

The First Fifty

***A Study of “Realigned” Offenders Released
to Santa Clara County Under Post-Release
Community Supervision***

DRAFT FOR COMMENTS

Ashley Rogers

Stanford Law School
559 Nathan Abbott Way
Stanford, CA 94305

January 2012

Table of Contents

Introduction	4
a. AB 109 and Post Release Community Supervision	4
b. Scope of the Paper.....	6
Chapter 1- The Legislative Intent of AB 109 and Post-Release Community Supervision .	8
a. History of Realignment Legislation.....	8
b. Realignment According to the Legislature	8
c. Overview of the Post-Release Community Supervision Act of 2011	12
d. Overview of the Implementation of the Post-Release Community Supervision Act of 2011: CDCR’s Pre-Release Determination Methods.....	14
Chapter 2- The Counties’ Responses to AB 109.....	18
a. Responses to PRCS As Depicted in the Media	18
i. Reserving Judgment.....	18
ii. Positive Reactions.....	18
iii. Negative Reactions	20
iv. Calls for Reform.....	25
Chapter 3- Describing the PRCS Population: The First Fifty Released in Santa Clara County	26
a. Research Methods.....	26
i. Empirical Analysis: Methodology.....	26
b. Who are the first fifty offenders?	33
i. Demographic Data	33
Figure 1: Age, Race, and Sex of Population.....	34
Figure 2: Age and Gender of Population by Number.....	35
Figure 3: Age Distribution by Race	36
Figure 4: City of Planned Residence (Table).....	37
Figure 5: City of Planned Residence by Number (Graph)	38
Figure 6: Gang Affiliation by City of Planned Residence.....	40
Figure 7: Current Offense (Table)	40
Figure 8: Current Offense (Graph).....	41

Figure 9: Crime Categories of Current Offense (Table)	42
Figure 10: Crime Categories of Current Offense (Graph)	42
Figure 11: Prior Record	43
Figure 12: Prior Felonies and Prior Misdemeanors	43
Figure 13: Prior Offense vs. Current Offense	45
Figure 14: Prior Offense v. Current Offense, by Crime Categories (Table)	46
Figure 15: Prior Offense vs. Current Offense, by Crime Categories (Graph).....	46
Figure 16: Specialized Offenders	47
c. What are their risks?	48
Figure 17: Average Risk Score vs. Maximum Possible Score (Average)	48
Figure 18. Gang Affiliation and Violence by Number (Wisconsin Risk Assessment)	49
d. What are their needs?	50
Figure 19: Average Needs Scores vs. Maximum Possible Score (Average)	50
e. What are their needs and risks combined?	51
Figure 20: Need and Risk Scores by City of Release	51
Figure 21: Need and Risk Scores by Age	53
Figure 22: Need and Risk Scores by Race	55
Figure 23: Other Factors—A Source Comparison of Select Variables (Table)	56
Figure 24: Other Factors—A Source Comparison of Select Variables by Number (Graph).....	57
Figure 25: Other Factors—A Source Comparison of Select Variables by Percent (Graph).....	58
 Chapter 4- Comparing the First Fifty to the Legislative Intent and Counties’ Responses	 60
 Chapter 5- Limitations of the Study.....	 65
 Conclusion.....	 67
 Appendix 1	 68
 Appendix 2.....	 72

Introduction

a. AB 109 and Post Release Community Supervision

Assembly Bill 109 (“AB 109”) and the subsequent amending legislation (collectively, “The 2011 Realignment Legislation Addressing Public Safety” or “Realignment”) seismically shifted the way California structures and manages its criminal justice system. Effective October 1, 2011, AB 109 redefined more than 500 felonies and “realigned” responsibility for the incarceration and supervision of a significant population of specified adult felony offenders from the California Department of Corrections and Rehabilitation (“CDCR”) to county-based corrections programs. In brief, AB 109 altered both sentencing and post-prison supervision for the newly statutorily classified “non-serious, non-violent, non-sex” offenses and offenders. While the legislation is comprehensive and complex, two major groups are affected by these changes. First, offenders convicted of qualifying felonies are now incarcerated in county jails instead of in state prisons. Second—and perhaps most critically—released prisoners who would have previously been placed on state parole but now qualify as so-called “non-non-non” offenders are diverted to the supervision of county probation departments under “Post Release Community Supervision” (“PRCS”). Because of its import and controversial surrounding it, the latter population—prisoners released under PRCS—is the focus of this paper.

On October 1, 2011, California counties assumed responsibility for supervising approximately 60,000 offenders from 33 California prisons who qualified for PRCS. While some have remained neutral, responses to the PRCS component of AB 109 have

been largely as passionate as they have been mixed. Supporters note that, because the offenders were to be released into counties anyway, PRCS simply shifts who will do the supervising. They assert that the shift is more technical than substantive: because the offenders to be supervised by PRCS were incarcerated for a relatively low-level “non-non-non” felony, probation officers should be equipped to handle the risks and needs of a population nearly identical to those they already supervise. Prior to AB 109’s implementation, Governor Brown expressed confidence that counties were prepared to assume the targeted populations, adding, “It’s bold, it’s difficult and it will continuously change as we learn from experience. But we can’t sit still and let the courts release 30,000 serious prisoners. We have to do something, and this is the most-viable plan that I’ve been able to put together.”¹

Critics of AB 109, however, assert with equal confidence that the plan as it relates to PRCS is far from “viable.” They emphasize that under AB 109, offenders are classified only by the *present committed offense*, meaning that it is possible that a person with a history of violent, serious, or sex offenses—or even a lengthy criminal history—may technically qualify as a “non-non-non” offender under AB 109. The shift in supervisory responsibility from parole to probation departments becomes important. Probation officers, critics argue, may be ill-equipped to address the great risks and significant needs of a potentially a dramatically different population than that contemplated by the legislature. Indeed, several counties have asserted that they are unprepared and underfinanced, and some are even bracing for a spike in crime. (See “Part II: The Counties’ Responses to AB 109” for further discussion.)

¹ Nick Smith, *Inmates Trade Prison Cells for Jail Under Plan*, ABC 7 News, Oct. 1, 2011, available at <<http://abclocal.go.com/kgo/story?section=news/state&id=8375360>>.

b. Scope of the Paper

What is missing from these charged debates, however, is data. Speculation about the population is insufficient to spur any informed changes, and a lack of data could lead to rash, harmful decisions based on isolated incidents or conjecture alone.² Answers to critical questions—Who are these offenders to be supervised by PRCS? What are their risks? What are their needs?—must be answered. This paper examines these questions in the context of one county—Santa Clara County.

In this paper, we first provide an overview of the history and legislative rationale of AB 109, the provisions governing the scope of PRCS, and the CDCR's procedures regarding the determination screening process and data provided to the counties ("Part I: The Legislative Intent of AB 109 and Post-Release Community Supervision"). Second, we provide further context on the various responses to AB 109 as depicted in the media ("Part II: The Counties' Responses to AB 109"). Third, we answer the aforementioned questions (Who are these offenders? What are their risks? What are their needs?) by analyzing the demographics, risks, and needs of the first fifty offenders released to Santa Clara County under PRCS ("Part III: Describing the PRCS Population: The First Fifty Released in Santa Clara"). We then compare the results of the study with the legislative intent and the counties' various responses and predictions ("Part IV: Comparing the First Fifty to the Legislative Intent and Counties' Responses"). Finally, we offer an analysis of the limitations of the study ("Part V: Limitations of the Study") and offer

² See, e.g., Corinne Speckert, *Police Arrest Known Gang Member for Meth Possession*, Gilroy Patch, Jan. 12, 2012, available at < <http://gilroy.patch.com/articles/police-arrest-known-gang-member-for-meth-possession>> (news story with the subheading, "James Bob Lucio is just one known gang member who was released through the state's re-alignment program, AB-109."); Joel Metzger, *Crime Spree Probe Leads to Three Arrests*, The Calaveras Enterprise, Jan. 20, 2012, available at <http://www.calaverasenterprise.com/news/article_f10bb0a4-4387-11e1-a4da-0019bb2963f4.html> (news story where Calaveras County Sherriff arrested an offender on PRCS and said, "These are the folks I'm talking about. That's just one of them and look how much havoc he stirred up. Imagine what will happen when you have more of them running around.").

conclusions on the implications of the findings (“Conclusion: Implications of the Study”).

Chapter 1

The Legislative Intent of AB 109 and Post-Release Community Supervision

a. History of Realignment Legislation

Context is necessary to understand the exigency behind Realignment and its resulting rationales.

AB 109 must be viewed, at least in part, as a legislative response to judicial action: it is the centerpiece of California's plan to comply with the U.S. Supreme Court's mandate in *Brown v. Plata*³ that the California Department of Corrections and Rehabilitation ("CDCR") sharply decrease its prison population to 137.5 percent of what the facilities were designed to hold in order to mitigate unconstitutional overcrowding. This mandate is sweeping; given that the design capacity of California state prisons is 79,858, it requires that CDCR reduce the prison population by approximately 33,000 inmates by June 2014.⁴ Realignment therefore will immediately free up space in California's overcrowded state prisons by allowing "non-non-non" offenders to serve sentences in county jails to be supervised (and potentially re-incarcerated) post-release by county rather than state authorities.

b. Realignment According to the Legislature

Upon further examination of the legislation, however, AB 109 is explicitly not intended to be solely a narrow mechanism of compliance; rather, it is aimed at the

³ *Brown v. Plata*, 131 S.Ct. 1910 (2011).

⁴ While California prisons were designed to hold 79,858 prisoners, they housed approximately 143,000 prisoners at the time of the *Plata* decision, where the Court ordered California to reduce its prison population by approximately 33,000 prisoners to 137.5% of design capacity, or approximately 109,800 prisoners. See *State Responds to Three-Judge Court's Order Requiring a Reduction in Prison Crowding*, CDCR Today, June 7, 2011, available at <<http://cdcrtoday.blogspot.com/2011/06/state-responds-to-three-judge-courts.html>>; *Plata*, 131 S.Ct. at 1943-47.

source of the problem of overcrowding. AB 109 is generally intended to be broadly responsive to an undeniably costly and ineffective criminal justice system. In the past several decades, incarceration has become the quintessentially American—and Californian—response to high levels of serious crime. Following a widespread rejection of the rehabilitation efforts embraced in the 1970s in favor of a more retributive crime control model, California’s prison population increased by 73%—nearly three times faster than the general adult population—between 1990 and 2005.⁵ This population increase is significant, as it costs approximately \$44,564 (as opposed to a United States average of \$28,817) to incarcerate a prisoner for a year in California.⁶ Despite these incapacitacionist policies and high incarceration rates, California’s recidivism rate as of October 2010 remained at 67.5 percent—among the highest in the nation.⁷

Indeed, the general legislative findings to Realignment declare that instead of solely adding jail capacity, the legislature views the legislation as a “reinvest[ment]” of resources to support community-based programs and evidence-based practices “encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity.”⁸ In fact, in his AB 109 signing message, Governor Jerry Brown did not reference overcrowding as the sole (or main) impetus behind the legislation, instead stating that “[c]ycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law

⁵ Joseph M. Hayes, *California’s Changing Prison Population*, Public Policy Institute of California, July 2011, available at <http://www.ppic.org/main/publication_show.asp?i=702>.

⁶ Adam Skolnick, *Runaway Prison Costs Trash State Budgets*, The Fiscal Times, Feb. 9, 2011, available at <<http://www.thefiscaltimes.com/Articles/2011/02/09/Runaway-Prison-Costs-Thrash-State-Budgets.aspx#page1>>.

⁷ See California Department of Corrections And Rehabilitation, *2010 Adult Institutions Outcome Evaluation Report*, p. 11, available at <http://www.cdcr.ca.gov/Adult_Research_Branch/Research_Documents/ARB_FY0506_Outcome_Evaluation_Report.pdf>; see also The Pew Center on the States, *State of Recidivism April 2011: The Revolving Door of America’s Prisons*, pp. 10-11, available at <http://www.pewcenteronthestates.org/uploadedFiles/Pew_State_of_Recidivism.pdf> .

⁸ CAL. PEN. CODE § 17.5.

enforcement supervision.”⁹ In keeping with this broad view of the intent of the legislation, CDCR subsequently deemed Realignment “historic legislation that will enable California to close the revolving door of low-level inmates cycling in and out of state prisons.”¹⁰

The intent of the Post Release Community Supervision Act of 2011¹¹ (the PRCS component of AB 109)—evinced by the statutory language¹² and the California Department of Finance’s preliminary funding calculations¹³ —is in keeping with this broad goal of reducing recidivism.¹⁴ The findings supporting the Post Release Community Supervision Act of 2011 almost exactly duplicate the findings in Penal Code Section 17.5, which are the findings supporting Realignment generally. Those findings are as follows:¹⁵

- 1) The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.
- 2) Despite the dramatic increase in corrections spending over the past two decades, national reincarceration rates for people released from prison remain unchanged or have worsened. . .
- 3) Criminal justice policies that rely on the reincarceration of parolees for technical violations do not result in improved public safety.
- 4) California must reinvest its criminal justice resources to support community corrections programs and evidence-based practices that will achieve improved public safety returns on this state’s substantial investment in its criminal justice system.
- 5) Realigning the postrelease supervision of certain felons reentering the community after serving a prison term to local community corrections programs, which are strengthened through community-based punishment, evidence-based practices, and improved supervision strategies, will improve public safety

⁹ Office of the Governor, Press release, *Governor Brown Signs Legislations to Improve Public Safety and Empower Local Law Enforcement*, April 5, 2011, available at <<http://gov.ca.gov/news.php?id=16964>>.

¹⁰ California Department of Corrections and Rehabilitation, *2011 Public Safety Realignment: Fact Sheet*, available at <<http://www.cdcr.ca.gov/realignment/docs/Realignment-Fact-Sheet.pdf>>.

¹¹ CAL. PEN. CODE §§ 3450 to 3458.

¹² See, e.g., CAL. PEN. CODE § 17.5 at § 17.5(a) .

¹³ See California Department of Finance, Office of the Director, *Realignment Proposal Changes Since January 10 Budget (2011)*, available at <http://www.dof.ca.gov/budget/historical/2011/12/documents/Restructure_and_Realignment_new.pdf> (providing funding for community programs and alternative sanctions).

¹⁴ See CAL. PEN. CODE § 3450(b)(1) (“The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.”)

¹⁵ CAL. PEN. CODE § 3450(b).

outcomes among adult felon parolees and will facilitate their successful reintegration back into society.

- 6) Community corrections programs require a partnership between local public safety entities and the county to provide and expand the use of community-based punishment for offenders paroled from state prison. Each county's local Community Corrections Partnership. . .should play a critical role in developing programs and ensuring appropriate outcomes for persons subject to postrelease community supervision.
- 7) Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence based strategies that increase public safety while holding offenders accountable.
- 8) "Community-based punishment" means evidence-based correctional sanctions and programming encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity. Intermediate sanctions may be provided by local public safety entities directly or through public or private correctional service providers and include, but are not limited to, the following:
 - (A) Short-term "flash" incarceration in jail for a period of not more than 10 days.
 - (B) Intensive community supervision.
 - (C) Home detention with electronic monitoring or GPS monitoring.
 - (D) Mandatory community service.
 - (E) Restorative justice programs, such as mandatory victim restitution and victim-offender reconciliation.
 - (F) Work, training, or education in a furlough program pursuant to Section 1208.
 - (G) Work, in lieu of confinement, in a work release program pursuant to Section 4024.2.
 - (H) Day reporting.
 - (I) Mandatory residential or nonresidential substance abuse treatment programs.
 - (J) Mandatory random drug testing.
 - (K) Mother-infant care programs.
 - (L) Community-based residential programs offering structure, supervision, drug treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, mental health treatment, or any combination of these and other interventions.
- 9) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research

Thus, the legislative findings regarding PRCS make clear that counties are encouraged to focus on non-incarceration alternatives, data-driven approaches, and

evidence-based practices¹⁶ that have a proven track-record of reducing recidivism. It is of note, however, that the findings speak in broad terms, referring only to “certain felons” affected by PRCS and failing to specify why these “certain felons” were chosen or who the legislature expects these “certain felons” to be. The legislature hedged on this critical point, refusing to define further the category of felons eligible for PRCS in any way or make predictions about the population that counties may rely on.

