

Santa Cruz County Probation Department

**Adult
Probation
Division
Annual
Report**

2019

Our **VISION** is a safe and thriving community with justice for all.

Our **MISSION** is to promote public safety, reduce recidivism, and support victims and all those impacted by crime. In partnership with our community, we provide balanced supervision, accountability, and opportunities for positive change through results driven practices.

Prepared by
Division Director
Sarah Fletcher

Contents

Introduction:..... 2

Executive Summary 2

County Strategic Plan Adult Division Goals..... 4

Division Highlights..... 4

Pretrial..... 4

Investigations, Court Coverage, and Supervision..... 8

AB109: Public Safety Realignment 10

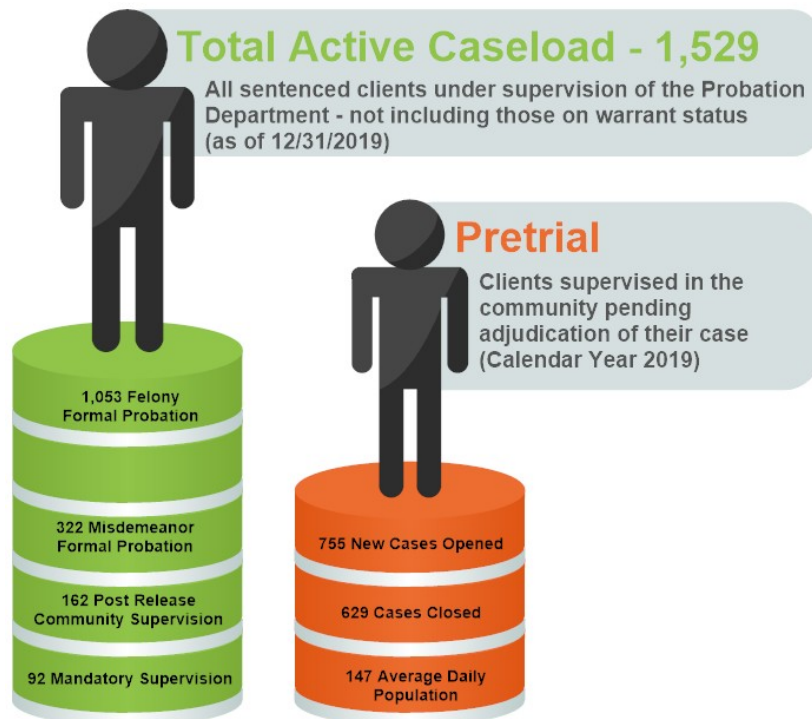
Grants and Technical Assistance/Research Projects 11

Introduction:

The Adult Division provides a full spectrum of services operating around three major focus areas – Pretrial Services, Court Coverage and Investigations, and Community Based Supervision. The Division’s Pretrial Unit completes assessments and makes recommendations regarding the release or detention of individuals pending criminal charges and provides monitoring to those deemed eligible by the courts to remain in the community. The Investigations Unit completes pre-sentence and pre-plea reports which include sentencing recommendations based on statutory mandates and rules of court. The remaining units and majority of Division Staff provide various levels of community-based supervision for individuals placed on formal probation, those released from state prison on post release community supervision (PRCS), and those serving the community portion of their local prison sentence (pursuant to Penal Code Section 1170(h)). Probation Officers serve the criminal courts as Department representatives in the felony and specialty courtrooms; information regarding pretrial assessments and monitoring is provided to all criminal courtrooms (both misdemeanor and felony). In addition, the Division provides contract oversight for service providers who support programming for individuals who are both in custody and in the community.

As of July 2019, the opening of our County’s first Probation Service Center in Santa Cruz provided an opportunity to remove some logistical and financial barriers by offering a collaborative location for criminal justice involved individuals to access a variety of resources and programming. One of our goals is to expand a scaled model to South County in the coming year.

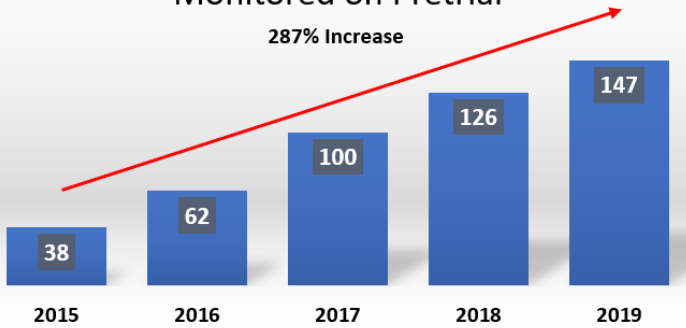
Executive Summary



Throughout 2019, an emphasis on bail reform continued to sweep across the nation and California, with risk-based decision making at the center of the discussion due to the equity concerns of a monetary-based bail system. While some raise questions about the potential bias within assessment tools, research continues to point us in the direction of utilizing evidence-based principles to enhance our local decision making as we balance public safety with the least restrictive level of oversight to ensure compliance and

support behavior change. We continue to see an increase in the reliance on pretrial assessment and monitoring in Santa Cruz County, with a nearly 300% increase in daily average number of individuals being monitored pretrial (pre-conviction). Since 2011’s Prison realignment (AB109) and 2014’s statutory reduction of many low-level offenses (Prop 47), our Department continues

