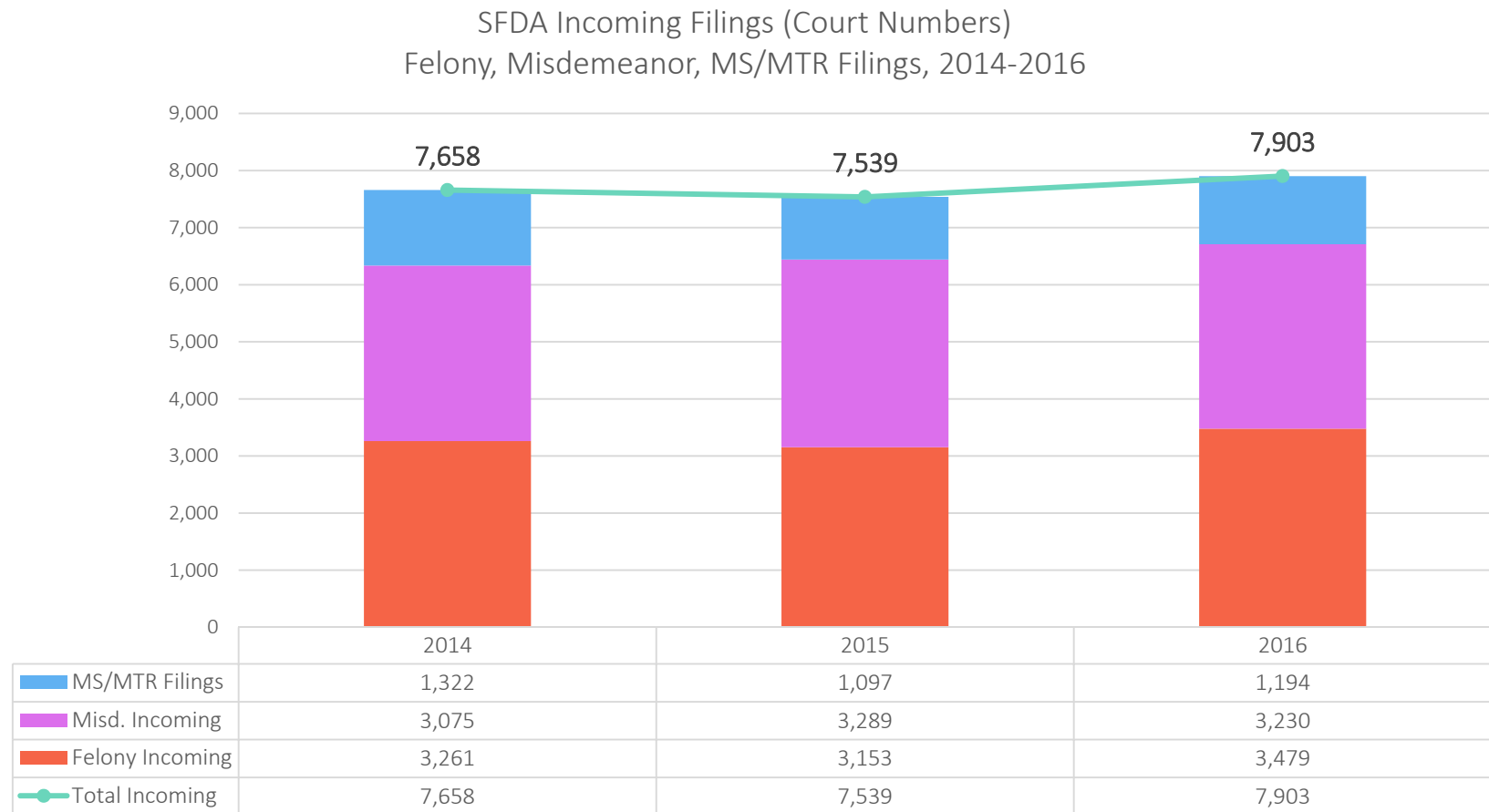
Source: DAMION; Unit: Incident Numbers

IV. Superior Court:
Felony Sentencings, 1992-2016

MIR 4538/4539 - Felony Sentencings, 1992-2016

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Prison Commitments	2364	2766	2268	1738	1310	866	931	964	790	542	580	521	654	632	770	726	937	942	808	609	308	286	242	236	268
Felony Probation Grants	3336	3984	2934	2241	2566	2271	2147	2187	1987	1942	2285	2392	2031	2101	2214	2268	2614	2510	1845	1849	1172	1067	959	798	830
1170h Jail Only	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	13	12	17
1170h Split	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	44	78	64	64

Source: CMS; Unit: Court Numbers

5

V. Superior Court:
Felony Sentencing, Probation vs. Prison %, 1992-2016

MIR 4538/4539 - Felony Sentencing, 1992-2016
Prison and Probation, as % of Total Sentencings

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Prison Commitments	41.474	40.978	43.599	43.679	33.798	27.606	30.247	30.593	28.448	21.82	20.244	17.885	24.358	23.125	25.804	24.248	26.387	27.289	30.456	24.776	20.811	20.284	18.731	21.261	22.731
Probation Grants	58.526	59.022	56.401	56.321	66.202	72.394	69.753	69.407	71.552	78.18	79.756	82.115	75.642	76.875	74.196	75.752	73.613	72.711	69.544	75.224	79.189	75.674	74.226	71.892	70.399

Source: CMS; Unit: Court Numbers

6

VI. San Francisco District Attorney's Office: Time to Conviction, 2015-2016

Days to Conviction, Pleas & Trials, Felony & Misdemeanor Cases 2015 vs 2016

Average Days to Conviction (arrest to disposition)

■ 2015 ■ 2016

4% increase — Felony Case Days: 235 (2015), 245 (2016)

15% increase — Misdemeanor Case Days: 188 (2015), 217 (2016)

Source: DAMION

7
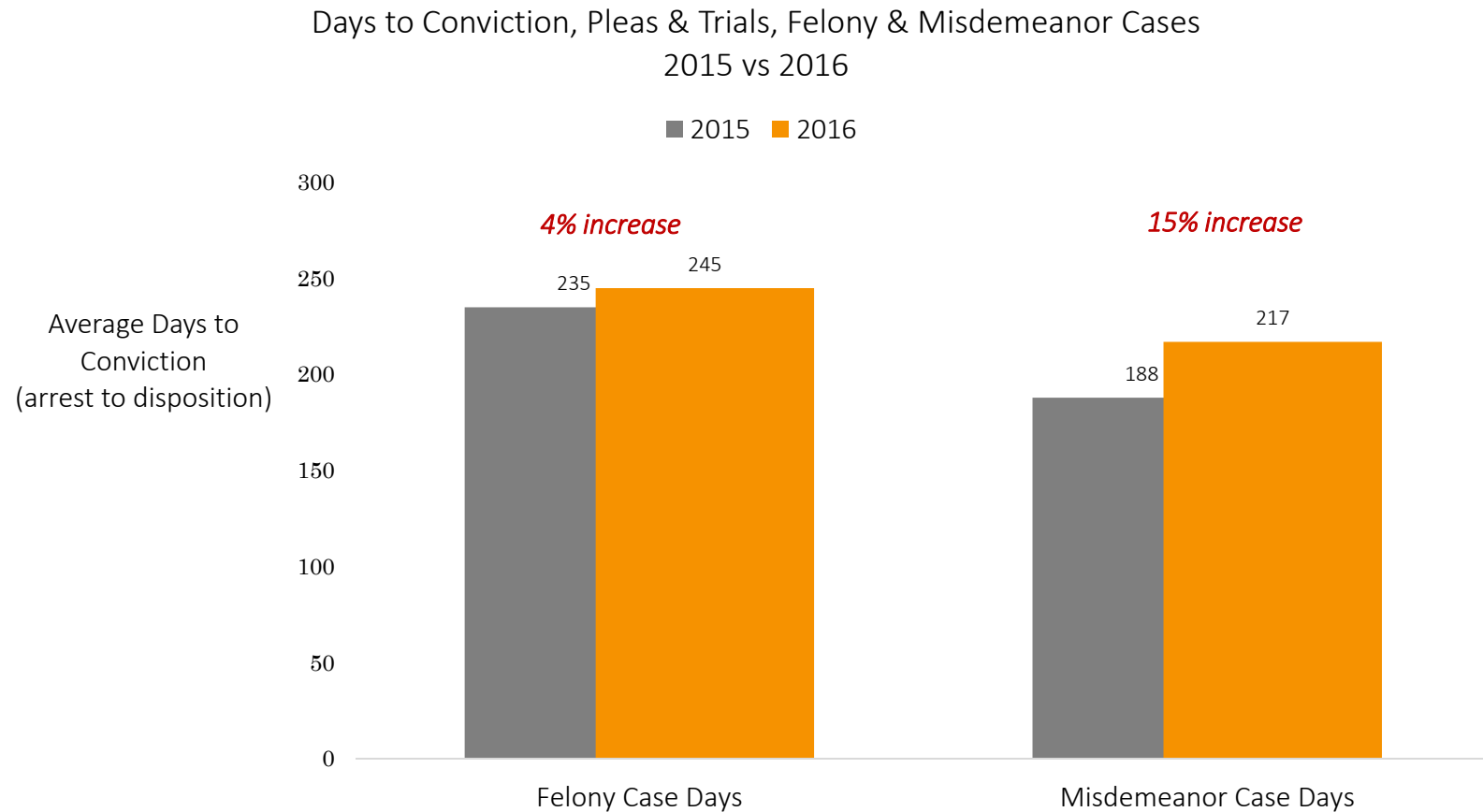
VII. San Francisco District Attorney's Office: Felony Trials, 2015-2016

Felony Trials, 2015-2016 (By Defendant)

	2015	2016
Not Guilty	10	15
Dismissed	0	1
Mistrial	19	23
Plea-Felony	1	3
Guilty	73	59
Total Defendants Tried	103	101
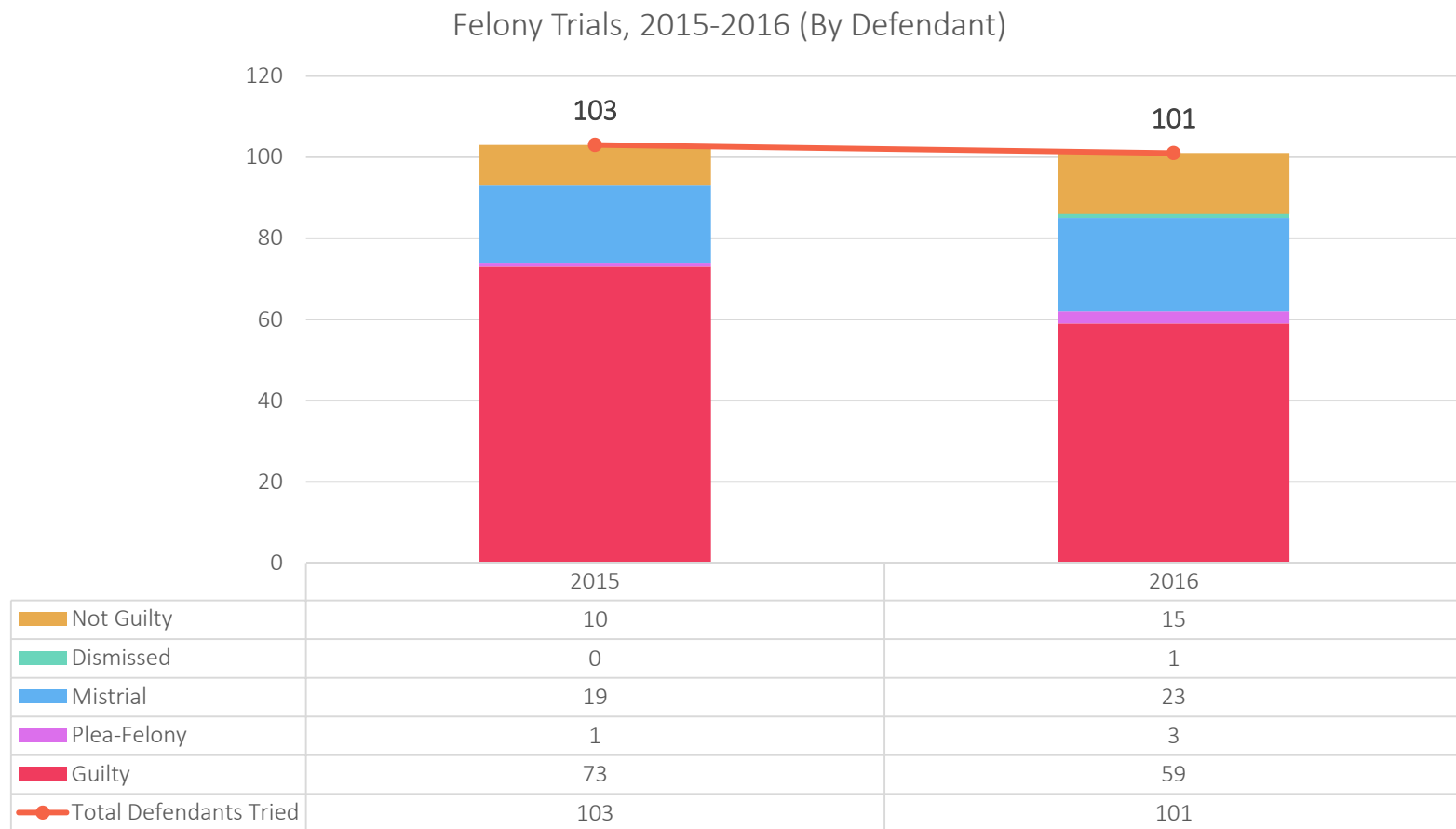
Source: DAMION; Unit

