

SUMMARY ACTION MINUTES

REGULAR MEETING ORANGE COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Thursday, June 26, 2014, 2:00 P.M.

PROBATION DEPARTMENT
Training Room 5
1001 S. Grand Ave.
Santa Ana, California

STEVE SENTMAN, Chair
Chief Probation Officer

SANDRA HUTCHENS
Sheriff-Coroner

TONY RACKAUCKAS
District Attorney

MARY HALE
Health Care Agency

FRANK OSPINO
Public Defender

KEVIN RANEY
Chief of Police, Garden Grove

ATTENDANCE: Ospino, Sentman, Kea (Alternate for Hutchens), Qian (Alternate for Hale), Yonemura (Alternate for Rackauckas) and Elgin (non-voting Alternate for Raney)

EXCUSED: Members Hale, Hutchens, Rackauckas and Raney

COUNTY COUNSEL: Wendy Phillips, Deputy

CLERK OF THE PARTNERSHIP: Jamie Ross & Dora Guillen, Deputy Clerks

ADMINISTRATIVE MATTERS: (Items 1 - 4)

1. Welcome and Introductions
PRESENTED
2. Discussion and approval of format for quarterly reports
971234568 **APPROVED AS RECOMMENDED**
xx xx
3. Discussion of Realignment Summit
P.O. **DISCUSSED**

SUMMARY ACTION MINUTES

4. Realignment Updates:

- Probation
- Sheriff
- District Attorney
- Public Defender
- Courts
- Health Care/Mental Health
- Local Law Enforcement
- Board of Supervisors
- Social Services
- OC Community Resources
- OC Department of Education
- Community-Based Organization (Representative)
- CSP (Victims Representative)

PRESENTED

PUBLIC & PARTNERSHIP COMMENTS:

PUBLIC COMMENTS: None

PARTNERSHIP COMMENTS:

Chair Sentman – Oral Re.: Cancellation of 7/24/14, OCCCP meeting. Next meeting to be held 8/28/14, 2:00 P.M.

ADJOURNED: 2:30 P.M.

SUMMARY ACTION MINUTES

*** KEY ***

Left Margin Notes

- | | |
|------------------------------|--------------------------|
| 1 Mary Hale | A = Abstained |
| 2 Sandra Hutchens | X = Excused |
| 3 Frank Ospino | N = No |
| 4 Tony Rackauckas | P.O. = Partnership Order |
| 5 Kevin Raney | |
| 6 Steve Sentman | |
| 7 Steve Kea (Alternate) | |
| 8 Jenny Qian (Alternate) | |
| 9 Steve Yonemura (Alternate) | |

(1st number = Moved by; 2nd number = Seconded by)

/s/ _____
STEVE SENTMAN
Chair

/s/ _____
Jamie Ross, Deputy
Clerk of the Partnership



Orange County Public Safety Realignment and PostRelease Community Supervision

**January – March 2014
Quarterly Report**

Prepared by:

Orange County Community Corrections Partnership



Sheriff's Department
Sandra Hutchens, Sheriff-Coroner

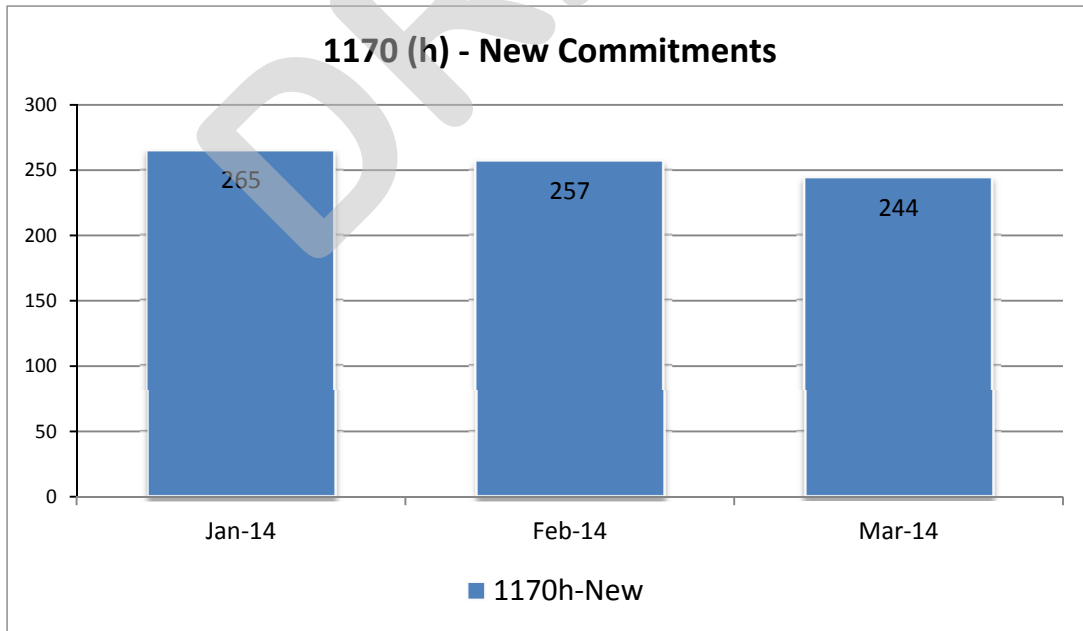
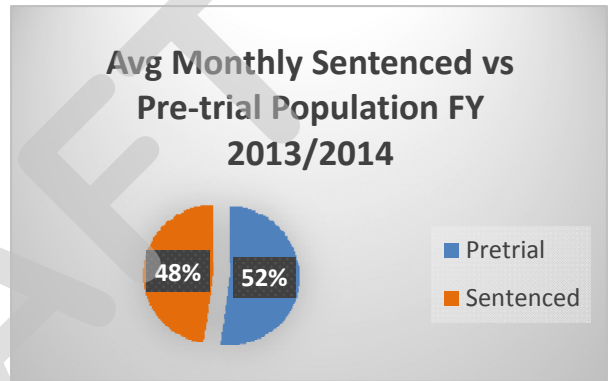
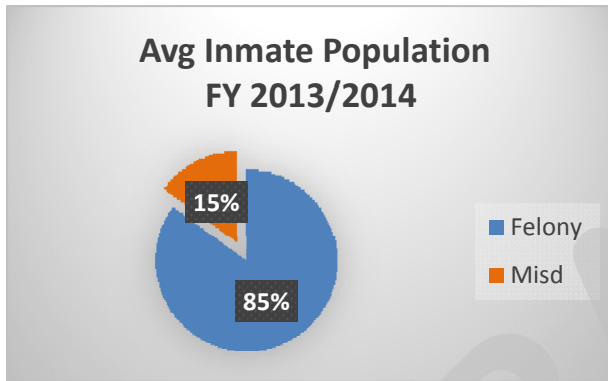