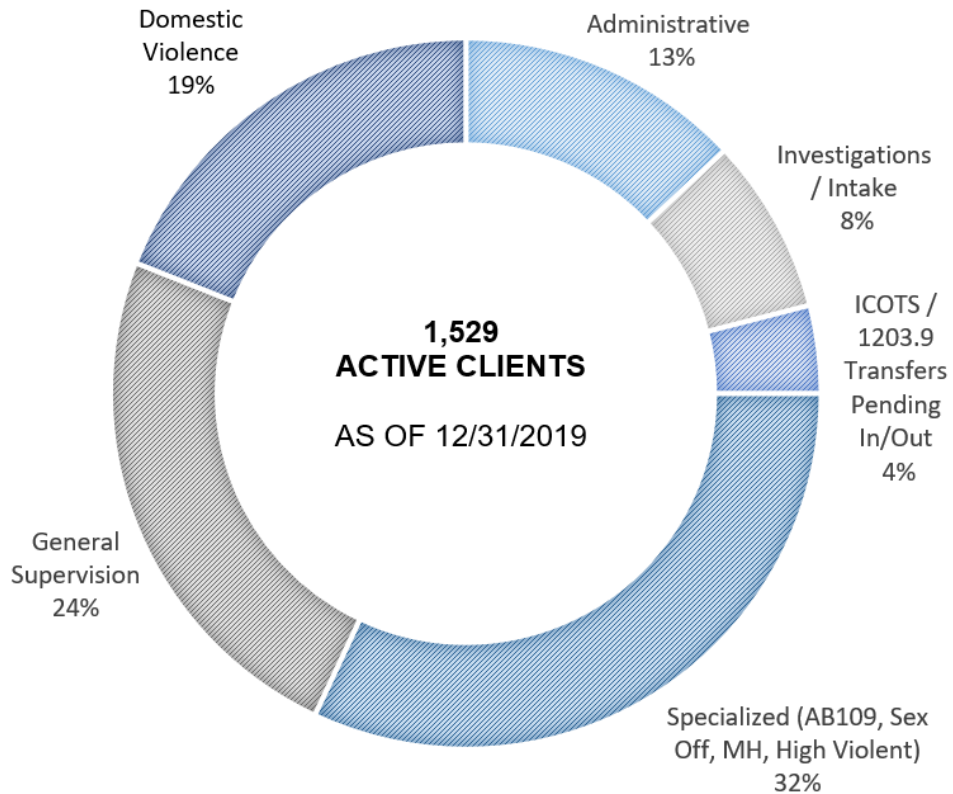
Average Daily Population (ADP)
Monitored on Pretrial



to learn lessons from what has shown to be most effective. As we have seen success with our AB109 population by connecting individuals to appropriate resources and have shifted our service agreements to be more outcome based and results drive, we have looked for opportunities to expand that model to our larger population.

As stated in 2018’s future goals, in July 2019 we successfully opened the County’s first Probation Service Center in Santa Cruz on the first floor where our North County Adult Probation Office is located. Individuals under the jurisdiction of the Department from the pretrial stage through post-sentenced stage are eligible to receive services in a trauma-informed and collaborative environment where probation, health services, and community-based providers are co-located.

As stated in 2018’s future goals, in July 2019 we successfully opened



County Strategic Plan Adult Division Goals

As the County embarked on their first Strategic Plan effort, each Department was tasked with creating objectives. The Adult Division's objectives include:

County Objective #161: By June 2020, Probation will serve 10% of all clients at the new Service Center (target = 165 clients).

PROGRESS: Within the first six months of operation more than 200 clients were served.

County Objective #163: By June 2021, Probation will provide recommendations to the State based on the implementation and operation of an alternative domestic violence prevention program based on a risk and needs assessment.

PROGRESS: The pilot program commenced in July 2019, and by December 2019 the new intervention matrix was in place and data collection had begun.

County Objective #164: By June 2021, Probation will train 100% of dedicated staff responsible for implementing new sex offender registration requirements established by State law (target = 2 staff).

PROGRESS: By the end of December 2019, two designated staff had attended available trainings.

County Objective #164: By June 2021, Probation will decrease by 10% the three year recidivism rate for AB109 population, as defined by the California Board of State and Community Corrections (target = 42%).

PROGRESS: By the end of 2019 we did not have a current recidivism rate. The Department began working with the Information Systems Department to develop a more efficient methodology for future replication of recidivism (including collaborating with the Superior Court and CAO).

For more information on Departmental and County objectives please see the County's website: [Vision Santa Cruz \(santacruzcounty.us\)](http://santacruzcounty.us).

