

PUBLIC SAFETY REALIGNMENT – AB 109

JAIL POPULATION

- OVER 43,000 PRISONERS ARE NOW SERVING TIME IN LOCAL JAILS INSTEAD OF STATE PRISONS
- EXPECTED TO REACH 52,000 BY 2014
- PRE-REALIGNMENT, THE COUNTY'S AVERAGE DAILY POPULATION WAS ABOUT 15,000 – NOW, IT IS CLOSER TO 20,000

OF THOSE, AS OF AUGUST 30, IN LOS ANGELES COUNTY:

- OVER 15,700 HAVE BEEN SENTENCED TO COUNTY JAIL INSTEAD OF STATE PRISON

AS OF SEPTEMBER 6:

- 6,126 OF THEM ARE CURRENTLY SERVING TIME IN COUNTY JAIL
- MORE THAN 530 INMATES HAVE BEEN SENTENCED TO JAIL TERMS OF FIVE YEARS OR MORE
- 43 OF THEM FOR MORE THAN A DECADE.
- ONE PERSON HAS BEEN SENTENCED TO 42 YEARS IN JAIL – HE IS NICHOLAS GAONA - A TOP-LEVEL TRAFFICKER FOR A MEXICAN DRUG CARTEL CAUGHT WITH A SHIPMENT OF 211 KILOS OF COCAINE WHICH HAS AN ESTIMATED STREET VALUE OF \$21 MILLION. AB 109 MAKES HIM ELIGIBLE FOR COUNTY JAIL INSTEAD OF STATE PRISON BECAUSE HIS CRIME – ALTHOUGH VERY SERIOUS TO ALL OF US – IS CONSIDERED NON-SERIOUS BECAUSE NO WEAPONS WERE USED.
- 39 FEMALES ARE IN A SECURE, COMMUNITY-BASED PILOT PROGRAM

PROBATION POPULATION

AS OF SEPTEMBER 6, 2013:

THE STATE HAS SHIFTED OVER 20,000 PAROLEES TO OUR PROBATION DEPARTMENT FOR SUPERVISION. OF THOSE:

- ✓ 706 – 4.6% ARE VERY HIGH RISK OFFENDERS
- ✓ 8,826 – 57% ARE HIGH RISK OFFENDERS
- ✓ 5,683 – 36% ARE MEDIUM RISK OFFENDERS
- ✓ 229 – 1.5% ARE LOW RISK OFFENDERS
- ✓ 507 ARE REGISTERED SEX OFFENDERS
- ✓ 1,102 HAVE BEEN TURNED OVER TO THE FEDERAL AUTHORITIES FOR DEPORTATION
- ✓ 20,236 ARRESTS WERE MADE FOR NEW OFFENSES
- ✓ 213 ARE ON ELECTRONIC/GPS MONITORING -- WHICH DOES NOT PREVENT OR DETER CRIME

EXAMPLES OF VIOLENT CRIMES BY THESE HIGH RISK OFFENDERS:

- THE QUADRUPLE MURDER IN NORTHRIDGE
- THE KIDNAPPING AND SEXUAL ASSAULT OF THE 10-YEAR-OLD NORTHRIDGE GIRL – THE SUSPECT IN THAT CASE WAS RECENTLY APPREHENDED IN MEXICO
- A HOMELESS WOMAN WAS SET ON FIRE WHILE SITTING ON A BUS BENCH IN VAN NUYS
- PSP SHOTS AND KILLS A LOS ANGELES COUNTY SHERIFF'S EMPLOYEE, FOUNDER OF A YOUTH SPORTS GROUP IN PASADENA
- RAOUL LEYVA, 34 OF STOCKTON WAS CONVICTED IN FEBRUARY BEATING HIS 20-YEAR-OLD GIRLFRIEND INTO A COMA AND LEAVING HER WITH BRAIN DAMAGE
- IN FEBRUARY, 2013, JEROME DEAVILA OF STOCKTON RAPED AND MURDERED HIS OWN GRANDMOTHER. IN THE PREVIOUS YEAR, DEAVILA HAD BEEN ARRESTED 11 TIMES FOR VIOLATING PAROLE.

