

Los Angeles County Probation Department

AB109 Update – March 5, 2013

Jerry E. Powers, Chief Probation Officer





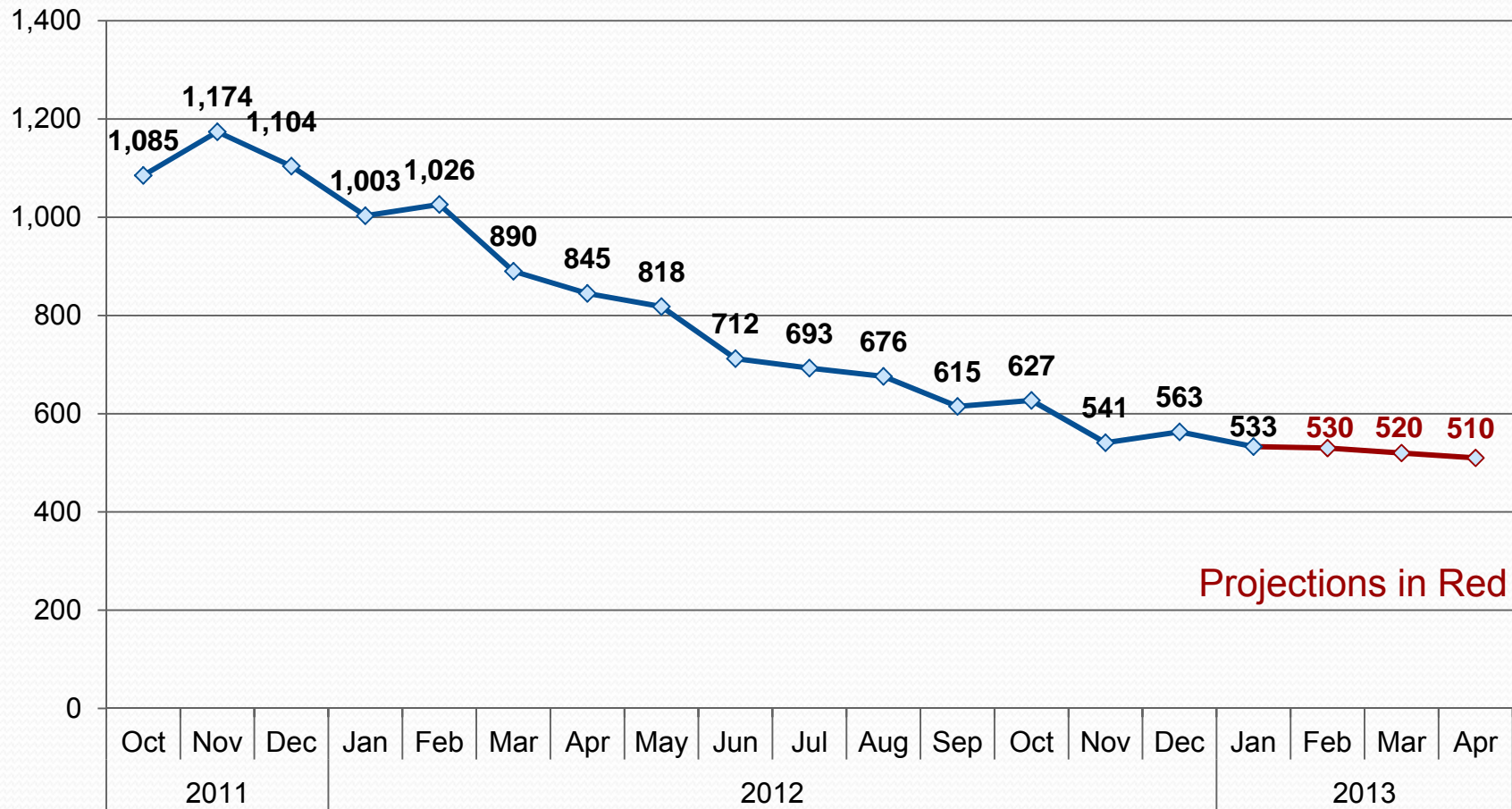
Outline

- Population
- Recidivism / Southern County Comparison
- Staffing
- Space
- Compliance Checks
- Legislation
- Mental Health, Health Care and Substance Abuse
- Inter-Agency Collaboration
- Re-entry Services
- CBO Contract
- GPS