Indeed, the absence of any findings regarding *why* the legislature chose to define those eligible for PRCS based on the current crime only is glaring, as is the lack of any language regarding the expected demographics, risks, and needs of this population. In this way, the legislature made no predictions of who counties were to receive or predictions as to the outcome of this component of Realignment.

c. Overview of the Post-Release Community Supervision Act of 2011

Qualifying inmates under PRCS are supervised by county probation officers or other designated entities designated by a county’s Board of Supervisors rather than by state parole agents according to an overall implementation strategy adopted by each county.¹⁷ As noted, the new local authority over PRCS applies only to those whose convictions are for non-serious, non-violent, non-sex-related offenses.¹⁸ Anyone serving a term for a current serious¹⁹ or violent²⁰ offense, third strikers²¹, High Risk Sex Offenders, and Mentally Disordered Offenders²² will remain under the state’s parole

¹⁶ CAL. PEN. CODE § 3450(b)(9).

¹⁷ CAL. PEN. CODE § 3451. N.B., reportedly all counties have designated their respective probation departments as the designated agency.

¹⁸ CAL. PEN. CODE § 3451.

¹⁹ CAL. PEN. CODE § 1192.7(c).

²⁰ CAL. PEN. CODE § 667.5(c).

²¹ CAL. PEN. CODE §§ 667.5(e)(2) or 1170.12(c)(2).

²² CAL. PEN. CODE § 2962.

jurisdiction.²³ The period of post-release supervision is limited to three years,²⁴ and anyone on parole before October 1, 2011 remains under state jurisdiction until they are discharged.²⁵

Supervision and case plans are not specified in the statute. However, all offenders eligible for PRCS must enter into a “post-release community supervision agreement” before and as a condition of their release.²⁶ This agreement must include certain general, statutorily specific conditions of release,²⁷ and the supervising entity may add conditions “reasonably related” to the underlying offense, the offender’s risk of recidivism or the offender’s criminal history.²⁸ The county is also authorized to impose “additional appropriate conditions of supervision” and “appropriate responses to alleged violations” that include immediately, structured, and intermediate sanctions “up to an including referral to a reentry court.”²⁹ Flash incarceration in a county jail is specifically “encouraged” as a method of punishment for violation of these conditions.³⁰

All parole revocations for state parolees (except those with a life term) will be served in county jail, but the maximum sanction for revocation will be 180 days and parolees will receive day-for-day credits while in the custody of the sheriff.³¹ After parolees have completed their revocation time, they will return to state jurisdiction to complete any remaining parole time.³² PRCS violations will also be served in the sheriff’s custody, be subject to the same 180 day limit and will receive day-for-day

²³ CAL. PEN. CODE § 3000.08; CAL. PEN. CODE § 2962 (mental health treatment as a condition of parole); CAL. PEN. CODE § 667 (sentencing enhancements for habitual criminals); CAL. PEN. CODE § 1170.12 (sentencing enhancements for prior felony convictions).

²⁴ CAL. PEN. CODE § 3451(a).

²⁵ CAL. PEN. CODE § 3000.09.

²⁶ CAL. PEN. CODE § 3452(a).

²⁷ CAL. PEN. CODE § 3453(a)-(s).

²⁸ CAL. PEN. CODE § 3454(a).

²⁹ CAL. PEN. CODE § 3454(b).

³⁰ CAL. PEN. CODE § 3454(b).

³¹ CAL. PEN. CODE § 3056; CAL. PEN. CODE § 3057; CAL. PEN. CODE § 2933.

³² CAL. PEN. CODE § 3000.8.

credits.³³ No PRCS violation will result in a return to prison.³⁴ Parole revocation hearings (for state parolees only) will continue to be handled by the Board of Parole Hearings until July 1, 2013 when that responsibility will be moved to the local courts.³⁵

On and after July 1, 2013, the entire revocation process—including for state parolees—will become a local responsibility³⁶; parole violators will continue to be supervised locally unless they commit a new crime.³⁷ The courts will hear revocations of post-release community supervision while the Board of Parole Hearings will conduct parole violation hearings in jail.³⁸ Courts may appoint hearing officers for this workload.³⁹ The designated supervising entity must establish a review process for assessing and refining conditions consistent with the statutory authority to impose sanctions up to and including flash incarceration (up to 10 days).⁴⁰

While three years is the maximum duration of PRCS, the county has discretion to discharge offenders with no violations after six consecutive months, and an offender with no violations for one year shall be discharged within 30 days.⁴¹

d. Overview of the Implementation of the Post-Release Community Supervision Act of 2011: CDCR’s Pre-Release Determination Methods⁴²

³³ CAL. PEN. CODE § 3450- 55; CAL. PEN. CODE § 3455; CAL. PEN. CODE § 4019.

³⁴ CAL. PEN. CODE § 3459.

³⁵ CAL. PEN. CODE § 3000.08.

³⁶ CAL. PEN. CODE § 3000.08.

³⁷ CAL. PEN. CODE § 3000.08 (h).

³⁸ CAL. PEN. CODE §§ 3450- 58; CAL. PEN. CODE § 3000.08 (providing for post-release supervision of parolees by the Department of Correction until July 1, 2013 and post release supervision of certain parolees by counties thereafter).

³⁹ CAL. GOV’T. CODE § 71622.5.

⁴⁰ CAL. PEN. CODE § 3454.

⁴¹ CAL. PEN. CODE § 3456(a)(2)-(3).

⁴² California Department of Rehabilitation and Corrections, *Implementation of the Post Release Community Supervision Act of 2011*, available at < <http://www.cdcr.ca.gov/realignment/docs/PRCS-County.pdf>>.

CDCR Correctional Counselors (“Counselors”) make the determination of which agency will supervise a prisoner after his or her release, analyzing the offender’s factors for “parole eligibility criteria” in a screening process that begins five to six months before the offender’s release and which may last up to 90 days. CDCR Parole Staff complete a risk assessment for all inmates who are required to register pursuant to Penal Code Section 290. The Static 99 tool is used for males, while the Female Sex Offender Risk Assessment (FSORA) tool is used for females. Counselors document on the 611 the score and whether the offender has been identified as a “High Risk Sex Offender.” If an inmate is identified via a clinical evaluation that he or she is a “Mentally Disordered Offender,” the county will be notified that he or she will not be released to PRCS.

The Counselors document the screening determination on the CDCR Form 611, “Release Program Study” (“611” or “RPS”). The Chief Probation Officers of California (“CPOC”) selected county representatives to collaborate with the CDCR to develop a pre-release processes for releases to PCRS. First, a pre-release packet is to be sent to the county approximately 120 days before the inmate’s release (and no later than the statutory requirement of 30 days prior to an inmate’s release). This packet contains the following information:

- CDCR Form 611, “Release Program Study,” which should include the following information and should be completed and returned no later than 30 days before the inmate’s scheduled release:
 - Registration and Notification requirements
 - Residency plans upon release
 - Medical and mental health information
 - Serious disciplinary actions while in custody
 - Other “general information the caseworker believes is pertinent to share”
- Probation Officer’s Report

- CDCR Form 128G for the initial classification hearing and the last classification hearing documenting classification actions and inmate case factors
- Photos (four)
- CDCR Form 812, “Notice of Critical Case Information,” which is used to document gang affiliation and known non-confidential enemies within CDCR
- CDCR Form 1707, “Victim Services and Restitution Collection Request Form,” which is used to document a victim’s request for notification of release pursuant to Penal Code Sections 3058.8 and/or 3058.61 (if applicable)
- Legal Status Summary Facesheet, which contains current commitment and release information
- CDCR Form 112, “Chronological History,” which contains a history of the inmate’s movement and date changes within CDCR
- CDCR 128-C series, “Medical Chronos,” which include TB codes, medical clearances, and disability information
- Institutional Staff Recommendation Summary, which is the initial assessment of the inmate when he or she arrived within CDCR
- Social Factors Sheet, which contains information regarding the inmate’s family and employment history obtained when the inmate was received in CDCR
- Abstract of Judgment (or Minute Orders if the Abstract of Judgment is not available) for active cases
- CDCR Form 128-MH, which provides mental health information (if applicable)
- CDCR Form 127, “Notification in case of Inmate Death, Serious Injury/Illness,” which identifies the inmate’s next of kin
- Copies of active warrants or holds (if applicable)
- Copies of Registration Notification
 - DOJ Forms SS8047, 8048, 8049 (if applicable)
- CDCR Form 1845, “Inmate/Parolee Disability Placement” (if applicable)
- Any COMPAS Assessment currently available in the Central File⁴³
- Conditions of Release (on CDCR Form 1515-CS), which must be signed by the inmate prior to release
 - Counties may fax “Special Conditions of Release” the inmate must sign prior to release

CDCR notes it “will continue to advise inmates of their registration requirements” and “provide pre-release notifications to victims and law enforcement as required by law.” CDCR will also enter the “statutorily required information” into the Parole Law

⁴³ The CDCR noted, “due to staffing reductions as a result of Realignment, CDCR will be unable to complete Pre-Release COMPAS assessments on inmates released to PRCS.”

Enforcement Automated Data System (“LEADS”). CDCR will also advise the county prior to an offender’s release if mental health staff advise custody staff that an inmate “appears to either pose harm to themselves or the public upon release.” CDCR will also advise the county if the inmate is being release to a hold.

On the day of release, an inmate is processed, taken to the local bus station for transport to the county of last legal residence, and given \$200 in release funds.

CDCR will mail a “post release packet” to the county of supervision within two working days following the offender’s release that contains the following documents:

- CDCR Form 102, “Release Statement,” which identifies both personal funds and state allowances disbursed to the offender upon release
- CDCR 1515-CS, “Conditions of PRCS”
- Special Conditions of Parole (if applicable)
- Notice of Registration Requirements (if applicable)
- CDCR Form 161, “Warden’s Check-out Order,” which is the final releasing document indicating the date and time of release, the county the offender is reporting to and specific notifications sent (victim or law enforcement)
- Legal Status Summary (last copy)
- Fingerprint Cards for current term
- Notice of any active Restraining/Protective Orders known to CDCR

Chapter 2

The Counties' Responses to AB 109

a. Responses to PRCS As Depicted in the Media

Few would argue with Santa Clara County Superior Court Judge Phil Pennypacker's assessment of the impact of Realignment: "It's the biggest change in the criminal justice system in 35 years."⁴⁴ In fact, it is exactly because of the monumental scope of the change that reactions have been so polarized. While a few are reserving judgment, some have reacted positively to what they identify as an opportunity for reform while many have lambasted the legislation as fatally flawed. We record some of these reactions below.

i. Reserving Judgment

With regards to PRCS specifically, some, like one Santa Cruz District Attorney who said, "I'm going to watch, and I'm going to see how it all plays out," are reserving judgment.⁴⁵ Others, like Alex Busansky, President of the Oakland-based National Council on Crime and Delinquency, hail Realignment as "the greatest opportunity California has had in decades to advance criminal-justice reform" but recognize that "[t]he challenge is how to manage it so it's a success. Without the resources and the training, crime could spike and the political pendulum could swing back the other way."⁴⁶

ii. Positive Reactions

⁴⁴ Tracey Kaplan, *California Prison Realignment To Put More Low-Level Offenders on Streets*, San Jose Mercury News, Sept. 26, 2011, available at < http://www.mercurynews.com/top-stories/ci_18974489>.

⁴⁵ Ryan Boysen, *Santa Cruz 'Smart on Crime' Panel Looks at Pros and Cons of Adding State Convicts to County Jails*, Watsonville Patch, Nov. 9, 2011, available at < <http://watsonville.patch.com/articles/smart-on-crime-panel-looks-at-law-that-adds-new-prisoners-to-county-jail>>.

⁴⁶ Tracey Kaplan, *California Prison Realignment To Put More Low-Level Offenders on Streets*, San Jose Mercury News, Sept. 26, 2011, available at < http://www.mercurynews.com/top-stories/ci_18974489>.

Some have embraced Realignment and the PRCS component wholeheartedly. Former San Quentin State Prison Warden Jeanne Woodford declared, “I don't think this will cause a public-safety disaster at all. I think it will make California safer.”⁴⁷ Some, like the chief author of Santa Cruz’s plan, Santa Cruz County Chief Probation Officer Scott MacDonald, supports the PRCS component of Realignment, asserted that having alternatives to jail will likely reduce recidivism, the goal of Realignment broadly.⁴⁸ Calaveras County Chief Probation Officer Teri Hall stated that, if PRCS is successful in changing the behavior of the offenders, “public safety is enhanced, crime rates are reduced and it's a safe cost-effective way of changing offender behavior.”⁴⁹ Butte County Chief Administrative Officer Paul Hahn asserted, “We believe we’re on the right track.”⁵⁰

Supporters have dismissed predictions of a massive influx of dangerous criminals. Speaking to approximately 150 concerned community members at a public meeting, San Diego’s Chief Probation Officer Mack Jenkins noted that the 2,000 eligible offenders released in San Diego would have returned home anyway, reassuring listeners that “[w]hat sounds like a massive release of prisoners at first actually isn’t.”⁵¹ Santa Clara County Sheriff Laurie Smith agreed, saying, “The prisoners would be coming out anyway. It's just a case of who will supervise these people--a county probation department or a state parole office.” In fact, Smith noted that PRCS could be even more

⁴⁷ Tracey Kaplan, *California Prison Realignment To Put More Low-Level Offenders on Streets*, San Jose Mercury News, Sept. 26, 2011, available at < http://www.mercurynews.com/top-stories/ci_18974489>.

⁴⁸ Rachel Stern, *County Inmates Will Be Released, Put on Electronic Monitoring*, Santa Cruz Path, Oct. 20, 2011, available at < <http://santacruz.patch.com/articles/in-progress-ab-109-releases-state-inmates-into-local-jails>>.

⁴⁹ Joel Metzger, *County Departments Weigh in on AB 109*, The Calaveras Enterprise, Jan. 10, 2012, available at < http://www.calaverasenterprise.com/news/article_02755552-3bae-11e1-99c3-0019bb2963f4.html>.

⁵⁰ Robert Speer, *A 'Paradigm Shift' in Public Safety*, News Review, Sept. 29, 2011, available at < <http://www.newsreview.com/chico/paradigm-shift-in-public/content?oid=3927066>>.

⁵¹ Megan Burks, *Field Guide: AB 109 Questions Answered*, Speak City Heights, Dec. 7, 2011, available at < http://www.speakcityheights.org/2011/12/field-guide-your-ab-109-questions-answered/?utm_source=rss&utm_medium=rss&utm_campaign=field-guide-your-ab-109-questions-answered>.

successful than parole because they will warrant more attention than other offenders.⁵² Smith's sentiments regarding the ability to closely monitor offenders under PRCS were echoed almost exactly by Del Norte's Chief Probation Officer Thomas Crowell. He said, "All of the people coming back from prison were coming back anyway," adding, "There's going to be a lot more ability to supervise these folks. They're going to receive a lot more attention under probation than parole."⁵³

Legislators have voiced strong support for PRCS, as well. Assemblyman Roger Dickinson asserted that Realignment is an opportunity for released offenders to be closer to family and needed services in the counties, adding that "we need to make sure at the county level we have enough services."⁵⁴ State Senator Mark Leno pointed to the flexibility afforded by the legislation for counties to use discretion as a positive.⁵⁵

iii. Negative Reactions

While some view PRCS and Realignment generally as a positive change, many—perhaps even most—have voiced concerns about or strong opposition to the legislation.

Some, like Donald Specter, the director of the Prison Law Office, have lamented the lack of "guiding principles, oversight, or monitoring" from the State and predict "extreme variations" in the effectiveness of county programming.⁵⁶ Sacramento County Sheriff Scott R. Jones lambasted the timeline, asserting that "[t]he process should have taken more time to get right. The state wasn't interested in the best iteration, just a

⁵² *Santa Clara County Sheriff, DA Say New Law Will Put Prisoners Leaving State Prison into County Probation System*, San Jose Mercury News, available at <http://www.mercurynews.com/san-jose-neighborhoods/ci_19109388>.

⁵³ Adam Spencer, *Realignment Not Worrying Most Officials*, The Triplicate, Oct. 24, 2011, available at <<http://www.triplicate.com/News/Local-News/Realignment-not-worrying-most-officials>>.

⁵⁴ Lisa Kopochinski, *Prison Realignment Sparks Lively Debate*, Correctional News, Dec. 21, 2011, available at <<http://www.correctionalnews.com/articles/2011/12/21/prison-realignment-sparks-lively-debate>>.

⁵⁵ Melissa Corker, *AB 109 Brings New Inmates and New Challenges to County Jail*, Sacramento Press, Sept. 28, 2011, available at <http://www.sacramentopress.com/headline/58003/County_jail_to_get_400_more_inmates>.