VIII. San Francisco District Attorney's Office: Misdemeanor Trials, 2015-2016

Misdemeanor Trials, 2015-2016 (By Defendant)

	2015	2016
Not Guilty	21	25
Dismissed	2	1
Mistrial	21	26
Plea-Felony	2	1
Guilty	116	133
Total Defendants Tried	162	186

Source: DAMION; Unit

9
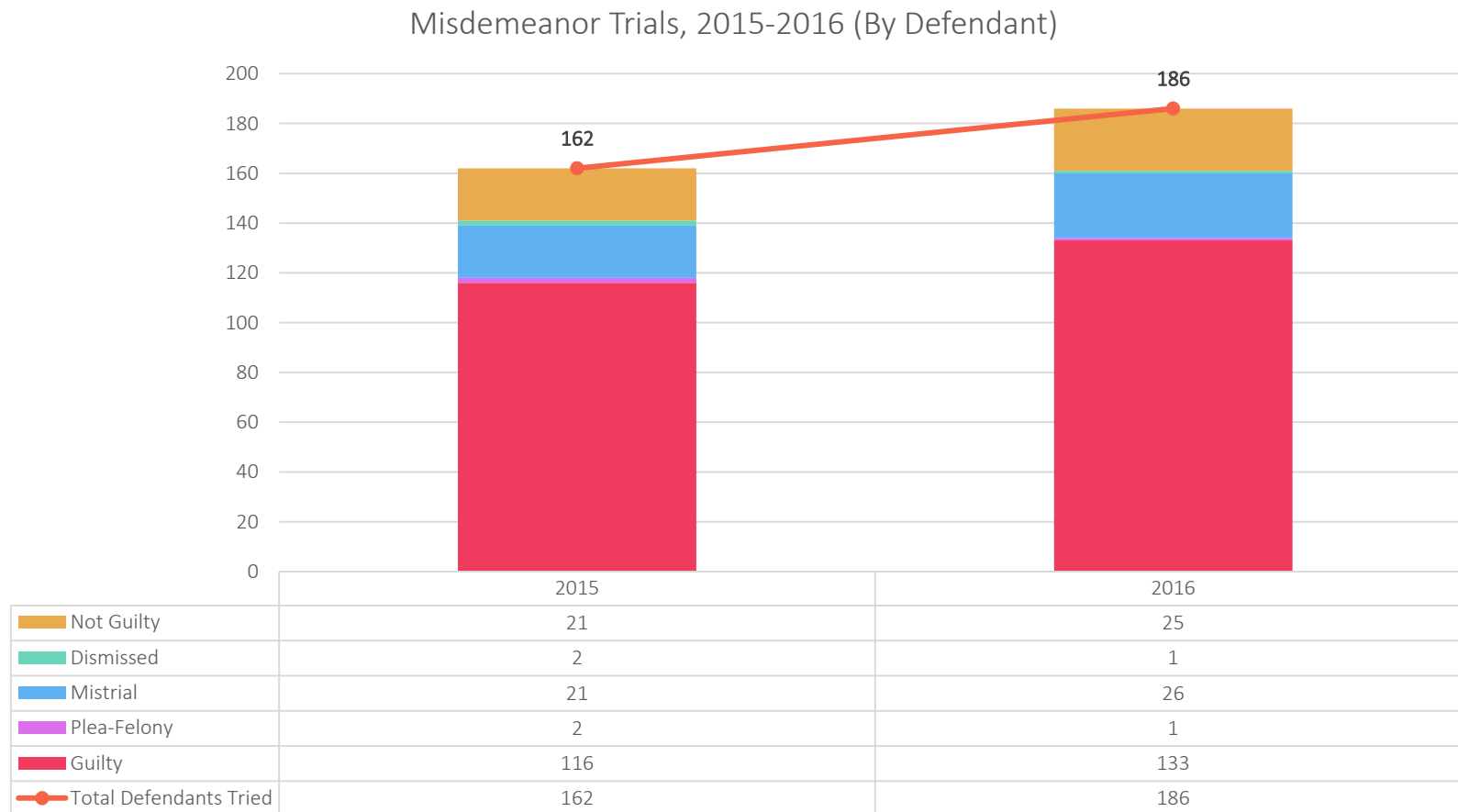
Sentencing Reform in California and Public Safety

Steven Raphael

Goldman School of Public Policy

University of California, Berkeley

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## Provisions of Assembly Bill 109 (California Realignment)

- Non-sexual, non-violent, non-serious (triple nons) felons will serve terms in county jail rather than state prison.

- Triple nons currently serving time are monitored post-release under the Post Release Community Supervision program administered by counties. Technical violation will result in short jail terms but not returns to state prison.

- Nearly all parole revocations are now served in county jail with a maximum of 180 days.

- Enables greater use of non-custodial alternatives for both pre-trial and convicted jail inmates (primarily electronic monitoring).

Figure 1: Weekly Admissions to California State Prisons, October 2010 through May 2013
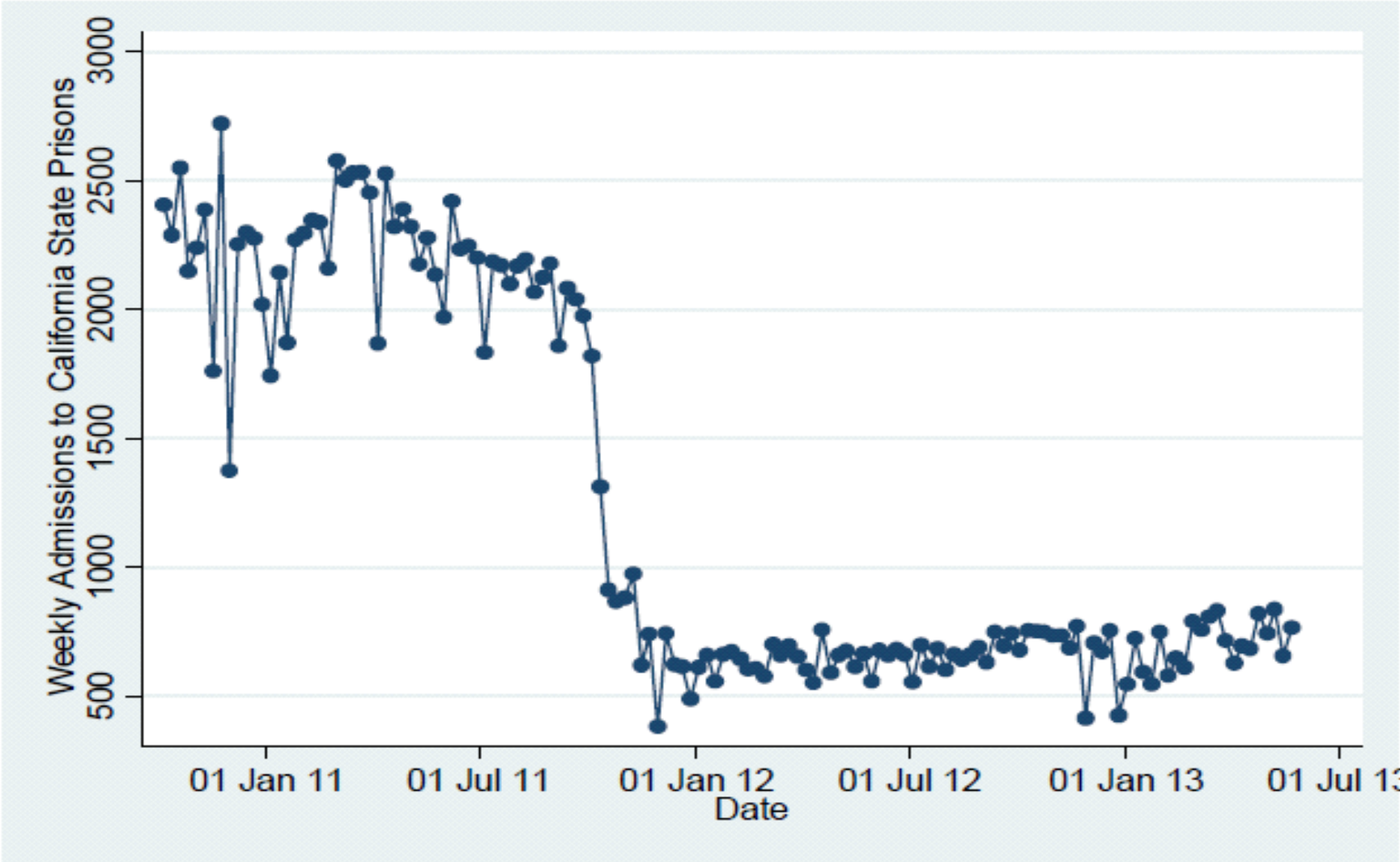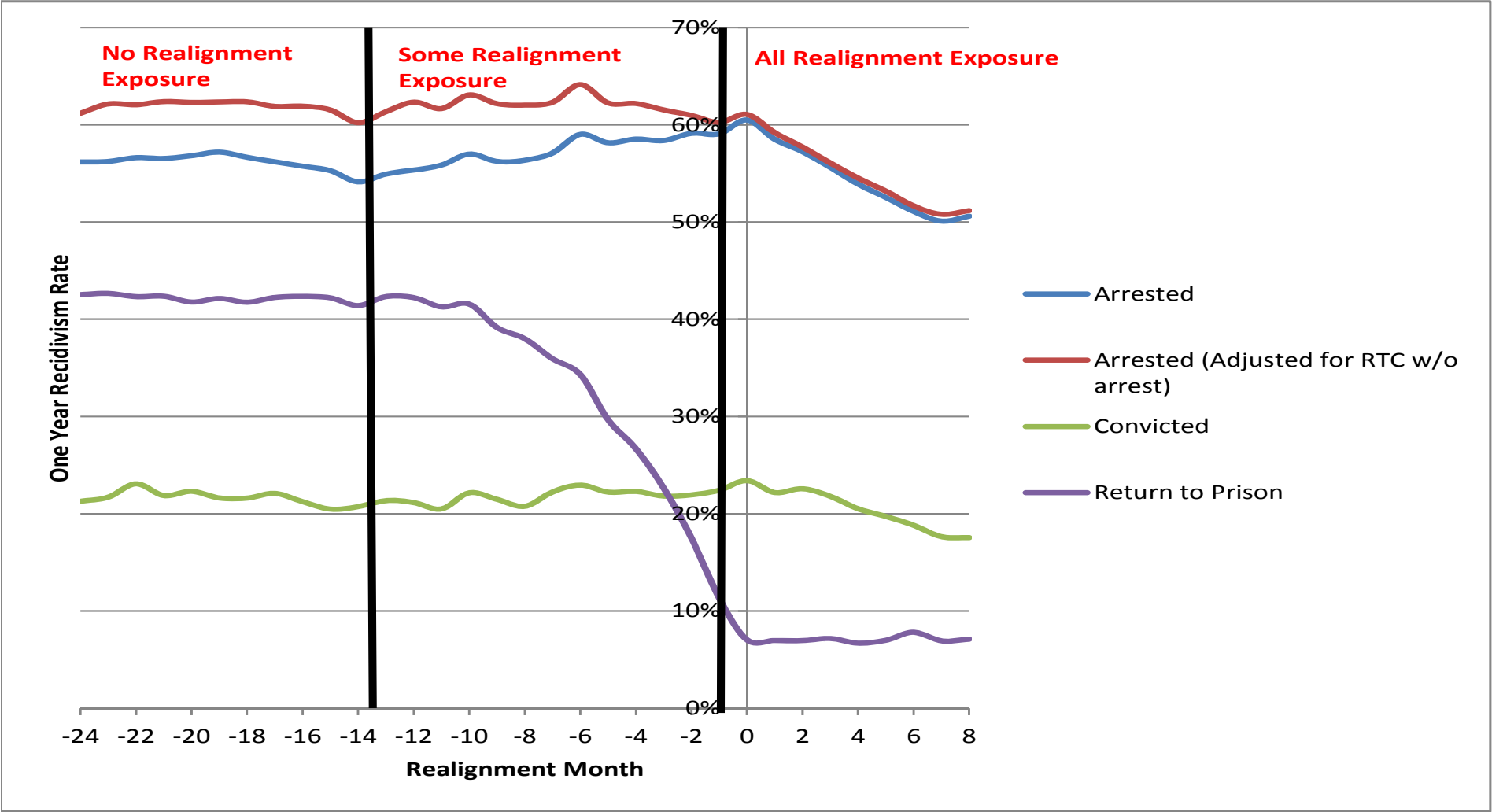
Figure 2: Weekly Releases from California State Prisons, October 2010 through May 2013
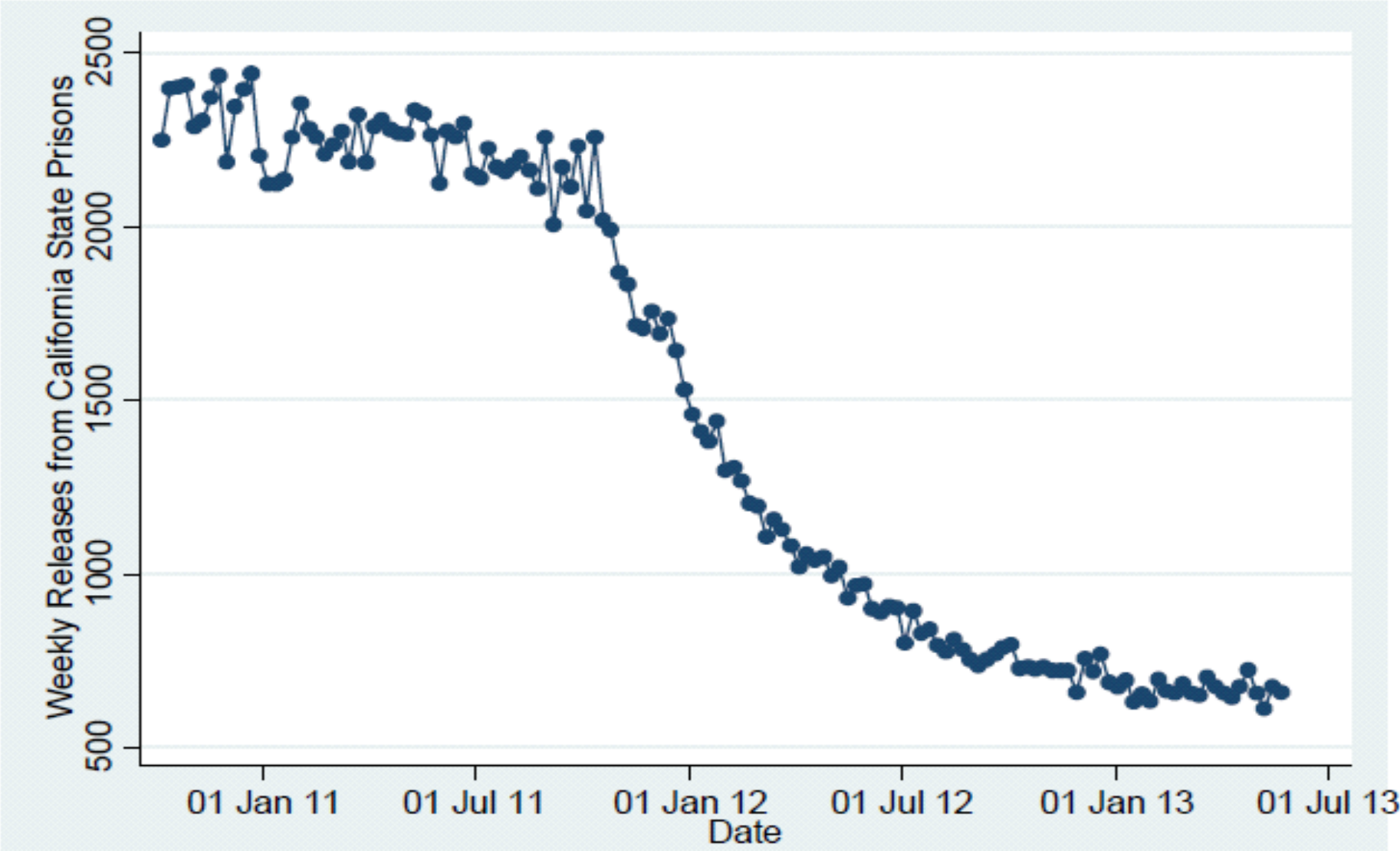
Figure 4.
Observed recidivism outcomes point towards lower recidivism rates