PRCS Cases Received by Month

October 2011 through January 31, 2013 + Projections

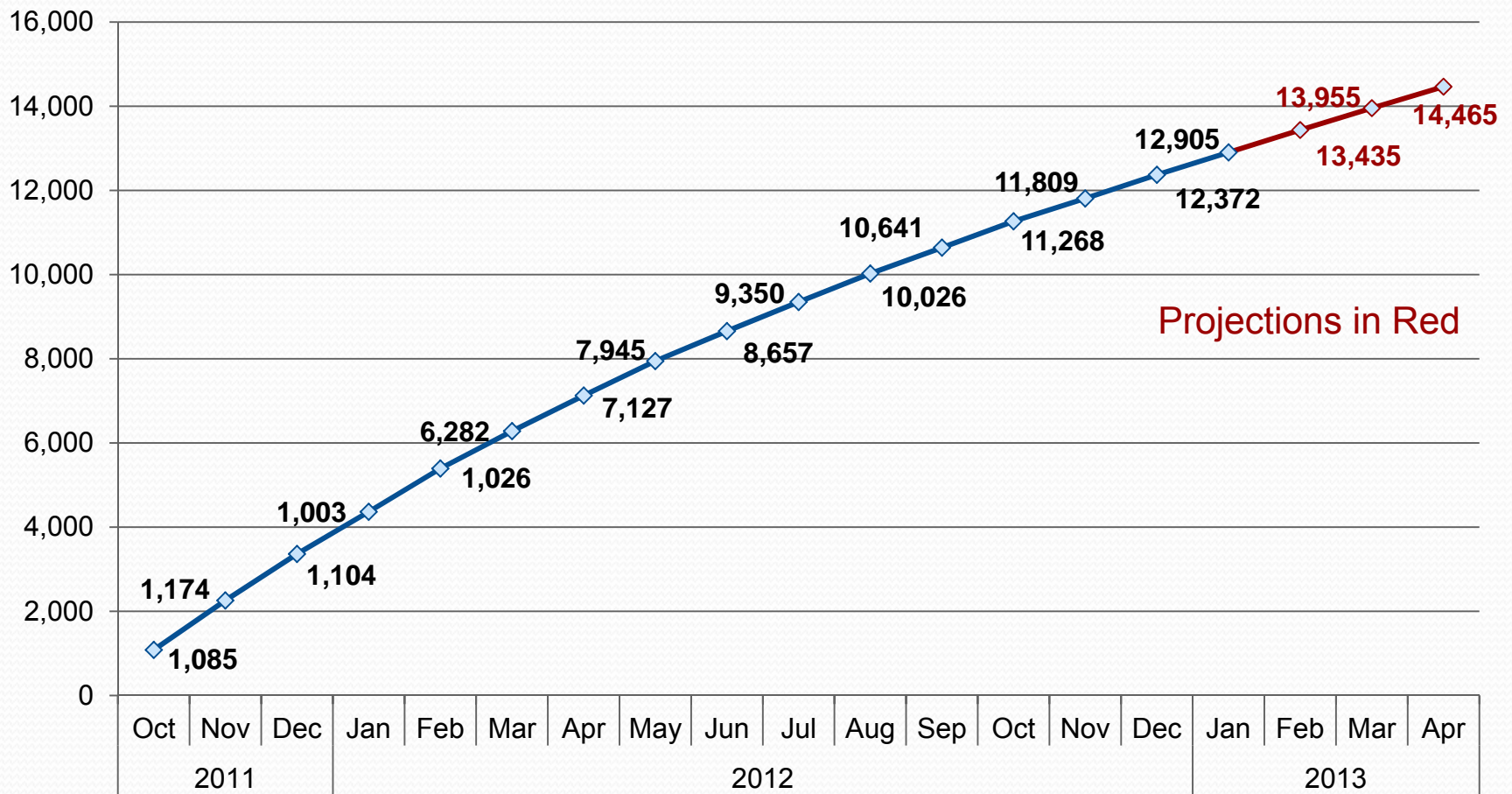


Projections in Red



Cumulative PRCS Cases by Month

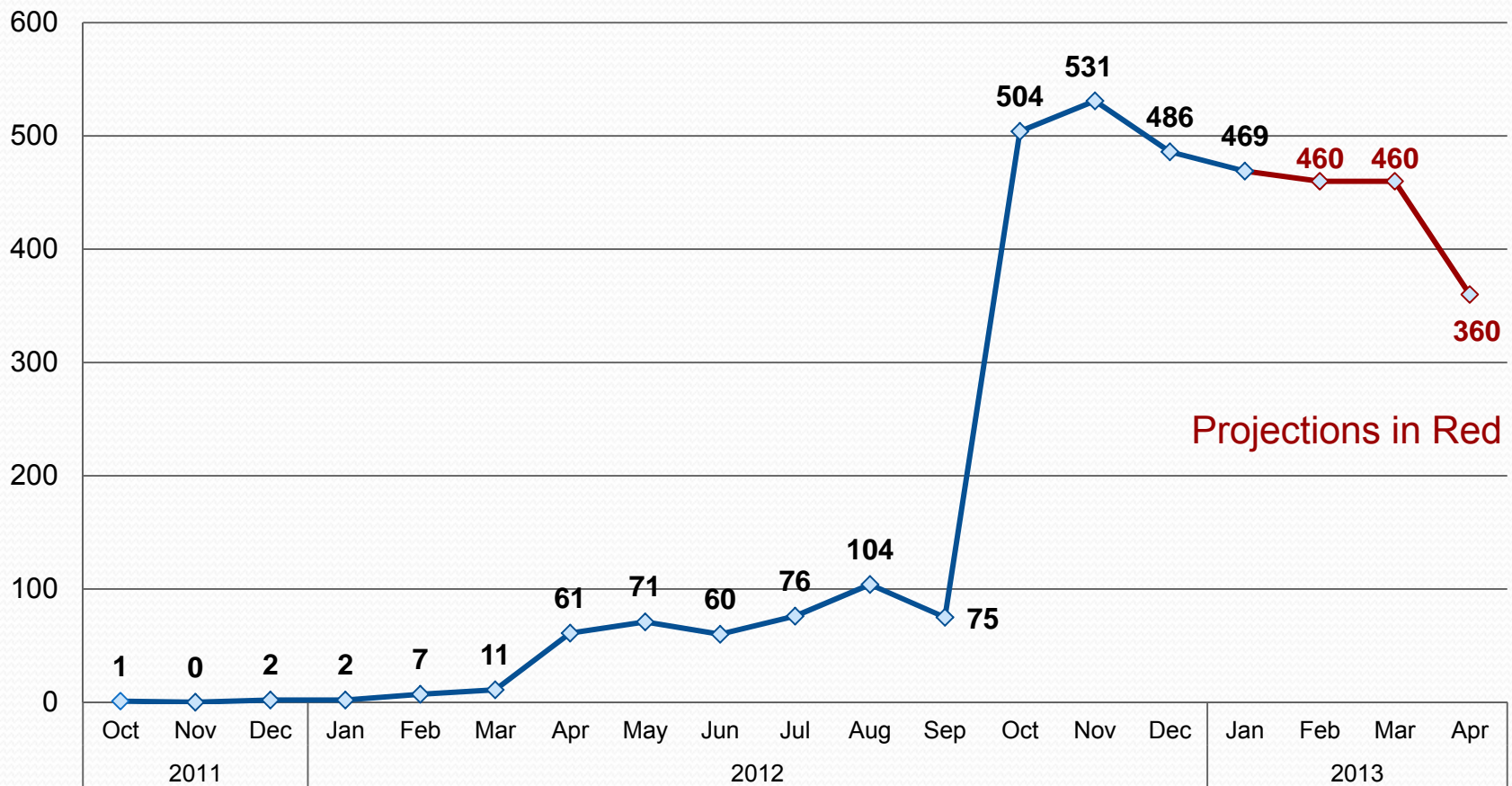
October 2011 through January 31, 2013 + Projections





PRCS Terminations by Month

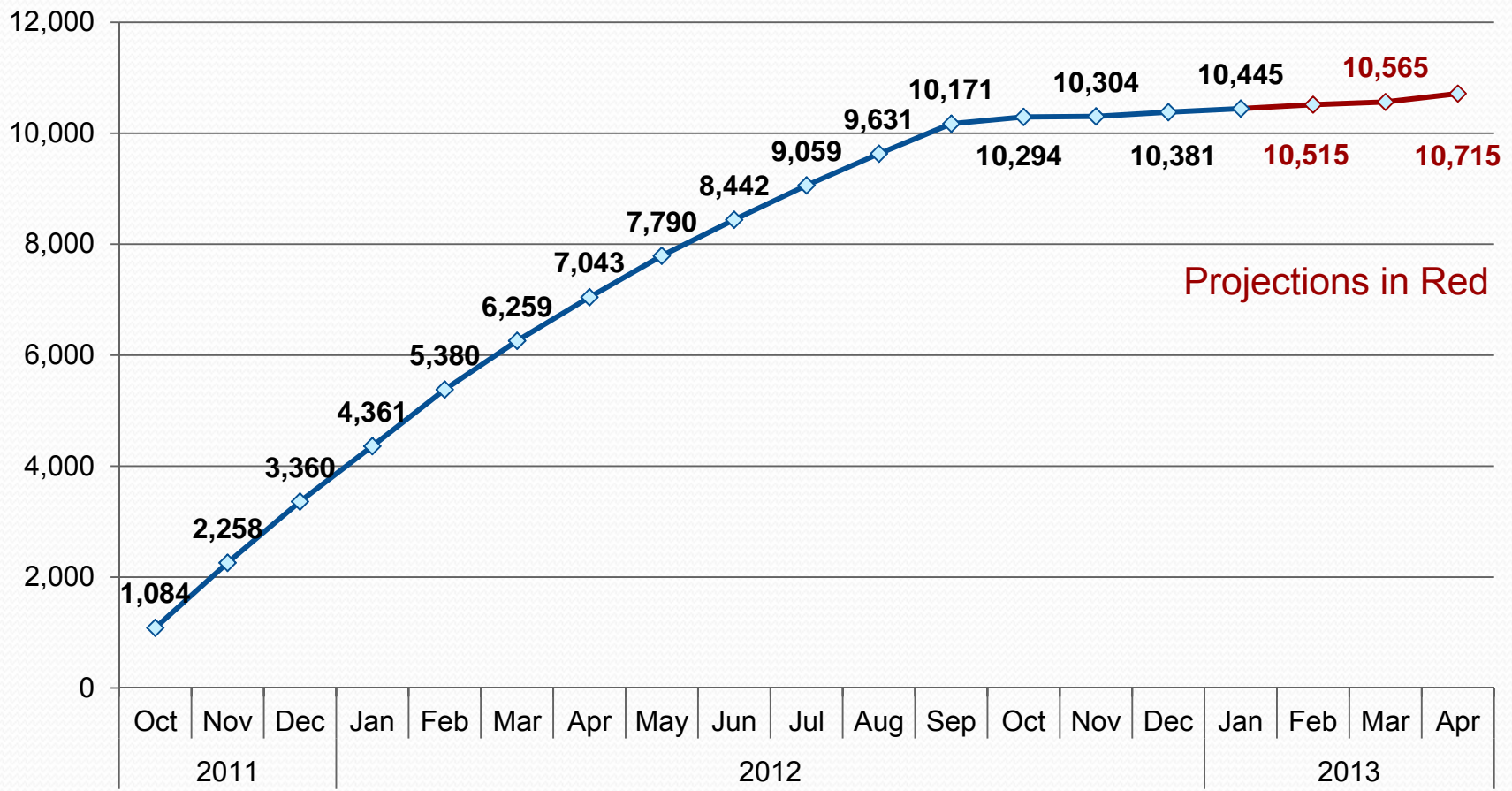
October 2011 through January 31, 2013 + Projections