January - March 2014 Report

AVG Monthly PRCS Violators Booked
<p>101.71 per month Average Length of Stay 53.94</p>

Mental Health Treatment		
<i>Open Case</i>	<i>New Case</i>	<i>Rec Psych Drugs</i>
1416	965	878
<i>Sick Calls</i>	<i>DR Visits</i>	<i>OffSite DR Visit</i>
7003	5603	196

AVG Monthly Population of PC 1170(h)
<p>719.8 Serving an average of 184.7 days</p>



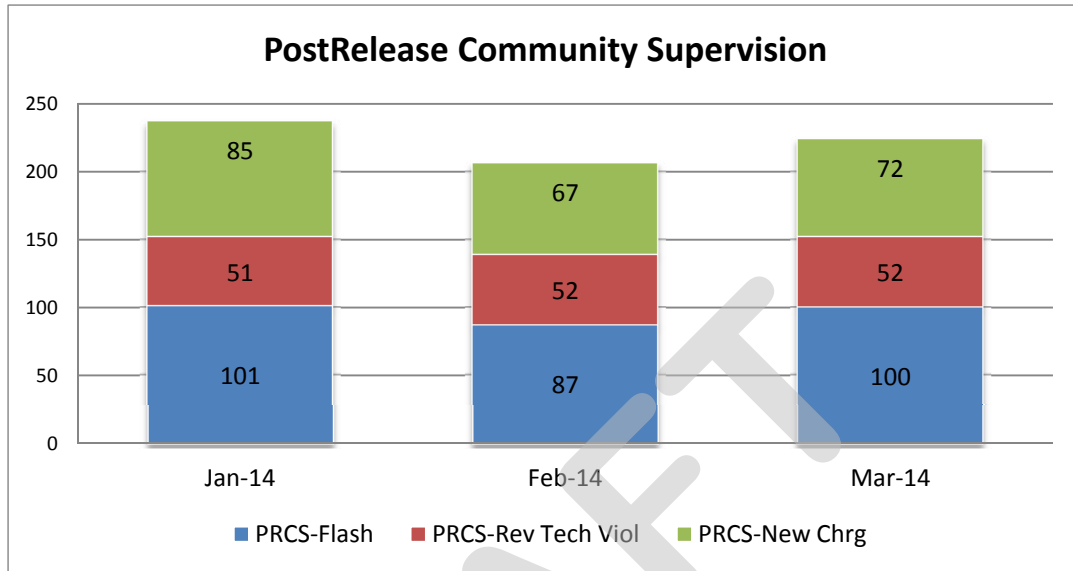
- Total number of PC 1170 (h) offenders (non-violent, non-serious, non-sex offenders) sentenced to the Orange County Jails as a new commitment. Includes both straight and split sentences.



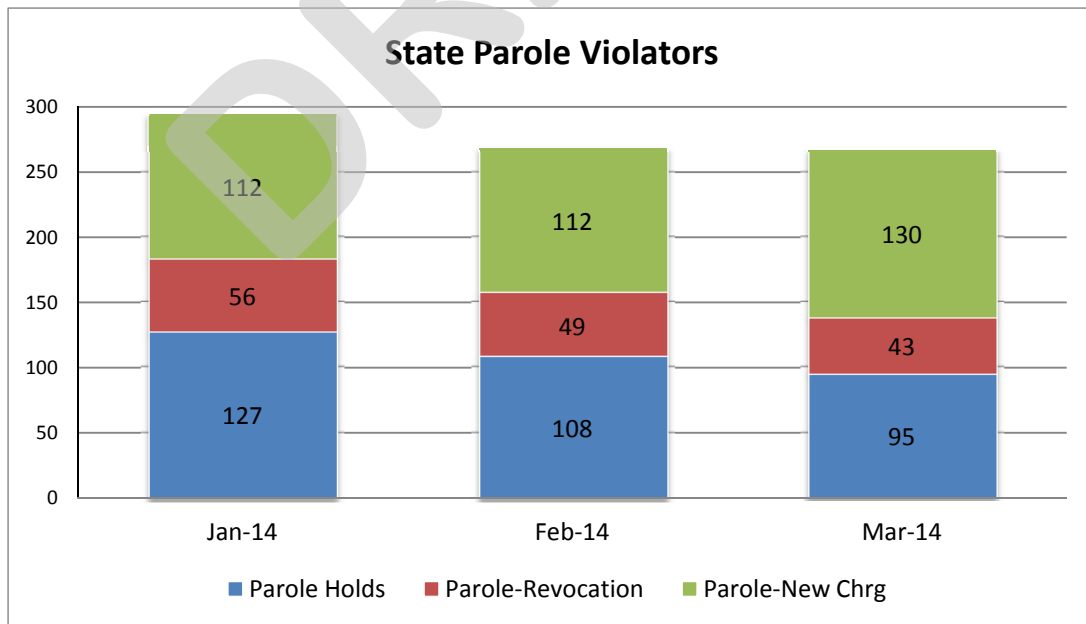
Sheriff's Department
Sandra Hutchens, Sheriff-Coroner



January - March 2014 Report



- Total number of PostRelease Community Supervision offenders booked on a 1) PC3454(c)-flash incarceration; 2) PC3455(a)-revoked for technical violation; and 3) for new charges.