⁵⁶ Jennifer Medina, *California Begins Moving Prison Inmates*, The New York Times, Oct. 8, 2011, available at <http://www.nytimes.com/2011/10/09/us/california-begins-moving-prisoners.html?_r=3&hpw>.

quick one.”⁵⁷ Due to the lack of funding and time, he deemed Realignment “a collision course with disaster” and noted that crime rates will likely increase as a result.⁵⁸

Like other county probation officials, Alameda County Chief Probation Officer David Muhammad noted that his staff is already overworked and is particularly unhappy with the funding formula. Muhammed said, “Unfortunately the way the state decided to allocate the money was to reward those counties that have sent many of their lower-level offenders to state prison and penalize counties like Alameda and San Francisco and Contra Costa who have sent smaller numbers of lower level offenders to state prison and have kept those offenders local.”⁵⁹ Yolo County Chief Probation Officer Marjorie Rist noted that the funding is insufficient for the “clear, emerging gaps in service,” such as mental health, homelessness, and unemployment, that her county needed to address.⁶⁰

Pointing to the funding formula, critics are “already predicting a surge in property crimes such as shoplifting, burglary and ID theft.”⁶¹ Gilroy Police Sergeant Joseph Deras said, “We didn't get an influx of police officers now to address the amount of criminals being returned.”⁶² Calaveras County District Attorney Barbara Yook doubts

⁵⁷ Lisa Kopochinski, *Prison Realignment Sparks Lively Debate*, Correctional News, Dec. 21, 2011, available at <<http://www.correctionalnews.com/articles/2011/12/21/prison-realignment-sparks-lively-debate>>.

⁵⁸ Jennifer Medina, *California Begins Moving Prison Inmates*, The New York Times, Oct. 8, 2011, available at <http://www.nytimes.com/2011/10/09/us/california-begins-moving-prisoners.html?_r=3&hpw>.

⁵⁹ Jon Brooks, *Realignment Is Here—Counties to Receive Non-Violent Criminals From State*, KQED News, Sept. 29, 2011, available at <<http://blogs.kqed.org/newsfix/2011/09/29/realignment-is-here-counties-to-receive-non-violent-criminals-from-state/>>.

⁶⁰ Katherine Jarvis, *More Parolees Than Expected Entering Yolo County*, Daily Democrat, Jan. 25, 2012, available at <http://www.dailydemocrat.com/news/ci_19816343>.

⁶¹ Tracey Kaplan, *California Prison Realignment To Put More Low-Level Offenders on Streets*, San Jose Mercury News, Sept. 26, 2011, available at <http://www.mercurynews.com/top-stories/ci_18974489>.

⁶² Azenith Smith, *AB 109 Causing Problems for Gilroy Police*, Central Coast News, Jan. 12, 2012, available at <<http://www.kionrightnow.com/story/16511825/ab-109-causing-problems-for-gilroy-police>>.

the effectiveness of PRCS sans the threat of revocation to prison, noting, “If there’s no meaningful threat from the jail, people choose jail time over programs.”⁶³

Some critics believe that even more funding would be insufficient to salvage PRCS in already floundering probation departments. An editorial in the Los Angeles Times asserted that Los Angeles County’s Probation Department simply could not bear the burden of PRCS, reading, “even with adequate funding, Los Angeles County has shown that it has hardly mastered the art and science of prisoner reentry. The Probation Department, which will take the lead in implementing AB 109 here, is a shambles, under scrutiny by the U.S. Department of Justice, unable to prevent fights and injuries at its juvenile facilities, incapable of effectively managing its employees.”⁶⁴

Perhaps the most scathing critiques come from those who believe the profile of those who qualify for PRCS is wrong. Some of the harshest critics hail from Los Angeles County. In fact, the County’s Board of Supervisors demanded changes to the plan as early as November. Los Angeles County Supervisor Michael D. Antonovich is among the harshest critics of Realignment. He was alarmed that ill-equipped, unarmed probation officers were supervising what he considered violent criminals, asserting, “This was not the profile that the governor was telling the counties we’d be receiving and be responsible for.”⁶⁵ He went on to say, “Our facilities and our personnel are not equipped to handle this type of individual. They belong under state supervision and control.” The Board recommended that the law be altered to take an offenders’ entire criminal history instead of just the current offense into account. Acting Probation Chief Cal Remington

⁶³ Joel Metzger, *Another Sheriff Concerned About AB109 and The Public’s Safety*, Unit 6 Times, Dec. 14, 2011, available at <<http://unit6times.com/wordpress/2011/12/another-sheriff-concerned-about-public-safety/>>.

⁶⁴ Editorial, *Get Ready, California Counties, Here Come the Inmates*, Los Angeles Times, Aug. 30, 2011, available at <<http://www.latimes.com/news/opinion/opinionla/la-ed-re-entry-20110830,0,5805164.story>>.

⁶⁵ Chistina Villacorte, *Supervisors Demand Changes to Gov. Brown’s Prison Realignment Plan*, Daily Breeze, Nov. 15, 2011, available at <http://www.dailybreeze.com/crimeandcourts/ci_19343387>.

claimed that 57 percent of the parolees were at “high risk” of recidivism and required services the department did not anticipate. Noting this, Antonovich asserted, “We raised these questions and they B.S.'d us. Right now we're trying to design the Titanic after it has sunk.”⁶⁶ Antonovich also issued a news release lambasting the legislation, which read, “Gov. Brown’s reckless realignment policy has resulted in this stupid ruling releasing a violent career criminal whose arrests include rape in concert with force and violence to a local neighborhood — posing a significant risk to public safety.”⁶⁷

The critics of the “non-non-non” profile are not confined to Los Angeles. San Bernadino’s Chief Probation Officer Michelle Scray stated that, based on her review of inmate’s histories, she predicts that 30 percent of felons under PRCS will actually be high risk. Without additional revenue for these needy offenders, she stated it would be “impossible” to supervise them.⁶⁸ Calaveras County Sheriff Gary Kuntz also warned, “There are some dangerous criminals coming our way,” expressing particular disbelief that one prisoner released to PRCS is “non-violent.” Kuntz noted, “We have one inmate right now coming back from Pelican Bay who went to prison for stabbing his brother. When he was in prison, he stabbed a guard eight times. Then they let him out and said he’s nonviolent?”⁶⁹ The California Report’s Scott Shafer sums up the general sentiment in relation the risk and needs of the offenders counties are to recieve: “People getting out of prison have tremendous problems. Many of them have mental health problems,

⁶⁶ Chistina Villacorte, Supervisors Demand Changes to Gov. Brown’s Prison Realignment Plan, Daily Breeze, Nov. 15, 2011, available at <http://www.dailybreeze.com/crimeandcourts/ci_19343387>.

⁶⁷ Jim Holt, *Update: Antonovich Rails Against Prison Realignment, Adds That Felon Was Released in Los Angeles City*, The Santa Clarita Valley Signal, Nov. 29, 2011, available at <<http://www.the-signal.com/section/36/article/55428/>>.

⁶⁸ Glenn Barr, *New Prison Law Worries Officials*, Mountain News, Sep. 29, 2011, available at <http://www.mountain-news.com/news/article_34865174-eaad-11e0-8bdd-001cc4c002e0.html>.

⁶⁹ Joel Metzger, *Another Sheriff Concerned About AB109 and The Public’s Safety*, Unit 6 Times, Dec. 14, 2011, available at <<http://unit6times.com/wordpress/2011/12/another-sheriff-concerned-about-public-safety/>>.

substance abuse and alcohol problems. These will become. . .the problems of the counties.”⁷⁰

An additional problem critics have pointed to is the inaccuracy of the CDCR’s predictions of the number of offenders counties will receive, rendering them unprepared and further underfunded. Plumas County Chief Probation Officer Sharon Reinert reported that, as of December, her county had already received more than twice the number of offenders CDCR had projected—13 as opposed to 5.⁷¹ Plumas County Sheriff said the projections are “completely inaccurate,” noting, “Other counties are experiencing up to 300 percent above what the state said they would be getting. I know Contra Costa County was supposed to have I think 27 (additional inmates and parolees) and they’ve got two or three hundred.”⁷² Further, as of December 11, Yolo County had nearly 18% more offenders than predicted. Yolo County predicted that 85 percent of the offenders were “likely to reoffend.”⁷³ One news source reported that the California Correctional Institution in Tehachapi determined that that the number of realigned felons is “two to three times the number anticipated by state officials.”⁷⁴ Contra Costa County Probation Chief Philip Kader reported that the State’s estimates were off by over

⁷⁰ Jon Brooks, *Realignment Is Here—Counties to Receive Non-Violent Criminals From State*, KQED News, Sept. 29, 2011, available at <<http://blogs.kqed.org/newsfix/2011/09/29/realignment-is-here-counties-to-receive-non-violent-criminals-from-state/>>.

⁷¹ Dan McDonald, *County Already Feeling Impact of Inmate Transfer*, Plumas County News, Dec. 21, 2011, available at <<http://www.plumasnews.com/mcondon/8934-county-already-feeling-impact-of-inmate-transfer>>.

⁷² Dan McDonald, *County Already Feeling Impact of Inmate Transfer*, Plumas County News, Dec. 21, 2011, available at <<http://www.plumasnews.com/mcondon/8934-county-already-feeling-impact-of-inmate-transfer>>.

⁷³ Katherine Jarvis, *More Parolees Than Expected Entering Yolo County*, Daily Democrat, Jan. 25, 2012, available at <http://www.dailydemocrat.com/news/ci_19816343>.

⁷⁴ *Prison Realignment Affecting County Agencies*, 17 KEGT, Jan 9, 2012, available at <<http://www.kget.com/news/local/story/Prison-realignment-affecting-county-agencies/bM1mV6jLjU6S3qrbk38sbQ.csp>>.

30 percent in the first month after realignment.⁷⁵ Additionally, as of January 25, Santa Clara County reportedly received 82 more offenders than was projected by CDCR.⁷⁶

iv. Calls for Reform

Even Matt Cate, Secretary of the CDCR, acknowledged that Realignment “is a pain in the rear” for practitioners. He said, “I’m not saying realignment is perfect as it sits. It can’t be. It’s too much too fast. I’ve never seen anything in my life that is perfect out of the gate in private sector or government. But my hope is to implore people to act responsibly and to be thoughtful about trying to make realignment even better than it is.”⁷⁷ Calls for reform are coming now from within the California State Assembly.

Assemblyman Tim Donnelly pledged to back a bill to “deal with some of the unintended impacts of AB 109.”⁷⁸ Jim Nielsen, California State Assemblyman and head of the State’s parole board, has called for a repeal of AB 109, saying, “While realignment’s supporters would like you to believe that only petty thieves will be affected, the simple fact is that criminals with more serious records will instead be sent to overcrowded county jails. . . . The plan is fundamentally flawed and no amount of new tax money can ensure justice and safety.”⁷⁹

⁷⁵ Paul Bugarino, *More Felons Returning to Contra Costa than Anticipated*, Contra Costa Times, Nov. 2, 2011, available at <http://www.mercurynews.com/breaking-news/ci_19248408>.

⁷⁶ Azenith Smith, *State Judges Propose Changes for Prison Realignment Program*, KION Right Now, Jan. 25, 2011, available at <<http://www.kionrightnow.com/story/16603862/state-judges-propose-changes-for-prison-realignment-program>>.

⁷⁷ Lisa Kopochinski, *Prison Realignment Sparks Lively Debate*, Correctional News, Dec. 21, 2011, available at <<http://www.correctionalnews.com/articles/2011/12/21/prison-realignment-sparks-lively-debate>>.

⁷⁸ Glenn Barr, *Donnelly Vows New Try at Prison Reform*, Mountain News, Jan. 5, 2012, available at <http://www.mountain-news.com/news/article_f5194522-3738-11e1-9cba-001871e3ce6c.html>.

⁷⁹ Jim Neilsen, *Governor’s Early Release Plan – An Injustice For California*, Red Bluff Daily News, Oct. 26, 2011, available at <<http://arc.asm.ca.gov/member/2/?p=article&sid=208&id=249802>>

Chapter 3

Describing the PRCS Population: The First Fifty Released in Santa Clara County

a. Research Methods

i. Empirical Analysis: Methodology

We wished to understand whether the offenders released on PRCS were, in fact, those contemplated by AB 109, but we faced a lack of data. We contacted the Santa Clara County Probation Department, including Chief Probation Officer Sheila Mitchell and Deputy Chief Probation Officer Karen Fletcher, who agreed to cooperate with our research project. Specifically, Ms. Mitchell agreed to identify the first fifty offenders released to Santa Clara County and provide all available information on these offenders for our review.

Phase I: The first phase of our project involved traveling to Santa Clara County's Probation Department to preliminarily review five representative case files provided by the Department of offenders who would be entering the county under PRCS in order to understand the types of data we would likely have access to. Three staff members carefully examined each of the five files over the course of approximately 3 hours, recording the forms that appeared to be consistently provided and the types of data that appeared to be consistently available. We were not able to take or photocopy any of these files, so we took copious notes during the visit.

Phase II: Following this meeting, we developed a demographic data collection packet that consisted of the following information: a blank Form 611 provided by CDCR (Appendix), a blank Wisconsin Risk Assessment provided by Santa Clara County's

Probation department (Appendix), and a data form we developed to capture additional (or inconsistent) data (Appendix).



Phase III: Three staff members then returned to the Santa Clara County Probation Department to review 50 files provided to us for data collection purposes. These files were placed in piles, arranged in alphabetical order by the Probation Officer assigned to the offender (See picture below). Over the course of approximately eight hours, these three staff members examined these original fifty files, filling out (by hand) the

available information in the file in the demographic data collection packets we developed. Each file varied significantly in length and in available information provided (See picture below). We were able to take only our notes from the visit (as we were not permitted to take or photocopy the original files in any way), so we attempted to record all available information.

We gathered information from the following sources in the files:

CDCR Form 611
Wisconsin Risk Assessment
Special Conditions of Post-Release Community Supervision
Other Demographic Information Gleaned from Various Administrative Sources



Phase IV: In reviewing the information we gathered, we recognized that we were missing a significant amount of

data, particularly regarding the risks and needs of the offenders. Most notably, we recognized the value of the Wisconsin form, as it consolidated data regarding both risks and needs in a comprehensive fashion. We were missing 30 completed Wisconsin forms, so we contacted the Santa Clara County Probation Department, which provided the remaining assessments for coding purposes.

It is of note that many of the 611 Forms provided by CDCR to the County were incomplete in material respects. Indeed, our review of the files reinforced that the available data for each offender is inconsistently provided or available, which complicates our analysis. In our analysis below, we have either noted where data is missing or otherwise accounted for inconsistencies.

Coded Data Items: After receiving and reviewing all the available data, we then took the information we gathered from our review of the files and coded the information into a database. Below is a comprehensive list of the data items we coded, listed by data source. We attempted to gather all available pieces of data to be used in our analysis:

TABLE: CODED DATA

CDCR Form 611⁸⁰
Page 1 <ul style="list-style-type: none"> • CDC Number • County of Commitment • County of Last Legal Residence • New Felon • Placement Score • Institution • Scheduled Release Date • US ICE Holds Placed • ICE “A” Number • Illegal Alien

⁸⁰ Blank CDCR Form 611 attached. See also, Appendix XX, “Table. CDCR Form 611 – Translation of Penal Code References and Other Abbreviations”

- Other Holds
- Agency & Hold Number
- Notification: Yes/None
- Notification: 3058.6 PC
- Notification: 3058.8 PC
- Notification: 3058.9 PC
- Notification: 11150 PC
- Special Interest
- Registration: Yes/None
- Registration: 11590 H&S
- Registration: 290 PC
- Registration: 547.1 PC
- Registration: 186.30 PC
- Registration: SVP Form Completed
- Other Req'nts: Yes/None
- Other Req'nts: Subj. to 645 PC
- Other Req'nts: Subj. to PC 11177.2 Restitution
- Other Req'nts: Subj. to 296 PC
- Other Req'nts: Subj. to 3053.2 PC
- Requests Out of County Transfer
- Requests Out-of-State Parole
- US Military
- Residence: with whom
- Residence: Relationship
- Residence: Street Address
- Residence: City
- Employment: Primary Source of Income
- Employment: Secondary Source of Income
- DAPO Supervision: PC 667.5
- DAPO Supervision: PC 119.7(c)
- DAPO Supervision: Life Sentence
- DAPO Supervision: PC 3000
- HRSO Score
- Adult Parole Operations
- Eligible For County Supervision
- Assigned County Unit

Page 2

- Date of Study
- Known Work Skills
- Work Skills Description
- Known Gang Affiliation
- Known Enemy
- Known Family Problems

- Vocational Program
- Grade Point Level
- 812
- 812A
- 812B
- 812C
- No Disability
- DDP
- DD___
- EOP
- CCMS
- KEYHEA
- Specific Medical Disabilities
- Specific Mental Disabilities
- TB Code

Wisconsin Risk Assessment⁸¹

- Wisconsin Assessment Date
- Academic/Vocational Skills
- Employment
- Financial Management
- Marital/Family Relations
- Companions
- Emotional Stability
- Alcohol Usage
- Other Drug Usage
- Reasoning/Intellectual
- Health
- Housing
- Officer's Impression of Client's Needs
- Address Changes in Last 12 Mo
- Time Employed in Last 12 Mo
- Alcohol Usage/Problems
- Other Drug Usage/Problems
- Attitude
- Age at 1st Conviction
- Prior Periods of Supervision
- Probation/Parole Revocations/ Violations
- Prior Felony Convictions
- Convictions for burglary/theft/robbery
- Convictions for bad checks/forgery
- Gang Association
- Violence

⁸¹ Blank Wisconsin Risk Assessment attached.