Active Supervision at End of Month

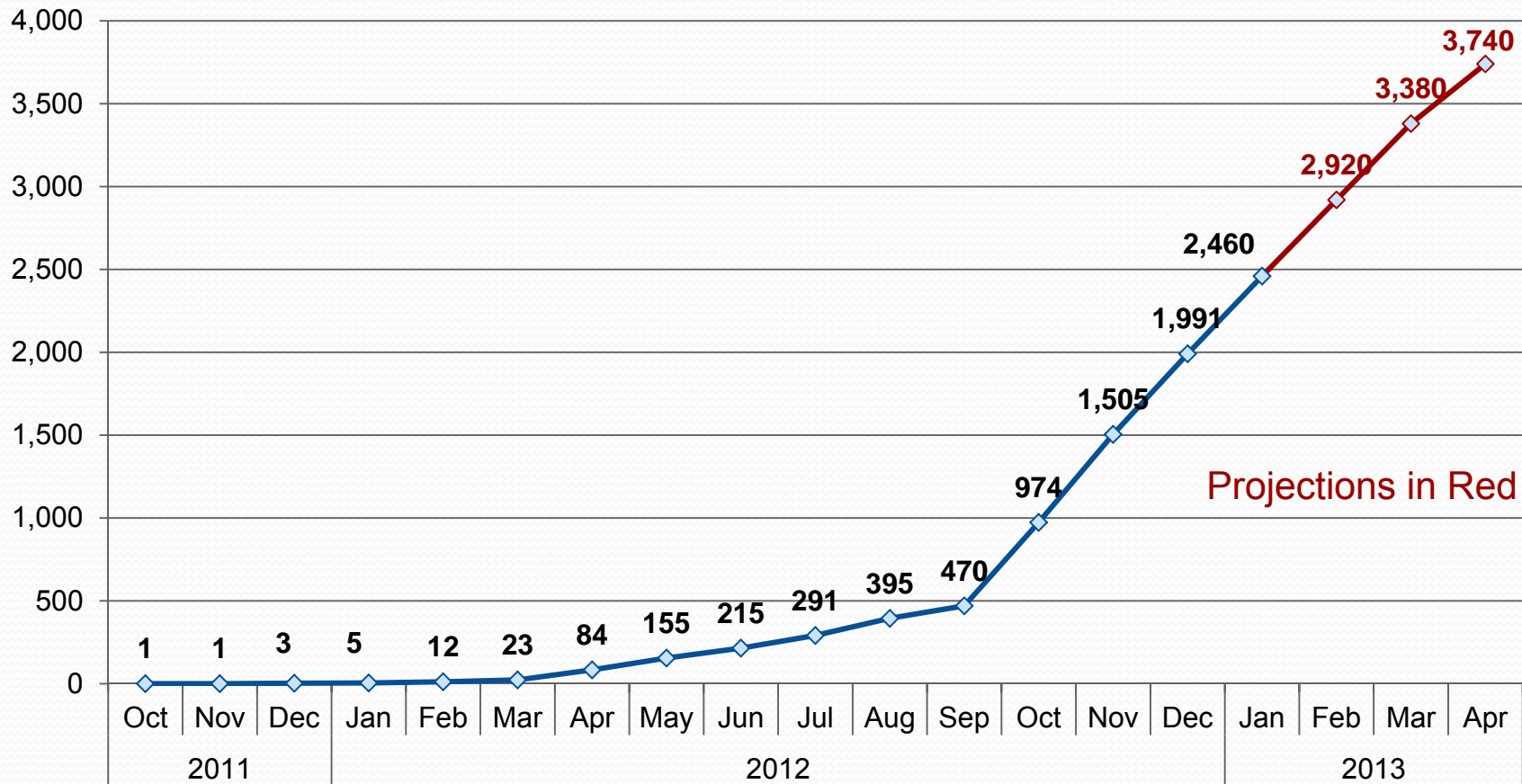
October 2011 through January 31, 2013 + Projections





