ALAMEDA COUNTY AB 109 EVALUATION: AB 109 OVERVIEW AND OUTCOMES REPORT

July 20, 2020

David Onek, JD
Ardavan Davaran, Ph.D.
Nicole Liner-Jigamian, MPH MSW

Agenda

- Project Overview
- Methodology
- Jail and Probation Populations and AB 109-Funded Services
- Revocation and Recidivism Outcomes
- Discussion

RDA

Project Overview

Report Components

- Population Overviews and AB 109-Funded Service Receipt
  - Jail Population and Pre-Sentence and In-Custody Services
  - Probation Population and AB 109-Funded Service Receipt
- Client Recidivism Outcomes
  - Probation Population Profiles
  - Revocation Outcomes
  - Descriptive Overview of Recidivism
  - AB 109-Funded, Mental Health, and Substance Use Services and Recidivism
- Discussion
  - Operational Utility of Key Findings
  - Areas for Further Inquiry

RDA

Methodology

Methodology

Data Sources

- Behavioral Health Care Services
- Contracted Service Providers
- District Attorney's Office
- Housing and Community Development
- Information Technology Department
- Probation Department
- Public Defender's Office
- Sheriff's Office

Analysis

- **Descriptive Statistics** to measure probation caseload types, demographic and criminal history information, sentencing outcomes, jail populations, service receipt, and revocation and recidivism outcomes.
- **Logistic Regression & Predicted Probabilities** to compare the likelihood and predicted probability of recidivism for individuals who did and did not receive services, after accounting for other characteristics associated with recidivism.
- **Survival Analysis** to examine the time to recidivism and compare the risk of recidivating for individuals who did and did not receive services, after accounting for other characteristics associated with recidivism.

RDA

Defining Populations for Report

- **Formal Probation:** sentenced to formal probation for a felony offense (no 1170(h) offense)
- **County Realigned:** sentenced to formal probation for an 1170(h) offense
- **Mandatory Supervision:** sentenced to mandatory supervision (under probation supervision) for an 1170(h) offense
- **Post-Release Community Supervision:** under probation supervision after release from state prison for an 1170(h) offense

RDA

Key Considerations

Service Receipt

- This report accounts only for AB 109-funded service receipt, as well as County MH and SUD service receipt. The analysis does not account for service receipt from other organizations that provide services in the County.

Court Conversion to Odyssey

- County has been unable to obtain reliable data on whether revocations are filed by Probation or the DA's Office, or whether they were filed for technical violations or in lieu of new criminal offenses, since the Court's conversion to the Odyssey Case Management System.
- Questions also remain about the reliability of sentencing information that can be extracted from the system, especially for historical information before July 2016.

RDA

Jail and Probation Population Overview and Service Trends

RDA

Jail Population

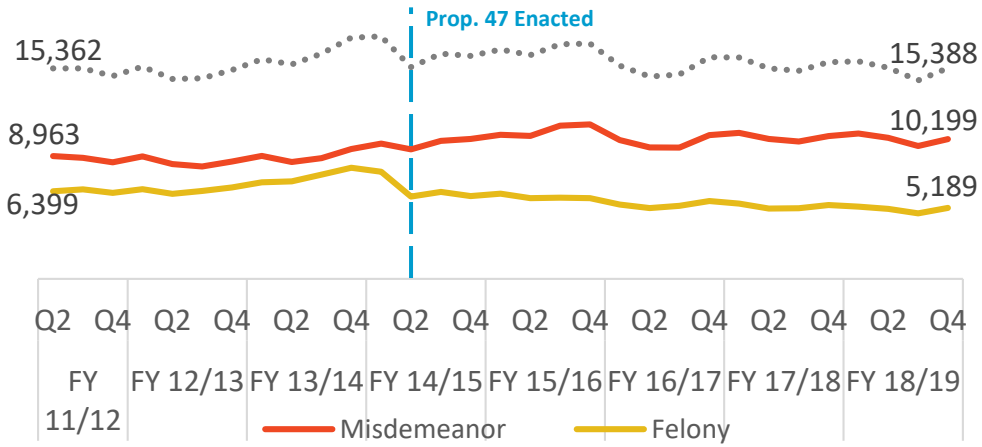
Key Findings

The **average daily jail population has declined** significantly since October 2011.