- Total Risk Score
- Total Need Score
- Comments from Assessor

Special Conditions of Post-Release Community Supervision, Consolidated

- Chemical Testing: The defendant shall submit to chemical tests as directed by the Probation Officer.
- Employment/Vocation: The defendant shall seek and maintain gainful employment and maintain academic and/or vocational training as directed by the Probation Officer.
- Search without Warrant: The defendant shall submit his/her person, place of residence, vehicle and any property under his/her control to search at any time without a warrant by any Peace Officer.
- Alcohol/Drug Prohibition: The defendant shall not possess or consume alcohol or illegal drugs or go to places where alcohol is the known primary item of sale.
- Psychiatric Treatment: The defendant shall undergo psychiatric treatment.
- Substance Abuse Program: The defendant shall enter and complete a substance abuse treatment program as directed by the Probation Officer.
- Domestic Violence Program: The defendant shall complete a Domestic Violence Program.
- Multiple Offender Program: The defendant shall enter into and complete the Multiple Offender Program.
- Any Driving Condition
- Any Fine or Fee
- Narcotics Offender Registration: The defendant shall register as a Narcotics Offender under Section 11590.
- Sex Offender Registration: The defendant shall register as a Sex Offender
- Gang Registration: The defendant shall register as a gang member 186.30
- Any Gang Term
- Firearm/Ammunition Prohibition: The defendant shall not own, knowingly possess, or have within his/her custody or control any firearm or ammunition for the rest of his/her life pursuant to Section 12021 and Section 12316(b)(1) of the Penal Code
- Biological Samples: The defendant be ordered to supply buccal swab samples, prints, blood specimens, and/or other biological samples pursuant to P.C. 296.
- Prohibition on Associations: The defendant shall not associate with any probationer or parolee.
- Restraining Order: The defendant shall honor a restraining order.
- Victim Contact Prohibition: The defendant shall not have contact with the victim.
- Sex Offender Condition
- Prohibition on Location/Address: The defendant cannot go near [a particular address].

Other Demographic Information Gleaned from Various Administrative Sources

- Some Noted Gang Affiliation

- Veteran Status
- Immigration Status
- Employment Plans
- Housing Plans
- Highest Schooling Completed
- Special Education Participation
- Disciplinary Infractions in Prison
- Alcohol Usage
- Drug Usage
- Marital Status
- Children
- Ethnicity
- Sex
- Birthdate

Offender's Controlling (Current) Offense

- Total Term (months)
- Parole Period (years)
- Murder or Manslaughter
- Convictions
 - Robbery
 - Assault
 - Rape
 - Other Sex Offense
 - Kidnapping
 - Burglary
 - Theft/Receiving Stolen Property
 - Forgery/Fraud
 - Possession/Sale of Controlled Substance
 - DUI
 - Arson
 - Possession of Weapon
- Sentence Date
- Considered a Strike

Offender's Prior Offenses

- Previous Strikes
- Juvenile Record Noted
- Number of Juvenile Adjudications
- Juvenile Violent Offenses
- Committed to CDJJ or CYA
- Convictions
 - Murder or Manslaughter
 - Robbery
 - Assault
 - Rape
 - Other Sex Offense

<ul style="list-style-type: none"> ○ Kidnapping ○ Burglary ○ Theft/Receiving Stolen Property ○ Forgery/Fraud ○ Possession/Sale of Controlled Substance ○ DUI ○ Arson ● Number of Felony Convictions ● Number of Misdemeanor Convictions ● Past California Probation ● Number of Probation Revocations ● Past California Parole ● Number of Parole Revocations
Health
<ul style="list-style-type: none"> ● Identified as Mentally Ill ● Medications ● Mental Health Comments ● Violent Tendencies Noted ● Developmentally Disabled ● Developmental Disabilities Comments ● Physically Disabled ● Physical Disabilities Comments
Compas Risk Assessment
<ul style="list-style-type: none"> ● Compas Risk Score Recorded

The above comprises our complete data set.

b. Who are the first fifty offenders?

i. Demographic Data

Figure 1: Age, Race, and Sex of Population

	Age										NA		SUMMARY	
	20 – 25		26-30		31-35		36-50		51 +					
	%	N	%	N	%	N	%	N	%	N	%	N	%	N
Sex: Male	16%	8	16%	8	24%	12	28%	14	10%	5	2%	1	96%	48
White	4%	2	8%	4	2%	1	10%	5	4%	2	0%	0	28%	14
Black/AA	2%	1	0%	0	4%	2	2%	1	2%	1	0%	0	10%	5
Asian	0%	0	0%	0	0%	0	4%	2	0%	0	0%	0	4%	2
Hispanic/Latino	10%	5	8%	4	18%	9	10%	5	4%	2	0%	0	50%	25
NA	0%	0	0%	0	0%	0	2%	1	0%	0	2%	1	4%	2
Sex: Female	0%	0	0%	0	2%	1	0%	0	2%	1	0%	0	4%	2
White	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Black/AA	0%	0	0%	0	2%	1	0%	0	0%	0	0%	0	2%	1
Asian	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Hispanic/Latino	0%	0	0%	0	0%	0	0%	0	2%	1	0%	0	2%	1
NA	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0

Figure 2: Age and Gender of Population by Number

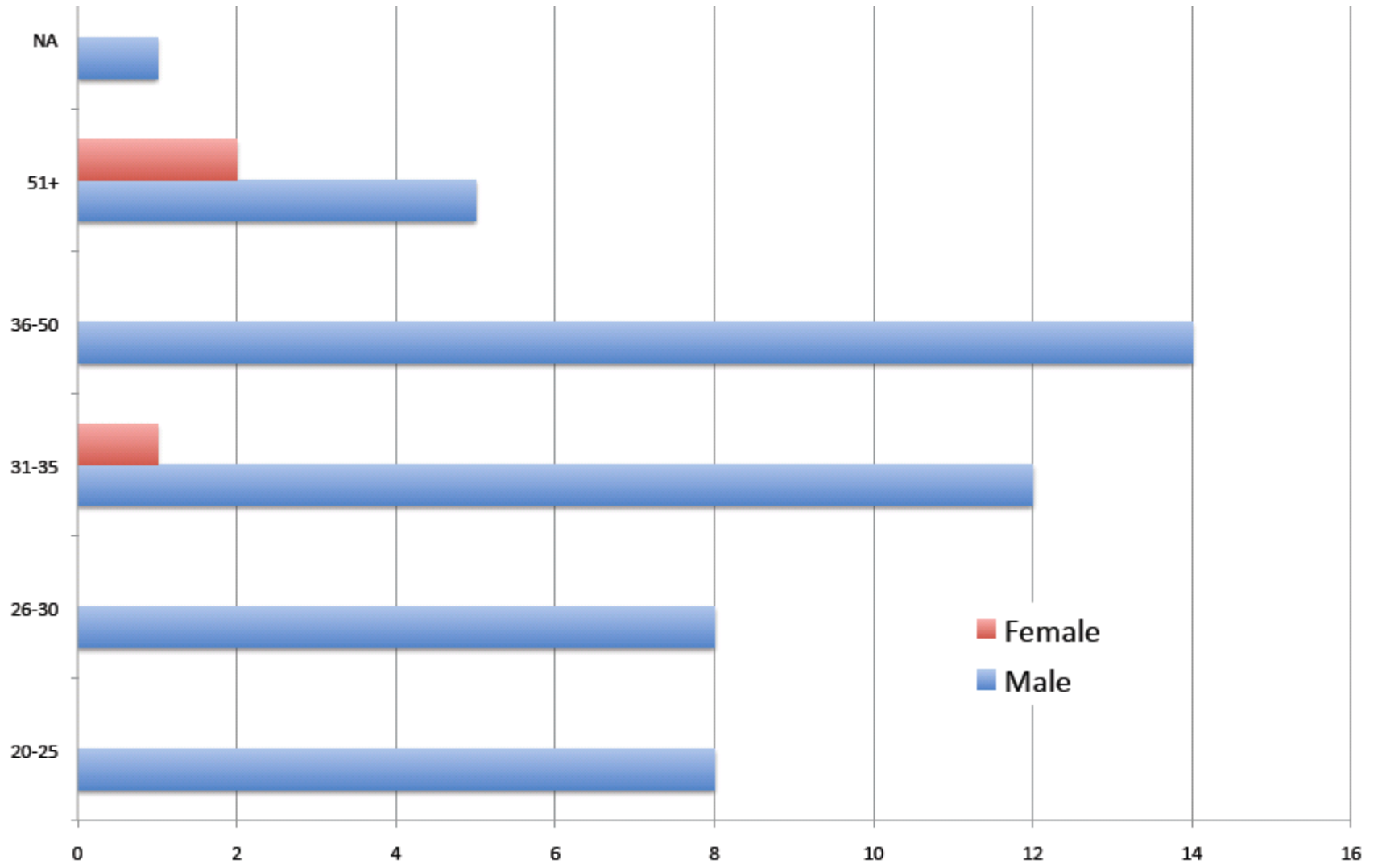


Figure 3: Age Distribution by Race

	White	Hispanic	Black	Asian	NA
Mean	35.9	34.3	38.7	43.6	35.7
Median	36.1	32.2	33.1	43.6	35.7

Notes for Figures 1 through 3: Percentages in Table 1 represent the proportion of cases over the total of 50. For gender, the cases left blank in the spreadsheet were assumed to be male.

Sources for Figures 1 through 3: Data from administrative sources.

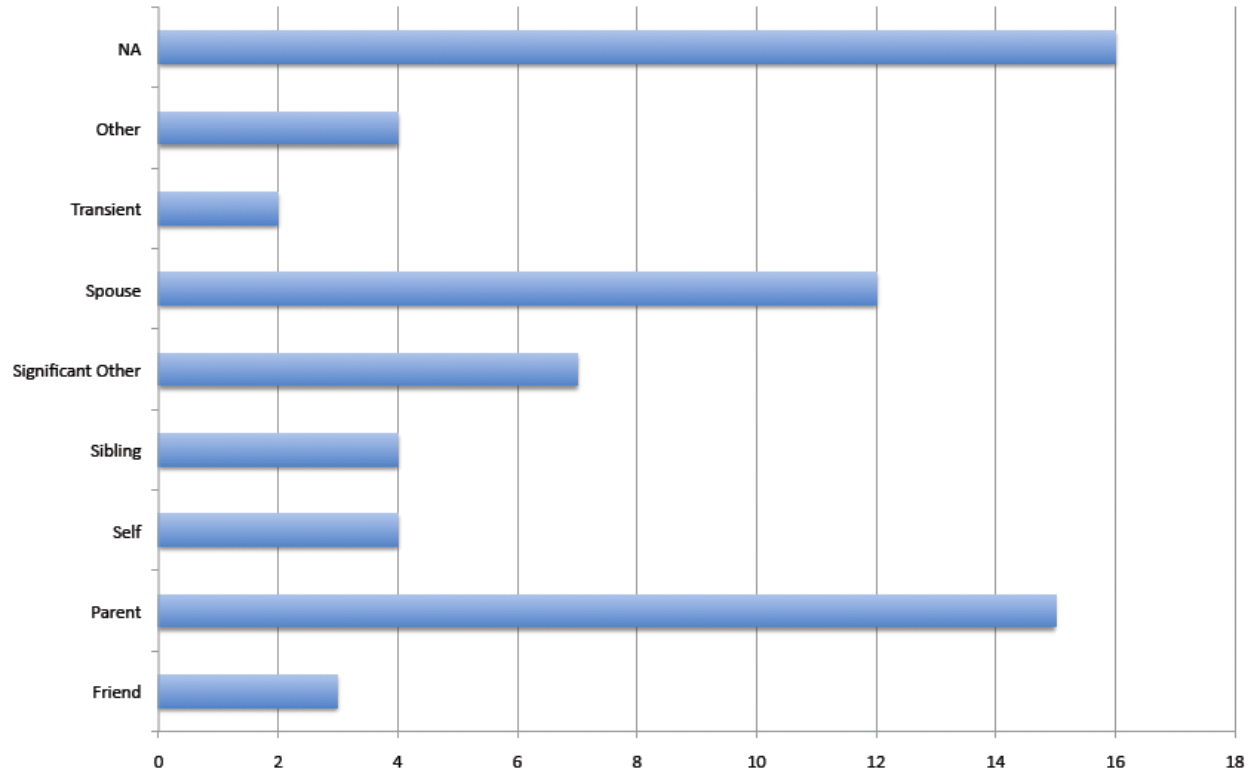
Summary of Figures 1 through 3:

- 52% of the total offender population are Hispanic/Latino. This is the largest group among the 50 offenders.
- 28% of the total population are White.
- The age group between 36-50 is the largest, with 14 individuals (28%). 13 individuals are between 31-35.
- The mean age of the largest population (Hispanic/Latino) is 34.3. The mean age of the second largest population (White) is 35.9.
- There are only two reported women among the offenders: one African American between 31-35 and one Latina over age 51.

Figure 4: City of Planned Residence (Table)

City/Residence relationship	Friend	Parent	Self	Sibling	Significant other	Spouse	Transient	Other	NA	Total
Campbell	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	2% 1
Fremont	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1
Fresno	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	2% 1
Gilroy	0% 0	0% 0	2% 1	0% 0	2% 1	0% 0	0% 0	2% 1	0% 0	6% 3
Hollister	0% 0	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	2% 1
Lathrope	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1
Manteca	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	2% 1
Milpitas	0% 0	4% 2	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	4% 2
Morgan Hill	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1	4% 2
Mountain View	2% 1	0% 0	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	4% 2
Palo Alto	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1	0% 0	0% 0	0% 0	2% 1
San Bernardino	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1
San Jose	4% 2	16% 8	4% 2	6% 3	8% 4	2% 1	0% 0	2% 1	12% 6	54% 27
Santa Clara	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1	4% 2
Sunnyvale	0% 0	2% 1	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	0% 0	2% 1
NA	0% 0	0% 0	2% 1	0% 0	2% 1	0% 0	2% 1	0% 0	0% 0	6% 3
Total	6% 3	30% 15	8% 4	8% 4	14% 7	12% 6	2% 1	4% 2	16% 8	100% 50

Figure 5: City of Planned Residence by Number (Graph)



Source for Figures 4 and 5: CDCR Form 611

Summary of Figures 4 and 5:

- There are 15 cities in the County of Santa Clara, including: Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, and Sunnyvale.
- The city with the largest amount of offenders is San Jose with 54%; Gilroy follows behind with only 6% of offenders.

- Most of the offenders (30%) reported parental residence as the planned residence, followed by non-specified (16%). 26% reported plans to live with a spouse (12%) or significant other (14%).

Figure 6: Gang Affiliation by City of Planned Residence

City	Gang affiliation			Total
	No	Yes	NA	
Campbell	0	1	0	1
Fremont	1	0	0	1
Fresno	1	0	0	1
Gilroy	1	0	2	3
Hollister	1	0	0	1
Lathrope	1	0	0	1
Manteca	1	0	0	1
Milpitas	2	0	0	2
Morgan Hill	1	1	0	2
Mountain View	1	0	1	2
Palo Alto	0	0	1	1
San Bernardino	0	1	0	1
San Jose	14	8	5	27
Santa Clara	2	0	0	2
Sunnyvale	1	0	0	1
NA	1	1	1	3
Total	28	12	10	50

Source: Data from CDCR Form 611, Wisconsin Risk Assessment, Special Conditions of Parole, and administrative sources combined. We used the following variables from each source: “Known gang affiliation” and notification 812A (CDCR Form 611), “Gang association” (Wisconsin Risk Assessment), “Gang registration” and “Any gang term” (Special Conditions of Parole), “Gang affiliation” (other administrative sources).