- Total number of state parole violators booked on a 1) PC3056(a) parole violation only; 2) received jail time as a result of a parole revocation hearing; and 3) any new offense(s) including 1170(h) charges.



Public Defender's Office
Frank Ospino, Public Defender



January - March 2014 Report

Realignment continues to provide unique opportunities and challenges to the work of the Public Defender's Office.

Staffing and workload

In the last quarter, three attorneys, two resource service paralegals, an attorney clerk and a staff specialist were assigned to the increased workload of representing those charged with violations of PCS, MS (per Penal Codes section 1170(h) (5) (B)), as well as representing persons facing revocations of parole (which took effect July 1, 2013). Additionally, non-dedicated staff assisted with investigations, writ and motion work and clerical needs.

Substantive legal issues created by the new provisions in law continue to be raised. As these unique legal and constitutional issues have developed, what had been the occasional writ and motion work has increased significantly. Several Writs of habeas corpus advocating for clients rights have been brought before the Appellate Courts and the California Supreme Court. A Writs lawyer now dedicates a significant amount of his workload to Realignment work.

Below are some examples of the type of work provided by the Realignment legal team for the periods from January 1, 2014 through March 31, 2014:

PCS cases opened	MS cases opened	Parole cases opened	Total Court Appearances (includes PCS, MS and Parole)	Contested Hearings
367	285	207	1602	16



Public Defender's Office
Frank Ospino, Public Defender



January - March 2014 Report

Addressing Clients Needs

One of the aims of Realignment was to create an opportunity for the Counties to, not only determine the level of supervision required but to address the needs of the individual released from prison and local jails into the community.

The Public Defender's office continues to take this responsibility seriously. While many clients have similar needs such as housing, employment and supportive services, each also brings their own set of unique challenges. Resource paralegals in the Public Defender's office continue to assist with these services. These support staff not only met with clients in court, at the jail, at the office and in residential programs but they also attend the day reporting centers opened by OC Probation and Parole. Recently, these resource paralegals have been entering the jail through the Reentry program in order to further assist clients in connecting with services. This type of effective collaboration aids in meeting the needs of each client.

Linking clients to critical services are the key to their success in the community. Some of those services include obtaining valid forms of identification, MSI, SSI and birth certificates. The number of referrals to services and supports continues to increase. If the client is to succeed the need for such assistance is imperative.

Below is just a glimpse of the amount of work and types of services provided by the resource staff (servicing just the Parole and PCS clients) from January 1, 2014 through March 31, 2014:

Client Jail Visits	Client Program Visits	Phone Calls (to/from clients)	Program and service referral	Obtaining Valid Forms of Identification (includes SSI and Birth Certificates)
134	76	575	410	92



OFFICE OF THE
DISTRICT ATTORNEY
 ORANGE COUNTY, CALIFORNIA
TONY RACKAUCKAS, DISTRICT ATTORNEY



January – March 2014 Report

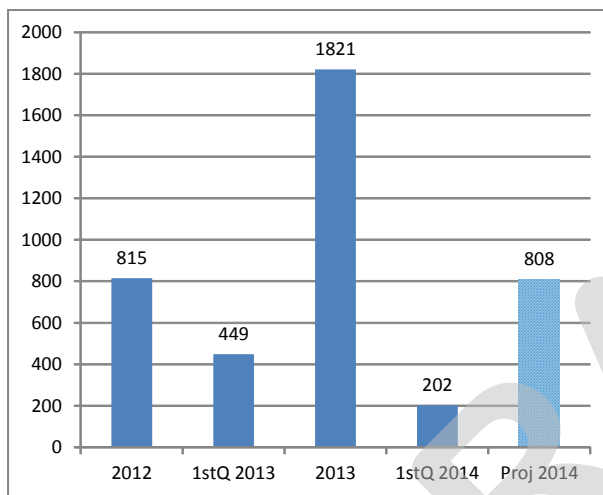
Number of Petitions Filed

Filings	1st Q 2014	Filings	1st Q 2014	Filings	1st Q 2014
PCS Petitions Filings (Estimate)	192	MSV Petition Filings	302	Parole Petitions Filings (Estimate)	104

Active PCS Petitions	<i>dna</i>	Active MSV Petitions	117	Active Parole Petitions	43
Warrant PSC Petitions	<i>dna</i>	Warrant MSV Petitions	239	Warrant Parole Petitions	0

Set Court Proceedings

PCS Proceedings

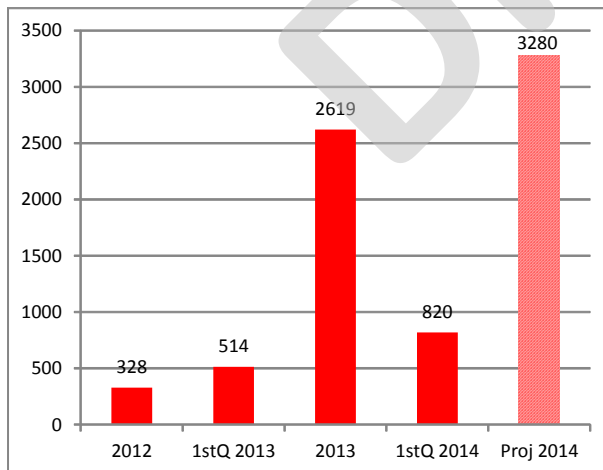


Post Release Community Supervision proceedings were down in the 1st Quarter 2014 compared to the 1st Quarter of last year.