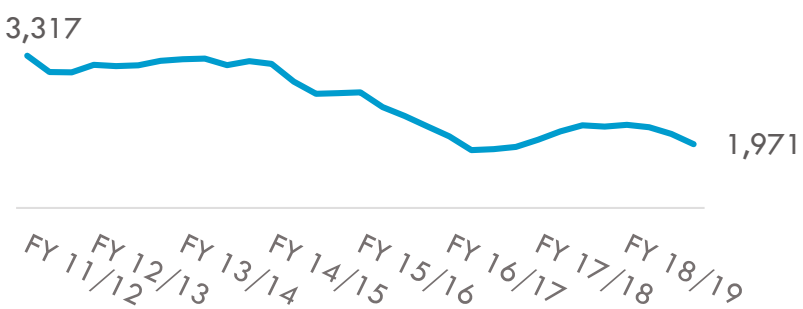
A greater proportion of **bookings are for misdemeanor** than felony offenses, and the **average length of stay has declined** over time.

The average length of stay for felony offenses has **decreased**, from 50 days in FY 11/12 to 31 days in FY 18/19.

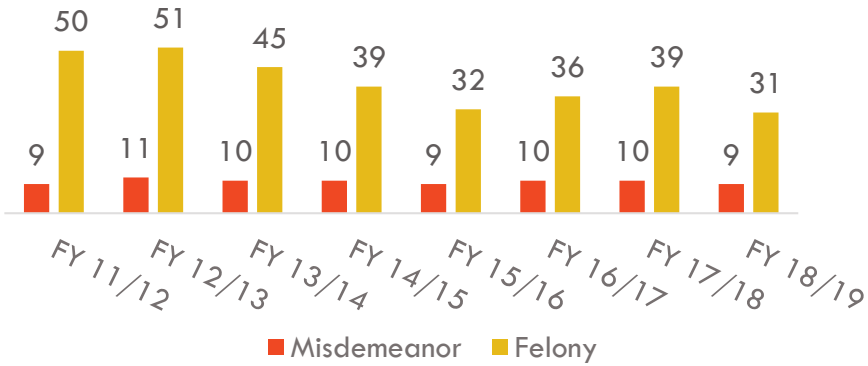
Jail Bookings, by Charge Severity



Average Daily Jail Population by FQ



Average Length of Stay in Days, by Charge Severity



Pre-Sentence and In-Custody Services

Key Findings

Alameda County **continues to provide pre-sentence and in-custody services** funded through AB 109 to support individuals who are in custody and/or charged with a new criminal offense.

Pre-Sentence and In-Custody Services*

- Early Intervention Court
- AB 109-Funded Social Workers
- AC Justice Restoration Project
- Operation My Home Town
- Behavioral Health Care Services
  - Case and Care Management
  - Adult Forensic Behavioral Health Services

*Services referenced on this slide reflect those included in the *Pre-Sentence and In-Custody Service Receipt* section of the report. It is noteworthy that other AB 109-funded programs, such as the Realignment Housing Program, begin working with clients prior to release while they are in custody.