Summary:

- Of the 50 offenders, 12 have a noted gang affiliation. Of those 12 with noted gang affiliations, eight live in San Jose. No other city has more than 1 noted gang member.
- We are lacking data on 10 of the 50 offenders regarding a possible gang affiliation.

b. What are their risks?

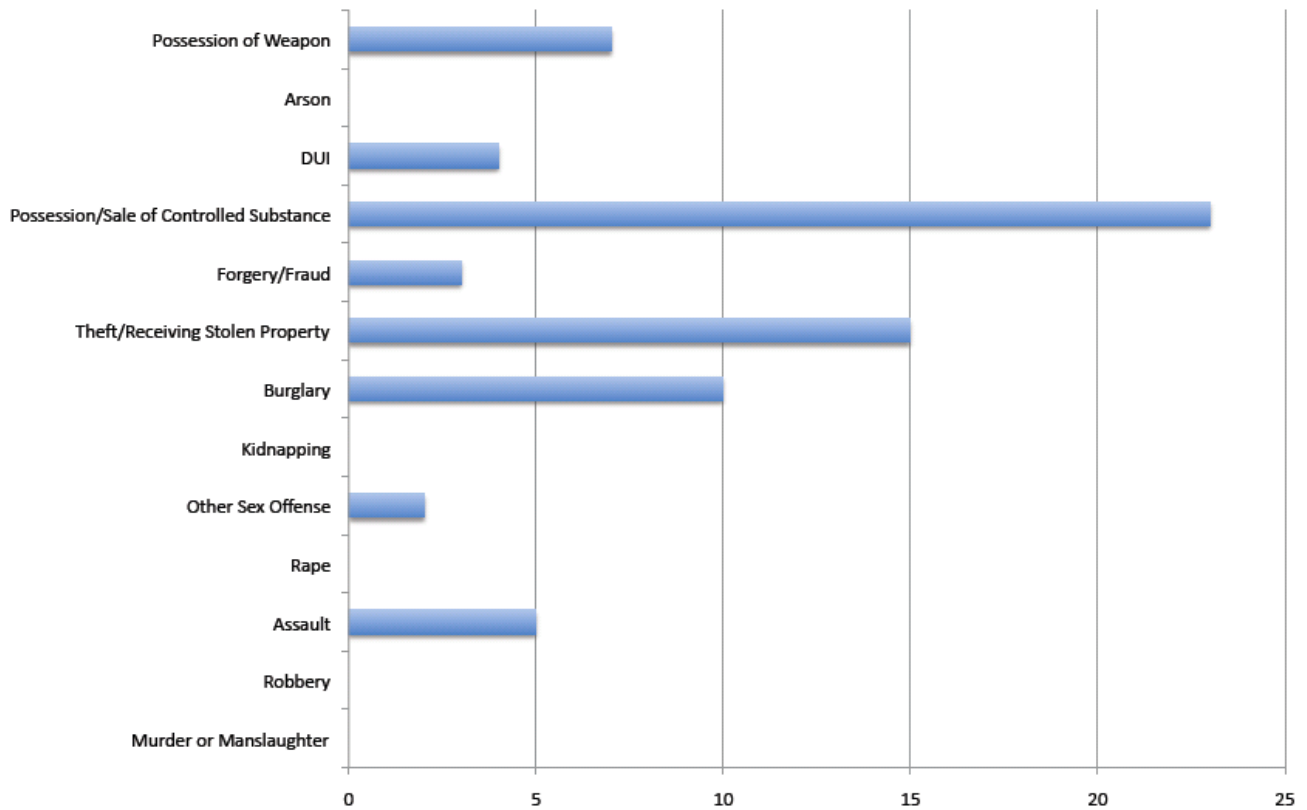
i. Current Offense

Figure 7: Current Offense (Table)

Conviction	%	N
Murder or Manslaughter	0%	0
Robbery	0%	0
Assault	10%	5

Rape	0%	0
Other Sex Offense	4%	2
Kidnapping	0%	0
Burglary	20%	10
Theft/Receiving Stolen Property	30%	15
Forgery/Fraud	6%	3
Possession/Sale of Controlled Substance	46%	23
DUI	8%	4
Arson	0%	0
Possession of Weapon	14%	7

Figure 8: Current Offense (Graph)



Notes for Figures 7 and 8: One person might have multiple offenses.

Source for Figures 7 and 8: Other administrative sources.

Summary of Figures 7 and 8:

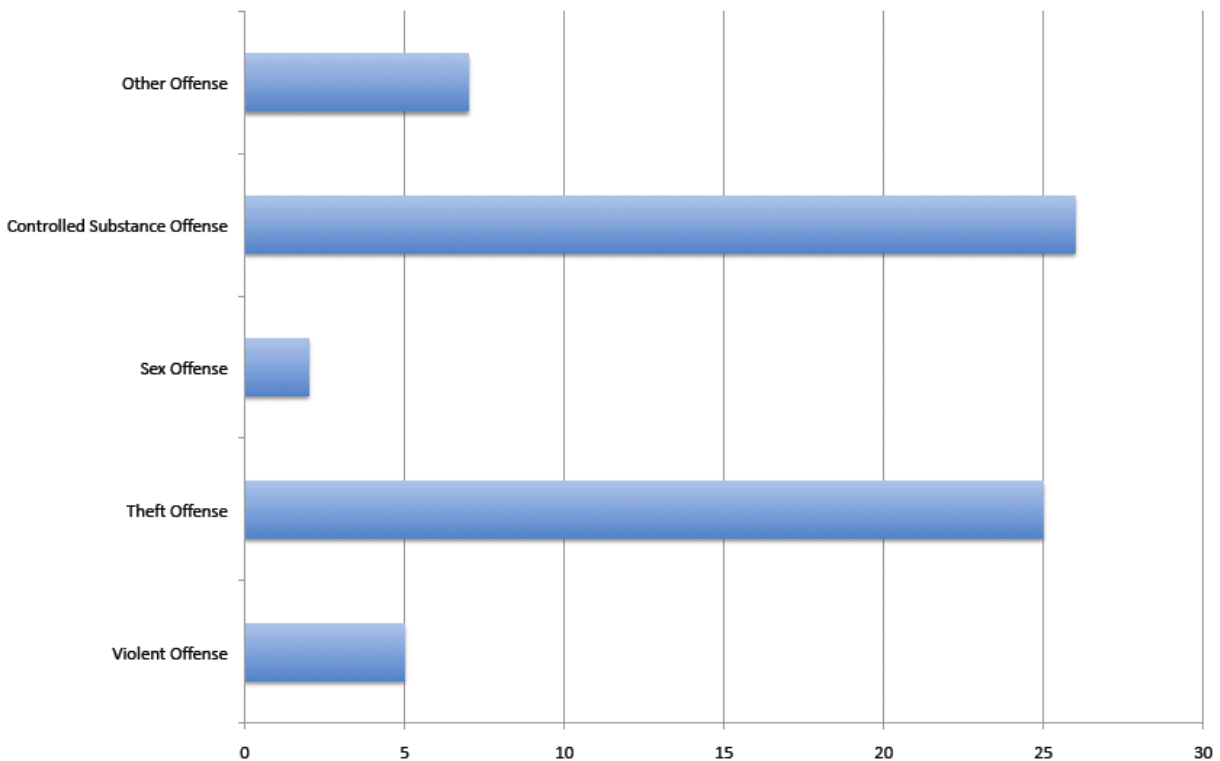
- 46% of the offenders were convicted for possession or sale of controlled substance

- 30% of the offenders were convicted for theft or for receiving stolen property.
- 20% of the offenders were convicted for burglary.
- Only 4% were convicted for a sex offense.
- There are no reported offenders of murder, robbery, rape, kidnapping or arson.

Figure 9: Crime Categories of Current Offense (Table)

Type of Offense	%	Number
Violent Offense	10%	5
Theft Offense	50%	25
Sex Offense	4%	2
Controlled Substance Offense	52%	26
Other Offense	14%	7

Figure 10: Crime Categories of Current Offense (Graph)



Notes for Figures 9 and 10: “Violent offense” includes the crimes of murder, robbery, assault and kidnapping; theft offense includes burglary, theft, forgery and fraud; sex offense includes rape and “other sex offense”; “controlled substance offense”

includes possession, sale and DUI; “other offense” includes arson. One person might have multiple offenses.

Source for Figures 9 and 10: Other administrative sources.

Summary of Figures 9 and 10:

- 10% of current offenses were for violent offenses.
- 52% of the current offenses are related to controlled substances.
- 50% of the current offenses are related to theft offenses.
- Only 4% are related to sex offenses.

Figure 11: Prior Record

Prior felonies	%	N
0	42%	21
1-2	42%	21
3-4	12%	6
5-6	0%	0
7-9	2%	1
9+	2%	1
Prior misdemeanors	%	N
0	46%	23
1-2	32%	16
3-4	12%	6
5-6	4%	2
7-9	2%	1
9+	4%	2

Figure 12: Prior Felonies and Prior Misdemeanors

		Prior misdemeanors					
		0	1-2	3-4	5-6	7-9	9+
Prior felonies	0	9	6	4	1	0	1
	1-2	10	7	2	1	0	1
	3-4	4	2	0	0	0	0
	5-6	0	0	0	0	0	0
	7-9	0	1	0	0	0	0
	9+	0	0	0	0	1	0

Notes for Figures 11 and 12: One person might have both prior felonies and prior misdemeanors.

Source for Figures 11 and 12: Other administrative source.

Summary of Figures 11 and 12:

- 42% of offenders have had no prior felony convictions. 42% have had one to two prior felony convictions. 16% had more than 2 prior felonies.
- 46% had no prior misdemeanor convictions. However, 44% had between one to four prior misdemeanor convictions.
- A small number of offenders present a large number of prior felonies and misdemeanors: two offenders have over 7 prior felony convictions, and 3 had over 7 prior misdemeanor conviction

Figure 13: Prior Offense vs. Current Offense

CURRENT OFFENSE	PRIOR OFFENSE																					
	Murder or Manslaughter		Robbery		Assault		Rape		Other Sex Offense		Kidnapping		Burglary		Theft/Receiving Stolen Property		Forgery/Fraud		Possession/Sale of Controlled Substance			
	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N		
Murder or Manslaughter	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Robbery	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Assault	0%	0	0%	0	6%	3	0%	0	0%	0	0%	0	2%	1	4%	2	0%	0	4%	2	0%	0
Rape	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Other Sex Offense	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	2%	1	2%	1	2%	1	2%	1
Kidnapping	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Burglary	0%	0	0%	0	2%	1	0%	0	0%	0	0%	0	6%	3	6%	3	2%	1	8%	4	0%	0
Theft/Receiving Stolen Property	0%	0	0%	0	2%	1	0%	0	4%	2	4%	2	10%	5	16%	8	6%	3	10%	5	0%	0
Forgery/Fraud	0%	0	0%	0	2%	1	0%	0	0%	0	0%	0	2%	1	2%	1	2%	1	4%	2	0%	0
Possession/Sale of Controlled Substance	0%	0	2%	1	6%	3	0%	0	0%	0	0%	0	14%	7	10%	5	4%	2	24%	12	0%	0
DUI	0%	0	0%	0	2%	1	0%	0	0%	0	0%	0	2%	1	0%	0	0%	0	0%	0	0%	0
Arson	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
Possession of Weapon	0%	0	2%	1	2%	1	0%	0	0%	0	0%	0	6%	3	4%	2	0%	0	6%	3	0%	0

Source: Other administrative sources.

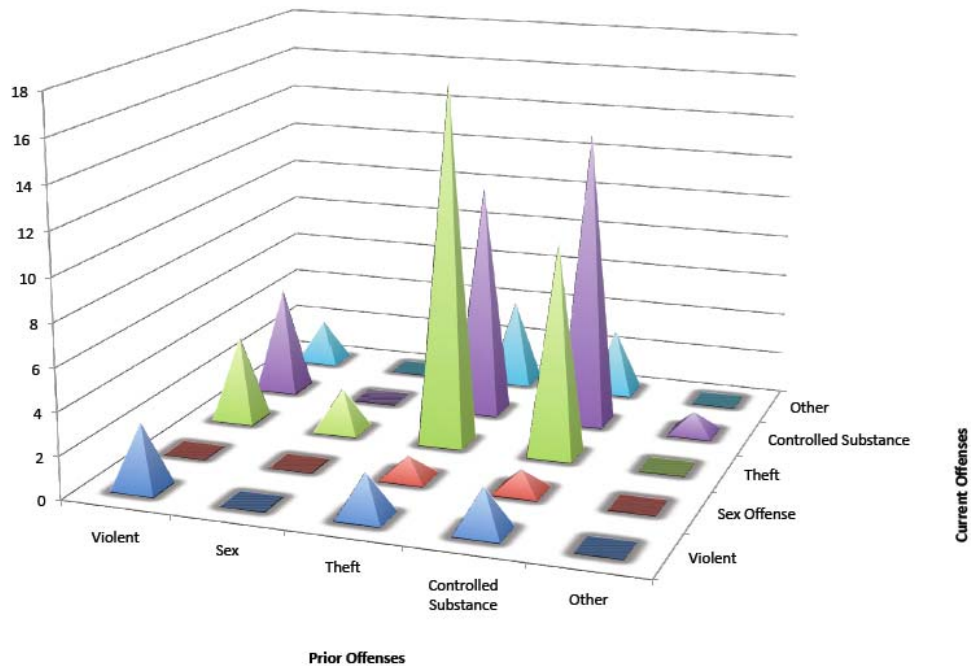
Summary:

- 24% of the current offenders with convictions of possession and sale of controlled substances were also offenders with convictions for possession and sale of controlled substances in the past.
- 16% of the current offenders with convictions theft were also offenders with convictions for theft in the past.
- Offenders that are currently convicted for a controlled substance offender are also more likely to have a history of burglary and theft.
- No offender was convicted for murder, rape or possession of weapon.

Figure 14: Prior Offense v. Current Offense, by Crime Categories (Table)

		Previous offense									
		Violent		Sex offense		Theft		CSO		Other	
		%	N	%	N	%	N	%	N	%	N
Current offense	Violent	6%	3	0%	0	4%	2	4%	2	0%	0
	Sex offense	0%	0	0%	0	2%	1	2%	1	0%	0
	Theft	8%	4	4%	2	34%	17	20%	10	0%	0
	Controlled substance offense (CSO)	10%	5	0%	0	22%	11	28%	14	2%	1
	Other	4%	2	0%	0	8%	4	6%	3	0%	0

Figure 15: Prior Offense vs. Current Offense, by Crime Categories (Graph)



Notes for Figures 14 and 15: “Violent offense” includes the crimes of murder, robbery, assault and kidnapping; theft offense includes burglary, theft, forgery and fraud; sex offense includes rape and “other sex offense”; “controlled substance offense” includes possession, sale and DUI; “other offense” includes arson. One person might have multiple offenses.

Source for Figures 14 and 15: Other administrative sources.

Summary of Figures 14 and 15:

- The largest percentage of offenders with current and prior convictions for the same category crime are those convicted for theft offenses (34%).
- People who are have current and prior convictions for a controlled substance crime represent a large proportion (28%).
- There is a high propensity of the combination of theft and controlled substance offender for current and prior offenses.

Figure 16: Specialized Offenders

		Specialized Individuals	
		%	N
AL OFFENSES (current and prior)	ONLY Violent Offense	2%	1
	ONLY Theft Offense	6%	3
	ONLY Sex Offense	0%	0
	ONLY Controlled Substance Offenses	8%	4
	ONLY Other Offense	0%	0
TOTAL		16%	8

Notes: Specialized individuals are those who only have one type of offense in the past and in the present.

Source: Other administrative sources.