Projections for 2014 are also lower than the annual numbers for 2013.

While there may be many reasons for the decrease in Post Release Community Supervision cases, a possible explanation for the decline in PRCS proceedings could be the total decrease in the number of defendants sentenced to PRCS. AB 109 reduced the number of crimes eligible for PRCS sentences. Thus fewer defendants are being released subject to PRCS. In 2013 individuals who were sentenced before AB 109 took effect were completing their sentences and being released to this supervision.

MSV Proceedings



Mandatory Supervision Violation proceedings were up 60% during the 1st Quarter of 2014 as compared to the same time frame during the previous year.

Projections for MSV proceedings in 2014 indicate that the OCDA will appear in 25% more proceedings than in 2013.

Defendants being returned to local prison for short time frames has increased 48% between the 1st Quarter of 2013 and 2014. Defendants being returned to local prison for the remainder of their sentence increased by 176%.

Petition Dispositions	2012	1st Q 2013	2013	1 Q 2014	2014
Dismissed	8	2	33	21	84
Sustained No Time	12	14	46	16	64
Sustained Serve Specified Time	160	109	525	161	644
Sustained Returned for Remaining Term	26	33	210	91	364
MSV Terminated - Sentence Deemed Complete	4	2	23	9	36
Total	210	160	837	298	1192

1st Quarter	Proj Annual
% Change	% Change
950%	155%
14%	39%
48%	23%
176%	73%
350%	57%
86%	42%

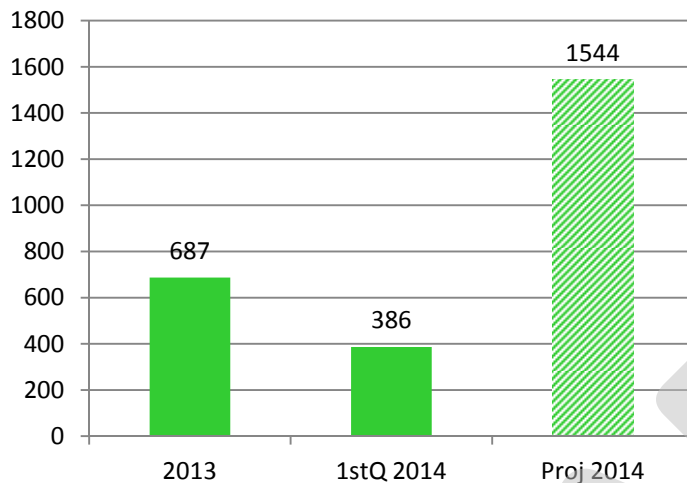


OFFICE OF THE
DISTRICT ATTORNEY
 ORANGE COUNTY, CALIFORNIA
TONY RACKAUCKAS, DISTRICT ATTORNEY



January – March 2014 Report

Parole Proceedings



AB 109 required the OCDA to handle Parole Violations beginning in July of 2013. Therefore, no quarter or annual comparisons can be made.

Annual projections show that the OCDA will handle 1544 Parole Violations proceedings in 2014.

Petition Dispositions	2012	1st Q 2013	2013	1 Q 2014	2014
Dismissed	<i>dna</i>	<i>dna</i>	26	2	8
Sustained Serve Specified Time	<i>dna</i>	<i>dna</i>	421	208	832
Total	0	0	447	210	840

Data Sources

The Office of the District Attorney (OCDA) tracks filings for Mandatory Supervision Violations in the DA Complaint Management System (CMS). This includes cases that go to warrant. However, resources are not available to track **filings** for Post Release Community or Parole Violations; therefore, these numbers can only be estimated. The OCDA does track all proceedings/hearings scheduled for these AB 109 Violations. **Disposition and sentences** are currently only being tracked for Mandatory Supervision and Parole Violations.

The Central Justice Center handles all the Post Release Community Supervision (PCS) Violations. The PCS proceedings are heard in C58 on Wednesdays. The OCDA tracks the PCS violation proceedings from the Court's VISION calendar.

Mandatory Supervision Violations (MSV) are heard primarily in C58, but can be assigned out from C 58 to to other courts for future hearings and dispositions. Some MSV are also filed in CJ1. MSV hearings are part of the data exchange with VISION and are included in the automated data exchange between the OCDA and the Courts. Cases are updated as new hearings are scheduled and dispositions and sentences are being entered into CMS.

Parole Violations are heard at the Central Justice Center. They are heard in CJ1 on Thursdays. Cases are only entered into the OCDA's CMS once a hearing is set. Cases are updated as new hearings are scheduled and dispositions and sentences are being entered into CMS.