RDA

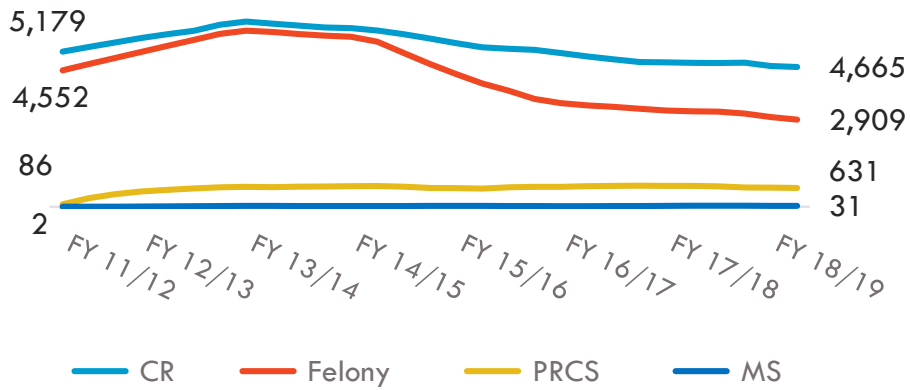
Probation Populations

Key Findings

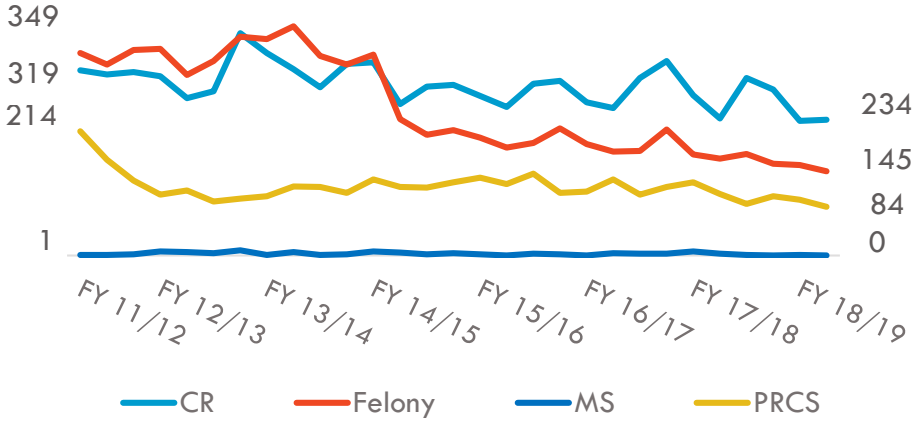
Since October 2011, **the number of individuals under probation supervision for a felony offense has declined** (from almost 10,000 individuals at the end of 2011 to 8,365 as of March 31, 2020).

The number of **new probation cases per quarter declined by almost half over time,** from almost 900 in FY 11/12 (Q2) to just over 450 in FY 18/19 (Q4).

Average Daily Number of Individuals on Probation by FQ



Number of New Probation Supervision Case Starts by FQ



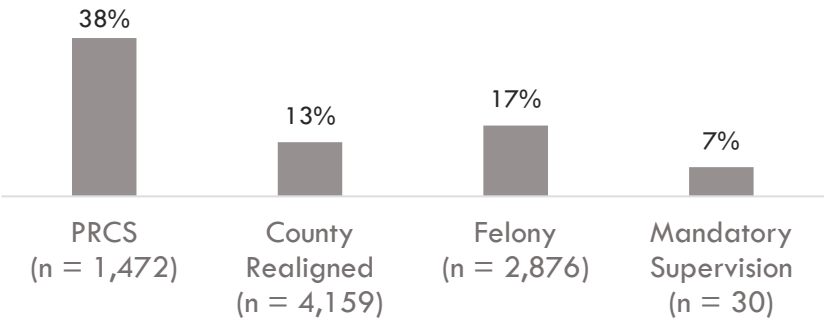
AB 109-Funded Services

Key Findings

Beginning in 2015, a **greater variety of AB 109-funded services were available** to individuals under probation supervision.

In Alameda County, **AB 109-funded services tend to target higher risk populations,** as evidenced by the large proportion of individuals with PRCS cases who receive services.

Percentage of Supervised Population Receiving One or More Services Between 2015 and 2019



Available Services*

- Housing
  - Realignment Housing Project (RHP)
    - Abode & East Oakland Community Program (EOCP)
    - Bay Area Community Services (BACS) and Building Opportunities for Self-Sufficiency (BOSS)
  - Men of Valor Academy (MOVA) Shelter
- Employment
- Transition Day Reporting Center (T/DRC)
- Mentoring and Reengagement: For Us By Us (FUBU)
- Education: Five Keys Charter School

RDA

Revocations and Recidivism Outcomes

Overview

Cohort 1

Started Probation
October 1, 2011 –
December 31, 2014

Population Size
9,485

Cohort 2

Started Probation
January 1, 2015 –
December 31, 2018

Population Size
8,537

RDA

Population Profile

Key Findings

Across demographic characteristics, **the two cohorts are quite similar.**

Demographic Characteristics of Probation Cohorts 1 and 2

Demographic Characteristics	Cohort 1 (N= 9,485)	Cohort 2 (N=8,537)
	%	%
Age Group		
18-24	25%	22%
25-44	55%	57%
45-64	20%	20%
65+	1%	1%
Unknown	<1%	<1%
Race/Ethnicity		
Black	50%	49%
Hispanic/Latino	21%	23%
White	20%	19%
Asian/Pacific Islander	6%	7%
Unknown/Other	3%	2%
Gender		
Male	84%	85%
Female	16%	15%

RDA

Population Profile

Key Findings

Across criminal justice characteristics, **the two cohorts are quite similar.**

Approximately **one quarter** of individuals in each cohort have been diagnosed with a **serious mental illness** and/or **substance use disorder.**

Of note, **19%** of individuals in Probation Cohort 2 **received services,** compared to only **4%** of Probation Cohort 1.