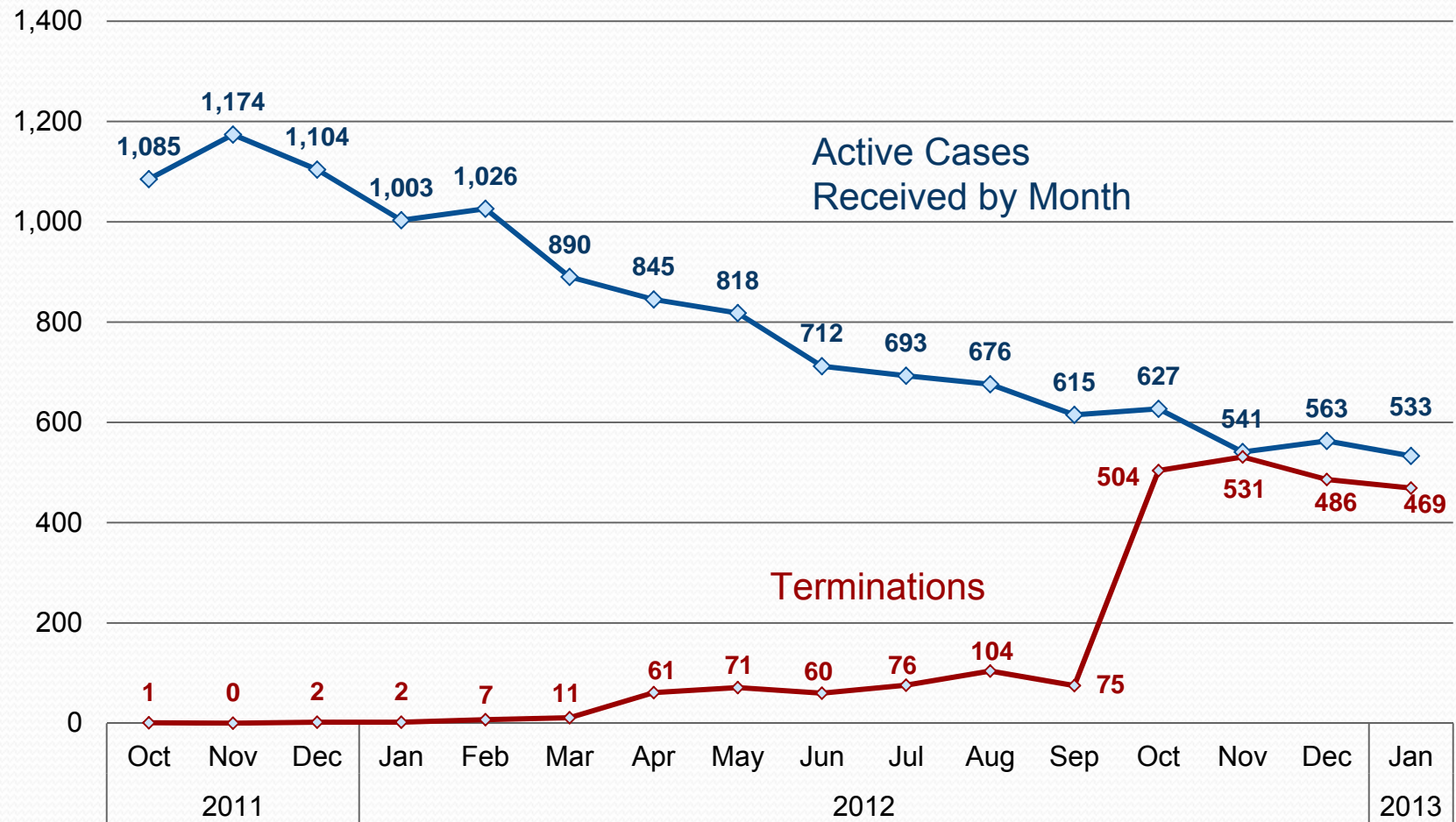
Cumulative Terminations

October 2011 through January 31, 2013 + Projections



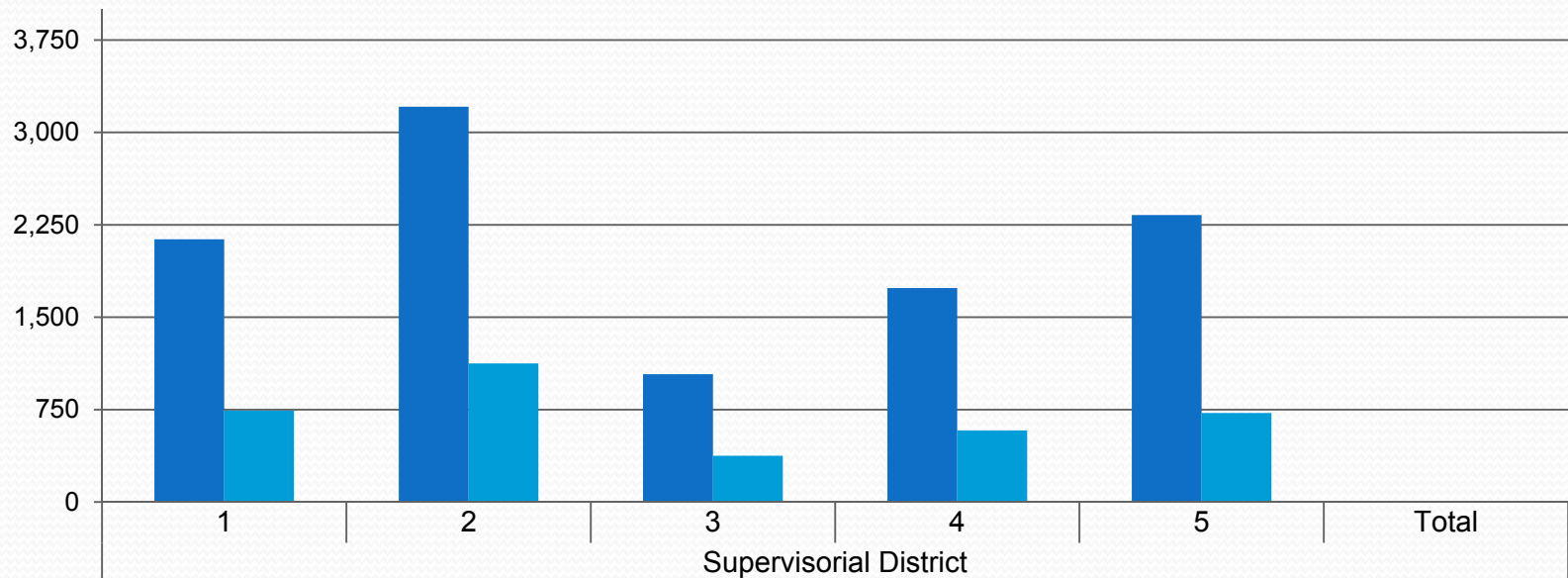


PRCS Cases and Terminations





Arrests by Supervisorial District



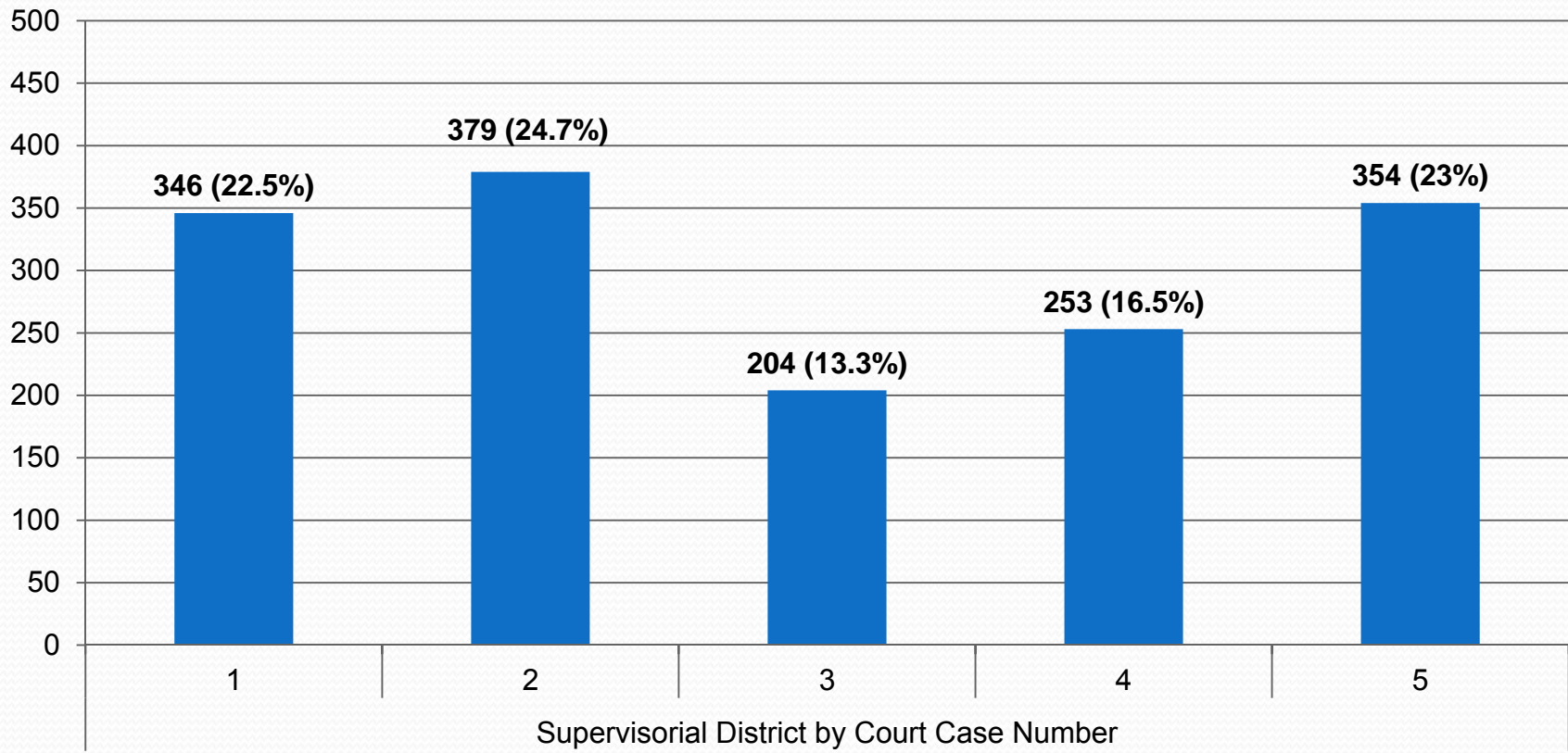
■ PSPs by District	2,133	3,208	1,038	1,737	2,329	10,445
■ PSP Arrested	742	1,125	375	581	722	3,545