SOURCE: Authors' calculations based on individual level administrative data provided by CDCR.

NOTE: The figure presents recidivism outcomes for groups of prison releases defined by month of release

Provisions of proposition 47

- Passed by 60 percent of California voters
- Reclassified various drug offenses from felonies or wobblers (crimes that can be charged as felonies or misdemeanors) to misdemeanors.
- Requires misdemeanor sentencing for petty theft, receiving stolen property, and forgery/writing a bad check (offenses with amounts less than $950).

Prop 47 and Felony and Misdemeanor Drug Arrests
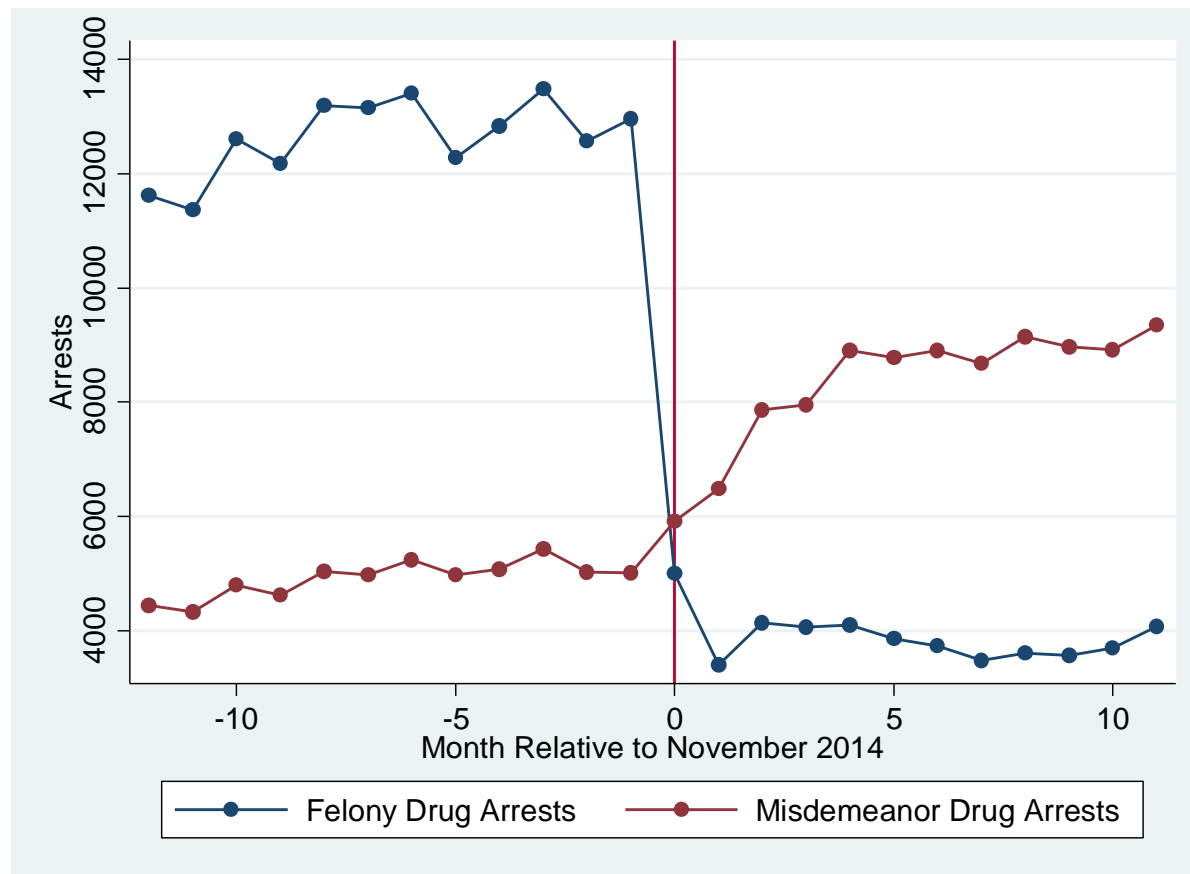
Prop 47 and All Drug Arrests
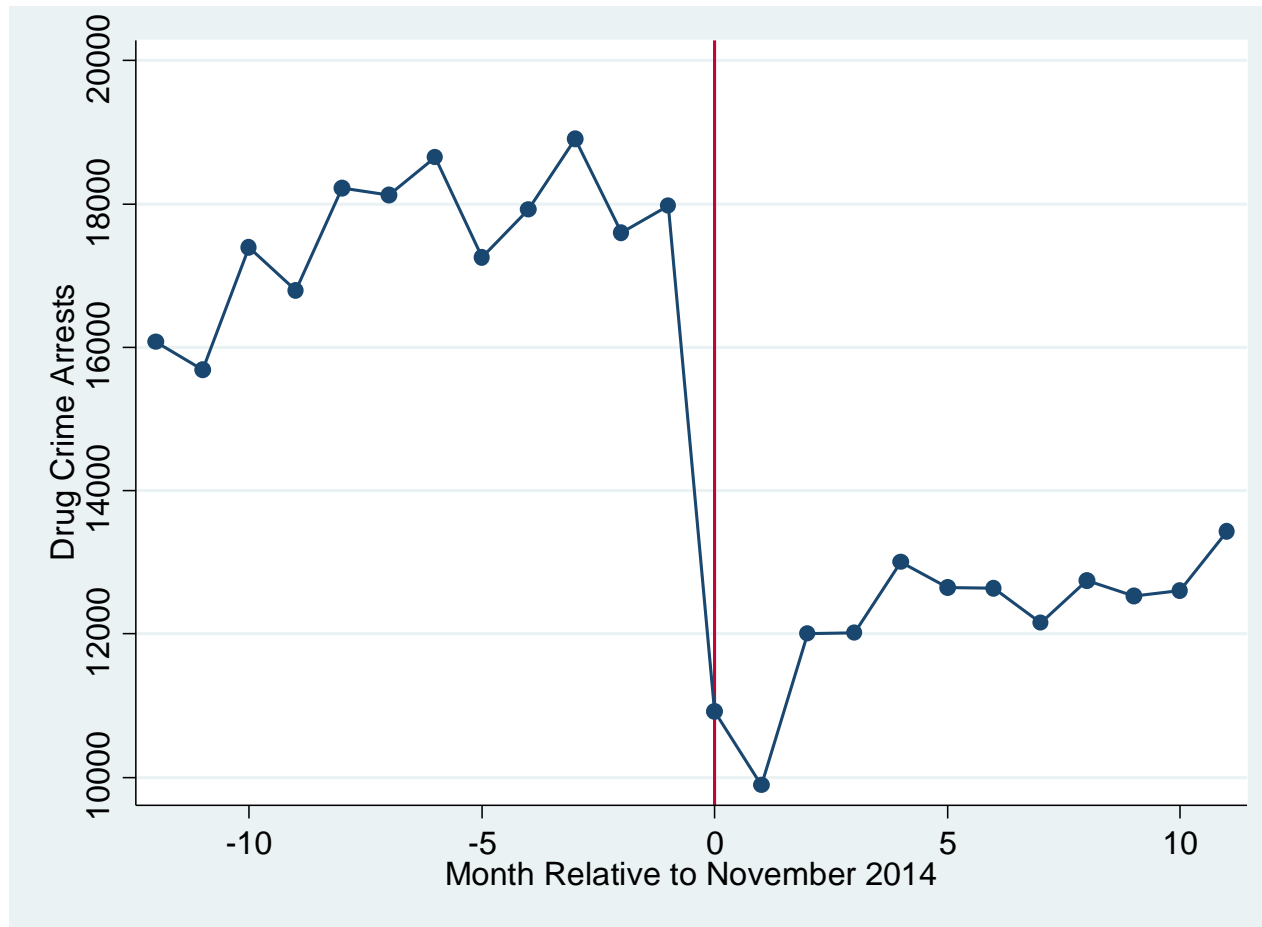
Prop 47 and Felony and Misdemeanor Property Crime Arrests
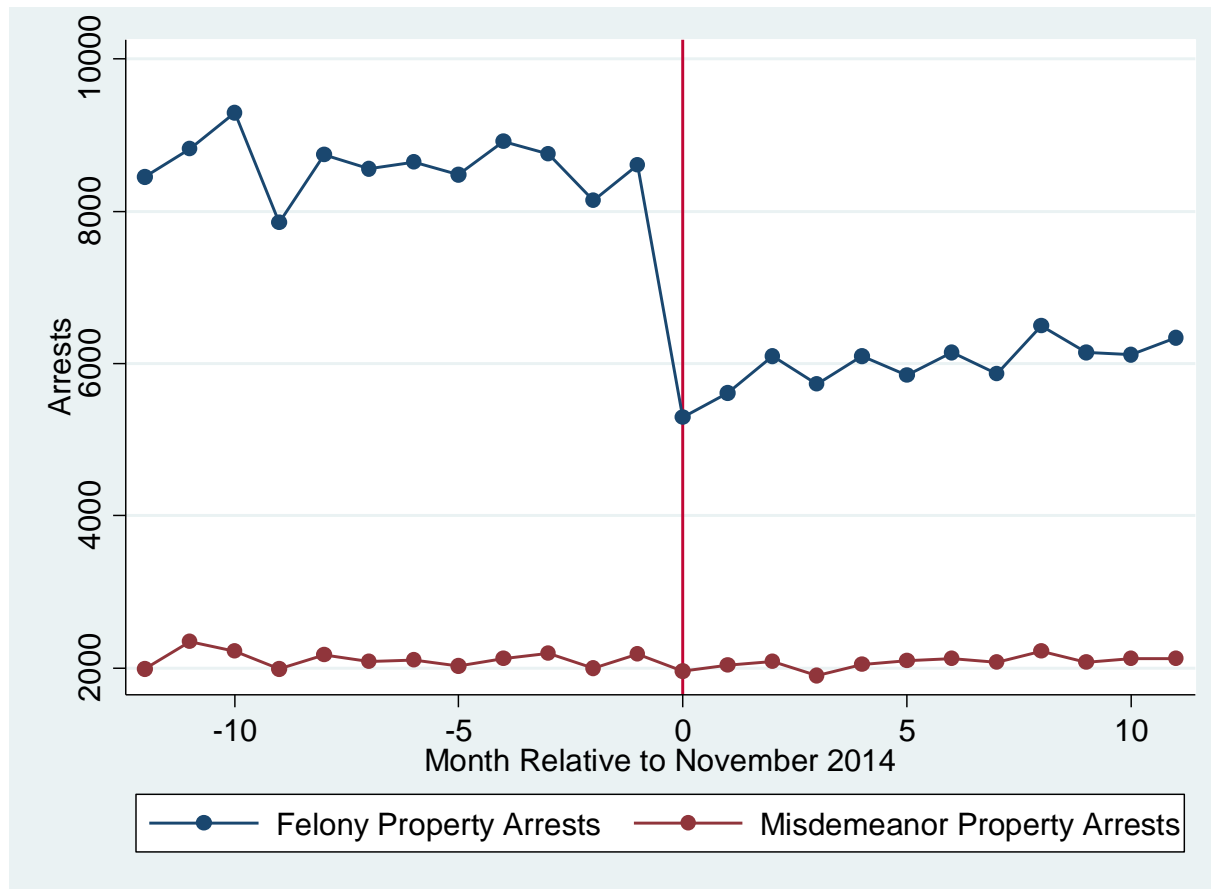
Prop 47 and Total Property Crime Arrests
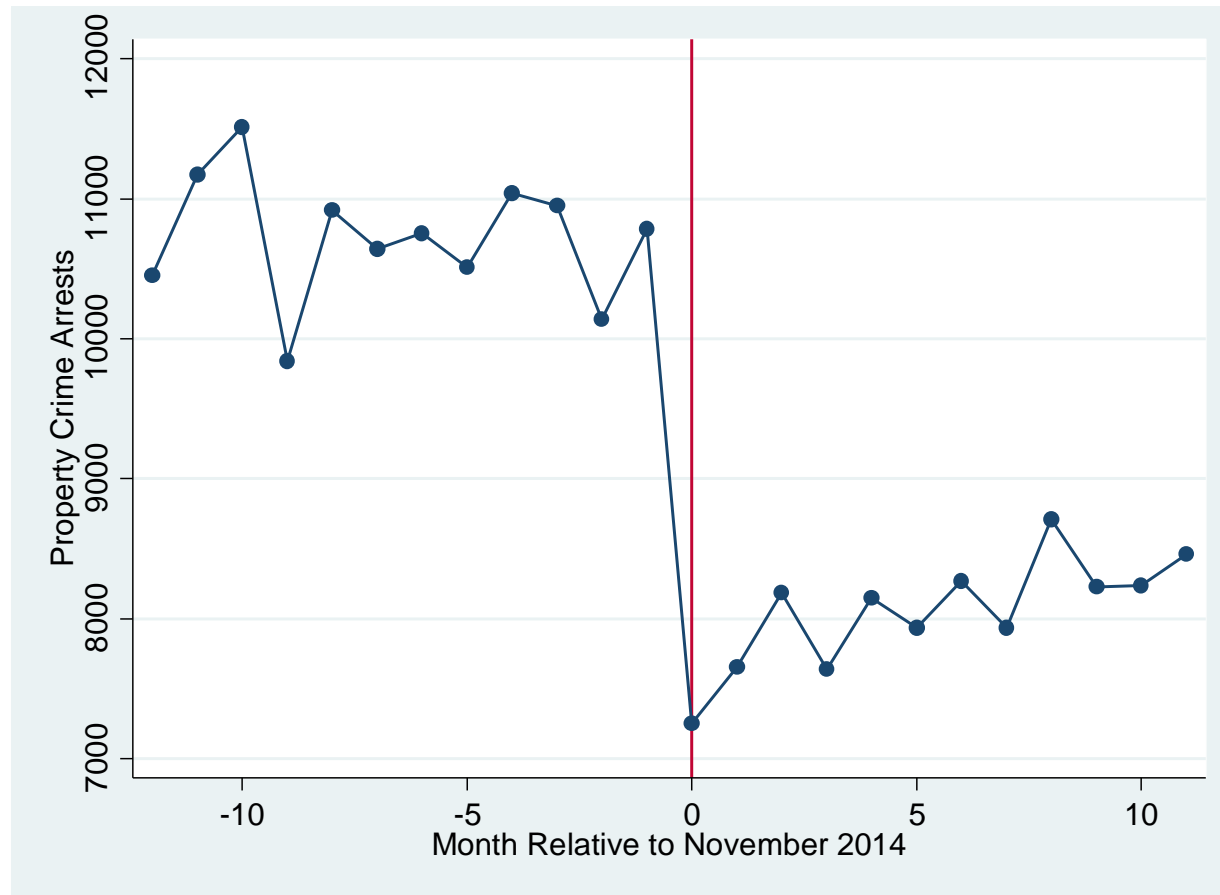
Effects on prison and jail population