OCDA Representative

Steve Yonemura
 Head of Court, Central Justice Center
 714-834-7613
 steve.yonemura@ocda.ocgov.com

OCDA Data Expert

Katie J.B. Parsons, Ph.D.
 Research Manager
 714-623-0615
 katie.parsons@ocda.ocgov.com

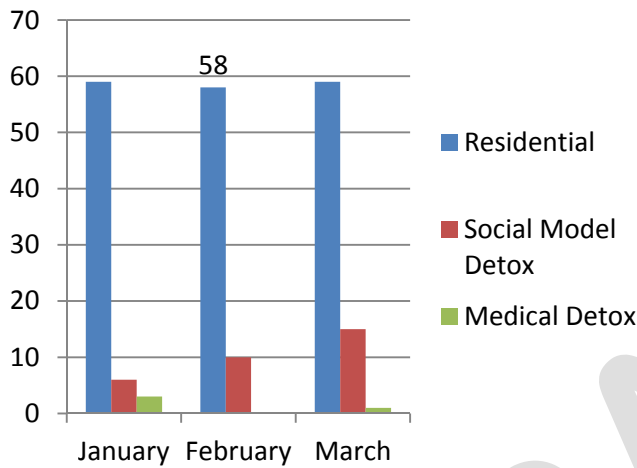


Health Care Agency (HCA) January - March 2014 Report

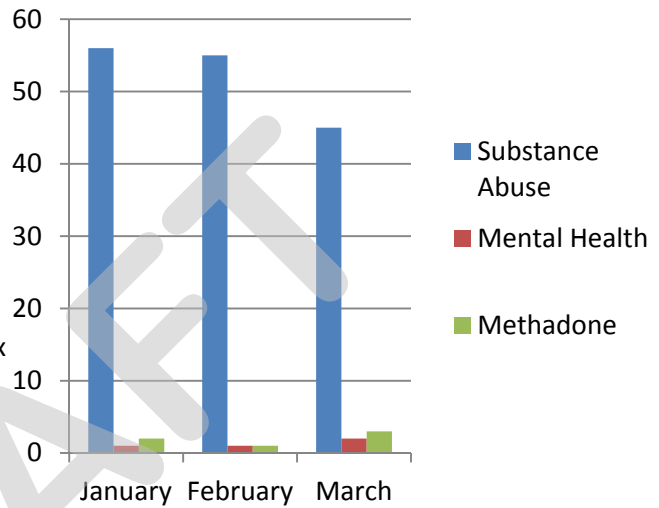


Admissions and Referrals: January - March 2014

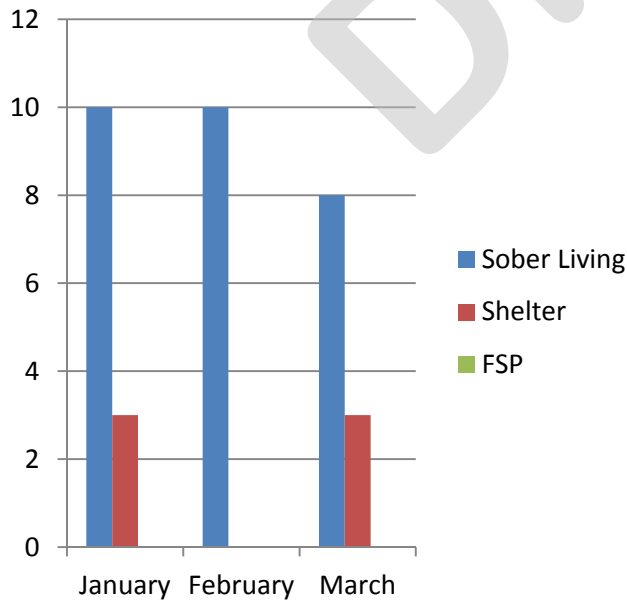
Admitted to Residential Treatment/Detox



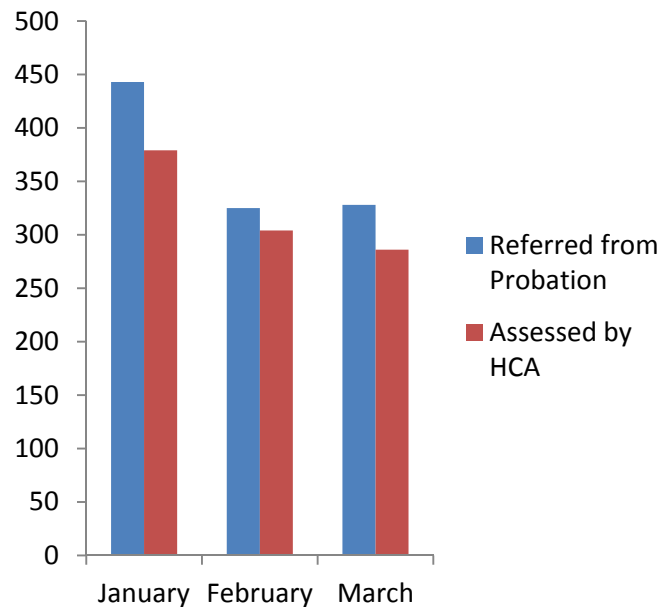
Admitted to Outpatient



Admitted into Housing/FSP Services



Probation/HCA Referrals & Assessments





Health Care Agency (HCA) January - March 2014 Report



Cumulative total of all AB 109 Clients referred to HCA Behavioral Health Services
November 2011-March 2014 = 7,130

Referrals made through March 2014	Total	Admitted to Services through March 2014	Total
Outpatient SUD Tx	1165	Outpatient SUD Tx	925 (79%)
Residential SUD Tx	1071	Residential SUD Tx	998 (86%)
Outpatient AMHS	244	Outpatient AMHS	133 (55%)
Sober Living	161	Sober Living	160 (99%)
Social Model Detox	232*	Social Model Detox	172 (74%)
Medical Detox	42*	Medical Detox	21 (50%)
Full Service Partnership (FSP)	20*	Full Service Partnership (FSP)	17 (85%)
Shelter	55*	Shelter	26 (47%)
Methadone detox	25*	Methadone detox	20 (80%)
Methadone Maintenance	18*	Methadone Maintenance	15 (83%)
Psychiatrist	213*	Clients seen by Psychiatrist	194 (91%)

*estimated, not tracked from the beginning

Behavioral Health Services:

HCA continues to screen all individuals with prior behavioral health needs. Behavioral Health Services (BHS) started the Vivitrol (injectable Naltraxone) Program this quarter in the community for persons with alcohol and/or opiate abuse disorder. There have been willing participants, but so far there are no clients who have received Vivitrol. BHS has worked with Correctional Health Services and the Sheriff staff to arrange for inmates to receive their injection about a week prior to their release from jail. This service will be available to inmates in late April. All participants receiving Vivitrol must be actively participating in outpatient services to continue to receive medication.