Criminal Justice & Behavioral Health Characteristics of Probation Cohorts 1 and 2

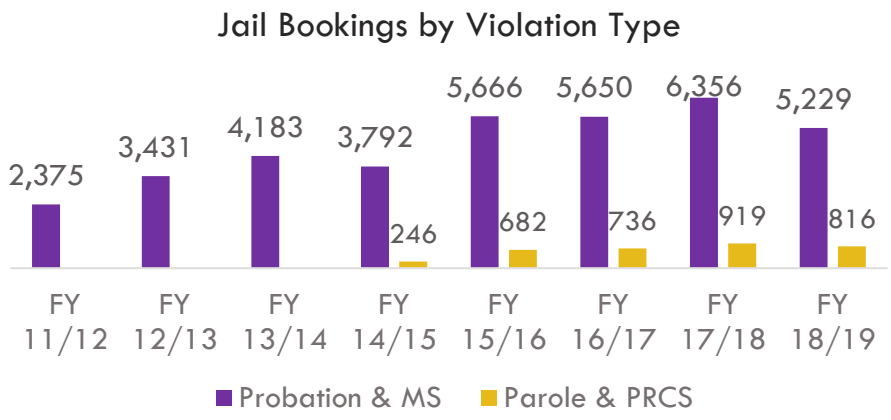
Criminal Justice & Behavioral Health Characteristics	Cohort 1 (N=9,485) %	Cohort 2 (N=8,537) %
Services		
Received AB 109 Services	4%	19%
Did not Receive AB 109 Services	96%	81%
Probation Type		
Formal Probation	45%	34%
County Realigned	40%	49%
PRCS	15%	17%
Mandatory Supervision	<1%	<1%
Criminal History		
No Priors	32%	34%
Misdemeanor Only	22%	21%
1 Felony	17%	15%
2 or More Felonies	29%	30%
Diagnosis		
None	76%	73%
Serious Mental Illness	11%	10%
Substance Use Disorder	8%	10%
Co-occurring	5%	7%