- Realignment: large decline in prison population with partial offsetting increase in jail populations.

- Proposition 47: declines in both prison and jail populations.

California Prison Inmates vs. Week Relative to October 5, 2011

Total Inmates, 2009 through 2015
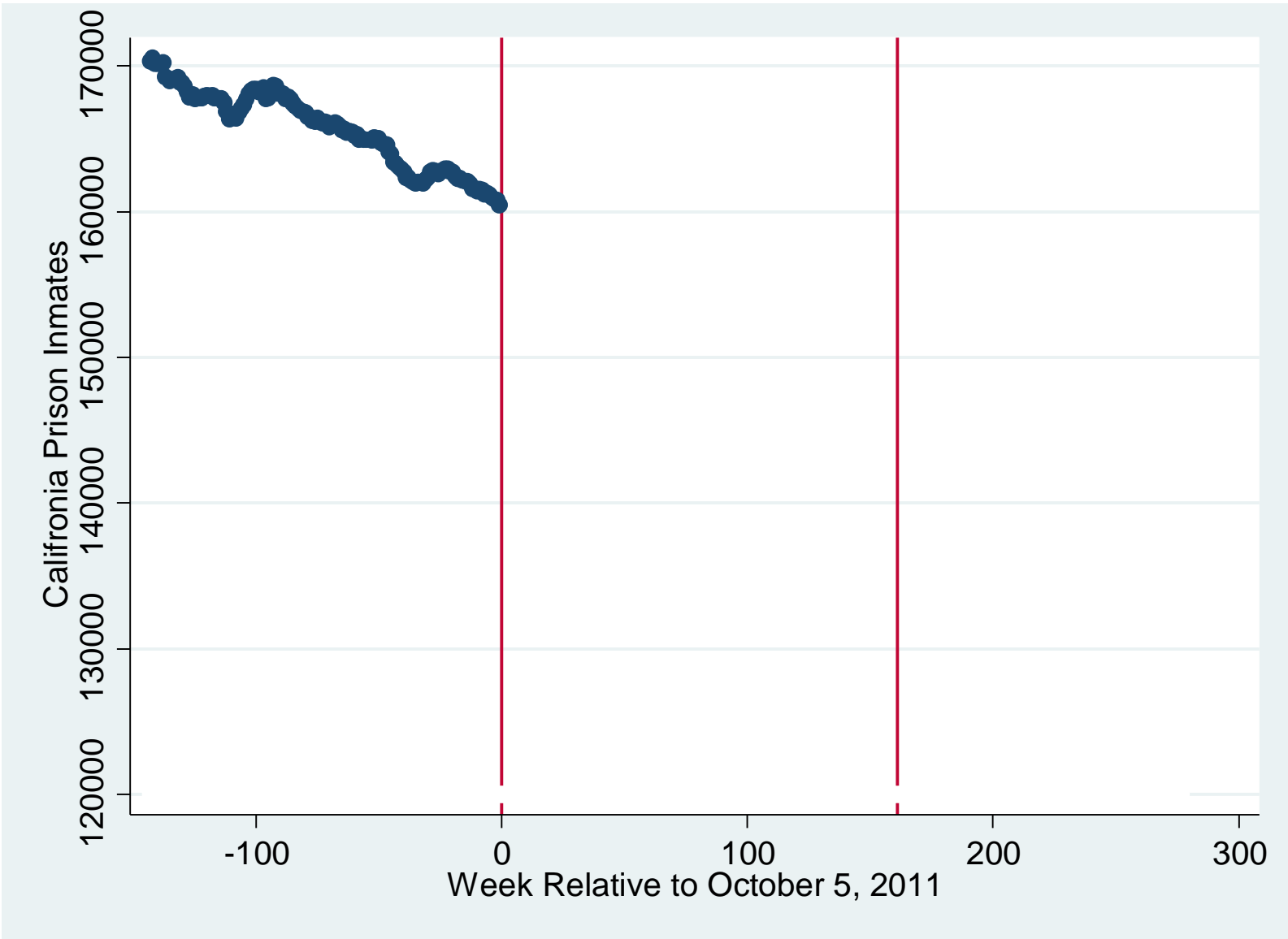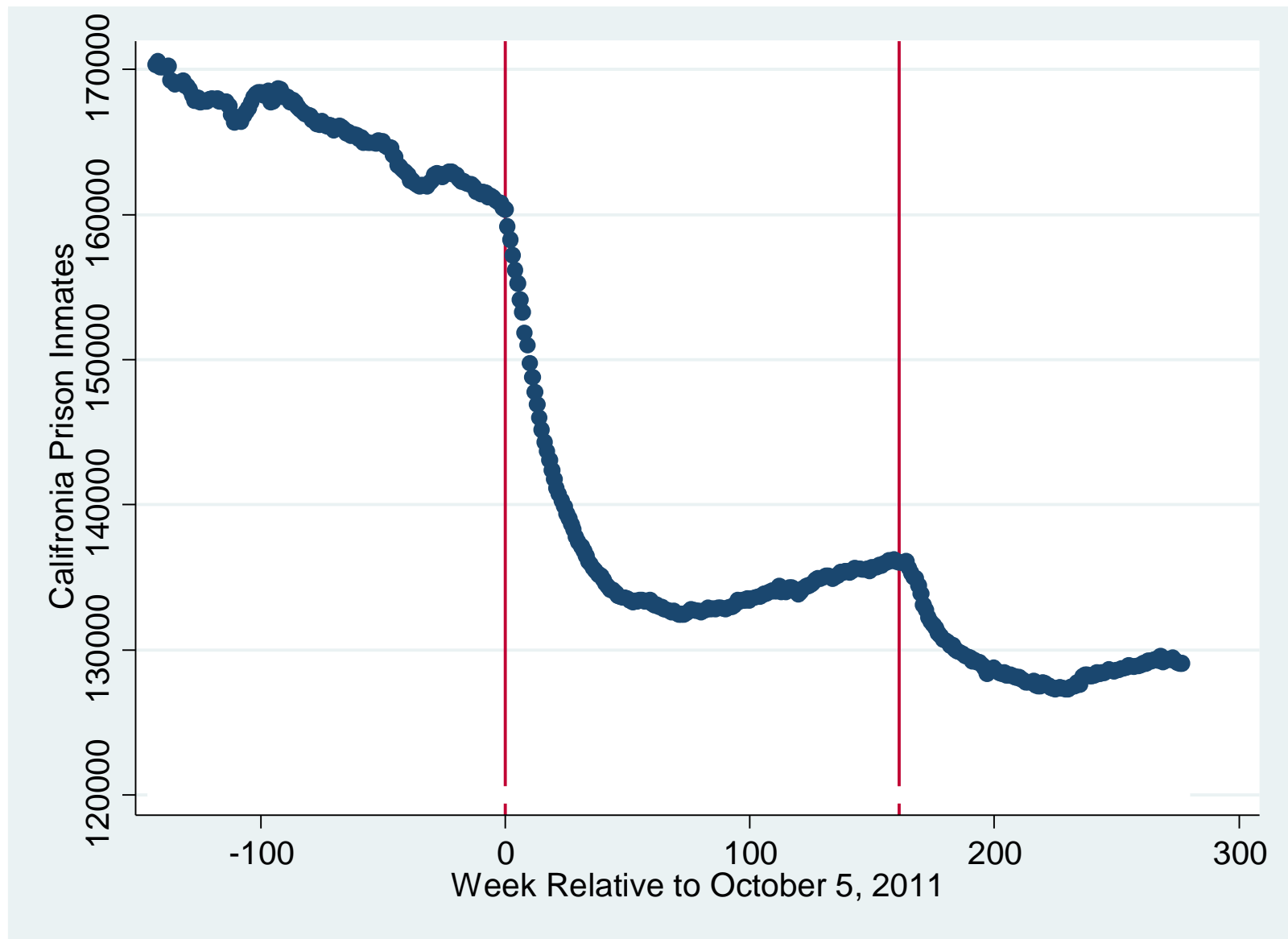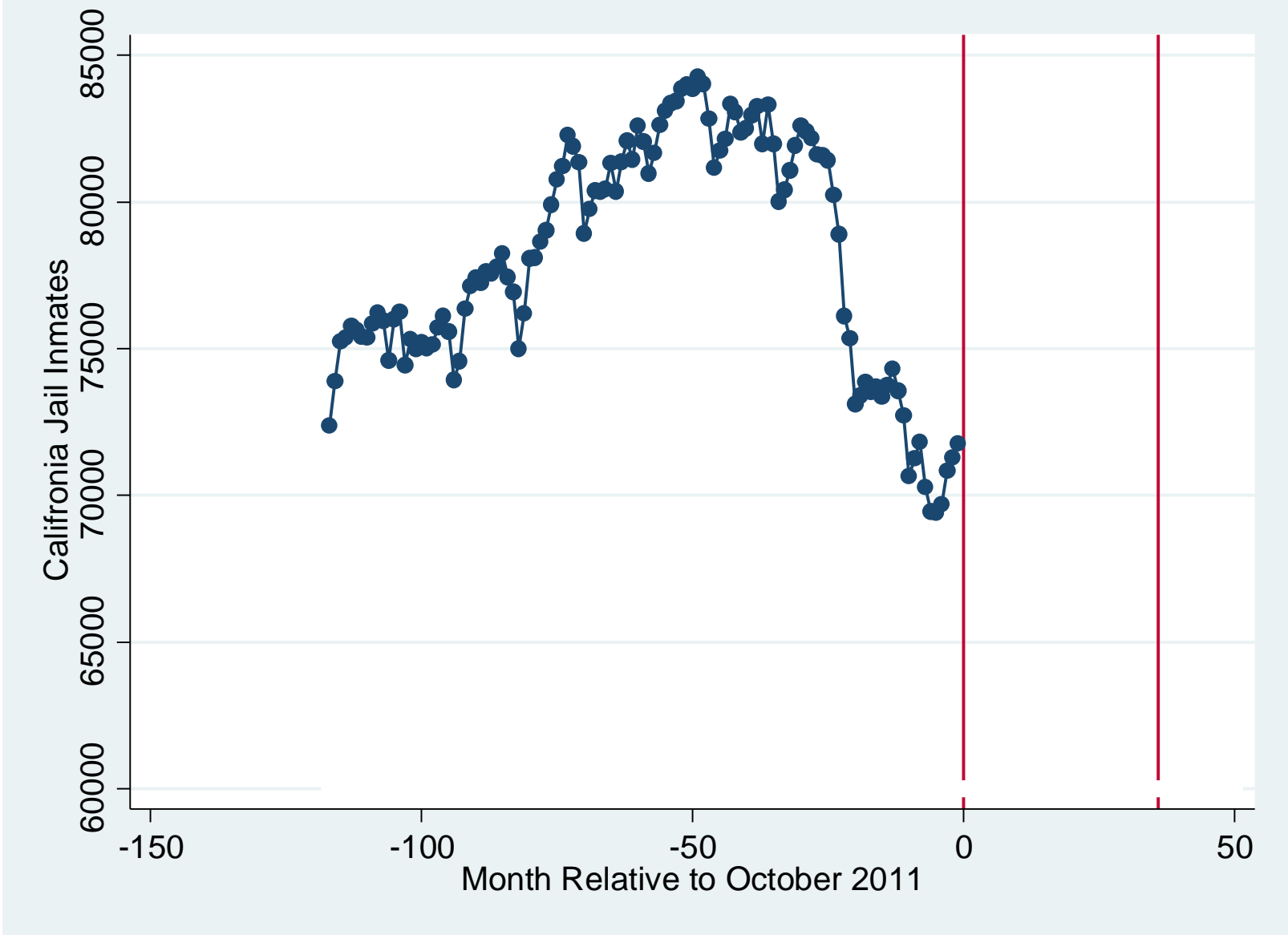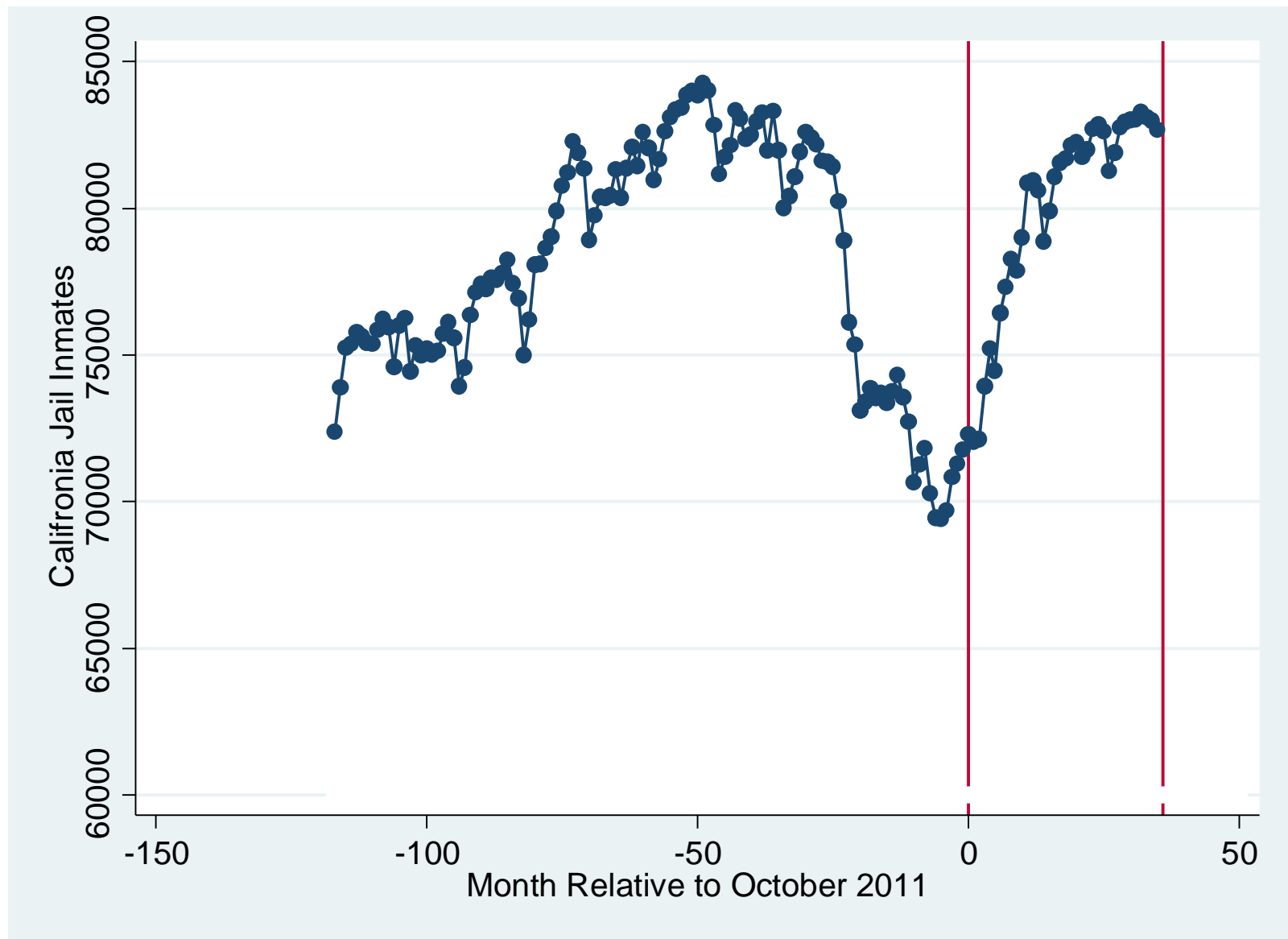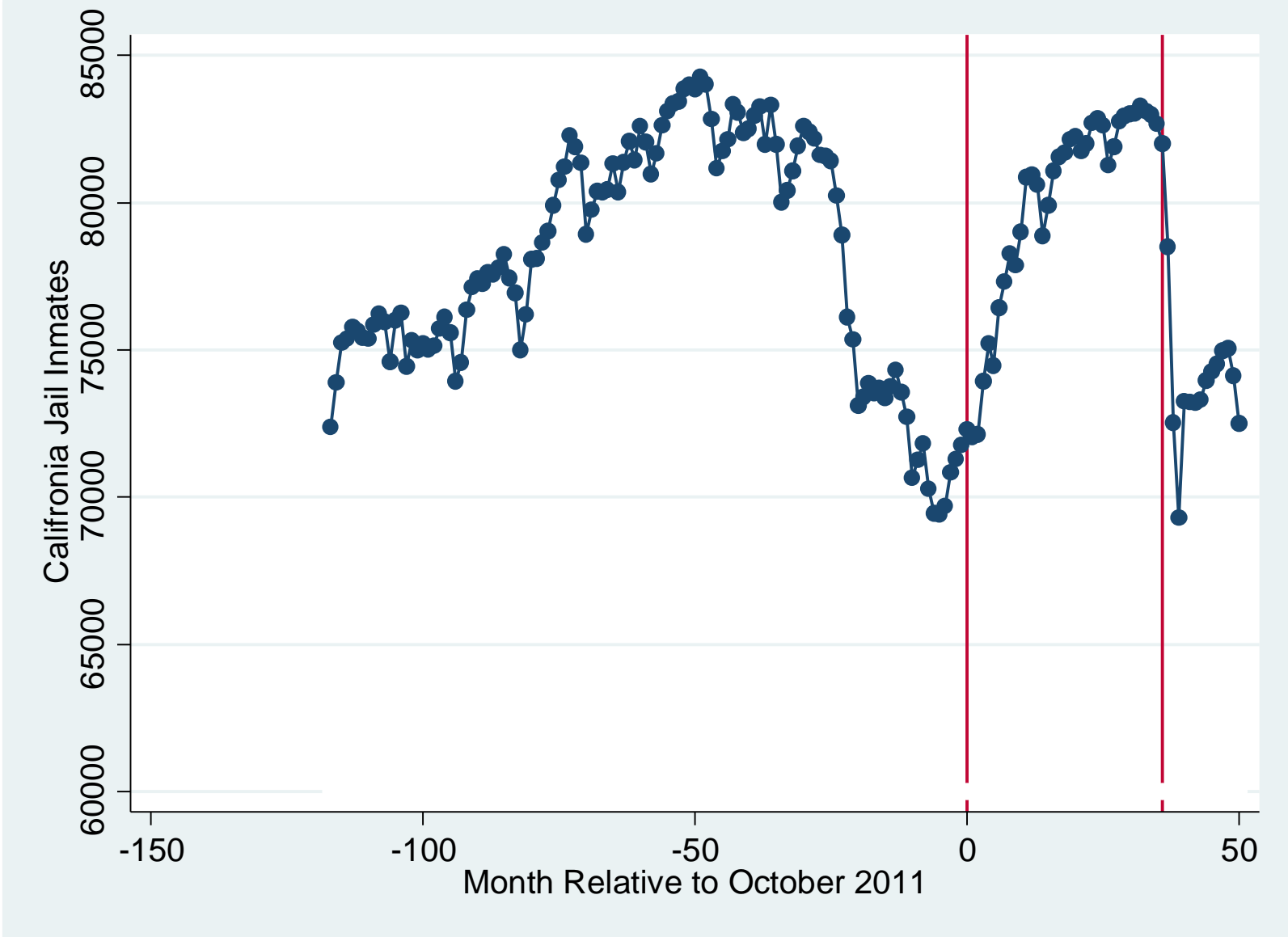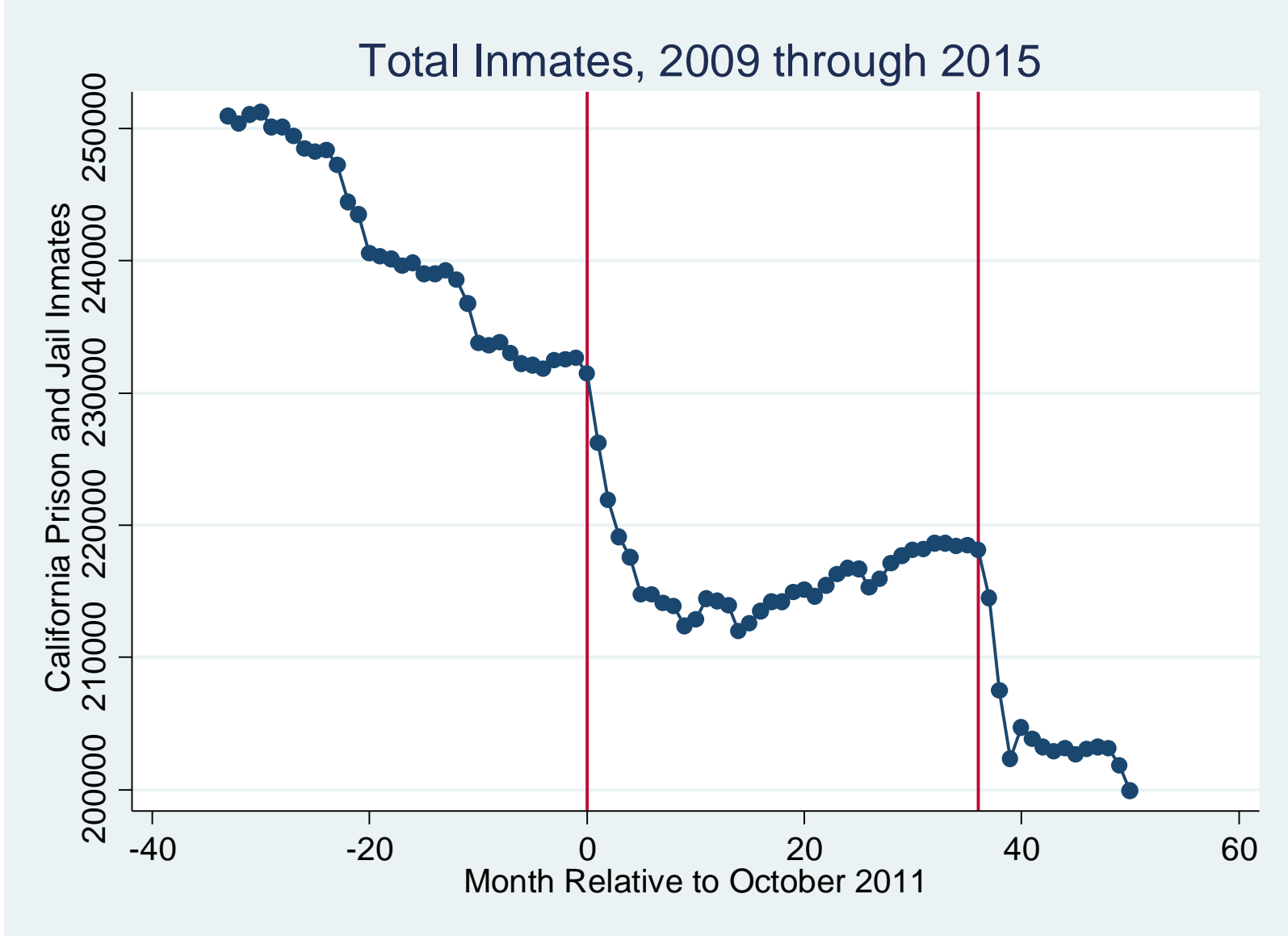
Prison Incarceration Rate in the U.S. and California