ISSUES OF CONCERN:

- **JAILS NOT BUILT FOR LONG-TERM HOUSING**
 - LACK NECESSARY PROGRAM SPACE
 - CHALLENGE IN PROVIDING LONG-TERM HEALTH AND MENTAL HEALTH CARE SERVICES
 - CONCERNED ABOUT THE SHIFT OF THE STATE'S HEALTH AND MENTAL HEALTH CARE ISSUES TO THE COUNTIES
 - FUNDING IS INADEQUATE

- **NO MANDATORY SUPERVISION TAIL FOR N3'S:**
 - SPLIT-SENTENCING REPLACES MAJORITY OF CUSTODY TIME WITH PROBATION SUPERVISION
 - LAW NEEDS TO ADD PROBATION SUPERVISION TO CUSTODY TIME – NOT REPLACE IT

- **PROBATION SUPERVISING SERIOUS AND VIOLENT OFFENDERS – NOT LOW LEVEL OFFENDERS**
 - OVER 61% OF THOSE SHIFTED TO PROBATION ARE VERY HIGH RISK AND HIGH RISK OFFENDERS.
 - LAW NEEDS TO CONSIDER THE FULL CRIMINAL HISTORY RATHER THAN THE LAST COMMITMENT OFFENSE ONLY

- **NEW CATEGORIES OF OFFENDERS ARE BEING SHIFTED TO PROBATION SUPERVISION THAN WERE ORIGINALLY ANTICIPATED**
 - THREE STRIKERS WHO ARE GETTING RE-SENTENCED UNDER PROPOSITION 36
 - CERTAIN OFFENDERS CONVICTED ASSAULT WITH A DEADLY WEAPON
 - FORMER MENTALLY DISORDERED OFFENDERS (MDO's).

- **THE MENTALLY DISORDERED OFFENDERS – MDO’S**
 - CURRENTLY 17 MDO’S IN OUR COUNTY (SAID TO BE DECERTIFIED JUST PRIOR TO RELEASE FROM PRISON)
 - REQUIRE INTENSIVE SUPERVISION AND ARE A SIGNIFICANT DRAIN ON RESOURCES

EXAMPLES PROVIDED BY THE DEPARTMENT OF MENTAL HEALTH INCLUDE:

1. ONE MDO AT A STATE HOSPITAL OUT OF THE COUNTY COSTS \$250,000 ANNUALLY.
2. ANOTHER MDO IS AWAITING ADMISSION TO A LOCKED SUB-ACUTE FACILITY AT A COST OF \$90,000 ANNUALLY.
3. FOUR (4) ARE CURRENTLY RECEIVING TREATMENT IN INTENSIVE STEP-DOWN FACILITIES FOR A TOTAL COST OF \$204,400 ANNUALLY.

THOSE SIX MDO’S COST THE COUNTY OVER \$500,000 A YEAR

- **FEWER SANCTIONS FOR NON-COMPLIANCE:**
 - PRE-REALIGNMENT - PAROLE REVOCATION WAS A MAXIMUM OF ONE YEAR
 - POST -REALIGNMENT – IT IS 6 MONTHS BUT MOST COUNTIES ARE NOT HOLDING THEM DUE TO OVERCROWDING
 - FLASH INCARCERATION IS UP TO 10 DAYS – MANY IN OUR COUNTY ARE BEING FLASHED 4 OR 5 TIMES BEFORE BEING REVOKED

- **CRIME HAS BEEN TRENDING UP SINCE AB 109**

- THE FBI'S PRELIMINARY UNIFORM CRIME REPORTING STATISTICS, ISSUED ON JUNE 3, REVEAL THAT IN 2012 CRIME INCREASED IN ALL CATEGORIES IN CALIFORNIA WHILE NATIONALLY BOTH PROPERTY CRIME AND VIOLENT CRIME EITHER INCREASED SLIGHTLY OR DECREASED.
- THE CRIMINAL JUSTICE LEGAL FOUNDATION POINTED OUT THAT THE FBI STATISTICS SHOWS THAT RAPES INCREASED BY 6.4% IN CALIFORNIA EVEN THOUGH THEY DROPPED NATIONALLY; PROPERTY CRIMES ALSO INCREASED IN CALIFORNIA BY 9.7% BUT DROPPED NATIONALLY.
- EVEN MORE DRAMATIC WERE THE AUTO THEFTS - CALIFORNIA SAW A 15% INCREASE, WHILE THE NATIONAL RATE INCREASED BY 1.3%.