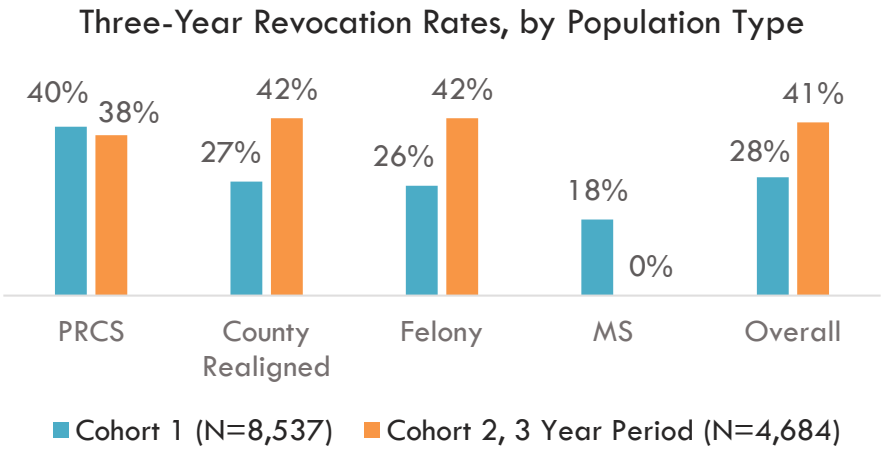
Revocation Outcomes

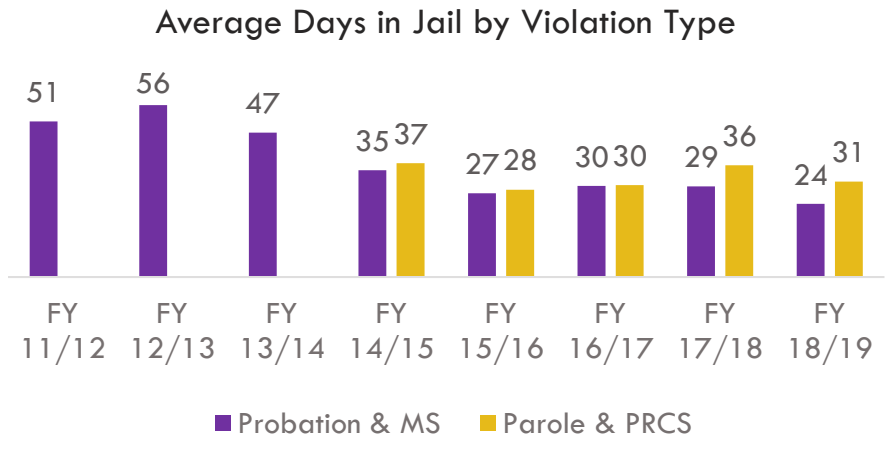
Key Findings

41% of individuals in Probation Cohort 2 **were revoked**, compared to **28%** of Probation Cohort 1.

Jail bookings for probation violations have **increased** over time, however the average **length of stay in jail has decreased.**







Recidivism Outcomes

Key Findings

38% of individuals in Probation Cohort 2 **recidivated,** compared to **40%** of Probation Cohort 1.

Between 2015 and 2018, **one-year recidivism rates dropped from 21%** for individuals who started probation in 2015 compared to **14%** for individuals who started in 2018.

One, Two, and Three-Year Recidivism Rates

	Cohort 1 (N=9,485)	Cohort 2	
		All Individuals (N=8,537)	3 Year Period (N=4,684)
Recidivism Timeline	% Recidivated	% Recidivated	% Recidivated
1 Year	21%	18%	20%
2 Years	33%	28%	32%
3 Years	40%	32%	38%

One-Year Recidivism Rates Between 2015 and 2018

Probation Start Year	Population Size	% Recidivated
2015	2,408	21%
2016	2,276	19%
2017	2,099	18%
2018	1,754	14%

RDA

Recidivism Outcomes Continued

Key Findings

Younger individuals **recidivated at a higher rate** than those who were older.

Men and women recidivated at similar rates, as did individuals of different races/ethnicities.

Recidivism Outcomes by Demographic Characteristics for Cohorts 1 and 2

Demographic Characteristics	Cohort 1 (N=9,485)	Cohort 2 – 3 Year Period (N=4,684)
	% Recidivated	% Recidivated
Age Group		
18-24	44%	42%
25-44	42%	39%
45-64	34%	35%
65+	24%	11%
Race/Ethnicity		
Black	42%	40%
Hispanic/Latino	38%	35%
White	41%	37%
Asian/Pacific Islander	36%	43%
Unknown/Other	35%	40%
Gender		
Male	41%	39%
Female	36%	34%

Recidivism Outcomes Continued

Key Findings

Individuals with **PRCS cases recidivated at higher rates** than other case types, as did those with more extensive and **serious criminal histories.**

Individuals with **SMI, SUD, and co-occurring disorders recidivated at a higher rate** than other individuals under probation supervision.

Recidivism Outcomes by Criminal Justice & Behavioral Health Characteristics for Cohorts 1 and 2

Criminal Justice & Behavioral Health Characteristics	Cohort 1 (N=9,485)	Cohort 2 – 3 Year Period (N=4,684)
	% Recidivated	% Recidivated
Probation Type		
Formal	41%	36%
County Realigned	33%	34%
PRCS	58%	52%
Mandatory Supervision	62%	88%
Criminal History		
No Priors	29%	27%
Misdemeanor Only	38%	36%
1 Felony	45%	44%
2 or More Felonies	53%	49%
Behavioral Health Diagnoses		
No SMI or SUD Diagnosis	37%	35%
Serious Mental Illness (SMI)	55%	53%
Substance Use Disorder (SUD)	47%	44%
Co-occurring	46%	48%

AB 109-funded Services and Recidivism – Descriptive Findings

Descriptive Key Findings

Overall, **recidivism rates were similar** for those who did and did not receive services.