California Males

		Proportion Incarcerated
Black	2007	0.101
	2010	0.096
	2015	0.074
Hispanic	2007	0.026
	2010	0.024
	2015	0.022
Other	2007	0.012
	2010	0.012
	2015	0.010
White	2007	0.016
	2010	0.015
	2015	0.013

Non-California Males

		Proportion Incarcerated
Black	2007	0.079
	2010	0.079
	2015	0.072
Hispanic	2007	0.028
	2010	0.031
	2015	0.027
Other	2007	0.020
	2010	0.020
	2015	0.017
White	2007	0.013
	2010	0.014
	2015	0.014

California Females

		Proportion Incarcerated
Black	2007	0.011
	2010	0.009
	2015	0.010
Hispanic	2007	0.004
	2010	0.003
	2015	0.002
Other	2007	0.002
	2010	0.001
	2015	0.001
White	2007	0.004
	2010	0.003
	2015	0.002

Non-California Females

		Proportion Incarcerated
Black	2007	0.008
	2010	0.007
	2015	0.005
Hispanic	2007	0.003
	2010	0.003
	2015	0.003
Other	2007	0.003
	2010	0.003
	2015	0.003
White	2007	0.003
	2010	0.003
	2015	0.003

Comparison of Arrest Rates Pre-Post Prop 47 By Race/Ethnicity

	Twelve months prior	Twelve months following	Change
Black Arrests per 100,000	884	840	-44
Black Booked Arrests per 100,000	672	610	-62
White Arrests per 100,000	278	266	-12
White Booked Arrests per 100,000	202	179	-23
Hispanic Arrests per 100,000	355	337	-18