All beds for residential treatment and sober living are at capacity. HCA is working with a current sober living provider to increase their capacity to address the needs of clients graduating from residential treatment and want to continue their recovery in sober living and be involved in outpatient services.

Correctional Health Services:

For FY 2013-2014, In-custody Correctional Health Services has received hospital claims in excess of \$77,000 for inpatient hospitalization of AB 109 inmates. Thirty-nine (39) individual inmates have been hospitalized with the highest single claim for one hospitalization reaching \$36,740. Hospitalization utilization for quarter one is slightly lower than previous quarters.

All primary care physician services are provided within the jail; however, when an AB 109 inmate needs specialty services, they are transported to specialty medical clinics off-site (such as, Cardiology, Nephrology, Oncology, OB, Surgery, etc.). There are currently nearly 20 specialty clinic services available with 117 clinic visits completed during the first quarter of 2014 for AB 109 inmates specifically. This equates to approximately 22 percent of specialty clinic services business—with only 14% of the total jail population being AB 109 status. Higher utilization of specialty clinic services quarter one of 2014 than previous quarters.

In-custody Correctional Health Services triages and screens every AB 109 inmate in the jail to determine their medical and mental health needs and subsequent treatment and medication plan. (The volume of patients is reflected in the Sheriff's section of this report, as all in-custody inmates on the Sheriff's census are also managed by in-custody healthcare staff.)



Orange County Probation Department
Steven J. Sentman, Chief Probation Officer



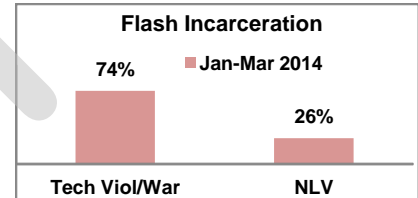
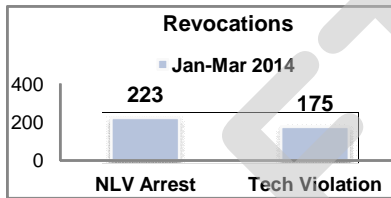
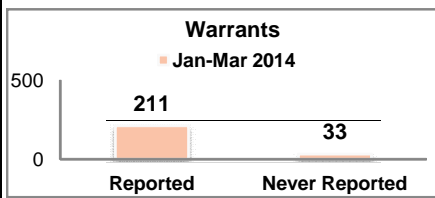
January - March 2014

Realignment Population

Status of PCS Releases*	March 2014	Status of MS Individuals	March 2014
Releases from Prison	3656	Total	2090
Actively Supervised (PCS)	1680	Actively Supervised (Rlsd. From Jail)	835
On Active Warrant (236 ICE Warrants)	470	Sentenced, but still in custody	296
Discharges Pursuant to 3456(a)(3)	966	On Active Warrant	278
Other Discharges/Transfers	540	MS Case Term./Exp./Other	681

*Based on CDCR's projected release dates and are subject to change. Cumulative numbers reflect the most current release date information.

Warrants/ Revocations/Flash Incarcerations



	Jan-Mar 2014		Jan-Mar 2014		Jan-Mar 2014
Total Warrants	244	Total Rev.	398	Total Flash	287

Actively Supervised PCS/MS Demographics & Assessed Risk

	PCS	MS		PCS	MS
Gender			Prior Probation Violations		
Male	89%	77%	None	5%	11%
Female	11%	23%	One or More	95%	89%
Ethnicity			Substance Abuse		
White	48%	54%	No Problem	12%	9%
Hispanic	39%	35%	Occasional to Frequent Abuse	88%	91%
Black	6%	4%	Age at First Conviction		
Asian/PI	5%	6%	24 or older	14%	26%
Other	2%	1%	20-23	25%	23%
Avg Age	36.8	34.9	19 or younger	61%	51%
Initial Risk Classification			Prior Probation Supervision		
High	90%	89%	None	6%	9%
Medium	9%	9%	One or More	94%	91%
Low	1%	2%	Prior Felony Convictions		
			None	5%	12%
			One	6%	13%
			Two or More	89%	75%

Controlling Offense (PCS)