Division Highlights

Pretrial

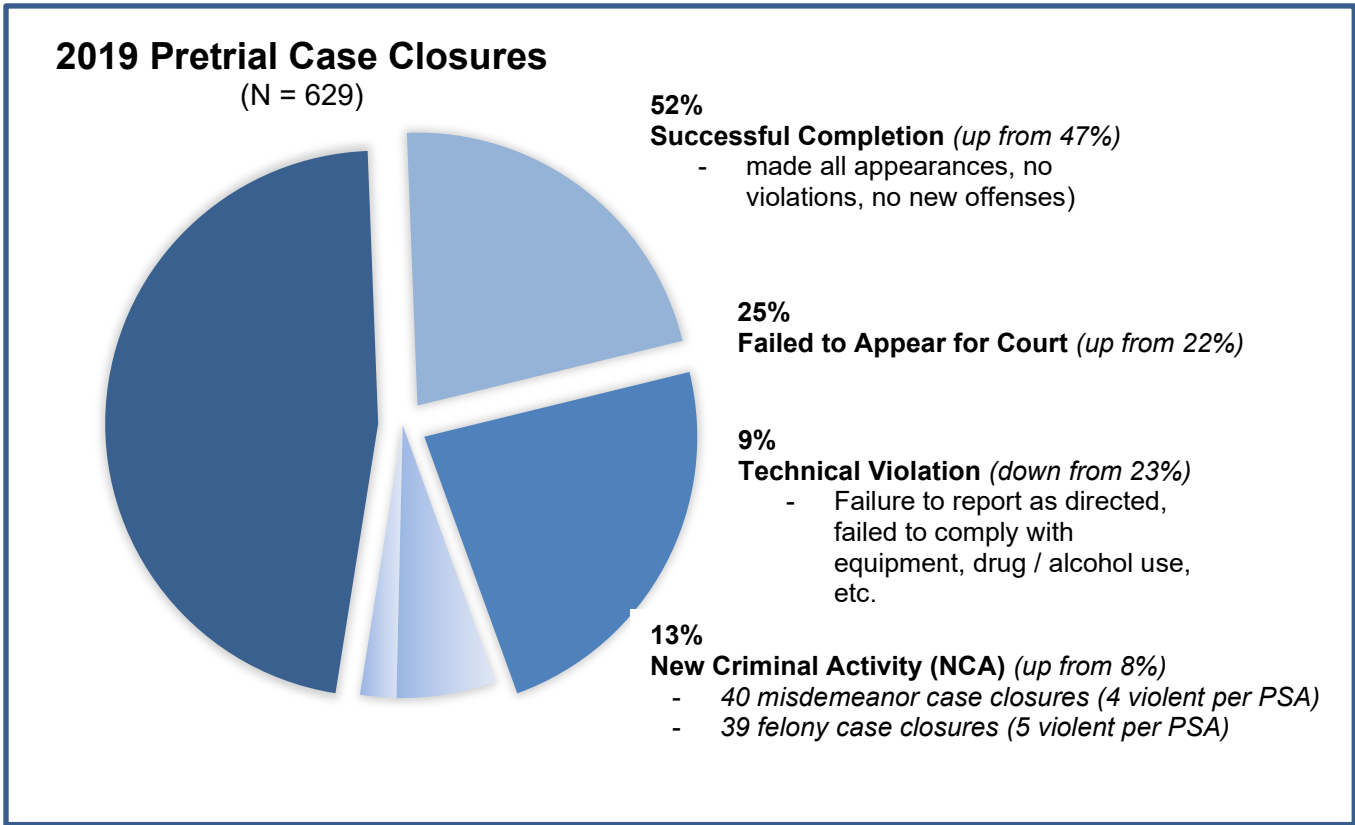
While the main purpose of pretrial is to assure due process as outlined in the 14th amendment, a robust pretrial program can have the added benefit of assisting with jail overcrowding. In general, individuals who score low on their risk of failure to appear and risk of new criminal activity should be recommended for release without supervision (appropriate overrides for particularly egregious crimes or unique circumstances). Those assessed with Moderate risk factors should be recommended for supervised release and individuals assessed as high-risk should either have a more structured supervised release, which may include electronic monitoring and home detention, or be detained (where significant public safety concerns exist).

Over the past five years the jail bookings have declined nearly 18% (based on monthly statistics reported by the Santa Cruz Sheriff's Office), the number of PSA assessments completed has remained stable (ranging on average from 200 - 235 per month), and yet the average daily population of individuals being monitored on by Pretrial Services has increased 287% (from 38 to 147). With the anticipation of bail reform, the number of individuals monitored by Probation's

Pretrial Unit is only expected to increase in the upcoming years.

In 2019, Pretrial Unit staff completed 2,474 assessments utilizing the Public Safety Assessment—Court (PSA-Court)¹ tool and decision-making framework to inform judicial decision for release or detention pending case disposition. In addition to the PSA, Pretrial staff utilize the Ontario Domestic Assault Risk Assessment (ODARA) for individuals who have been arrested for domestic violence charges.² The information is factored into the recommendation submitted to the court.