Arrests per PSP	Number of Times PSP Arrested														Grand Total
	1	2	3	4	5	6	7	8	9	10	13	14	15		
Number of PSP Arrested	2,125	812	328	156	68	24	16	10	1	2	1	1	1	3,545	
% of PSPs	59.9	22.9	9.3	4.4	1.9	0.7	0.5	0.3	0.0	0.1	0.0	0.0	0.0	100.0	



Revocation Cases by Supervisorial District

Revocation Cases by Court Case Number





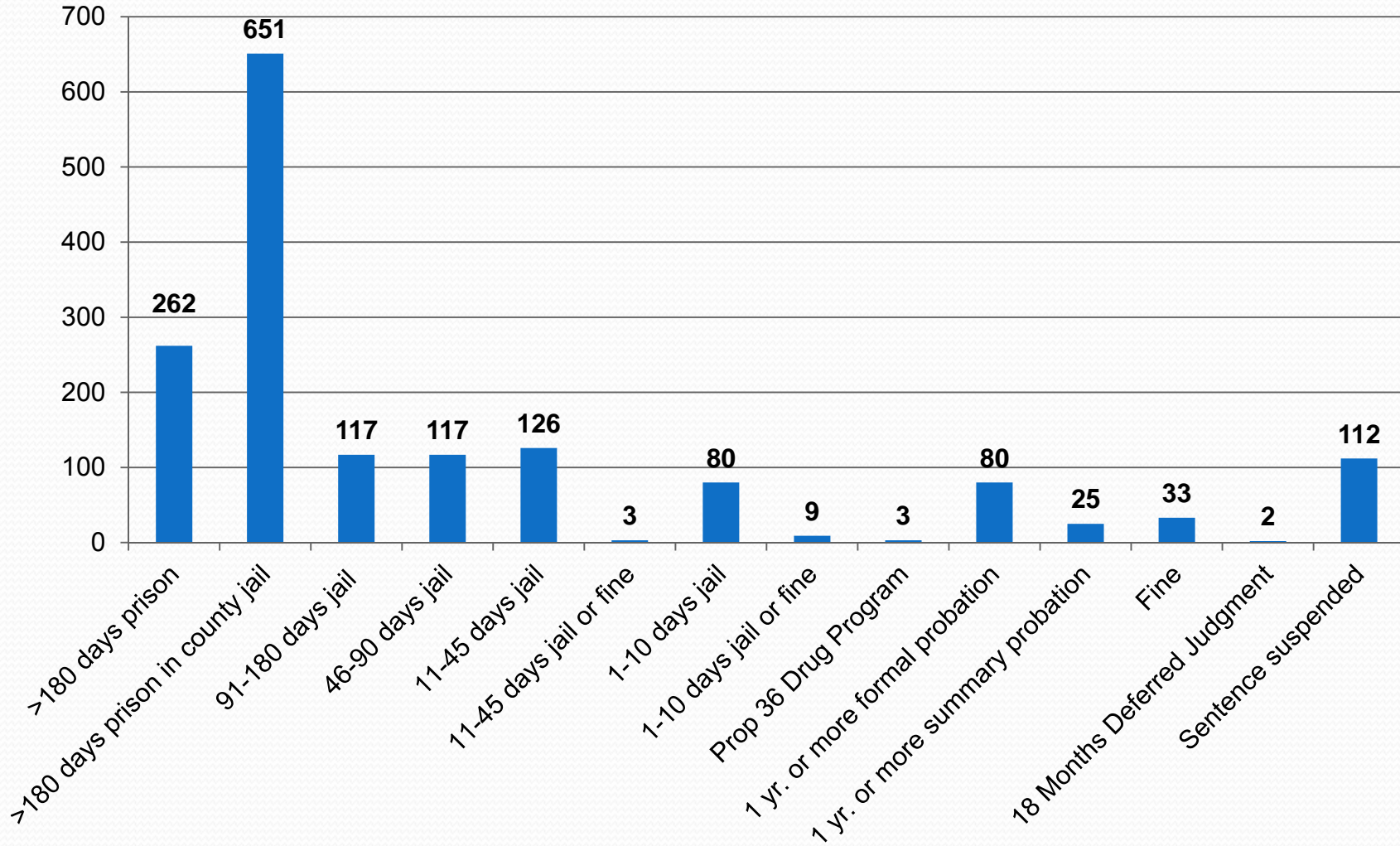
Closed Cases by Supervisorial District

- 347 of 1,104 (31.4%) released and eligible for 1 year termination December 2012
- 335 of 1,003 (33.4%) released and eligible for 1 year termination January 2013

REASON FOR TERMINATION	SUPERVISORIAL DISTRICT					Grand Total
	1	2	3	4	5	
Mandatory (12 months)	304	481	143	267	286	1,481
Terminated	112	143	39	81	105	480
Sentenced to State Prison/LA Superior Court	75	111	21	63	61	331
Outgoing 1203.9 PC (Transferred Out of LA County)	45	6	4	11	15	81
Deceased	3	15	5	4	9	36
Sentenced to County Jail/LA Superior Court	5	11	1	5	5	27
DAPO Discharge Date	5	9	1	4	3	22
Sentenced to State Prison/Non-LA Superior Court		2				2
Grand Total	549	778	214	435	484	2,460