However, **21% of women who received AB 109-funded services recidivated** compared to **41% of men.**

Recidivism Outcomes for Individuals who Received AB109-Funded Services

	Cohort 2 3 Year Period (N=4,684)	
Services Status	**Pop. Size**	**% Recid.**
Received Services	790	39%
Did Not Receive Services	3,894	38%
Women (n=696)		
Received Services	89	21%
Did Not Receive Services	607	36%
Men (n=3,988)		
Received Services	701	41%
Did Not Receive Services	3,287	39%

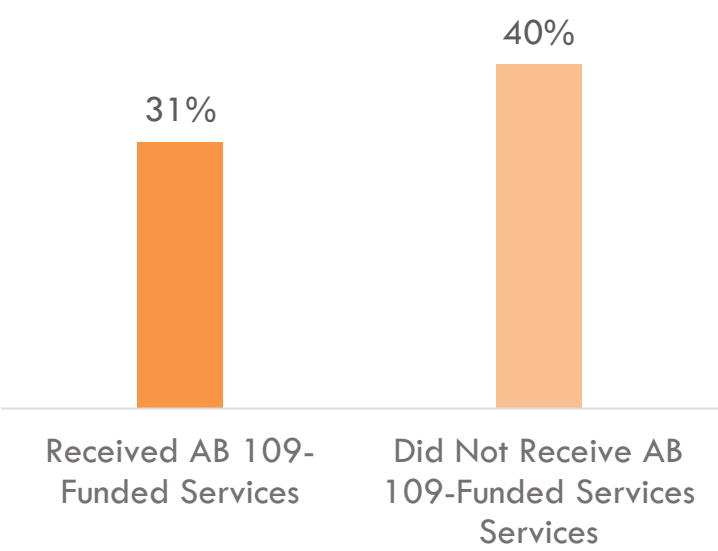
AB 109-Funded Services and Recidivism

Inferential Key Findings

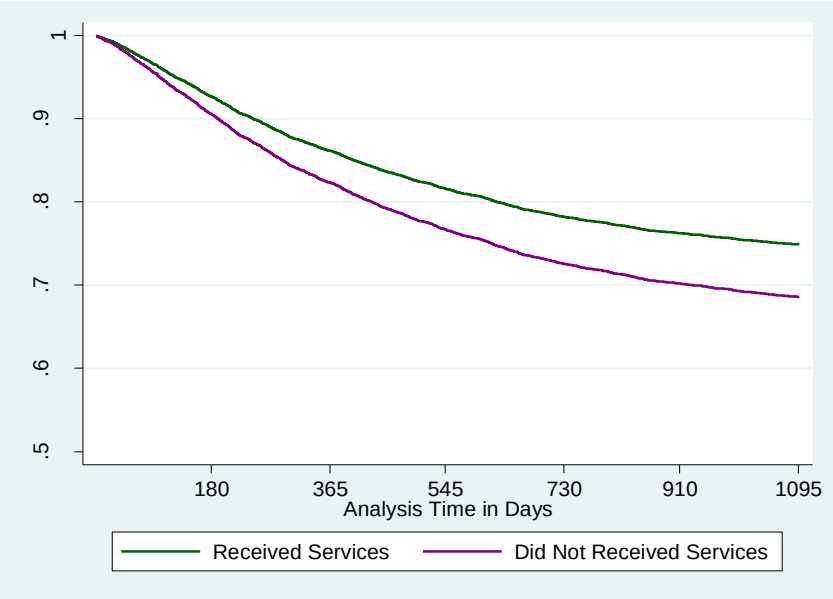
All else equal, individuals who **received AB 109-funded services** were **less likely to recidivate** than individuals who did not receive these services.

All else equal, individuals who **received AB 109-funded services recidivated at a slower rate** than individuals who did not receive these services.