In January 2019, the Pretrial Unit implemented a new case management module to better integrate with the Department’s post adjudication case management system. This move allowed for more in-depth data collection, as well as improved communication with law enforcement and dispatch in identifying individuals own recognizant release conditions. In the future, the hope is to integrate with the corrections and court systems as well. System integration would not only serve the individual client but reduce human error, and potentially lead to significant savings of financial resources from time spent on data entry.



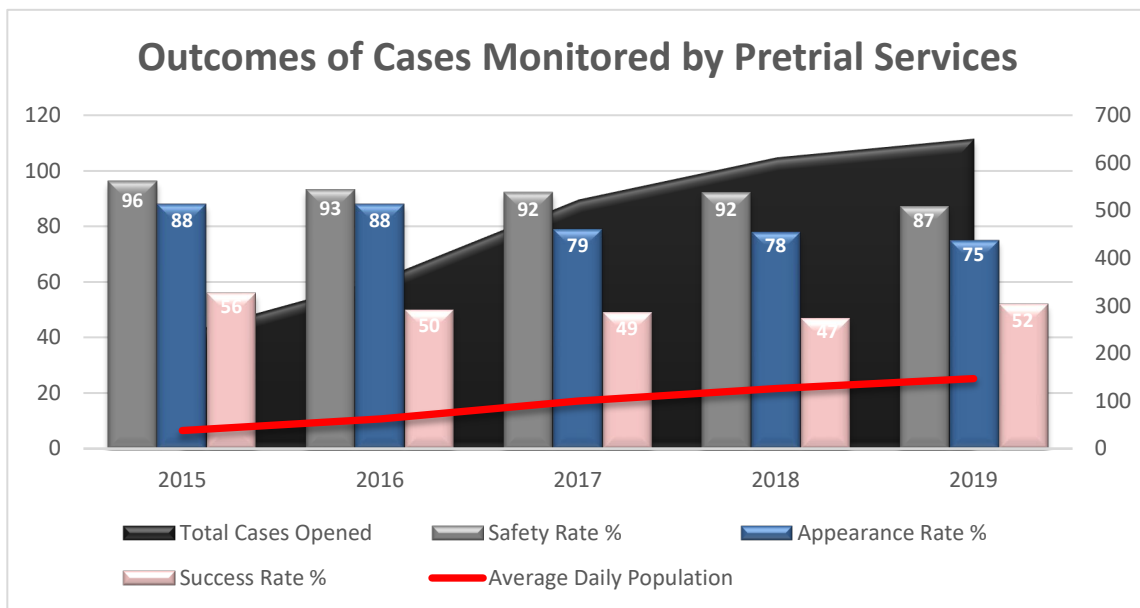
¹ “In partnership with leading criminal justice researchers, the Laura and John Arnold Foundation (LJAF) developed the Public Safety Assessment™ (PSA) to help judges gauge the risk that a defendant poses. This pretrial risk assessment tool uses evidence-based, neutral information to predict the likelihood that an individual will commit a new crime if released before trial, and to predict the likelihood that he will fail to return for a future court hearing. In addition, it flags those defendants who present an elevated risk of committing a violent crime.” - PSA-Risk-Factors-and-Formula.pdf (craftmediabucket.s3.amazonaws.com)

² The ODARA was the first empirically developed and validated domestic violence risk assessment tool to assess risk of future domestic assault, frequency, and severity of future assaults (male offenders against female victims/survivors).

Outcome and Performance Measures

Prior to being booked into the County Jail, many individuals committing lower-level offenses have the opportunity to be cited and released with a court date by a local law enforcement agency. Of those booked into the jail, some individuals are booked and released by Corrections staff according to statutory eligibility (similar to the aforementioned cite and release process by patrol officers), or post bail. For those remaining in custody, Pretrial Unit staff gather information to complete assessments and provide a recommendation to the court at or before arraignment. Given the various opportunities for release, those screened by Pretrial staff tend to be more serious crimes, individuals with more complex criminal histories, or those unable to afford bail. Approximately one quarter to one third of cases assessed are placed with the Pretrial Unit for monitoring in the community.

A standard set of Outcome Measures and Performance Measures were adopted in 2012 in order to track our program’s effectiveness in meeting agency and justice system goals³: During the past several years collaboration and coordination amongst our justice partners has increased to creatively release incarcerated individuals back into the community while working to mitigate their risk for failure to appear and new criminal activity. Quarterly or semi-annual Pretrial reports have been submitted to the Board of Supervisors since 2017.