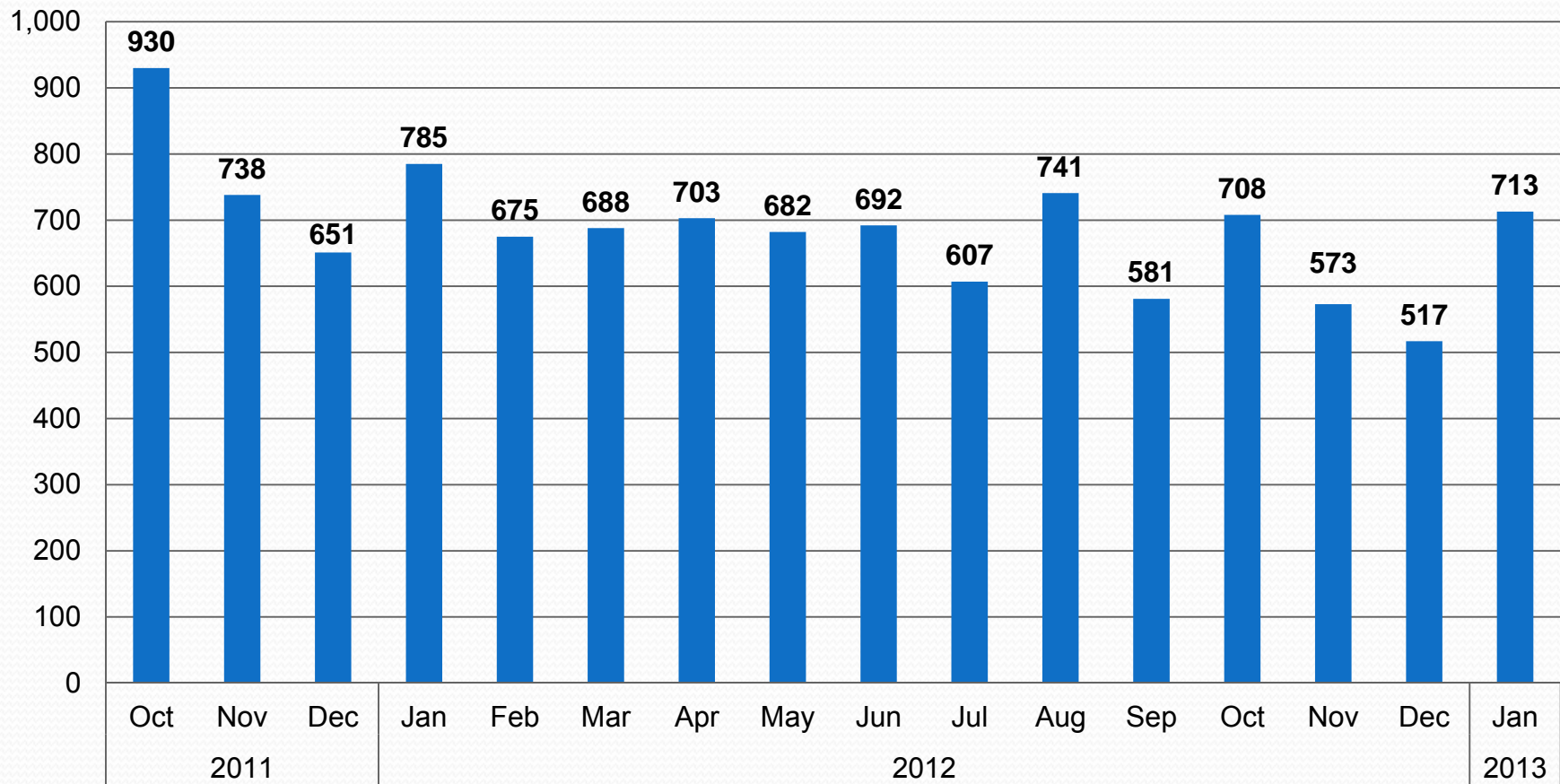


Sentences for 1,620 cases completed by District Attorney





Number of Defendants Sentenced Pursuant to Penal Code 1170(h)



Total – 11,007



Recidivism Definitions

National Institute of Justice (NIJ)

Person's relapse into criminal behavior, often after receiving sanctions or undergoing intervention for a previous crime.

California Department of Corrections and Rehabilitation (CDCR)

An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, discharged after being paroled, or directly discharged from CDCR during a defined time period (recidivism cohort) and subsequently returned to prison during a specified follow-up period (recidivism period).

Bureau of Justice Statistics (BJS)

Recidivism is measured by criminal acts that resulted in the re-arrest, reconviction, or return to prison with or without a new sentence during a three-year period following the prisoner's release.



Recidivism Definitions

Chief Probation Officers of California (CPOC)

A subsequent criminal adjudication/conviction while on probation supervision.

Pew Center

Recidivism is the act of reengaging in criminal offending despite having been punished.

Probation AB 109 PRCS

Defined as new conviction(s) post 12-month mandatory termination.

*Common measurements of recidivism: re-arrest, reconviction, re-incarceration



Recidivism Rate After Termination of PRCs

Month	Count of Terminations (12 months)	Type of Conviction		Total Convictions	Recidivism Rate
		Misdemeanor	Felony		
October 2012	363	11	4	15	4.1%
November 2012	377	5	4	9	2.4%
December 2012	347	5	3	8	2.3%
Total	1,087	21	11	32	2.9%

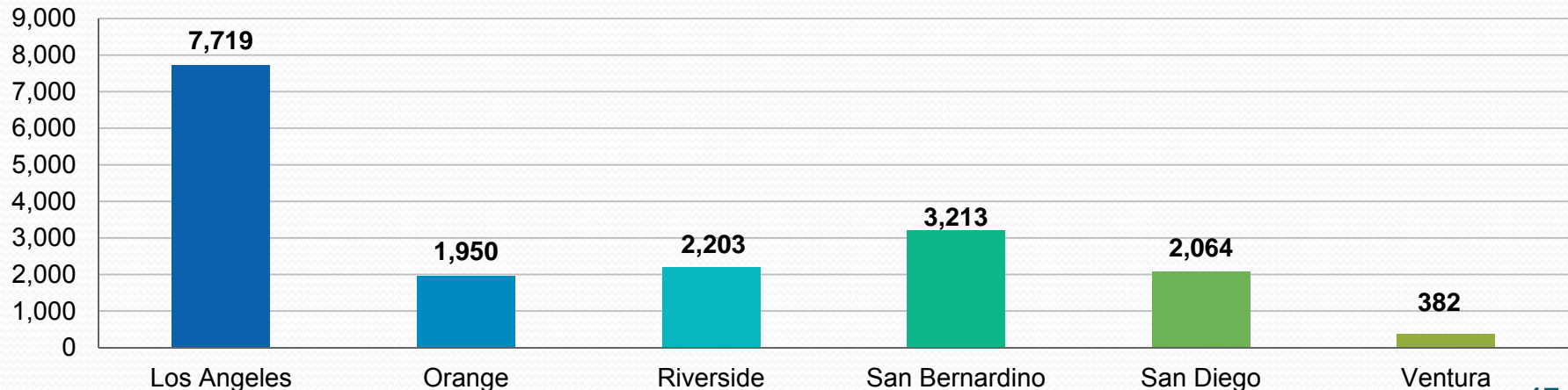


County Comparison Data*

Category	County					
	Los Angeles	Orange	Riverside	San Bernardino	San Diego	Ventura
PRCS Releases	7,719	1,950	2,203	3,213	2,064	382
Active PRCS Population	8,475	1,778	1,839	2,967	1,786	406
Percent of PRCS Release Failing to Appear with a Warrant Issued	10%	7%	8%	2%	7%	14%

*Information shown above is courtesy of CPOC <http://www.cpoc.org/>
All information is as of June 30, 2012

PRCS Releases as of June 30, 2012





Staffing for Fiscal Year 2011-2012

October 2011 – Board approved 144 AB109 staff items

As of June 30, 2012

- 121 of the 144 were filled
 - 92 transferred to AB109
 - 29 were promoted



Staffing for Fiscal Year 2012-2013

- June 6, 2012 - Board approves 147 additional staff items
- October 2, 2012 - Board approves 179 additional staff items

Total staff items approved = 470

As of February 25, 2013

- 224 of the 470 items have been filled
 - 133 transferred to AB109
 - 91 were promoted
- 31 additional items are pending transfer
- 22 additional items are pending promotion



Staffing Implementation Plan to Reach 425 Staff by December 2013

Action	Date of Action
Implemented bi-weekly staffing meetings to ensure our goal to staff AB109 is accomplished by target date	2/7/13
Posted Deputy Probation Officer (DPO) I, Residential Treatment (RT) Exam to allow backfills promoted from the halls and ability to provide releases to AB109	2/14/13
Obtained exception authority from CEO to hire during hard freeze for 100 DPO I, RTs, 100 Detention Services Officers (DSOs), and 25 Group Supervisor Nights (GSNs)	2/22/13
Mailed 212 background packets to new hire candidates (176 DSOs and 36 GSNs)	2/22/13
Contacted and made contingent promotional offers to candidates on the DPO II, Field Bid List. Identified 24 lateral transfers	2/22/13