Hispanic Booked Arrests per 100,000	253	233	-20

Avenues through which decarceration in California may impact crime rates (and factors that may mitigate these effects)

- Incapacitation

- General deterrence

- Rehabilitation/specific deterrence, hardening/criminogenic influence

- Diminishing crime-fighting returns to scale

Violent Crime Trends

Property Crime Trends
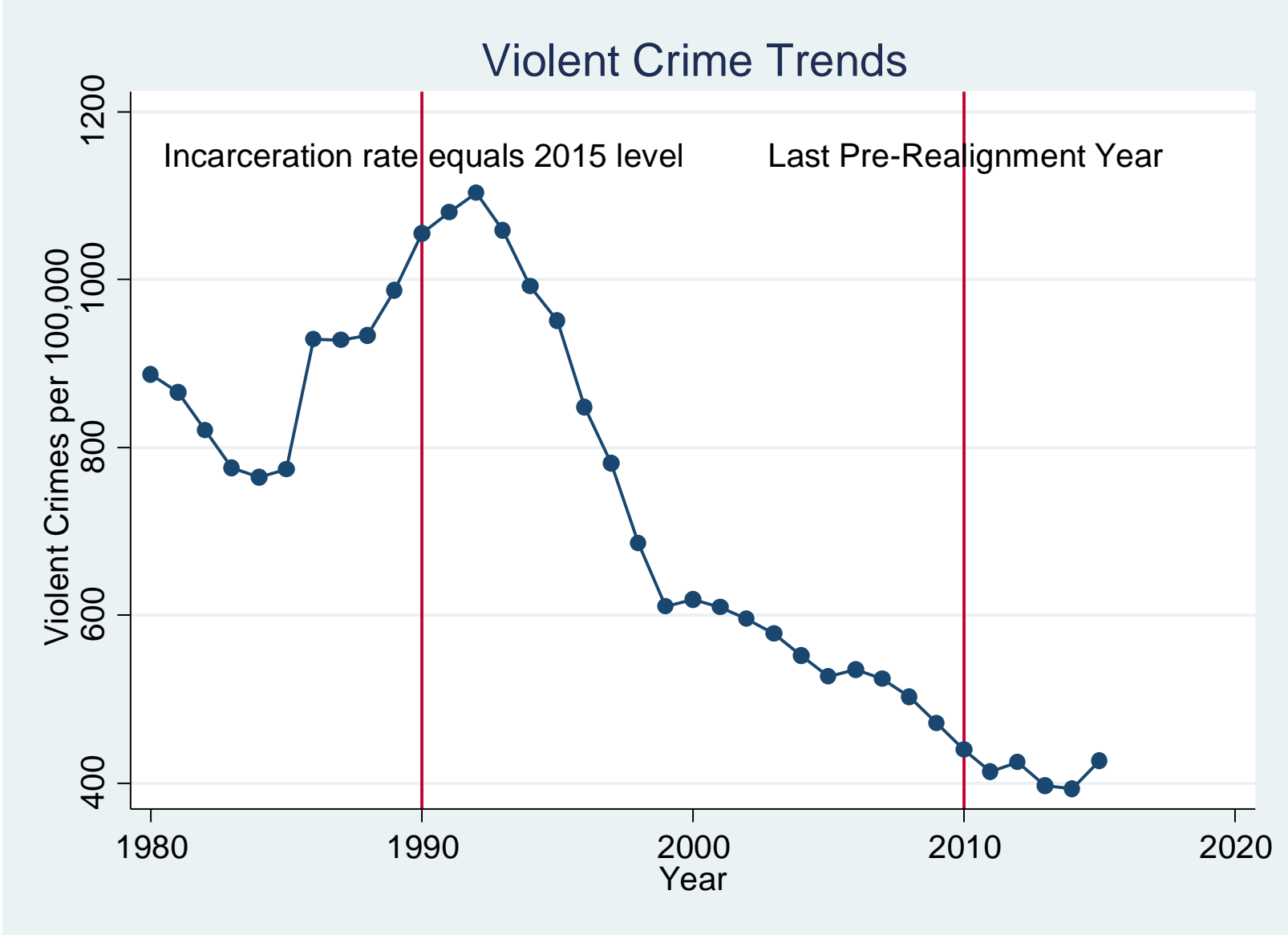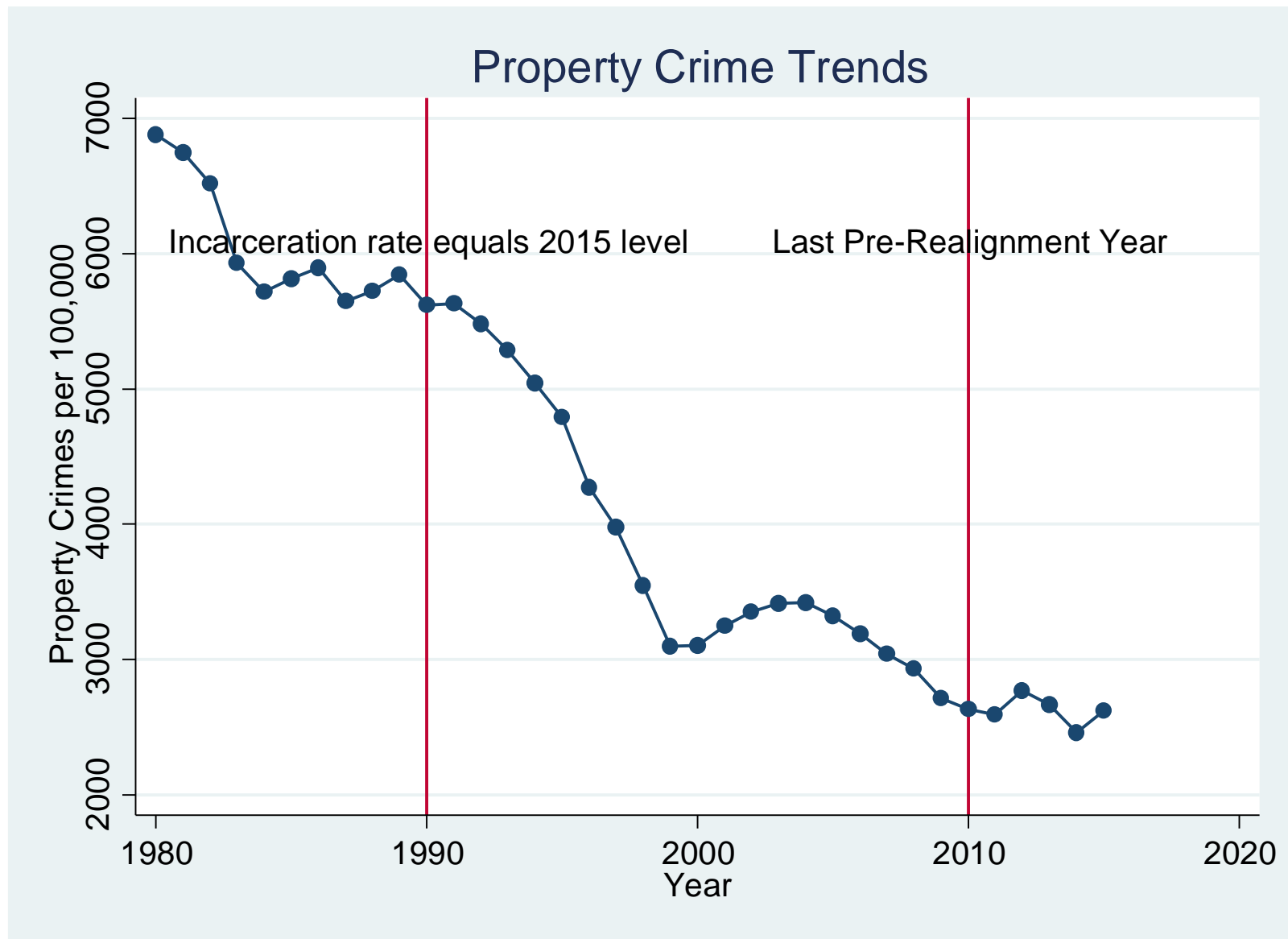
Figure 9: Violent Crime Rate Trends in California and Synthetic California, with Synthetic Comparison Group and Weighted Identified by Matching on Violent Crime Rates for Each Year Between 2000 and 2010
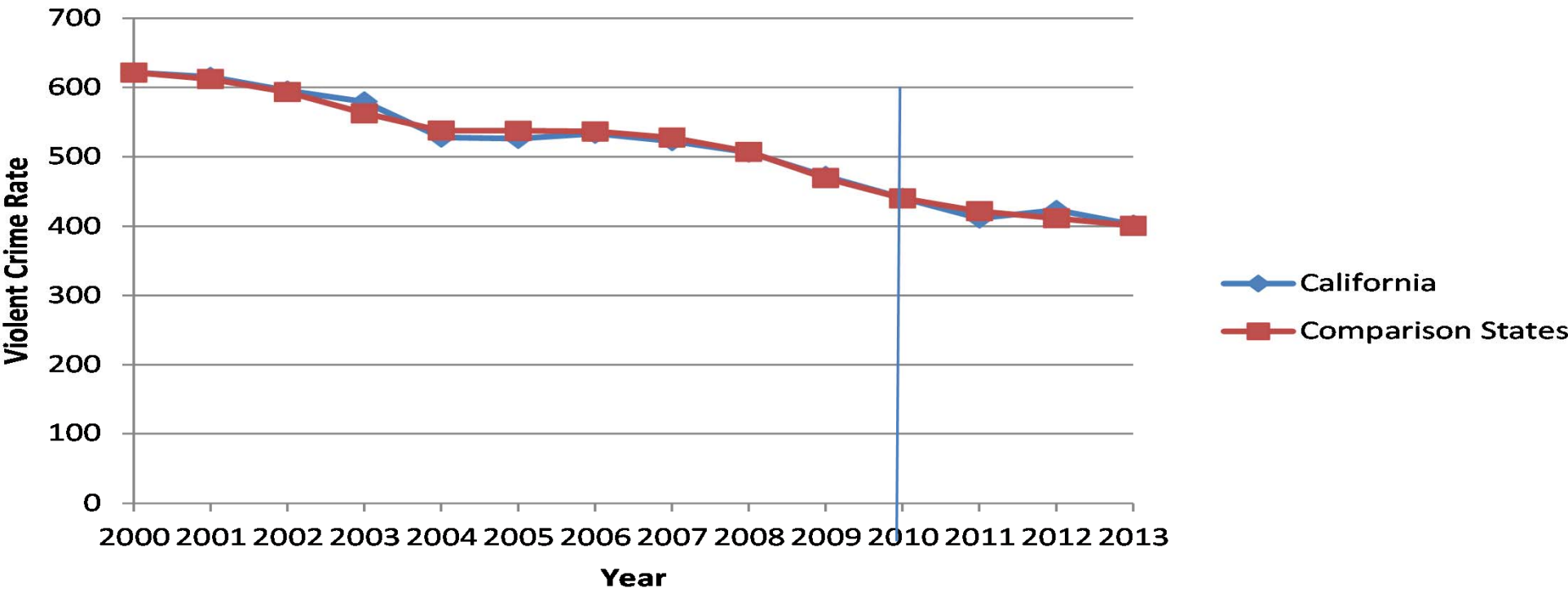
Figure 10: Property Crime Rate Trends in California and Synthetic California, with Synthetic Comparison Group and Weighted Identified by Matching on Violent Crime Rates for Each Year Between 2000 and 2010
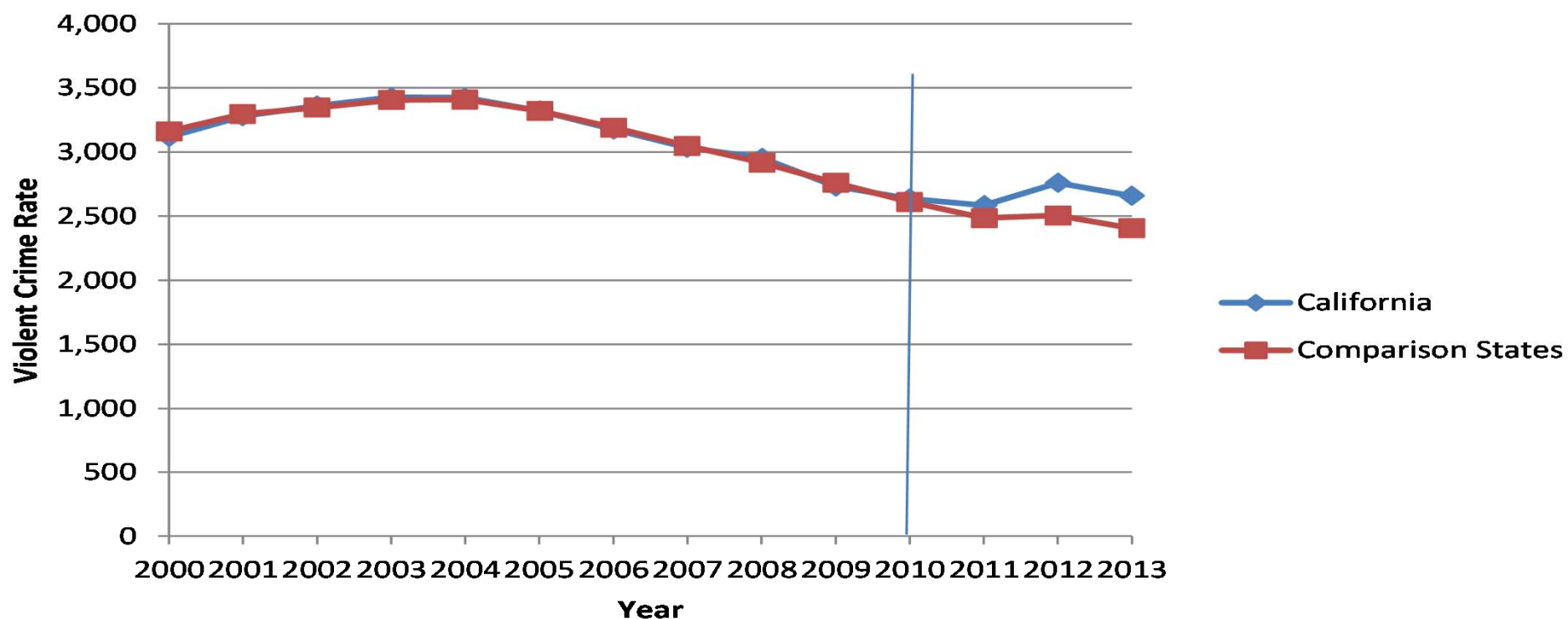
Preferred estimates of the effect of a realignment-induced one-unit change in prison incarceration rates on part I crime rates
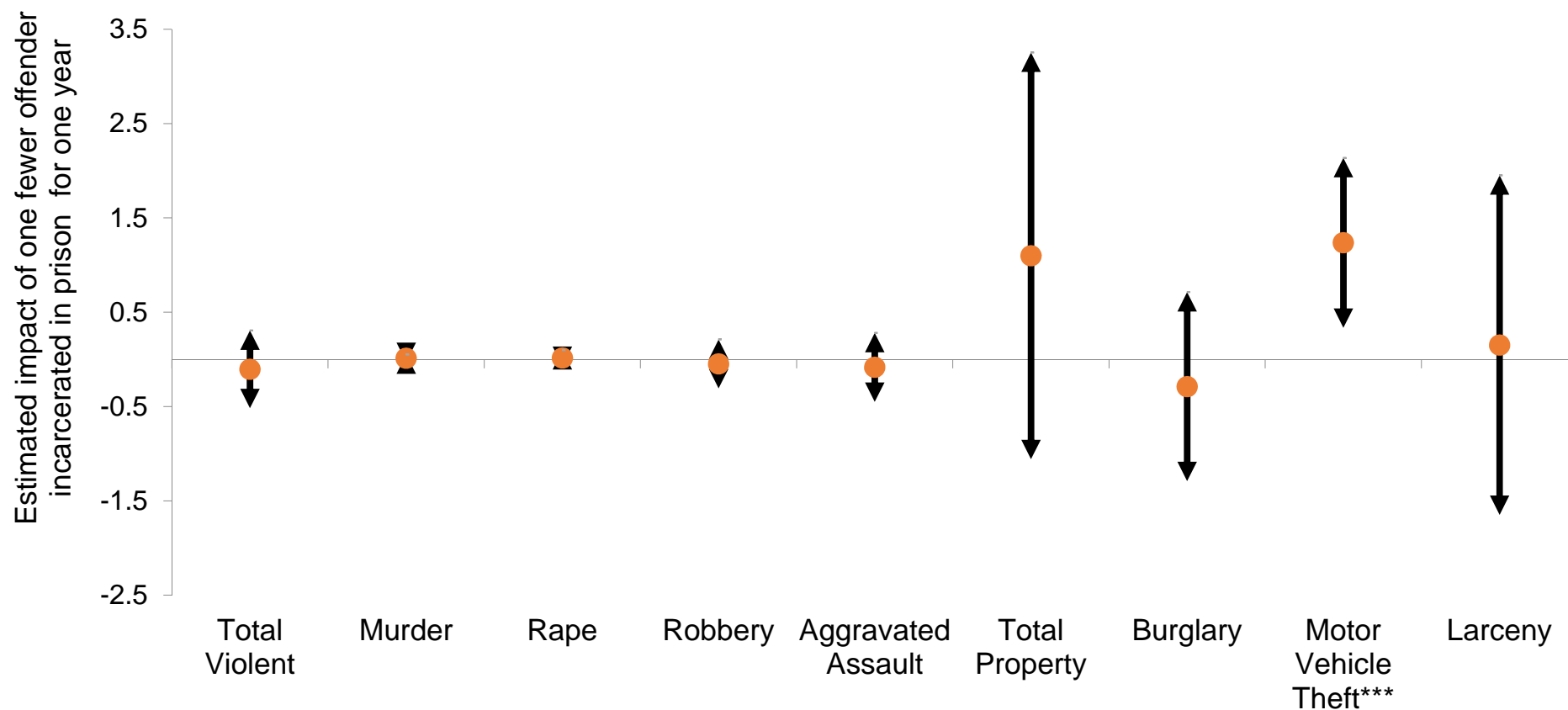
And proposition 47?
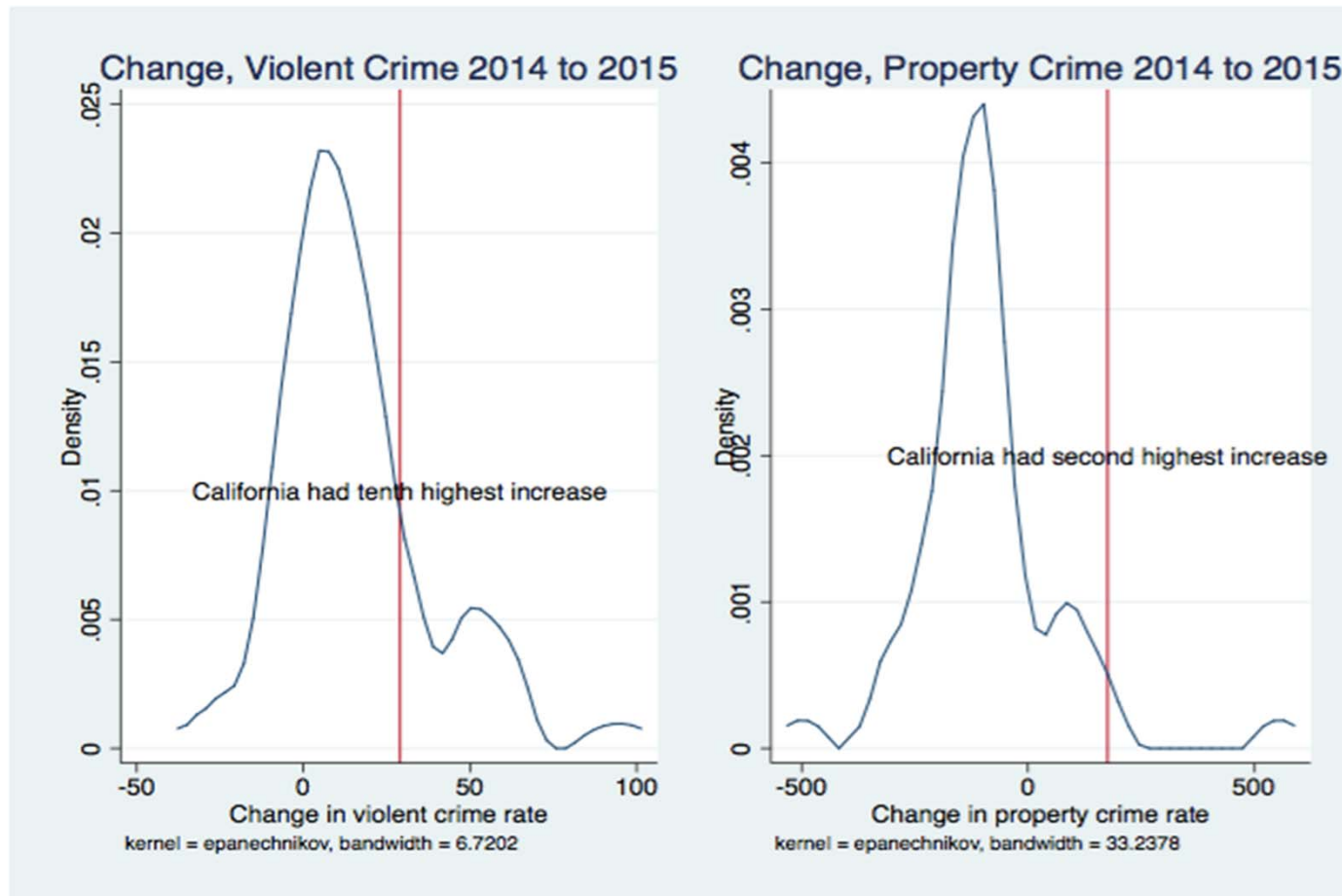
What explains small effects on crime?

