County of San Diego

Mack Jenkins
CHIEF PROBATION OFFICER

DEPARTMENT OF PROBATION
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February 23, 2012

TO: Supervisor Ron Roberts, Chairman
Supervisor Greg Cox, Vice Chairman
Supervisor Dianne Jacob
Supervisor Pam Slater-Price
Supervisor Bill Horn

FROM: Mack Jenkins
Chief Probation Officer-Chair Community Corrections Partnership

AB 109 - PUBLIC SAFETY REALIGNMENT UPDATE

On September 27, 2011 (2), your Board approved the Public Safety Realignment Implementation Plan presented by the Community Corrections Partnership. This is the second letter in a series of reports on current activities related to the implementation of Realignment. This letter will report on the number of offenders supervised by Probation, the impact on the jail population for the Sheriff, and impacts within the District Attorney's office. We will continue to provide your Board with regular updates on this information. No action by your Board is required.

PROBATION

Post Release Offenders (PROs): October 1, 2011 – February 10, 2012

The number of Post Release Offenders for this period is as follows:

Total Scheduled for Release in this Period	**1325**
- Reported Locally	1040
- Released to Other Custody	147
- Failed to Appear	138

Of the 1040 who reported locally:

- Arrested on Violations	282
- Flash Incarcerations	223
- Pending Revocation Proceedings	59

Last month we reported the number of Post Release Offenders was 25% ahead of the projections from the State. This month that figure is down slightly to 22%. We are noticing that despite the fact that these offenders were committed to prison for a non serious, non violent felony, their criminal sophistication level appears generally higher than our probation population. Or, of those who have been re-arrested (282), 21% have been involved in new crimes. However, of the total population under supervision, only 5% (59) are pending revocation. Probation continues to utilize alternate sanctions, including flash incarceration, as a means of sanctioning the Post Release Offenders without using a full revocation process.

Probation continues to work to link the offenders to services and through January 31st, 501 offenders had been referred by the behavioral health team and 218 were enrolled in services.

The Community Corrections Partnership treatment and intervention services workgroup is working on plans for a Community Transition Center through which the Post Release Offenders will be processed upon their return to the Community. While at the Transition Center they will undergo an assessment process to better identify their treatment needs. We anticipate that once the Center becomes operational later in the spring, the process for engaging offenders in services will be significantly enhanced.

SHERIFF

N3 Offenders Sentenced Locally and Parole Violators: October 1, 2011 – February 10, 2012

N3 Offenders (where the committing offense is a non serious, non violent, non sex offender crime) are inmates who would have previously been sentenced to serve a term of incarceration in a state prison, but must now serve their term in a local county detention facility, pursuant to California Penal Code §1170(h) as a result of realignment legislation.

Jail Population (Court Ordered Capacity 5,500)	4,761
Court Ordered Capacity	86%
N3 Offenders in Custody	406
PROs in Custody	94
Parole Violators in Custody	434
Total AB 109 in Custody	**934**

County Parole and Alternative Custody Unit

As a result of the anticipated increase of 2,100 inmates to the average daily population of our county jails, a County Parole and Alternative Custody (CPAC) Unit was approved under supervision of the San Diego Sheriff's Department, Detention Services Bureau. This unit's responsibility will be to maximize jail bed availability through alternative custody programs designed to socially reintegrate offenders utilizing evidence based practices and proactive supervision methods. The staffing model proposed will include a 40/1 offender to deputy ratio.

The San Diego Sheriff's Department, in collaboration with the San Diego County Probation Department, completed the Request for Proposal and Statement of Work for electronic monitoring services, and it was subsequently posted on BuyNet. All proposals are due to the County of San Diego Department of Purchasing and Contracting by February 21, 2012. The San Diego Sheriff's Department and the San Diego County Probation Department anticipate identifying a vendor for these services by April 1, 2012. The San Diego Sheriff's Department County Parole and Alternative Custody (CPAC) Unit is currently staffed with one Lieutenant and two Sergeants. In addition to the supervisory staff, it's anticipated to have eight deputies selected and on board by March 9, 2012. The CPAC Unit office space has been identified and the unit supervisors are currently working with Sheriff's Support Services and Sheriff's Data Services to outfit the office with the necessary equipment. Policies, procedures, and protocols currently being established by the unit members will be submitted for final command approval by early March 2012. The CPAC Unit anticipates having eligible inmates identified, assessed and selected for alternative custody by May 1, 2012.

DISTRICT ATTORNEY

Sentencing: October 1, 2011 – February 10, 2012

Through this period, 612 cases were sentenced pursuant to Penal Code section 1170(h) to a term of imprisonment in local custody.

However, a single defendant may have multiple cases. When a defendant has multiple cases, the court may impose an 1170(h) sentence for all of them to be served concurrently or consecutively. Irrespective of the number of cases, a single defendant only serves one term for all of them.

Of those 612 cases, at either an initial Sentencing (PH&S) or at a Sentence after Revocation for a failure to comply with Probation, 470 Defendants were sentenced to a term of imprisonment in local custody per Penal Code section 1170(h).

Of those 470 defendants, 121 were sentenced to a term of imprisonment without a new case, but based on probation revocation without a new felony conviction. 3 of those cases were paper commits (i.e., the offenders completed their term based on their custody credits and served no further time in jail.) Only two of the defendants with probation revocations were sentenced to a term of imprisonment with a period of mandatory supervision to follow.

Of those 471 Defendants, 101 individuals received split sentences, where a portion of the total term is to be served in custody and the balance on mandatory supervision.

The longest full term in custody is 10 years and 4 months. The longest split sentence is 10 years with 7years to be served in custody and the remaining 3 years to be spent in the community on mandatory supervision. The longest mandatory supervision term is 6 years on mandatory supervision with 3 years in custody for a total term of 9 years.

Month	PH&S	SAR	Total	Longest term per 1170(h)(5)(A)	Split Sentences	Longest Split term per 1170(h)(5)(B)
Oct –Dec	236	84	320	7 years	70	10 yrs/3 yrs MS
January	88	21	109	10 years, 4 mons	26	9 yrs/6 yrs
February	25	16	41	5 years	5	6 yrs/2 yrs
TOTAL	**349**	**121**	**470**		**101**	

1170(h) Primary Crime Types:

Of the 470 offenders sentenced to a term of imprisonment in county jail, the highest charged crime is as follows:

Controlled Substance Related Offenses 205

Theft Related Offenses: 210

Crimes Against the Person: 23

Driving Under the Influence: 15

Miscellaneous: 17

Post Release Community Supervision (PCS)

There have been 59 Post Release Community Offenders revocations filed. Of those offenders, 39 were also charged with new felony cases and 9 with new misdemeanor cases. Only 11 PROs were revoked solely for violations of their PCS conditions.

Total Post Release Community Supervision Revocations filed: 59

Month	Revocations
October	0
November	3
December	20
January	23
February	13
TOTAL	**59**

We will continue to provide future updates on the number of offenders supervised by Probation, the impact on the jail population for the Sheriff, and impacts within the District Attorney's office. For additional information, please feel free to contact me.

Respectfully,

MACK JENKINS
CHIEF PROBATION OFFICER

cc: Sheriff Bill Gore
District Attorney Bonnie Dumanis
Public Defender Henry Coker
Nick Machionne Director, Health and Human Services Agency
Honorable David Danielsen, San Diego Superior Court
Chief Frank McCoy, Oceanside Police Department
Chief Administrative Officer Walter F. Ekard
Deputy Chief Administrative Officer Ron Lane
Community Corrections Partnership Members
Supervising Superior Court Judges