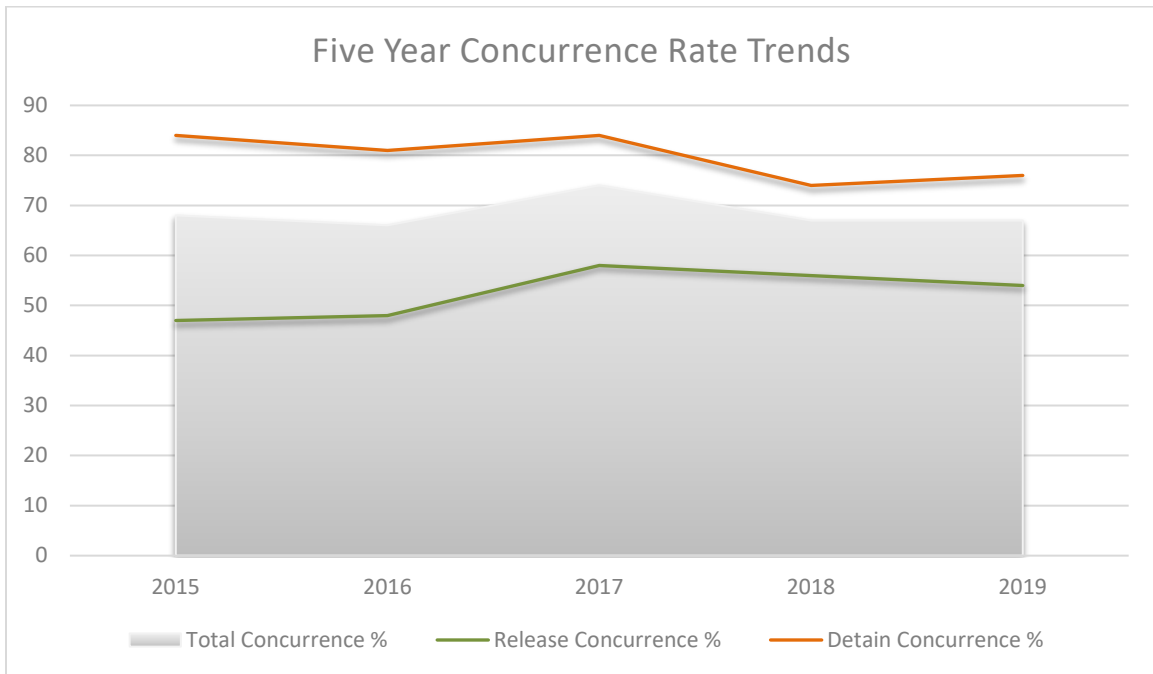
Safety Rate					
<i>The percentage of supervised defendants who were <u>not</u> charged with a new offense during their period of pretrial supervision.</i>					
	2015	2016	2017	2018	2019
Safety Rate	95.9%	93%	92%	92%	87%
Goal	95%	95%	95%	95%	95%

³ In 2011, the National Institute of Corrections published, “Measuring What Matters Outcome and Performance Measures for the Pretrial Services Field.” The publication recommended measures and data for pretrial service programs that would enable agencies to gauge more accurately their program’s effectiveness in meeting agency and justice system goals. The recommended outcomes measures and data elements are consistent with the mission and goals of our Department.

Appearance Rate					
<i>The percentage of supervised defendants who make all scheduled court appearances.</i>					
Supervised Pretrial	2015	2016	2017	2018	2019
Appearance Rate	89%	88%	79%	78%	75%
Goal	85%	85%	85%	85%	85%

Success Rate					
<i>The % of released defendants who were not revoked for technical violations due to condition violations, and who appeared for all scheduled court appearances, and remained arrest free during pretrial supervision.</i>					
Supervised Pretrial	2015	2016	2017	2018	2019
Success Rate	56%	50%	49%	47%	52%
Goal	70%	70%	70%	70%	70%

Concurrence (Effectiveness) Rate⁴				
<i>The ratio of court released and detained defendants compared to pretrial's submitted recommendations for release and detention.</i>				
2019	Released	Detained	Recommendation Followed	Change From Prior Year
Recommended for Release	403	338	54%	- 3%
Recommended for Detention	237	763	76%	+3%
Recommendation Followed (Total)			67%	No change
GOAL			75%	



⁴ There was a calculation error in the 2018 report overall concurrent rate, therefore the percentage change noted will be different than expected.

Investigations, Court Coverage, and Supervision

The Adult Division is committed to research-based assessment and supervision strategies to ensure public safety through the reduction of recidivism and victimization and maximizing the successful completion of court ordered terms to assist individuals in building their capacity to remain in the community.

We strive to adhere to the principles of Risk, Need, and Responsivity by risk-based monitoring / supervision, identifying and addressing drivers of criminal behavior, and matching the client needs to appropriate and available resources. We support utilizing the least restrictive interventions necessary to both hold accountability and facilitate behavior change, in consideration of custody alternatives while maintaining public safety. It is important that Probation is viewed as a strong alternative to incarceration and has the confidence of our criminal justice partners and the community as being a viable public safety option that reduces recidivism more than punitive sanctions and incarceration alone.