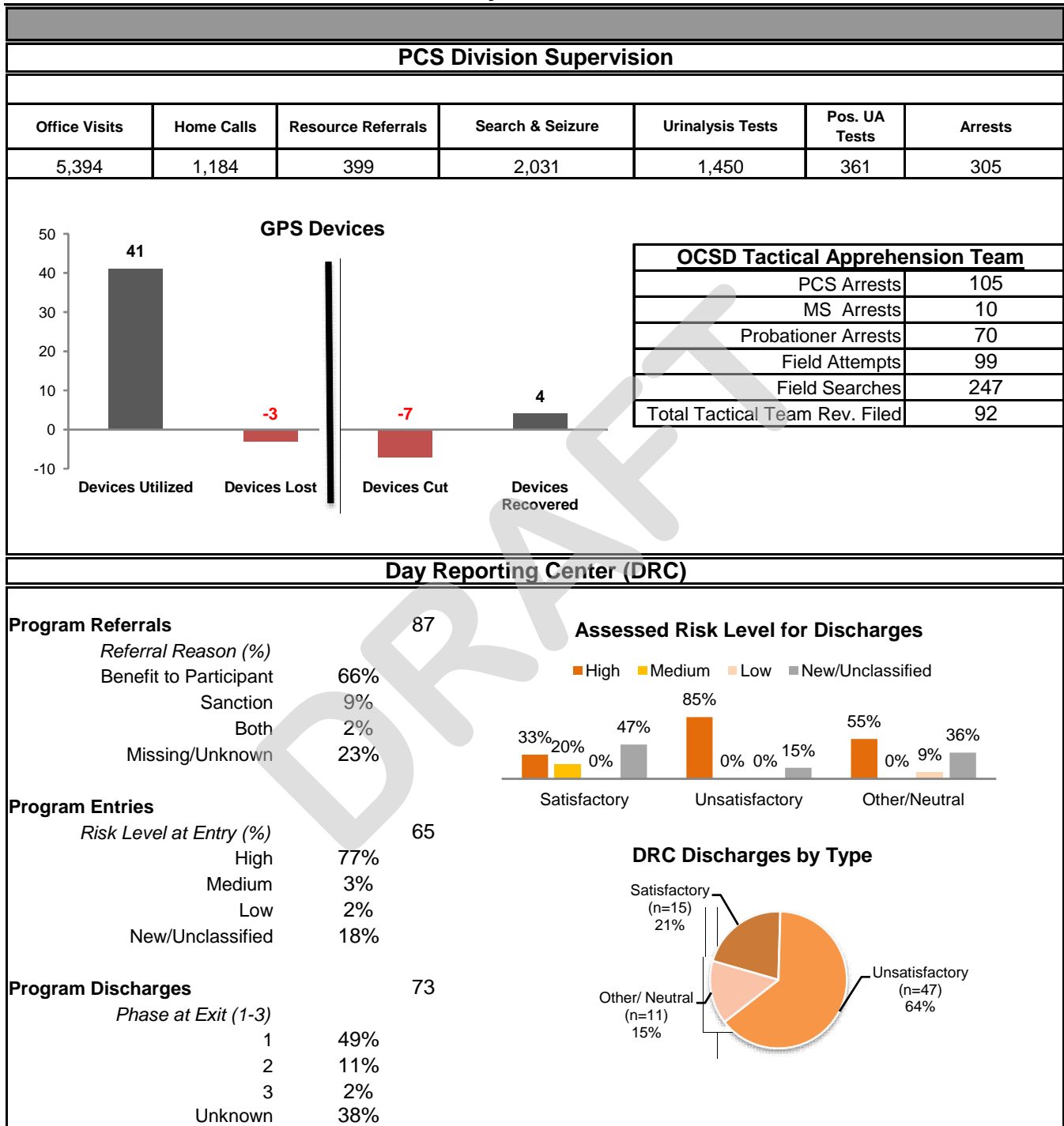
Felony Offense	Person	Property	Drug	Weapons	Other/Unk
	8%	34%	43%	5%	10%



Orange County Probation Department
Steven J. Sentman, Chief Probation Officer



January - March 2014



**Draft AB 109 Summit Schedule
Concordia University
October 10, 2014**

Time	Topic	Location
7:30 – 8:30 a.m.	Registration	Main Hall
8:30 – 8:45 a.m.	Invocation	Main Hall
8:45 – 9:00 a.m.	Color Guard	Main Hall
9:00 – 9:30 a.m.	AB 109 101	Main Hall
9:30 – 10:30 a.m.	Keynote Speaker Linda Penner	Main Hall
10:30 – 10:45 a.m.	Break	
10:45 – 11:45 a.m.	Possible Research/PPIC	Main Hall
11:45 a.m. – 12:00 p.m.	Government Officials Breakout	Breakout Room-Research Panel
	Law Enforcement Breakout	Breakout Room-SAPD PCS Unit Panel
	Community Services Breakout	Breakout Room
1:00 – 2:00 p.m.	Lunch	Cafeteria
2:00 – 3:00 p.m.	Discussion of Breakout Sessions	Main Hall
3:00 – 3:15 p.m.	Break	
3:15 – 4:15 p.m.	Panel Discussion (with Q & A)	Main Hall
4:15 – 5:00 p.m.	Wrap up – TBA	Main Hall

We will need facilitators for the breakouts, along with a series of questions to be discussed. For example:

- What's working
- What's not working
- What are solutions to our problems
- Who is responsible



AB109 Realignment Monthly Stats May, 2014

Postrelease Community Supervision (PCS)

May Releases from Prison (May 1-31, 2014)* 84

Year-to-Date Releases from Prison (Jan.1- May 31, 2014)* 407

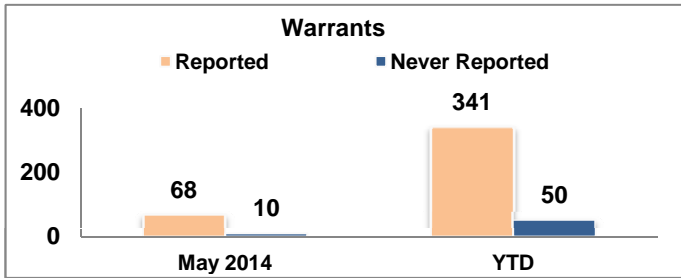
Status of PCS Releases as of May 31, 2014*

	Cumulative
Total Releases from Prison	3840
Actively Supervised (PCS)	1707
On Active Warrant (includes 243 ICE warrants)	475
Discharges Pursuant to 3456(a)(3)	1068
Other Discharges/Transfers	590

*Based on CDCR's projected release dates and are subject to change. Cumulative numbers reflect the most current release date information.