Staffing Implementation Plan to Reach 425 Staff by December 2013

Action	Date of Action
Submitted 15 Personnel Action Requests (PARs) to fill all SDPO vacancies	2/22/13
Began the background process for the first 100 candidates on the DPO II, Field Promotional List	2/25/13
Obtained ordinance authority from CEO for 50 DPO I, RTs to allow overlap on Position Control to meet DOJ requirements at the camps	2/26/13
Began making contingent offers to candidates on the DPO II, Field Promotional List	2/26/13
Met with Pretrial Services to coordinate their assistance in processing backgrounds for Contracted Employees and Volunteers. This will allow the Background Unit to focus on processing backgrounds for permanent employees	2/28/13



Staffing Implementation Plan to Reach 425 Staff by December 2013

Action	Date of Action
LIVESCAN and interview an estimated 200 new hire candidates	3/9/13 – 3/16/13
Process the backgrounds for the estimated new hire candidates	3/9/13 - continuous
Interview DPO I, RT candidates	3/8/13 – 3/9/13
Promulgate DPO I, RT Certification List of 150 candidates	3/11/13
Contact and make contingent promotional offers to candidates on the DPO I, RT Certification List	3/12/13 – 3/15/13
Provide list of 50 DPO I, RT candidates to Background Unit to begin processing	3/15/13
Schedule 50 DPO I, RT candidates for LIVESCAN	3/18/13 – 3/22/13



Staffing Implementation Plan to Reach 425 Staff by December 2013

Action	Date of Action
Post DSO Vacancies	4/1/13
Contact and make contingent promotional offers to candidates on the DSO Bid Lists	4/5/13
Clear DSO Departmental Promotional List	4/10/13
Detention Services Bureau to prepare and submit (to HR) PARs for those selected from DSO Bid List and Departmental Promotional List	4/15/13
Promotional Training Class for 50 DPO I, RTs	4/15/13 – 4/26/13
Juvenile Corrections Officer Core (JCOC) Training Class for DSO/GSN new hires	4/29/13 – 6/14/13



Office Space Update

Space Request submitted to CEO Real Estate Division (RED) for the procurement of seven (7) regionally located offices for 345 staff. This includes the placements of office in the following areas:

- Antelope Valley
- City of Industry
- San Fernando Valley
- San Gabriel Valley
- South Bay
- South Los Angeles
- West Los Angeles

*Office space updates as reported by CEO RED



Office Locations Considered

- **Antelope Valley**

- **Lancaster**

- The City of Lancaster, Public Safety Manager and Probation Deputy Director have toured this property. The property has been cleared by the City for AB109. Probation cleared property on 2/25/13. Negotiations in process. Target Cluster/Board agenda TBD.

- **City of Industry**

- **West Covina**

- 15,000 sq. ft. with ample parking. Available July 1, 2013. In discussion with broker to determine feasibility of splitting space.

- **Industry**

- Retail center space with up to 19,000 available square feet and 72 surface parking spaces. Owner declined to consider the program for his property on 2/25/13.

- Search continues.



Office Locations Considered

- **San Fernando Valley**

- **Pacoima**

Probation toured site again on 2/20/13, to confirm site meets all program requirements. Probation has cleared the property conditionally pending plan to install elevator for two story property. Lease negotiations have commenced. Alternate site search continues for back-up property.

- **San Gabriel Valley**

- **El Monte**

11,976 available flex space with ample secured and surface parking. Landlord will finance tenant improvements (TIs) and owns adjacent lot for additional parking. Site toured with Probation on 2/19/13. Probation cleared property on 2/25/13. Proposal submitted by Lessor on 2/25/13; a counter proposal is in process. Target Cluster/Board agenda TBD.



Office Locations Considered

- **South Bay**

- **Carson**

- Probation toured the 10,000 sq. ft. site on 2/13/13. There is ample parking available on site. Further discussions with landlord underway. Other prospective tenants are also interested in the site.

- **Los Angeles (Torrance)**

- This Child Support Office temporarily co-houses a Public Health/Environmental Health office which is relocating to a new prospective location in their service area (negotiations underway). CSSD has tentatively cleared a co-tenancy with Probation who would have a dedicated entrance and parking. Probation toured property on 2/21/13. Probation has cleared site but availability timing could delay occupancy. Search continues for back-up property.



Office Locations Considered

- **South Los Angeles**

- **Los Angeles**

Has been approved by Probation. Lease negotiations completed 2/14/13. Draft lease and work letter sent to landlord 2/19/13. Preliminary space plan and specifications completed. Target Cluster/Board agenda date in March/April 2013.

- **West Los Angeles**

- **Los Angeles**

Landlord is willing to allow site to be used for Probation AB109 requirement. The property is 8,900 square feet and has 44 secured parking spaces. This owner can finance the TI's but rental rate is high and additional space not available.

- **Los Angeles (Inglewood)**

Probation toured the site on 2/21/13. Probation has advised this property is not suitable for the program. Private childcare center directly next door. Search continues.



Compliance Checks at Treatment Facilities

Law Enforcement continues to conduct compliance checks in the community.

Complaints from Treatment Facilities that house multiple high risk offenders requiring multiple visits for random compliance monitoring.

Los Angeles Police (LAPD) and Los Angeles Sheriffs (LASD) have drafted policy and guidelines governing compliance checks, especially at the treatment facilities.

The CCJCC Chief of Police Workgroup, in conjunction with the Chief of Police for Independent Cities, have held discussions to establish best practices in handling compliance checks at the residence of PSP as well as at treatment facilities. Also discussed – HIPAA; and communication and relationship building.



Law Enforcement Guidelines for Compliance Checks at Treatment Facilities – Points of Agreement

- Multi-Agency coordination approach
- Understanding the need to seek treatment
- Officers shall not disrupt the treatment of the PSP when no exigency is present
- Conduct prior outreach efforts
- Communicate with and provide brief explanation to the facility
- Supervisor level present when possible
- Multi-Agency coordinated approach
- Sensitivity to optics of the operation



Legislation

- **CA AB 2 - Sex Offenders: Parole Violations**

Provides that any criminal defendant who is released on parole or to post-release community supervision, who has suffered a prior to current felony requiring registration as a sex offender, and who violates that parole or post-release community-based supervision by violating the requirement to register as a sex offender shall serve any period of incarceration ordered for that violation in the state prison.

- **CA AB 15 - Inmates: Parole and Post-release Supervision**

Requires the Department of Corrections and Rehabilitation to notify, via the Law Enforcement Automated Data System, the local law enforcement agency of the jurisdiction to which the inmate is to be released regarding the scheduled release.



Legislation

- **CA AB 63 - Electronic Monitoring: Removing or Disabling**
Provides that a person subject to parole or post-release community supervision who removes or disables, or who willfully permits another to remove or disable, an electronic, global positioning system, or other monitoring device affixed as a condition of post-release community supervision or parole is an offense punishable by imprisonment in the county jail or in the state prison.
- **CA AB 68 - Parole**
Requires the Department of Corrections and Rehabilitation to give notice of any medical parole hearing and any medical parole release to both the county of commitment and the county of proposed release, prior to a medical parole hearing or a medical parole release. Requires that the notice include pertinent information regarding the inmate.