IN OUR COUNTY, THE SHERIFF'S AUGUST 31, 2013 CRIME STATS SHOW THE FOLLOWING INCREASES OVER THE PAST 12 MONTHS:

ROBBERIES:

- 602% IN AGOURA HILLS (1 TO 7)
- 133% IN MALIBU (3 TO 7)
- 31% IN ROSEMEAD (35 TO 46)
- 99.5% IN UNINCORPORATED TEMPLE (12 TO 24)
- 44.7% IN TEMPLE CITY (9 TO 13)
- 46% IN UNINCORPORATED MARINE DEL REY (26 TO 38)
- 52% IN LA PUENTE (27 TO 41)
- 50% IN SAN DIMAS (10 TO 15)
- 46% IN DIAMOND BAR (13 TO 19)

AGGRAVATED ASSAULTS:

- 75% IN AGOURA HILLS (4 TO 7)
- 167% IN MALIBU (3 TO 8)
- 67% IN TEMPLE CITY (12 TO 20)
- 37% IN COMPTON (457 TO 628)

BURGLARIES:

- 78% IN AGOURA HILLS (49 TO 87)
- 85% IN CALABASAS (33 TO 61)
- 400% IN HIDDEN HILLS (1 TO 5)
- 37% IN SANTA CLARITA (344 TO 546)
- 96% IN ROSEMEAD (94 TO 184)
- 66% IN LOMITA (51 TO 85)
- 54% IN LA HABRA HEIGHTS (13 TO 20)
- 39% IN LA PUENTE (71 TO 99)
- 64% IN ARTESIA (39 TO 64)
- 57% IN HAWAIIAN GARDENS (21 TO 33)
- 36% IN LA MIRADA (118 TO 161)
- 38% IN SAN DIMAS (93 TO 129)
- 63% IN WALNUT (73 TO 119)

GRAND THEFT AUTO IS UP AS FOLLOWS:

- 62% IN MALIBU (13 TO 21)
- 65% IN LOMITA (31 TO 51)
- 41% IN MARINA DEL REY (44 TO 62)
- 44% IN CERRITOS (104 TO 150)
- 106% IN MAYWOOD (53 TO 109)
- 167% IN ARTESIA (15 TO 40)
- 44% IN SAN DIMAS (36 TO 52)
- 65% IN WALNUT (17 TO 28)

▪ **COUNTIES CANNOT ASSUME ADDITIONAL RESPONSIBILITIES:**

- THE STATE IS INTERESTED IN HAVING COUNTY PROBATION DEPARTMENTS HELP REDUCE THE PRISON POPULATION FURTHER
- TWO YEARS AFTER REALIGNMENT TOOK EFFECT AND PROBATION IS STILL IN THE PROCESS OF HIRING AND SECURING THE NECESSARY OFFICE SPACE FOR NEW STAFF.
- MENTAL HEALTH IS IN THE PROCESS OF HAVING PROVIDERS TRAINED FOR THE REALIGNMENT POPULATION AND
- THE COUNTY IS STILL TRYING TO WRAP ITS ARMS AROUND THE WHOLE PROGRAM
- THE SHERIFF HAS HAD TO CLOSE A LARGE PART OF PITCHESS DETENTION EAST FACILITY DUE TO FUNDING SHORTAGES FORCING MORE EARLY RELEASES OF TRADITIONAL COUNTY SENTENCED INMATES.
- **CONTRACTING IS A VIABLE AND COST-EFFECTIVE OPTION THAT PROTECTS PUBLIC SAFETY WHERE PROGRAMS ARE ALSO PROVIDED**
- **THAT OPTION HAS ALWAYS BEEN AVAILABLE TO THE GOVERNOR AT APPROXIMATELY \$65 PER BED VERSUS \$154 IN STATE PRISON**