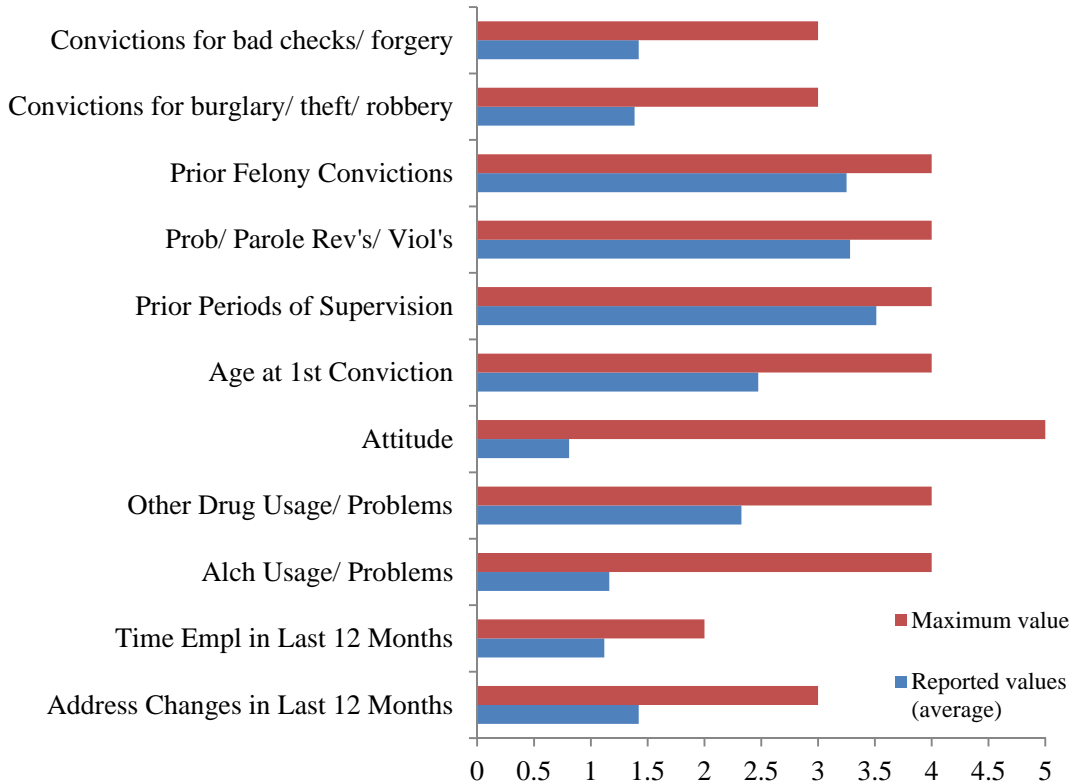
Summary:

- There are few specialized individuals: only 8 out of 50 are convicted for one type of crime that also that crime committed in the past.

- The largest number of specialized individuals are those convicted for a controlled substance offense (8%).

c. What are their risks?

Figure 17: Average Risk Score vs. Maximum Possible Score (Average)



Notes: The bar of reported values represents the average of the individual scores coded in the Initial Assessment of Client Need column on the Wisconsin Risk Assessment Form. The maximum values represent the highest possible value for each category.

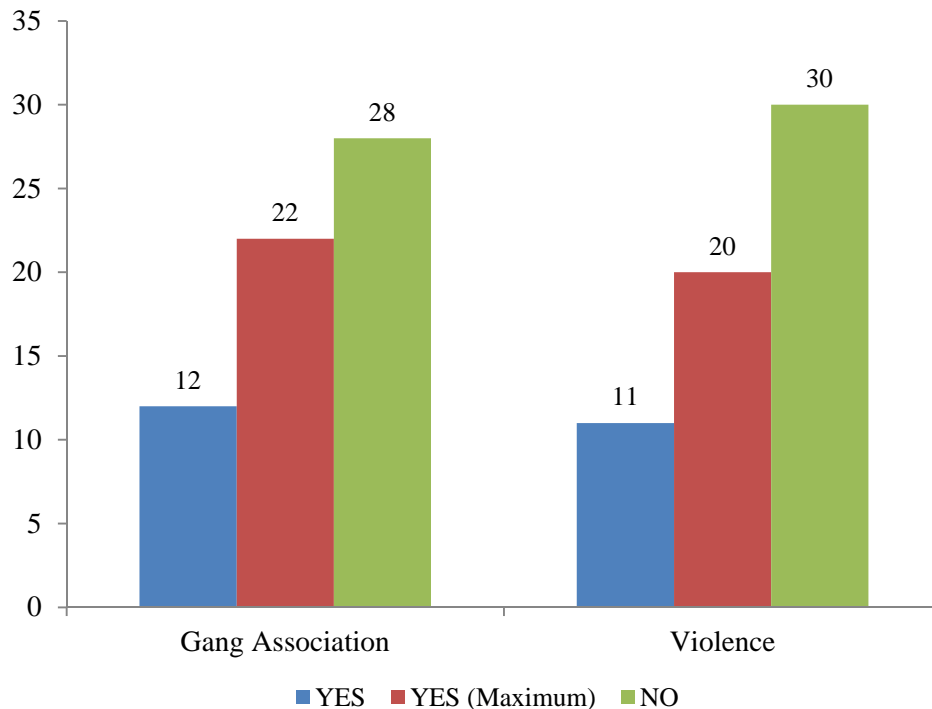
Source: Wisconsin Risk and Needs Assessment

Summary:

- The main sources of risk appear to be 1) prior felony convictions, 2) probation/parole revocations; 3) prior period of supervision; and 3) age at first conviction. In all of these categories, the reported value is close to the maximum possible value.
- Drug usage problems also represent an important source of risk, though alcohol usage/problems are rated quite low.
- Attitude is rated as a low source of risk.

- Of the 11 identified categories of risk, only 2 (attitude and alcohol usage/problems) are rated at less than half of the maximum value. This suggests that the officers believe the risks generally to be high in this population.

Figure 18. Gang Affiliation and Violence by Number (Wisconsin Risk Assessment)



Notes: “Gang association” includes any noted participation in youth, street, prison or motorcycle. “Violence” represents offenders who were convicted of crimes using a weapon, physical force or threat of force in the last 5 years. For the maximum values, those offenders without information were reported as “yes”. This chart only includes data from the Wisconsin Risk Assessment.

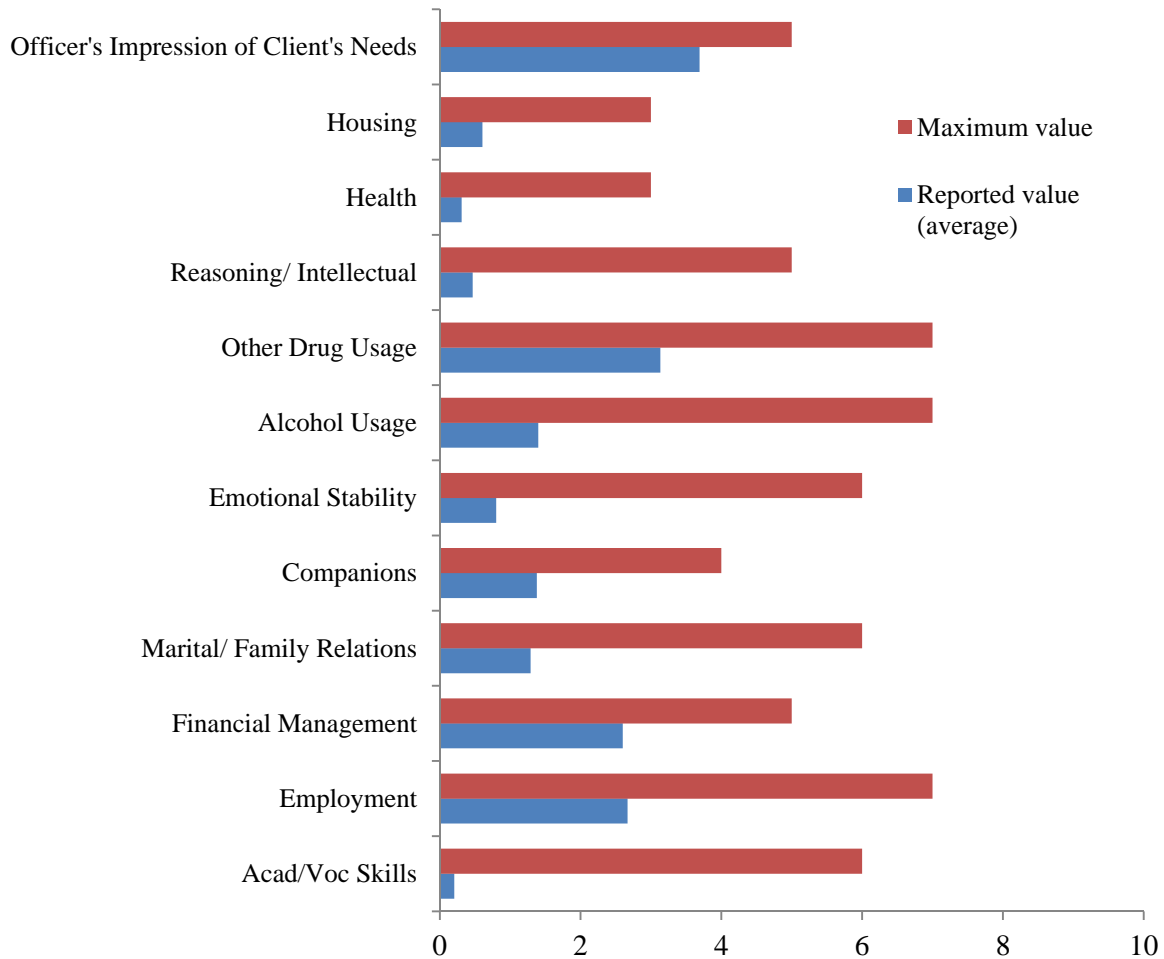
Source: Wisconsin Risk and Needs Assessment

Summary:

- 12 offenders (24%) were reported to have a gang association. However, accounting for missing data, this figure could be as high as 22 (44%).
- 11 offenders (22%) were reported to have a violent past. However, accounting for missing data, this figure could be as high as 20 (40%).

d. What are their needs?

Figure 19: Average Needs Scores vs. Maximum Possible Score (Average)



Notes: The bar of reported values represents the average of the individual scores coded in the Initial Assessment of Client Need column on the Wisconsin Risk Assessment Form. The maximum values represent the highest possible value for each category.

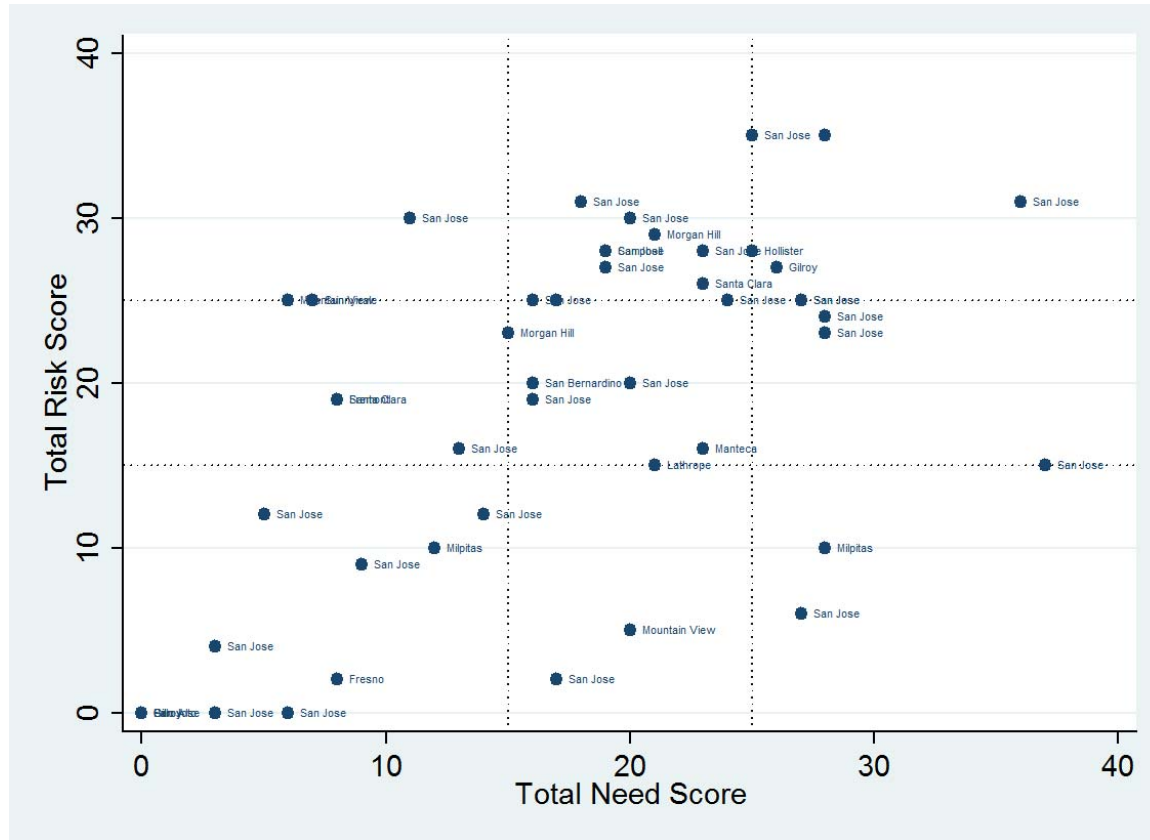
Source: Wisconsin Risk and Needs Assessment

Summary:

- The main need for appears to be treating drug usage.
- Other relatively pressing needs concern employment and financial management.
- Interestingly, the officer's overall impression of client's needs is very close to the maximum possible reported value, though none of the discrete categories are close to the maximum reported value.

e. What are their needs and risks combined?

Figure 20: Need and Risk Scores by City of Release



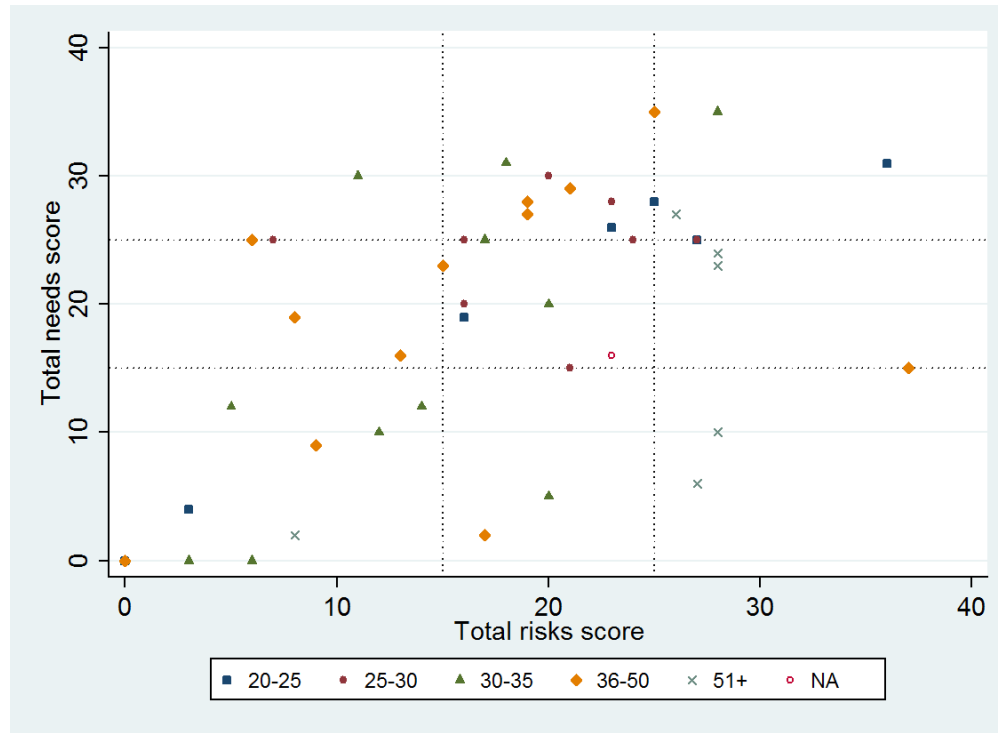
Notes: Dotted lines divide risk and need scores into self-created categories of “minimum”, “medium” and “high”. Each dot represents an individual case. The cases that are borderline will be considered to fall into the more serious category.

Source: Wisconsin Risk and Needs Assessment, CDCR Form 611

Summary:

- “High Risk, High Needs”: Six individuals fall into this category. Four live in San Jose, 1 lives in Hollister, and 1 lives in Gilroy.
- “High Risk, Low Needs”: Three individuals fall into this category. Only one lives in San Jose, and the other two live in different cities.
- “High Risk, Medium Needs”: 10 individuals fall into this category. Seven live in San Jose, and the other three live in three different cities.
- “Low Risk, High Needs”: Three individuals fall into this category. Two of these individuals live in San Jose.
- “Low Risk, Low Needs”: Nine individuals fall into this category. Six live in San Jose, and the other three live in different cities.

Figure 21: Need and Risk Scores by Age



Notes: Dotted lines divide risk and need scores into self-created categories of “minimum”, “medium” and “high”. Each dot represents an individual case.

Source: Wisconsin Risk and Needs Assessment, Other administrative sources.