The Adult Probation Division has adopted the following key evidence-based supervision strategies to meet our goals, maximize available resources, and be good financial stewards of public funds:

Programs

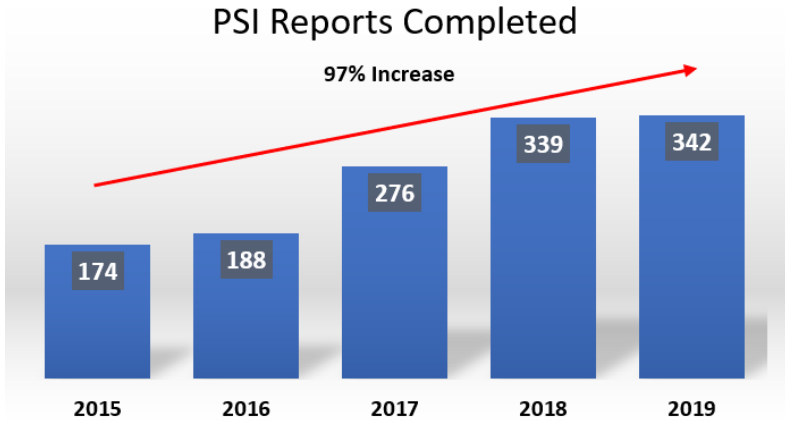
- **Contract Oversight for Treatment & Services**
- **Evidence Based Interventions**
- **Probation Service Center**
(More than 200 clients served from July – December 2019)
- **Grants**
 - Whole Person Care (through 2020)
 - Prop 47 CAFES (August 2019 – Mya 2023)
 - Department of State Hospital's Pretrial Diversion (led by Health Services Agency)
 - BSCC's JAG Mental Health Training support

Key Supervision Strategies	Methods	How we are implementing strategies ...
<ol style="list-style-type: none"> 1. Use empirically-based assessments to guide decisions 2. Focus on criminogenic needs (drivers) 3. Develop rapport/enhance motivation 4. Teach skills, role plays, and homework 5. Spend 20 minutes per session [with higher risk offenders] 6. Match programming (responsivity) 7. Seek to achieve proper dosage [100-300 hours of programming for moderate to high risk cases] 8. Redirect antisocial sentiments [address and redirect criminal thinking as it occurs] 	<ul style="list-style-type: none"> • Cap caseloads [at evidence-based practices standards] • Ensure mastery of effective supervision practices techniques • Focus coaching and training efforts on supervisors • Acquire tools and skills • Develop a CQI (continuous quality improvement) and coaching structure • Alter policy and procedures 	<p>Cap supervision caseload sizes (focus on high and moderate risk / specialty populations when limited resources).</p> <p>Supervisors focused on coaching and quality assurance.</p> <p>Utilization of risk/needs assessment and reassessment tools.</p> <p>Utilization of Effective Practices in Community Supervision (EPICS) Model</p> <p>Adapting Policies and Procedures</p> <p>Diversity of trainings to enhance skills</p> <p>Engagement in variety of technical assistance</p> <p>Cognitive Behavioral Thinking Interventions: CBT Workbooks; and Re-entry Services</p> <p>Utilization of graduated response grids</p>

Pre-sentence investigations and reports allow the courts to make more informed sentencing decisions such as probation eligibility, consideration of sentencing limitations, special circumstances, and victim restitution.

Probation worked collaboratively with the courts to establish guidelines and workflow to address the Proposition 63 requirements which took effect

January 2018. Unfortunately, the volume of this unfunded mandate quickly proved to be more than our Division capacity could handle with current staffing and there continues to be a backlog of several hundred cases. The new mandate requires reviewing criminal histories, state firearms registries, client completed affidavits, and other relevant information to make compliance recommendations to the court in the form of a written report. Our investigations unit continued to prioritize the increasing volume of full presentence investigations and sentencing recommendation. Full presentence reports include Proposition 63 information.



Collaborative Courts –

- Behavioral Health Court (BHC) collaboration
- Veteran’s Court
- Domestic Violence Review Court

Court coverage - Deputy Probation Officers (DPOs) provide the Superior Court coverage for multiple felony court arraignment calendars four days per week, specialty post-adjudication review calendars such as: weekly Behavioral Health Court reviews; Domestic Violence reviews, and monthly Veteran’s Court reviews.