- Change in offending propensity
- Diminishing returns to incarceration
  - Criminogenic heterogeneity among those who criminally offend
  - Expansion of the use of prison along the extensive margin
    - Net less serious offenders for less serious offenses
  - Expansion of the use of prison along the intensive margin
    - More likely to incarcerate offenders beyond the age of desistance

Realignment Sentencing Trends: 2011 - 2016

Tara Agnese, Adult Probation Department

March 1, 2017

1170(h) Sentencing Trends: October 2011 - December 2016

Data source: Superior Court, Court Management System

	2011	2012				2013				2014				2015				2016				
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Total
Total Number of 1170(h) Sentences	75	65	69	55	60	38	56	48	46	50	34	32	31	21	30	23	24	27	29	29	32	**874**
Number Sentenced to Jail Only	46	33	42	22	21	15	23	19	17	20	12	9	10	5	3	11	7	7	8	15	11	**356**
Number Sentenced to Split Sentence	29	32	27	33	39	23	33	29	29	30	22	23	21	16	27	12	17	20	21	14	21	**518**
% of 1170(h) Sentences that were Split Sentences	39%	49%	39%	60%	65%	61%	59%	60%	63%	60%	65%	72%	68%	76%	90%	52%	71%	74%	72%	48%	66%	**59%**

1170(h)(5)(a) - Straight Jail Sentences

Sentence Lengths & Jail Time Served (in months)

	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Total
Min. Sentence Length	6	8	3	16	12	8	12	9	6	16	12	8	12	24	15	16	8	16	16	6	8	**3**
Max. Sentence Length	48	40	48	72	49	44	144	116	48	56	38	24	56	60	36	60	24	36	36	48	48	**144**
Average Sentence Length	25	23	22	27	25	24	64	29	27	26	22	19	20	34	26	27	17	25	18	22	21	**26**
Number Whose Jail Sentence was Served with CTS*	12	8	19	7	7	6	8	11	11	8	8	6	4	3	3	3	1	3	1	4	3	**136**
Average Time Served in Jail after CTS (if >0)	13	11	10	9	3	6	4	5	7	4	6	3	4.5	9	0	7	3	7	4	4	3	**6**

Sex of those sentenced under 1170(h)(5)(a)

	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Total
Male	41	29	39	19	18	14	16	19	15	17	11	7	8	4	3	11	7	6	7	15	11	**317**
Female	5	4	3	3	3	1	7	0	2	3	1	2	2	1	0	0	0	1	1	0	0	**39**

Race of those sentenced under 1170(h)(5)(a)

	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Total
African American	33	21	19	9	13	5	13	9	8	9	9	4	5	2	1	3	1	4	6	9	7	**190**
Asian	0	3	0	0	1	0	7	1	2	0	0	1	1	0	0	0	0	0	1	0	1	**18**
Caucasian	13	8	22	12	5	9	3	9	7	10	3	3	3	3	2	7	6	2	1	6	3	**137**
Unknown	0	1	1	1	2	1	0	0	0	1	0	1	1	0	0	1	0	1	0	0	0	**11**

*Represents the number of people who were released after sentencing, as their jail sentence was deemed served with credits for time served.