Legislation

- **CA AB 222 - Crimes: Enhancements: Punishment: State Prison**
Requires an executed sentence to be punished in state prison if the defendant is convicted of a crime for which an enhancement is imposed pursuant to the provision regarding specified controlled substances.
- **CA AB 321 - Registration of Sex Offenders: Non-permitted Addresses**
Requires an employee of a law enforcement agency to check the address given by a sex offender and ensure that the address is not that of a place where the sex offender is prohibited from staying or a place that serves the needs of children.



Legislation

- **CA SB 144 - Realignment Legislation Addressing Justice Reinvestment**
Creates the 2013 Realignment Legislation addressing justice reinvestment. Establishes the Realignment Reinvestment Fund. Requires the moneys in the fund to implement a comprehensive, locally run, supplemental community-based corrections plan. Requires the plan to be developed by each county's local Community Corrections Partnership and to be voted on by an executive committee of each county's Community Corrections Partnership.
- **CA SB 199 - Probation: Community Corrections**
Relates to local community corrections partnerships. Adds a rank-and-file deputy sheriff or a rank-and-file police officer and a rank-and-file probation officer or a deputy probation officer to the membership of a community corrections partnership.



Legislation

- **CA SB 225 - Imprisonment: Sentences Punishable in State Prison**
Requires a sentence to be served in state prison when the defendant is convicted of a felony otherwise punishable in a county jail and is sentenced to more than a specified number of years.
- **CA SB 226 - Defendants: Severe Mental Disorder: Incarceration**
Requires a court, upon conviction of a defendant for certain specified offenses involving force or serious bodily injury, or involving the threat of force or violence likely to produce substantial physical harm, that is punishable as a felony by imprisonment in a county jail, if the court has reason to believe the defendant has a severe mental disorder, to suspend the imposition of the sentence and transport the defendant for evaluation.



Legislation

- **CA SB 287 - Prison: Community Supervision: Eligibility**
Makes provisions in existing law for community supervision inapplicable to any person released from prison who has a prior conviction for a serious or violent felony, a crime for which the person received a 3rd strike, or a crime that resulted in the person being classified as a High Risk Sex Offender.
- **AB 1065 - Parole**
Requires that a person released from state prison who has served a previous prison term for which he or she was required, as a condition of parole, to undergo treatment by the State Department of State Hospitals to be subject to parole supervision by the Department of Corrections and Rehabilitation and the court in the county in which the parolee is released.



Mental Health

What financial impact has in-custody AB 109 had on realignments services for both jail and institutional care?

- Jail Mental Health Services (JMHS) \$3.8 million annually
- Institutions for Mental Disease (IMD) and State hospital \$1.5 million annually (does not include ancillary services)

Does mental health anticipate any legal exposure for the county similar to the civil rights violations that the state incurred regarding mental health or healthcare in the prisons?

- DMH does not anticipate any similar legal exposure unless resources for Jail Mental Health Services do not keep up with additional caseloads as they develop



Mental Health

What strategies is DMH currently using to reduce recidivism for individuals with mental illness and criminogenic risk factors associated with mental health?

Continue collaboration and communication between DMH and AB 109 partners to ensure inmates with mental illness have access to a full array of evidenced based mental health treatment services including:

- Assessment
- Medication support
- Individual and group treatment
- Crisis intervention
- Targeted case management
- Hospitalization or long term residential care when appropriate
- Integrated treatment of co-occurring mental health and substance use disorders
- Referral to self-help and community activities including faith-based supports



Mental Health

DMH currently has a 45% recidivism rate for individuals who are receiving mental health services according to the following definition: those individuals with flash incarceration for non-compliance and new charges.



Health Care

Efforts to provide adequate healthcare service to AB109 inmates and PSPs

- In December 2012, DHS joined existing DMH & Probation efforts to plan for PSPs coming to LAC.
- DHS is working with CDCR to develop a pilot for medical information sharing prior to release similar to what DMH has established.
- DHS is seeking AB109 resources to co-locate its staff at the Pre-Release Center so to better coordinate PSP health care services.
- AB109 associated health care costs attributed to two key areas:
 - First, smaller impact, are the PSPs returning to LAC earlier than expected.
 - Second, larger impact, are inmates serving long prison sentences within LAC jails wherein those with chronic care needs receive higher volume, higher intensity and thereby more costly care.



Department of Public Health - Substance Abuse Prevention and Control

- DPH-SAPC estimated 3,414 persons (PSPs, N3s, splits) would require Substance Use Disorder (SUD) treatment services for FY 2012-13. To adequately provide SUD treatment services, DPH-SAPC initially requested an overall budget of \$19.6 million. The CEO confirmed \$12.4 million in funding for DPH-SAPC. DPH-SAPC transferred \$4 million to the Department of Mental Health (DMH) for the Co-Occurring Population.
- At the current funding level of \$8.4 million, DPH-SAPC can serve 1,151 participants of the estimated 3,414.



Inter-agency Collaboration

- 27 DPO IIs co-located with Local Law Enforcement
- DMH and DPH/SAPC co-located at HUBs and revocation court
- Monthly Treatment Workgroups (Probation, DMH, DHS, DPH-SAPC, Courts, CBO representative)
 - Medically Fragile
 - Sex Offenders
 - Conditional Releases



Re-entry

- Five (5) DPO IIs recruited to co-locate at Community Re-entry Center at Twin Towers (Custody Liaison Officers for transition planning)
- Breaking Recidivism by Engaging and Changing (BREAC) Grant with healthRIGHT 360 for female re-entry program
 - From custody to Residential Treatment and one year case management
- Conditional Releases at Revocation Court
 - Assessment by CASC and DMH for linkages prior to release
- Co-location at Community Re-entry Center
 - HUB Assessment and linkages prior to release
 - Transportation by Mobile Assistance Team (MAT) for medically fragile and mentally ill



Re-entry Services

- Participation on Los Angeles Regional Reentry Partnership (LARRP) Charette Committee with the goal of developing re-entry housing plan for Los Angeles County
- Participation in quarterly collaborative and training events provided by healthRIGHT 360 to the subcontractors



CBO Contract

- Employment contract evaluation is complete, pending Chief Probation Officer review
- Board recommendation for award of contract to follow
- Working with CEO to determine strategic direction on employment and housing contracts



GPS

Probation currently places sex offenders and specific high-risk mental health PSPs on Active GPS

Potential expansion to include Very High Risk Caseloads and validated prison gang members

CURRENT STATUS OF PSPs REQUIRING GPS	TOTAL	Percent of Total
Active on GPS	122	35.2%
In Custody	80	23.1%
Case Closed	82	23.6%
Warrant	36	10.4%
Ice Hold	16	4.6%
Desertion Report Filed. Pending Warrant	4	1.2%
Deported	3	0.9%
Transferred	2	0.6%
Prison	1	0.3%
Just Released. Pending GPS	1	0.3%
Grand Total	347	100.0%



GPS

Of our current Active GPS population, there has only been one incident where the PSP removed their GPS unit.

The PSP was taken into custody and a Flash Incarceration was applied.

Reason for Alert	Total
Tampering	12
Battery	53
Equipment Malfunction	14
PSPs Outside of Permitted Area	18

Consequences for removing a GPS tracking unit range from Intermediate Sanctions up to revocation of PRCS.



GPS

Probation's recommendations on minimizing the risk to public safety when utilizing these devices:

- Robust monitoring process to immediately address any violations/tampering with the system.
- Not solely dependent on the GPS system, rather, utilize other strategies to monitor subject such as field visits and local law enforcement collaboration
- Develop a comprehensive profile and risk assessment process to ensure appropriate individuals are being monitored on GPS
- Appropriately and aggressively address violations of GPS supervision such as tampering and out of bounds
- Ensure the vendor is utilizing the most current technology



Questions