Assessment and Supervision –

Supervision (Caseload totals on 12/31/2019)	2015	2016	2017	2018	2019	Change from Prior Year
Total Active Supervision Caseload	2,186	1,887	1,739	1,653	1,529	-8%
Total AB109 Population Under Supervision	206	194	152	199	254	28%
Individuals Sentenced to Local Prison (1170h)	53	58	64	109	118	8%
Split/Mandatory Supervision	55	36	44	81	92	14%
Post Release Community Supervision	151	158	108	118	162	37%

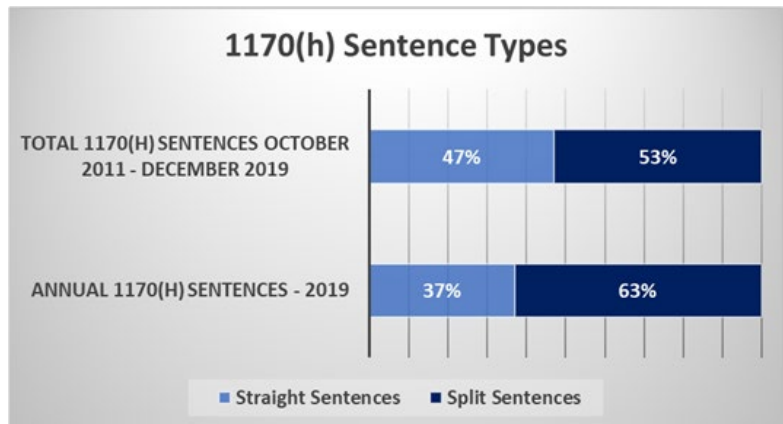
All post adjudication individuals under the jurisdiction of the Probation Department are screened by the Division’s Intake Unit with the Correctional Assessment and Intervention System (CAIS) tool, which identifies underlying reasons for criminal behavior; classifies risk level and supervision strategy groups; and provides recommendations for specific supervision and communication techniques for each strategy group. Individuals with cases involving domestic violence are additionally screened with the Ontario Domestic Assault Risk Assessment (ODARA). Individuals convicted of sex offenses are additionally screened with the Static-99R, a tool based on

unchanging risk factors which predict the potential for sexual re-offending. The Static-99R is required by law to be used to assess every eligible sex offender prior to release on parole; to assess every eligible sex offender pre-sentencing and on a probation case load; and prior to release of an eligible sex offender from a Department of State Hospitals institution. Following assessment, the Intake Unit provides each client with the court and supervision requirements and beginning case planning steps and early referrals (to be follow up by their assigned probation officer).

AB109: Public Safety Realignment

The Adult Division is responsible for the implementation of the 2011 Public Safety Realignment Act base upon Assembly Bill 109 (AB109), which redistributed the responsibility for the custody and supervision of certain individuals from the State to counties. On October 4, 2011, the Santa Cruz County Board of Supervisors adopted a Community Corrections Implementation Plan⁵ developed by the Santa Cruz County Community Corrections Partnership (CCP) that provides an ongoing framework for local implementation. The resources have been divided evenly to address goals in three areas of corrections: Effective Alternatives to Incarceration; Evidence Based Probation Supervision; Effective Interventions Services.

Since 2011, 583 individuals have received a total of 645 local prison commitments per Penal Code **1170(h)**; 696 individuals have been released to Santa Cruz one or more times from the California Department of Corrections and Rehabilitation to **Post Release Community Supervision (PRCS)**. From 2018 to 2019 there was a significant decrease in straight sentences (37% straight, down from 50% in 2018). At the close of 2019, there were 118 active 1170(h) cases (with 48 on Mandatory Supervision, the remainder serving their Straight custody sentence or the custody portion of their Split Sentence), and 162 active on PRCS supervision.



Based on new cases reported to the Probation Department since 2011, 31% of the AB109 population (399 unique individuals have been convicted of a new felony or misdemeanor offense in this county (192 = 1170(h), 235 = PRCS, and 28 = individuals who were simultaneously under both types of supervision). The majority of new crimes continue to be drug and property related, however, there is a small percentage of persons or weapons offenses.

AB109 Service Provider Network:

Nearly 30 programs from 18 community-based organizations provide client services throughout the County. The facilitation of AB109 work groups has changed over time to meet the needs for

⁵ The Probation Chief, as the Community Corrections Partnership Chair, submits an annual Public Safety Realignment Implementation Plan to the Board of State and Community Corrections. The plan articulates a set of core values and principles that guide ongoing implementation and continuous improvement. The initial plan established a local allocation formula for AB109 Administration, and the remaining allocation from the state is evenly distributed to each of the three main goal areas.

planning and coordination. Currently there are two formal CCP workgroups (Community Education and Engagement, and Operations). In addition, a newer group began to meet in preparation for the opening of the first Probation Service Center. Efforts were aimed at expanding access to services in a welcoming and supportive environment that is trauma-informed, culturally and gender responsive.

Service Center

In December 2018, the Department published a notice of intent to release a competitive Request for Proposal (RFP) for Adult Treatment and Intervention Services to fund both in custody services and the Probation Service Center. The County intention was to fund evidence-based services in the following areas: 1. Programs Addressing Criminal Thinking, Behavior and Identity; 2. Substance Use Disorder Treatment and Recovery Maintenance; 3. Workforce and Job Placement Services; 4. Educational Programming; 5. Mental Health Care and Forensic Case Management; 6. Parenting and Family Involvement; 7. Housing Support; 8. Reintegration Service Coordination; 9. Community Education and Engagement; and new category for innovative and promising services which may not meet the criteria for evidence-based programming. Following a formal evaluation and selection process, those service agreements took effect July 2019.