February, 2017

Data source: Superior Court, Court Management System

1170(h)(5)(b) - Split Sentences

	2011	2012				2013				2014				2015				2016				Total
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Total
Jail Portion of Split Sentence (in months)																						
Min. Sentence Length	0	1	0.5	2	1	2	1	0	0	0	0	0.1	0	5	1	0	1	1	6	0.25	0	0
Max. Sentence Length	36	55	48	36	48	36	30	24	36	30	36	32	36	48	36	13	48	32	36	36	24	55
Average Sentence Length	13	14	14	14	13	13	11	10	13	11	11	9	13	16	14	8	12	12	15	14	8	12
Number Whose Jail Sentence is Served with CTS*	10	11	9	10	13	6	16	16	17	11	10	13	11	6	10	7	6	13	5	4	14	218
Ave Time Served in Jail after CTS (if >0) (months)	7	7	8	6	2	4	4	3	5	3	3	4	7	6	4	3	3	6	4	3	4	5
Mandatory Supervision (MS) Portion of Split Sentence (in months)																						
Low Sentence Length	1	6	10	4	4	6	7	8	6	8	10	6	10	2	6	6	2	5	7	12	7	1
High Sentence Length	78	66	66	54	48	72	57	60	60	65	54	60	60	49	42	43	57	48	48	39	60	78
Average Sentence Length	24	25	28	21	21	28	28	27	29	30	27	23	30	28	24	24	30	27	27	26	29	27
Total Split Sentence Length (Jail + MS) in months																						
Min. Sentence Length	16	16	16	14	16	16	13	16	8	13	16	16	14	16	21	13	14	16	16	29	21	8
Max. Sentence Length	108	96	74	72	72	84	63	72	84	72	72	60	84	72	72	48	60	68	72	68	84	96
Average Sentence Length	37	38	42	35	34	41	39	37	42	42	38	32	43	45	38	32	41	39	42	39	39	39
Sex of those sentenced under 1170(h)(5)(b)																						
Male	27	28	22	29	32	20	29	27	26	25	19	20	18	15	25	8	14	19	18	12	19	452
Female	2	4	5	4	7	3	4	2	3	5	3	3	3	1	2	4	3	1	3	2	2	66
Race of those sentenced under 1170(h)(5)(b)																						
African American	20	16	16	21	28	15	19	16	16	14	10	14	13	11	14	5	6	9	13	8	9	293
Asian	1	0	1	1	3	0	1	0	2	1	2	0	0	1	0	0	1	1	1	0	2	18
Caucasian	6	15	9	11	7	8	13	12	11	13	9	9	7	4	13	7	9	8	6	6	8	191
Unknown	2	1	1	0	1	0	0	1	0	2	1	0	1	0	0	0	1	2	1	0	2	16

*Represents the number of people who were released after sentencing, as their jail sentence was deemed served with credits for time served.

February, 2017

1170(h) Sentencing Trends: October 2011 - December 2016

February, 2017

% Split Sentences

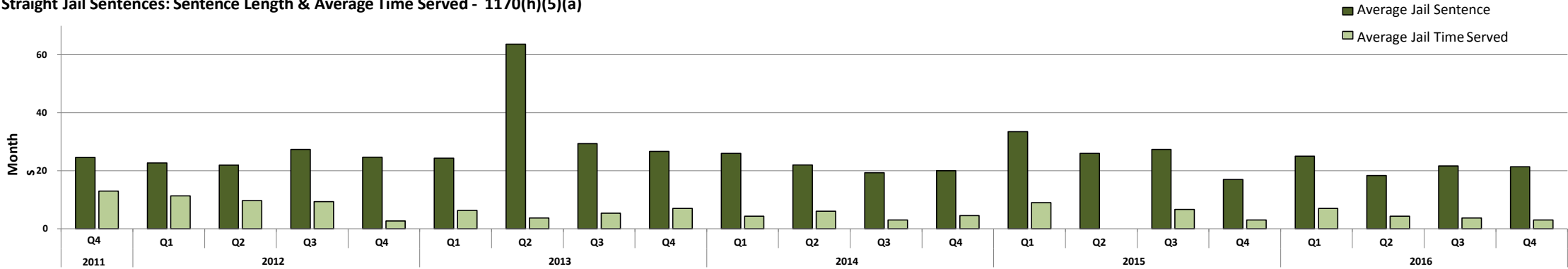| 2011	2012	2013	2014	2015	2016
39%	53%	61%	65%	73%	65%
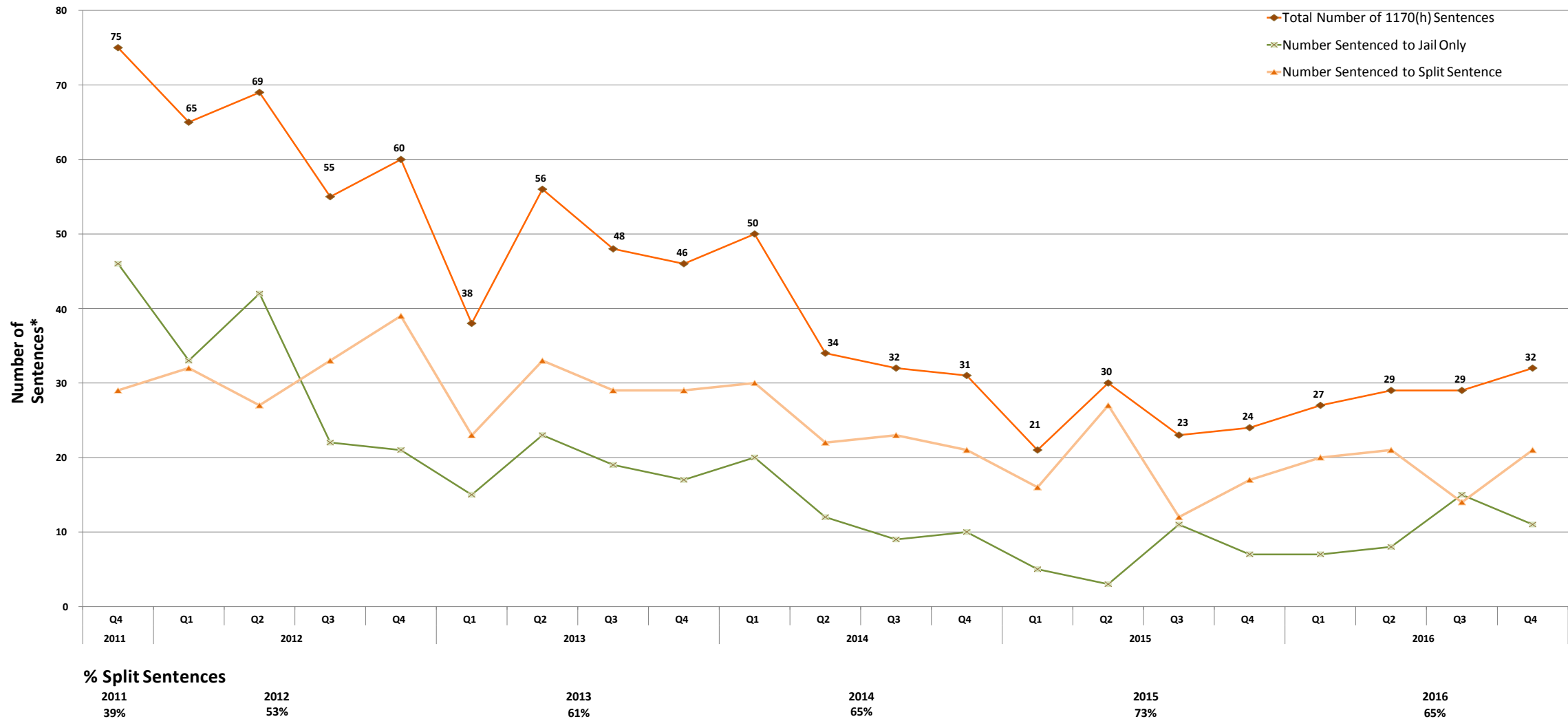
* Number of individuals recieving 1170(h) sentences. For example, if one person recieved a split sentence on 4 separate cases on the same date, this is counted as 1 split sentence.
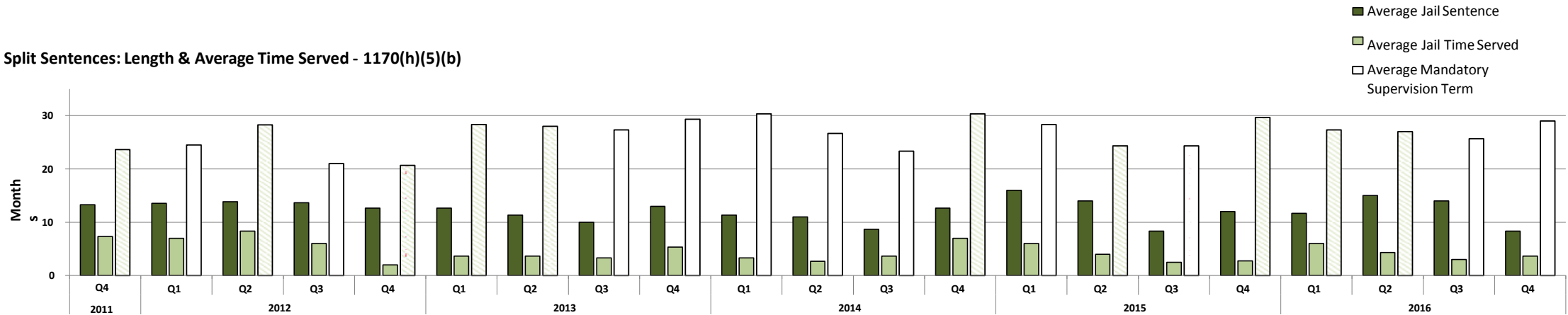
Straight Jail Sentences: Sentence Length & Average Time Served - 1170(h)(5)(a)

■ Average Jail Sentence
■ Average Jail Time Served

Y-axis: Month s — 0, 20, 40, 60

X-axis: Q4 **2011** | Q1 Q2 Q3 Q4 **2012** | Q1 Q2 Q3 Q4 **2013** | Q1 Q2 Q3 Q4 **2014** | Q1 Q2 Q3 Q4 **2015** | Q1 Q2 Q3 Q4 **2016**

■ Average Jail Sentence
■ Average Jail Time Served
□ Average Mandatory Supervision Term

Split Sentences: Length & Average Time Served - 1170(h)(5)(b)

Y-axis: Month s — 0, 10, 20, 30

X-axis: Q4 **2011** | Q1 Q2 Q3 Q4 **2012** | Q1 Q2 Q3 Q4 **2013** | Q1 Q2 Q3 Q4 **2014** | Q1 Q2 Q3 Q4 **2015** | Q1 Q2 Q3 Q4 **2016**

February, 2017

Total Sentenced Under 1170(h)(5)(a) - Straight Jail Sentence

Male 89%
Female 11%

African American 53%
Unknown 3%
Caucasian 39%
Asian 5%
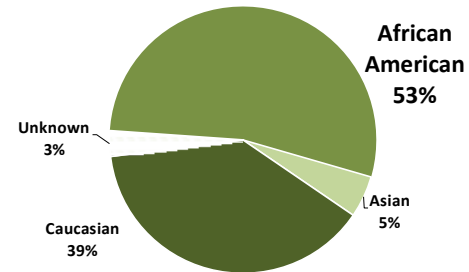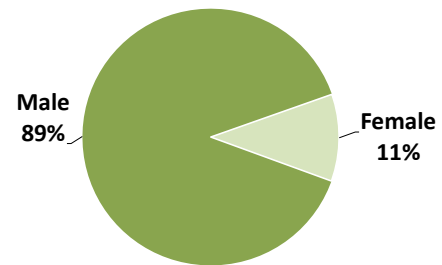
2016 Straight:

Sex
95%   Male

Race
63%   AA
5%   Asian
29%   Caucasian
2%   Other

Total Sentenced Under 1170(h)(5)(b) - Split Sentence

Male 87%
Female 13%

African American 57%
Unknown 3%
Caucasian 37%
Asian 3%
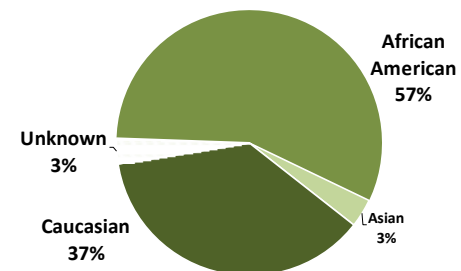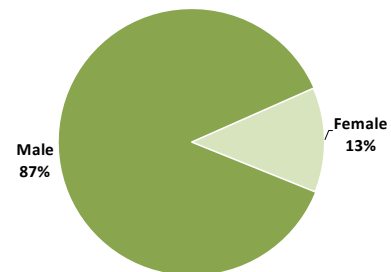
2016 Split:

Sex
89%   Male

Race
51%   AA
5%   Asian
37%   Caucasian
7%   Other

compared to what?

2016 Court Realignment Data as reported to the Judicial Council of CA

	Total numbers (January – September 2016)			Percentages
	Straight	**Split**	**Straight + Split Sentences**	**% Split**
San Francisco	13	48	61	79%
Statewide[a]	4,516	3,968	8,484	47%
Statewide (w/o LA)	1,726	3,362	5,088	66%

[a] Statewide data are for all counties reporting complete data through September 30, 2016 (n=41).

Straight   Number of cases in which a defendant is given a straight county jail sentence pursuant to PC 1170(h)(5)(A) at initial sentencing

Split   Number of cases in which a defendant is given a "split" sentence pursuant to PC 1170(h)(5)(B) at initial sentencing

% Split   Proportion of split sentences, of all 1170(h) sentences (Split/(Straight+Split)

February, 2017 - preliminary data, used with permission from the Criminal Justice Services office at the Judicial Council of CA