Predicted Probability of Recidivating



Risk of Recidivating



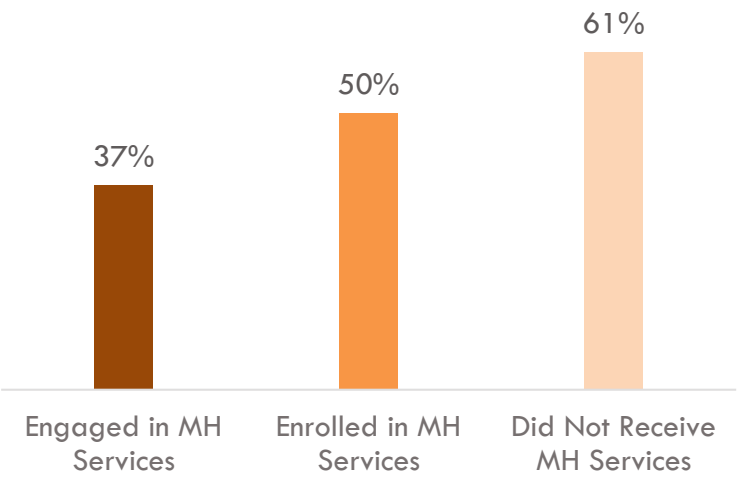
Mental Health Services and Recidivism

Key Findings

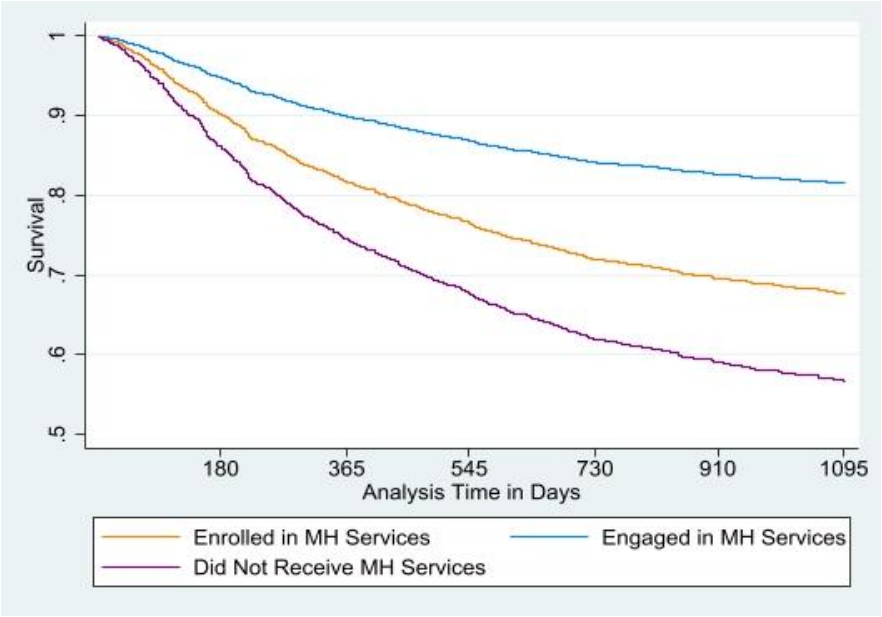
Individuals **diagnosed with SMI who received mental health services through ACBH** were **less likely to recidivate** than individuals who did not receive these services.

Individuals **diagnosed with SMI who received mental health services through ACBH recidivated at a slower rate** than individuals who did not receive these services.