Summary:

- “High Risk, High Needs”: Six individuals fall into this category. Three of these offenders are 20 – 25; one is 30-35, one is 36-50, and one is 51+.

- “High Risk, Low Needs”: Of the three offenders in the “high risk, low needs” category, two are 51+, and one is 36-50.
- “High Risk, Medium Needs”: 10 individuals fall into this category. Four are 36-50, three are 25-30, two are 30-35, and one is 20-25.
- “Low Risk, High Needs”: Three individuals fall into this category. One is 25-30, one is 30-35, and one is 36-50.
- “Low Risk, Low Needs”: Nine individuals fall into this category. One is 20-25, five are 30-35, two are 36-50, and one is 51+.

Summary:

- “High Risk, High Needs”: Six individuals fall into this category. Four are Hispanic, one is White, and one is Black/African American.
- “High Risk, Low Needs”: Of the three offenders in the “high risk, low needs” category, all three are White.
- “High Risk, Medium Needs”: 10 individuals fall into this category. Three are Hispanic, three are white, three are Black/African American, and one is unrecorded.
- “Low Risk, High Needs”: Three individuals fall into this category. Two offenders are White, and one is Hispanic.
- “Low Risk, Low Needs”: Nine individuals fall into this category. All are Hispanic.

Figure 23: Other Factors—A Source Comparison of Select Variables (Table)

	611		Wisconsin		SC of Parole		Other Admin. Source		TOTAL*	
	%	N	%	N	%	N	%	N	%	N
Illegal Alien (actual or potential)	22%	11	n/a		n/a		10%	5	22%	11
Veterans	4%	2	n/a		n/a		2%	1	6%	3
Gang Affiliation	16%	8	24%	12	20%	10	20%	10	34%	17
Mental Illness	2%	1	n/a		6%	3	6%	3	12%	6
Developmental Disability	2%	1	n/a		n/a		2%	1	4%	2
Controlled Substance Offender/Abuse	36%	18	32%	16	38%	19	34%	17	70%	35

Figure 24: Other Factors—A Source Comparison of Select Variables by Number (Graph)

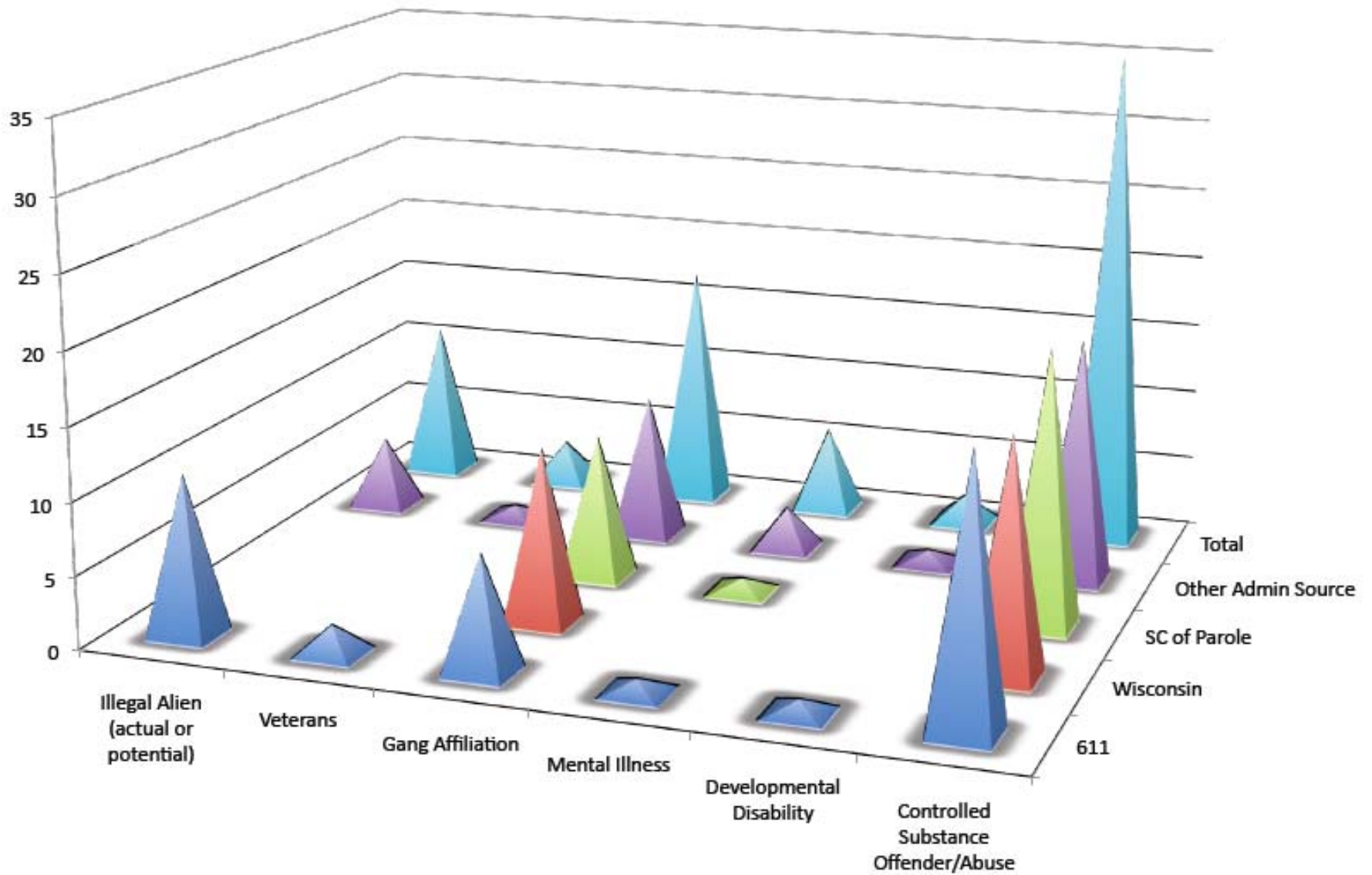
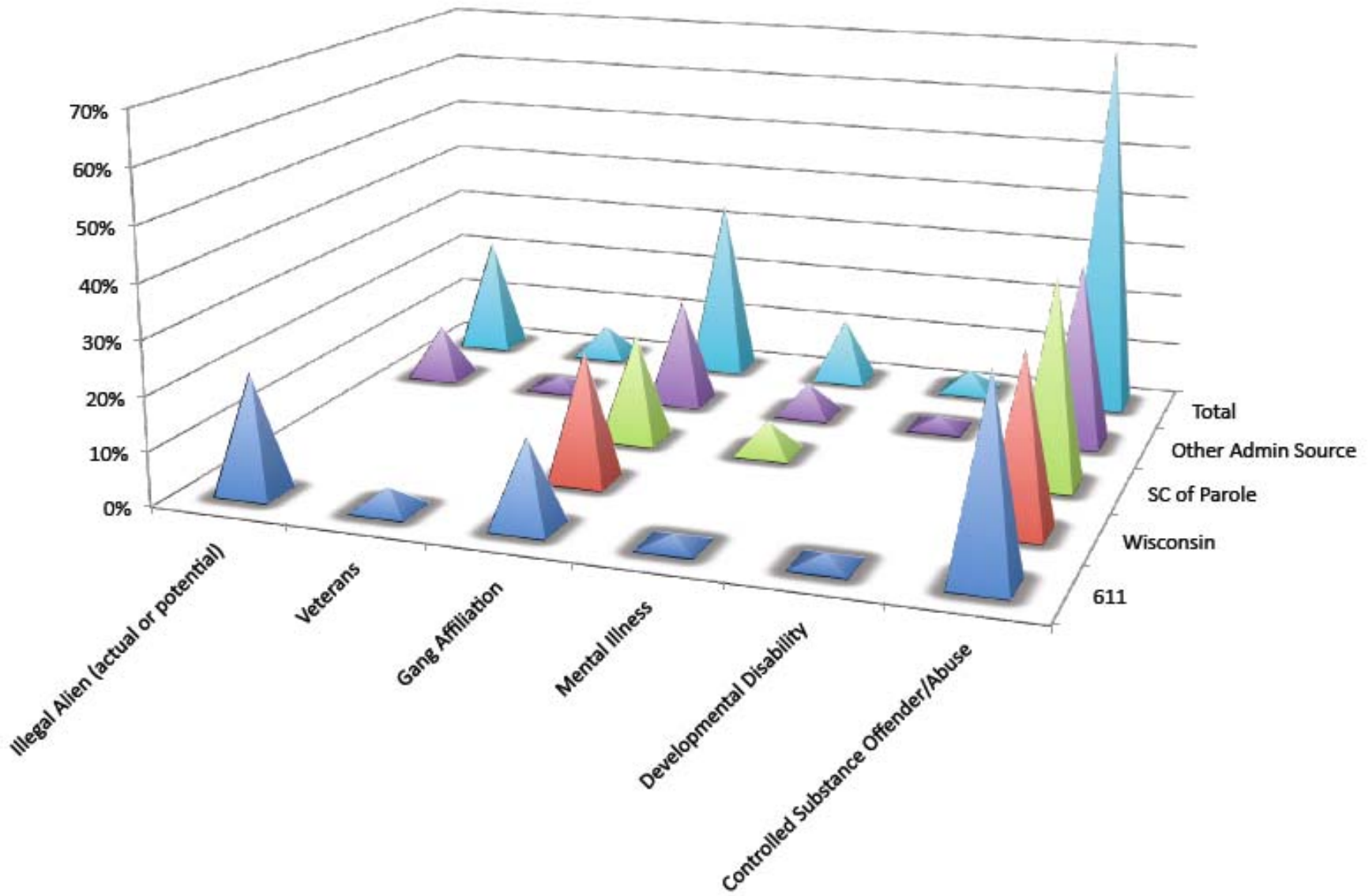


Figure 25: Other Factors—A Source Comparison of Select Variables by Percent (Graph)



Notes for Figures 23 through 25: For illegal alien, in the form 611 variable “Illegal alien” was used whereas “Immigration status” was used in other administrative sources. For “veterans”: variable “US Military” (form 611) and “Veteran status” (other sources) were included. For gang affiliation: “Known gang affiliation” and notification 812A (611), “Gang association” (Wisconsin), “Gang registration” and “Any gang term” (SC of parole), “Gang affiliation” (other source). For mental illness: “Specified mental disability” (611), “Psychiatric treatment” (SC of parole), “Identified as mentally ill” (other source). For developmental disability: “DDP” (611) and “Developmentally disabled” (other source). For controlled substance offender: “Registration: 11590 H&S substances” (611), “Other Drug Usage/ Problems” (Wisconsin), “Substance Abuse Program” (SC of parole), “Drug usage” (other source). Totals for each factor are calculated considering positive answers for each individual source—that is, only one source needed to report a positive answer to include the offender in the category.

Source for Figures 23 through 25: CDCR form 611, Wisconsin Risk Assessment, Special Conditions of Post-Release Community Supervision, other administrative sources.

Summary of Figures 23 through 25:

- Many inconsistencies exist among the different sources. In some cases, they contradict each other.
 - For example, there are 11 offenders reported as actual or potential illegal aliens. However, in the 611 form there are 11 and in other administrative sources are only 5.
 - Gang affiliation varies from 8 to 12 reported cases in each source. Summing up all the positive answers, there are 17 offenders with gang affiliation.
 - Different sources report controlled substance offenses similarly. However, they don’t correspond to the same people. Summing up all the positive answers, there are 35 such offenders, but no single source reports more than 19 positive answers.

Chapter 4

Comparing the First Fifty to the Legislative Intent and Counties' Responses

As noted above, AB109 legislation offers little in the way of describing the population affected by PCRS other than defining who statutorily qualifies for it. This sparseness allowed Californians to speculate widely (and wildly) regarding the population to be released to the counties. As discussed, reactions varied from those who heralded the change as a substantively insignificant shift in supervisory power to others who ominously predicted an influx of dangerous and violent offenders. The data we gathered regarding Santa Clara County's first fifty offenders reveals much. We discuss our findings below.

The offender population is overwhelmingly male (only 2 of 50 are female) and largely Hispanic/Latino (52% of the total population). White offenders make up 28%. Both the Hispanic/Latino and White populations (80% of total offenders combined) have a similar mean age: 34.3 for Hispanic/Latinos and 35.9 for Whites. Most offenders live in San Jose (54%), with the other offenders distributed sparsely in various cities over the county. The city receiving the next largest number is Gilroy, at 6%. Most of these offenders (30%) reported they plan to live with parents, 26% reported plans to live with a spouse (12%) or significant other (14%), and 16% had no specified plans.

Fourteen percent of the surveyed population are those explicitly not contemplated by the PCRS component of the legislation, meaning that CDCR's screening system is far from perfect. In violation of the legislation, 10% of the offenders had current convictions considered to be violent, and 4% of offenders had current

convictions for sex offenses. Ensuring that the offenders are accurately identified is critical to ensure that PCRS personnel are, in fact, prepared to assume responsibility for the population. As for violent offenses, there were no reported current convictions for murder, robbery, rape, kidnapping, or arson. Instead, 46% of offenders had a current conviction for possession or sale of controlled substances, 30% were convicted for theft or receiving stolen property, and 20% were convicted for burglary. In short, most of the offenders' current offenses were either drug or theft-related (or both). These are exactly the types of offenders who will likely benefit from PCRS.

As critics of AB 109 note, the legislation fails to account for any prior criminal history. As for prior offenses, 42% of the offenders had no prior felony convictions, and 46% had no prior misdemeanor convictions. However, 42% had one to two prior felony convictions, and 16% had more than two prior felony convictions, meaning that 60% had at least one prior felony conviction. This is a significant number, suggesting a more serious population than the current conviction alone reveals. Additionally, 44% of offenders had between one to four prior misdemeanor convictions, meaning that a vast majority of the population have been in the correctional system in some capacity before. Importantly, though no offender had a previous conviction for murder, rape or possession of weapon, a small number of offenders presented a high number of prior felonies and misdemeanors: two offenders had over seven prior felony convictions, and three had over seven prior misdemeanor convictions. Though this population is relatively small (6%), these are exactly the types of offenders critics are—and should be—concerned about.

Diving more deeply into the prior record of the offenders, 24% of the offenders with current convictions of possession and sale of controlled substances also had

convictions for possession and sale of controlled substances in the past. Also, 16% of the current offenders with convictions for theft also had past theft convictions. Offenders that had current convictions for a controlled substance offense were also more likely to have a history of burglary and theft. Eight of the 50 offenders had current and prior convictions for only one type of crime. The largest number of these “specialized individuals” were those who only had crimes related to controlled substances (8%). This data suggests strongly that services for drug treatment are crucial and that other services aimed at preventing theft and property crimes is particularly critical.

According to the Wisconsin Risk Assessment completed by PCRS officials, the main sources of risk recorded were 1) prior felony convictions, 2) probation/parole revocations; 3) a prior period of supervision; and 3) age at first conviction. In all of these categories, the reported value was close to the maximum possible value. Eleven offenders (22%) were reported to have a violent past; indeed, accounting for missing data, this figure could be as high as 20 (40%). Here, 12 offenders (24%) were reported to have a gang association. Again accounting for missing data, this figure could be as high as 22 (44%). Drug usage problems also represented an important source of risk, though, interestingly, alcohol usage problems were rated quite low. Attitude was rated as the lowest source of risk. Of the 11 identified categories of risk on the Assessment, only two (attitude and alcohol usage/problems) were rated at less than half of the maximum value. This suggests that the officers believe the risk level generally to be high in this population.

The needs portion of the Wisconsin Risk Assessment revealed that the most pressing need recorded was, unsurprisingly, to treat drug usage. Other relatively pressing needs concerned employment and financial management. These findings comport with the

offenders' prior records. Interestingly, the officers' overall impression of the offenders' needs is very close to the maximum possible reported value, though none of the discrete categories were rated as close to the maximum reported value. Again, the assessment of needs was comparatively high.

We combined the data to place offenders in five groups: 1) high risk, high needs; 2) high risk, medium needs; 3) high risk, low needs; 4) low risk, high needs; and 5) low risk, low needs. We describe each of these categories according to 1) location, 2) race, and 3) age and offer some observations regarding each.