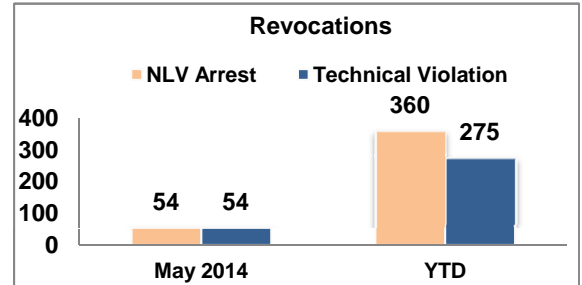
Warrants and Revocations

37.66% of individuals had at least one warrant issued since 10/1/2011



	May 2014	YTD-2014	Cumulative
Total Warr.	78	391	2660

38.98% of individuals had at least one revocation since 10/1/2011.



	May 2014	YTD-2014	Cumulative
Total Rev.	108	635	2970

Flash Incarcerations

May 2014

66% in May were due to a technical violation/warrant.
34% in May were due to a new law violation.

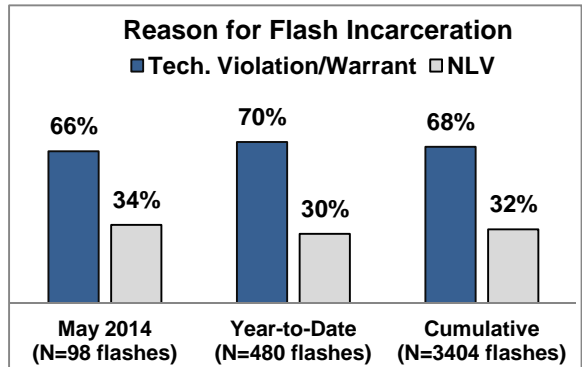
Year to Date (1/1/2014-5/31/2014)

70% due to a technical violation/warrant.
30% due to a new law violation.

Cumulative (10/1/2011-5/31/2014)

68% due to a technical violation/warrant.
32% due to a new law violation.

42.3% (1,624 of 3,840 individuals released from prison had at least one flash.)



Mandatory Supervision (MS)

May, 2014

Cumulative (10/1/2011-5/31/2014)

Total MS Convictions 87 2810

(A count of total convictions, not individuals)

Individuals with MS Convictions

Actively Supervised (Released from Jail)	867
Sentenced, but still in custody	307
On Active Warrant as of May 31, 2014	282
MS Case Terminated/Expired/Other	741
Total	2197



COUNTY OF ORANGE
BOARD OF SUPERVISORS

ROBERT E. THOMAS HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA
P. O. BOX 687
SANTA ANA, CA 92702-0687

June 18, 2014

Board of State and Community Corrections
600 Bercut Drive
Sacramento, California 95811

Dear BSCC Chair and Board Members:

The Board of State and Community Corrections (BSCC) has issued a request for comments on its proposed definition of "Recidivism." On Tuesday, June 17, 2014, the Orange County Board of Supervisors (BOS) adopted the following definition in response to this request for comments. Please note, the Orange County BOS proposed amendments to the BSCC proposed definition are in red:

"Recidivism is defined as a conviction of a new crime committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction or a sustained parole or probation violation of the underlying offense, or any new lawful arrest whether or not it leads to imprisonment in any penal institution. Recidivism also includes those who are sentenced to programs which are not considered a conviction under PC 1000 (drug diversion) and PC 1210 (non-violent drug possession offense)."

The BSCC's proposed definition is drawn quite narrowly in scope and fails to take into account those individuals that are released on parole or probation. When these individuals re-offend while on probation or parole, these offenses should be included under a "recidivism" definition. Therefore, we believe that the edited definition above is more realistic, and includes those individuals who re-offend while on parole or probation.

Unfortunately, by defining "recidivism" narrowly, the BSCC will paint a false picture. AB 109 numbers will be skewed if a narrow definition is adopted. A pared down definition of "recidivism" will portray falsely that AB 109 is "working," when in actuality many AB 109'ers are out on PCS Probation and are re-offending.

In addition, the Orange County District Attorney's Office has expressed to the County of Orange that the BSCC proposed definition of "recidivism" does not measure true recidivism and will likely result in grossly conservative recidivism numbers.

The narrowly proposed definition may also negatively affect the County's ability to obtain AB 109 funds if it is deemed that AB 109'ers are not presenting a recidivism problem. In addition, the three year "washout" period that the BSCC proposes in its definition does not allow for accurate evaluation of whether certain local programs are effectively reducing criminal tendencies.

It is also important to note that the application of the BSCC proposed definition of "recidivism" could lead to skewed results by not factoring in new criminal charges that never result in a conviction. The number of convictions that an individual has sustained alone is not an accurate portrayal of his or her criminal tendencies and rate of recidivism. That number is grossly underestimated due to plea bargains as well as some cases which do not result in convictions (PC 1000). Some sentences mandate that the offender complete a program. In these instances, there is not a formal conviction. BSCC's proposed definition uses a conviction as a qualification for recidivism. This is a severe underestimate of an individual's likelihood to reoffend or recidivate.

We urge you to consider supporting this broader definition of "recidivism."

Most Sincerely,



Todd Spitzer
Orange County Supervisor, Third District
Chair, OC Criminal Justice Coordinating Council



Janet Nguyen
Orange County Supervisor, First District