Through a shared leadership model, Criminal Justice Partners, community-based organizations, and community members were invited to participate in the planning and implementation for the Department's first Probation Service Center (PSC). All levels of staff from a variety County Departments and community-based organization representatives worked collaboratively to establish the first drafts of policies and procedures for Center operations. Cross-training between service types, safety and disciplinary procedures, client case management, and communication was conducted among all partners to foster a climate of trust and shared leadership and responsibility. A weekly multi-disciplinary team began to meet separately from the weekly operations meeting. More than 200 individuals were served in some capacity at the PSC between July – December 2019.

The PSC was immediately well received by those individuals under the jurisdiction of the Probation Department – articulating how welcome and supported they felt. From the beginning it became clear that the need for scaled South County version of the PSC or small hub for services would be necessary in the not-too-distant future.

Grants and Technical Assistance/Research Projects

The Division has an ongoing commitment to secure technical assistance, collaborate with organizations for program and research grants to assist in implementing criminal justice reforms, and to assist in maximizing resources to benefit client outcomes.

MDRC Pretrial Assessment –

MDRC is an organization that works as an intermediary, bringing together public and private funders to test new policy-relevant ideas, and communicate what they learn to policymakers and practitioners — all with the goal of improving the lives of low-income individuals, families, and children. During the latter portion of 2018 and throughout 2019, Santa Cruz County and MDRC began discussions for evaluating the implementation and outcomes of the PSA-Court in Santa Cruz County. The quantitative and qualitative analysis together will provide evidence about the effectiveness of the PSA and other reforms that can inform decision makers involved in the pretrial system. If selected, data sharing agreements and other working documents will be established in

2020.

Pew-MacArthur Results First Initiative: Santa Cruz County continues to utilize the Results First analyses in the selection of new AB109 services and providers, establishing a priority on implementing research-based programs to fidelity and interventions with a proven benefit/cost ratio. The Sheriff's Department has also used Results First to guide in-custody service planning, as well as updated average costs per day for inmates. In addition, the Juvenile Division began utilizing the Results First Model to guide selection of services and providers for youth and families.

Fund For Non-Violence (FNV): The Probation Department collaborated with Californians for Safety and Justice (CSJ) and the Santa Cruz County United Way to develop a proposal to implement the *Blueprint for Shared Safety*. The focus of this initiative is creating a comprehensive, community-based plan for the criminal justice system that adopts a public health approach, and which places crime survivors at the center of planning and prioritizing strategies for shared safety. These strategies have continued to play a key role in informing Department activities as well as the new county-wide strategic planning process. A comprehensive report is expected to be completed and presented in 2020.

Whole Person Care: Spearheaded by the Health Services Agency (HSA), Santa Cruz County received a five-year grant for a Whole Person Care (WPC) project. The WPC project is an Integrated Health-Housing-and Data Connect project utilizing intensive support services in a multidisciplinary approach to allow the participants to live in the least restrictive setting. The proposed program will provide affordable, safe and supportive housing and an alternative option to more restrictive placements such as locked care and/or board and care. As part of the project, probation was funded for one Deputy Probation Officer, with the expectations of referring and supervising eligible individuals under WPC, participating in coordinated care for those on probation with health care providers, data sharing, and participation in various workgroups. Funding will be ending in December 2020, therefore WPC sites focused on sustainability throughout 2019.

Proposition 47 – Cohort II, Board of State and Community Corrections (BSCC) Grant:

The Probation Department led a collaborative effort to apply for state funds through the BSCC to address significant gaps in the system for individuals who commit lower-level crimes and struggle with Substance use Disorder and or have mild to moderate mental health needs. The CAFES project (Coordinate Access for Empowering Success) proposed a trauma-informed, evidence-based, multi-agency continuum of care model to expand and enhance services for underserved populations, focusing on low-level offenders, and those who do not receive funding through AB109 or other specialty funding streams. The nearly \$6 million dollar award directs 66% of the funds directly to community-based organizations to expand their capacity and to direct client services for treatment and housing support. Through the CAFES project new diversion opportunities will be created through restorative justice practices, access to mental health and substance use disorder treatment will be expanded, includes peer support and case management services, and housing support to justice involved individuals beyond those on formal probation. Integral to this project is the collaboration of multiple community, county, and justice partners. Planning and implementation began in August 2019, with direct client services scheduled to commence January 2020 – December 2022. Final evaluation will be completed by May 2023.

MediCal Administrative Activities (MAA):In 2019 our Adult Division shifted focus exclusively to MediCal Administrative Activities (MAA) for generating revenue based upon reimbursable activities. In addition, plans commenced for expansion and training to leverage MAA funding where appropriate in the Juvenile Division and Juvenile Hall. We continue to receive and plan to continue receiving technical assistance and support of other County Departments in addition to

representatives from other jurisdictions who have been more successful in revenue collection.