Predicted Probability of Recidivating



Risk of Recidivating



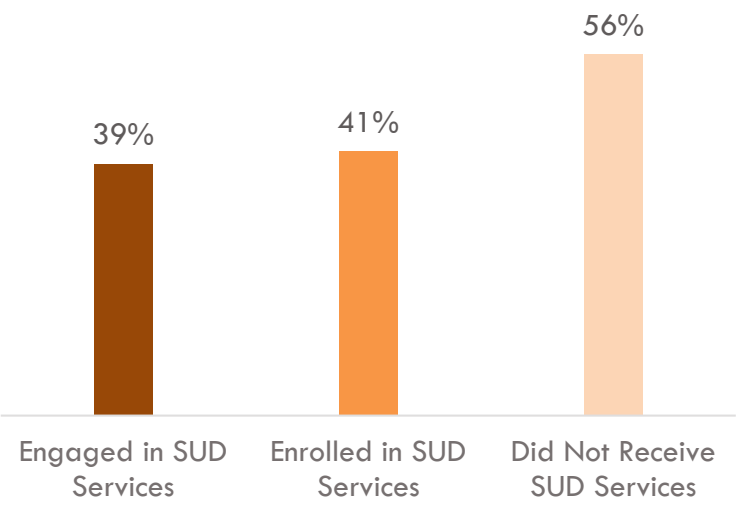
Substance Use Services and Recidivism

Key Findings

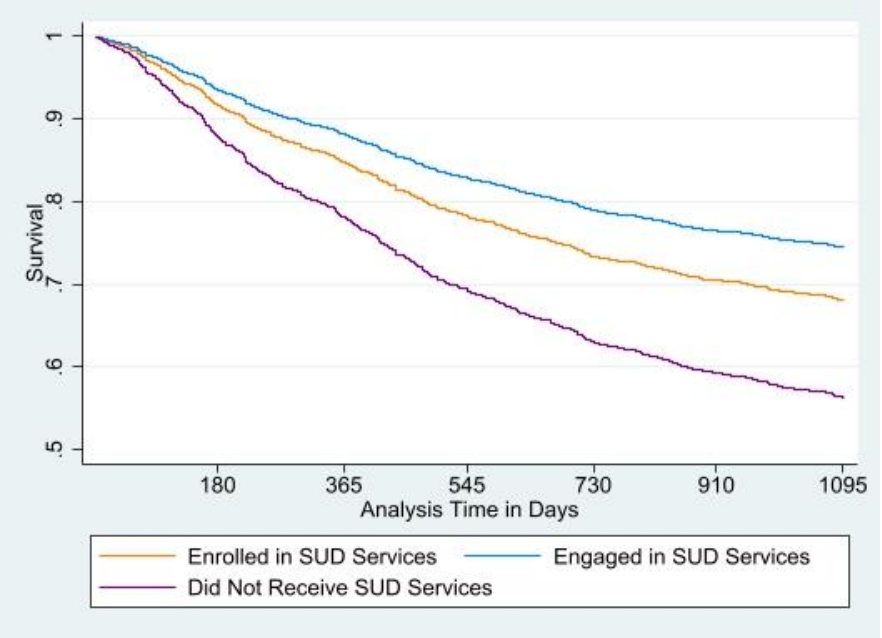
Individuals **diagnosed with SUD who received substance use services through ACBH** were **less likely to recidivate** than individuals who did not receive these services.

Individuals **diagnosed with SUD who received substance use services through ACBH recidivated at a slower rate** than individuals who did not receive these services.

Predicted Probability of Recidivating



Risk of Recidivating



Operational Utility of Key Findings

Targeted interventions can help support individuals under probation supervision and reduce their likelihood of recidivism.

Connecting more individuals under probation supervision, including those with behavioral health issues, to appropriate services, and ensuring they become engaged in them may reduce the likelihood of recidivism.

Utilizing the COMPASS to identify the recidivism risk and needs of individuals under probation supervision offers an opportunity to provide targeted interventions that support re-entry and reduce the likelihood of recidivism.

Continuing to capitalize on the implementation of Tyler Supervision and working to create protocols between DPOs and providers on how to use the system can help increase referral, enrollment, and engagement with services.

RDA™

Areas for Further Inquiry

Several sub-groups (e.g., PRCS population, individuals with behavioral health issues, age 18-24 and 25-44, serious criminal histories) on probation recidivated at a higher rate than others.

- **Recommendation:** Explore opportunities to gain a better understanding of the factors that might influence their success (e.g., caseload sizes, case management practices, targeted service interventions).

Women who enrolled in AB 109-funded services were much less likely to recidivate than women who did not enroll in these services.

- **Recommendation:** Seek to learn more about the factors that result in women who engage in AB 109-funded services having reduced rates of recidivism and use those learnings to inform service delivery for others under probation supervision.

Individuals starting probation most recently have substantially lower one-year recidivism rates than individuals starting probation previously.

- **Recommendation:** Continue to engage in newly implemented practices and measure their impacts to support data-driven decision making to continue to reduce recidivism rates.

The Court's conversion to Odyssey CMS has impacted the County's ability to obtain reliable sentencing data pre-June 2016, or data on whether revocations are filed for technical violations or in lieu of a new criminal offense.

- **Recommendation:** Continue to explore these data issues so that it is possible to reliably assess revocation and sentencing outcomes and better understand how AB 109 Realignment has impacted filing and sentencing practices, if at all.

RDA

Contact Us

David Onek, JD
Project Director
donek@resourcedevelopment.net

Ardavan Davaran, PhD
Project Manager
adavaran@resourcedevelopment.net

Nicole Liner-Jigamian, MSW MPH
Research Associate
nliner@resourcedevelopment.net