- **“High Risk, High Needs”**: Six individuals fall into this category. Four are Hispanic, one is White, and one is Black/African American. Four live in San Jose, 1 lives in Hollister, and 1 lives in Gilroy. Three of these offenders are 20 – 25; one is 30-35, one is 36-50, and one is 51+. This category makes up 12% of the population, and it is the most critical population to examine. These individuals require major services and intensive supervision.
- **“High Risk, Medium Needs”**: Ten offenders fall into this category. Three are Hispanic, three are white, three are Black/African American, and one is unrecorded. Seven live in San Jose, and the other three live in three different cities. Four are 36-50, three are 25-30, two are 30-35, and one is 20-25. This category makes up 20% of the population. If combined with the “High Risk, High Needs” category, these offenders make up approximately one-third of the PCRS population surveyed. Again, this population is highly risky, meaning that they require more intensive surveillance. While they require fewer services, they will still require some.
- **“High Risk, Low Needs”**: Three individuals fall into this category. All are White, and only one lives in San Jose, while the other two live in different cities. Of the three offenders in this category, two are 51+, and one is 36-50. This category comprises only 6% of the population. These individuals (6%) require few (if any) major services or treatment; instead, they would benefit from surveillance strategies like GPS technology. It is critical to be able to identify those that fall into this category, as investing in GPS surveillance is a relatively cost-effective way to supervise this population.
- **“Low Risk, High Needs”**: Three individuals fall into this category. Two offenders are White, and one is Hispanic. Two of these individuals live in San Jose. One is 25-30, one is 30-35, and one is 36-50. This population (6%) also require services. Most pressing, they likely require employment services and drug treatment programs.
- **“Low Risk, Low Needs”**: Nine individuals fall into this category. Six live in San Jose, and the other three live in different cities. One is 20-25, five are 30-35, two are 36-50, and one is 51+. All are Hispanic. This category comprises 18% of

the population, which is a relatively large percent. Santa Clara may deprioritize this population in favor of supervising and treating other populations that are riskier and needier.

Chapter 5

Limitations of the Study

Our analysis is limited by 1) the nature of the data sources; 2) the data we were unable to collect; and 3) the many inconsistencies that exist among the sources we were able to consult.

First, the nature of the data sources themselves was an obstacle. We relied solely upon the information that was provided to us by Santa Clara County in paper files. We were unable to verify the accuracy of any of the data in these files. Additionally, the data sources in the files were in large part subjective compilations of other raw data. For example, the CDCR Form 611 was completed by a CDCR official, who examined various (unnamed and not provided) CDCR sources to summarize the recorded information. These forms were almost never completed in full; many categories were left blank, and the level of detail provided varied widely. We did not have the Form 611 for some offenders.

We relied heavily upon the Wisconsin Risk Assessment, which was completed by Santa Clara County probation officers in preparation for receiving the population. Again, this form was a subjective compilation of several data sources. While we received these forms for most offenders, some of the measures were left blank, and we were unable to verify independently the veracity of the individual measures.

We also examined the files in their entirety to gather information from other administrative sources (including rap sheets, probation officer reports, etc.), which we recorded on our self-created data sheet. The information available in each file varied widely, and because we had three individuals working on the files, the way in which we

reviewed the files necessarily differed, at least slightly. Again, these administrative files often did not include the information we required.

Further, our analysis is limited by the many inconsistencies that exist among the different sources. In some cases, our sources contradicted each other. For example, the CDCR Form 611 noted that 11 offenders are actual or potential illegal aliens. When independently verifying this information via administrative sources, we were able to identify only five offenders as actual or potential illegal aliens. Additionally, gang affiliation information varied: the CDCR Form 611 noted eight offenders with gang affiliations, the Wisconsin revealed 12, the Special Conditions of Parole suggested 10 offenders were subject to gang conditions, and the other administrative sources suggested that 10 offenders with gang affiliations. Summing up all the positive answers, we found 17 offenders with gang affiliation, but this number is quite different than any one source suggests. Moreover, while different sources report controlled substance offenses similarly, they didn't always correspond to the same offenders.

Certainly, too, it is notable that we reviewed the available data of only 50 offenders. While this is a large enough number for descriptive purposes, the number is comparatively small to those Santa Clara has received overall. While we attempted to note explicitly these limitations in our data, our findings should be viewed with these issues in mind.

Conclusion

Implications of the Study

It is undisputed that Realignment legislation fundamentally altered the way California's criminal justice system operates. As with any seismic policy shift, reactions have been as polarized as they have been passionate. Data, however, is glaringly missing in the legislation and has been noticeably absent in the charged debates about PRCS's efficacy. Certainly, critical questions—Who are these offenders to be supervised by PRCS? What are their risks? What are their needs?—require more than mere speculation. This paper examined these questions in the context of Santa Clara County, providing a description of a portion of the PCRS population.

It is our intent that Santa Clara County use this data to inform how they structure their PRCS program, and it is our hope that our methods will provide a model generalizable to other counties to facilitate and encourage data collection on a broader scale. Certainly, without empirical answers to fundamental questions about the PCRS population—and the populations affected by the legislation generally—Realignment cannot succeed.

Appendix 1

Table. CDCR Form 611 – Translation of Penal Code References and Other Abbreviations

Heading on Form	Code	Abbreviated Translation
I. Case Factors	2962 PC	As a condition of parole, the prisoner is referred to the Department of Mental Health for treatment and has been legally designated a “mentally disordered offender” (MDO).
I. Case Factors	6601 W&IC	Prisoner has been determined as potential sexually violent predator and may be ordered referred to the State Department of Mental Health for additional evaluation (with potential to extend time in custody by up to 45 days).
II. Notification...	3058.6 PC	At the time of a violent felon’s release is given, the sheriff, chief of police (or both, and the district attorney in the community in which the offender is scheduled to reside are to be notified 45 days prior to release.
II. Notification...	3058.8 PC	Victim is to be notified of offender’s release, proposed release date, community offender is scheduled to reside, any relevant changes.
II. Notification...	3058.9 PC	Notification for child abuse or sex offense against a minor victim is to be made to the sheriff or chief of police and the district attorney in the community in which the offender is to reside.
II. Notification...	11150 PC	Notification of release offender convicted of arson will be made to the State Fire Marshal, police departments and sheriff where the person will reside.
II. Notification...	11590 H&S	Person is required to register with the chief of police or sheriff where he or she will reside within 30 days of release.
II. Notification...	290 PC	As a sex offender, person must register with the chief of police of any city or sheriff of any county in California that he or she will reside in within 5 working days of coming into or changing residence within that locality.
II. Notification...	457.1 PC	As an arsonist, person must register with the chief of police of any city or sheriff of any county in California that he or she will reside in within 14 working days of coming into or changing residence within that locality.
II. Notification...	186.30 PC	As a person convicted of crime that the court has found is gang-related, person must register with the chief of police of any city or sheriff of any county in California that he or she will reside in within 10 working days.

II. Notification...	SVP Screening	The prisoner has completed the Sexually Violent Predator screening form prior to release as is required by law and Penal Code 6601 WIC for prisoners meeting certain criteria.
II. Notification...	Subject to 645 PC	As a person guilty of a sexual crime where the victim has not attained 13 years of age, the person shall undergo medroxyprogesterone acetate treatment or its chemical equivalent.
II. Notification...	Subject to 296 PC	As a person convicted of a certain crime, or found to be a certain type of offender (e.g. mentally disordered or sexually violent), the person shall provide buccal swab samples, thumb and palm prints etc. as required by law.
II. Notification...	Subject to PC 11177.2	The parolee or inmate may not be released on parole because the parolee or inmate is subjected to an unsatisfied order of restitution to a victim or fine.
II. Notification...	Subject to 3053.2 PC	At the request of the victim, this person must comply with a protective order enjoining the parolee from threatening, stalking, sexually abusing, harassing, or taking further violent acts against the victim, etc.
III. Supervision...	PC 667.5(c)	Parolee has received enhancement of his or her prison term for new offenses because of prior prison terms for violent felonies. Parolee must be supervised by <u>Division of Adult Parole Operation (DAPO)</u> , and may include electronic monitoring and/or (GPS) to monitor parolee.
III. Supervision...	PC 1192.7(c)	Parolee was refused plea bargaining because of indictment for a violent sex crime. Must be supervised by the <u>Division of Adult Parole Operation (DAPO)</u> .
III. Supervision...	PC 3000 Exclusion	Must be supervised by the <u>Division of Adult Parole Operation (DAPO)</u> because the parolee committed a certain crime.
III. Supervision...	HRSO Score	The High Risk Sexual Offender (HRSO) Score is based on the STATIC-99, a validated risk assessment tool that uses 10 factors in assigning a numerical score to assess the risk of sexual re-offense for a convicted sex offender.
III. Supervision...	Parole Region (I-IV)	California is divided into 4 regions of parole (by the CDCR), roughly: Region I (Northeast / Central), Region II (Coastal), Region III (LA), Region IV (South).
VI. CDCR Parole...	CSCR Super. Level	Parolees are assigned a supervision level (A-D), with A representing the highest level of supervision and D representing a successful discharge and presentation of certificate for completing period of parole.
VI. CDCR Parole...	PC 3060.7	The parolee has been classified by the Department of Corrections as included within the highest control or risk classification and is required to report to his or her assigned parole office within 2 days of release.
VI. CDCR Parole...	COMPAS Case Plan	A COMPAS Case plan has been approved for the parolee. Compas is a statistically based risk assessment tool. The

	Approved	California Static Risk Assessment has been integrated into the COMPAS tool.
VII. Caseworker...	Vocational	Parolee participated in a CDCR vocational education program.
VII. Caseworker...	PIA	Parolee participated in the California Prison Industry Authority (PIA) program which includes a GED and training in craftsman and construction skills.
VII. Caseworker...	Joint Venture Pr.	Parolee participated in the Joint Venture Program which provides job skills training and work experience through partnerships with the private sector.
VII. Caseworker...	812	Any information regarding an inmate/parolee which is or may be critical to the safety of persons inside or outside an institution shall be documented as required on CDC Form 812.
VII. Caseworker...	812 A	Form 812A is the “Notice of Critical Information – Prison Gang Identification” and describes a prisoner’s involvement in a prison gang.
VII. Caseworker...	812 B	Form 812BA is the “Notice of Critical Information – Disruptive Group Identification” and describes a prisoner’s involvement in a disruptive group.
VII. Caseworker...	812 C	Form 812C is the “Notice of Critical Information – Confidential Enemies” and describes how a person(s) under the jurisdiction of the CDCR is considered an enemy of this prisoner. Includes Protective Housing Unit cases.
IX. Medical...	DPP	The parolee is eligible for the Disability Placement Program. The 4 disability categories covered in the DPP are (1) Permanent Mobility Impairments, (2) Permanent Hearing Impairments (to extent reliant on written communication, lip reading, or signing), (3) Permanent Vision Impairment (blind or not correctable to acuity of less than 20/200), and (4) Permanent Speech Impairment (and do not communicate effectively in writing).
IX. Medical...	DD	The Developmental Disability (DD) evaluation is recorded on a CDC Form 128C-2 to determine eligibility for the Developmental Disability Program and describe the adaptive support services required by the inmate-patient.
IX. Medical...	EOP	EOP (enhanced outpatient program) is a designation assigned to mentally ill inmates who experience adjustment difficulties in general population.
IX. Medical...	CCCMS	Inmates w/ Correctional Clinical Case Management System (CCCMS) services live in the gen pop and participate in outpatient mental health treatment.
IX. Medical...	KEYHEA	CDCR has a court order authorizing administration of long term involuntary antipsychotic medication to those who are a danger to themselves or others.

IX. Medical...	TB Code	All inmates are administered an annual tuberculosis (TB) screening, primarily by TB skin test. Parolees' TB status is recorded here.
IX. Medical...	CDCR 128C	The Form 128C, or "Mental Health Placement Chrono," indicates the parolee has been a participant in the Mental Health Services Delivery System.

Appendix 2

Coding Sheet

Coding Information: First Fifty, Post-Release Community Supervision

1. Basic Information

- a. **Gang Affiliation/Activity** (if not already indicated on Wisconsin form)
- i. No
 - ii. Yes

If applicable, describe:

- b. **Veteran status** (if not already indicated on 611 form)
- i. Yes
 - ii. No

- c. **Immigration status** (if not already indicated on 611 or Wisconsin forms)
- i. Illegal alien
 - ii. Potential illegal alien
 - iii. Previously deported
 - iv. Unknown

- d. **Employment Plans** (if not already indicated on 611 or Wisconsin forms)
- i. Job secured
 - ii. No job plans noted

If applicable, describe:

- e. **Housing** (if not already indicated on 611 form)
- i. No plans indicated
 - ii. Housing plans indicated
 - 1. Plans to live with family
 - 2. Other

- f. **Education**
- i. Highest schooling completed:

- ii. Special Education
 - 1. Yes
 - 2. No
 - 3. Unknown

g. **Progress in Prison**

- i. Any serious disciplinary infractions in prison (if not already indicated on 611)?
 - 1. No
 - 2. Yes
 - a. Number:
 - i. 1-2
 - ii. 2-3
 - iii. 4+

If applicable, describe:

h. **Alcohol Usage** (if not already indicated on Wisconsin)

- i. No indication of interference with functioning
- ii. Occasional abuse; some disruption of functioning
- iii. Frequent abuse; serious disruption of functioning; needs treatment

If applicable, describe:

i. **Drug Usage** (if not already indicated on Wisconsin)

- i. No indication of interference with functioning
- ii. Occasional abuse; some disruption of functioning
- iii. Frequent abuse; serious disruption of functioning; needs treatment

If applicable, describe:

j. **Marital/Family Relationships**

- i. Marital status
 - 1. Married
 - 2. Single
- ii. Children
 - 1. Yes
 - 2. No

3. Number: _____

k. Probation Officer

i. Name: _____

2. Prisoner's Controlling Offense (Current Crime)

This information will likely be found in the Legal Status Summary Form contained in the packet

i. Name:

—

ii. CDCR Number:

iii. Ethnicity:

iv. Birth date:

v. Term started:

vi. Release date:

vii. Total Term plus enhancements:

viii. Parole Period :

ix. Controlling/current offense

1. Penal Code and Offense name:

2. Sentence date: _____

3. Strike: _____

4. Offense date: _____

5. Firearm used

a. Yes

- b. No
- c. Unknown

- 6. Most recent victim
 - a. Relationship
 - i. Stranger
 - ii. Significant other
 - iii. Unmarried co-parent
 - iv. Family member
 - v. Victim unknown/unidentified

x. Non-controlling/prior offense(s) (Please list ALL prior ADULT CONVICTIONS)

1) Offense 1:

- 1. Penal Code and Offense name:

- 2. Sentence date: _____

- 3. Strike: _____

- 4. Offense date: _____

2) Offense 2:

- 1. Penal Code and/or Offense name:

- 2. Sentence date: _____

- 3. Strike: _____

- 4. Offense date: _____

3) Offense 3:

- 1. Penal Code and/or Offense name:

- 2. Sentence date: _____

- 3. Strike: _____

- 4. Offense date: _____

4) Offense 4:

- 1. Penal Code and/or Offense name:

-
-
2. Sentence date: _____
 3. Strike: _____
 4. Offense date: _____

5) Offense 5:

1. Penal Code and/or Offense name:

2. Sentence date: _____
3. Strike: _____
4. Offense date: _____

6) Offense 6:

1. Penal Code and/or Offense name:

2. Sentence date: _____
3. Strike: _____
4. Offense date: _____

If there more than 6 prior adult convictions, please indicate the date and type of the FIRST OFFENSE on the Notes page.

3. Prisoner's Prior Criminal History

This information will likely be found in the Probation Officer's Report and/or the RAP sheet

- a. **Juvenile Record** (if not already indicated on Wisconsin form)
 - i. No
 - ii. Yes
 1. Number of Juvenile Adjudications: _____
 2. Were any violent offenses?
 - a. Yes
 - b. No
 3. Committed to the California Department of Juvenile Justice (or CYA)?
 - a. Yes
 - b. No

b. Adult Convictions

- i. Drug Convictions (Number: 0, 1, 2, 3+): _____
- ii. Property Convictions (Number: 0, 1, 2, 3+): _____
- iii. Violent Convictions (Number: 0, 1, 2, 3+): _____
- iv. Other Convictions (Number: 0, 1, 2, 3+): _____
- v. Any Arrests without Convictions
 - 1. No
 - 2. Yes
 - a. If yes, how many (1, 2, 3+)? _____

c. Past California Probation

- i. No
- ii. Yes
 - 1. Number of California probation revocations
 - a. 0
 - b. 1
 - c. 2-3
 - d. 4-5
 - e. 6+

d. Past California Parole

- i. No
- ii. Yes
 - 1. Number of California parole revocations
 - a. 0
 - b. 1
 - c. 2-3
 - d. 4-5
 - e. 6+

4. Health

This information will likely be found in the 611 form; the 128M-H form; the DDP form; the Social Data form; or the Mental Health Placement Form

a. Mental Illness

- i. Identified as mentally ill by prison officials
 - 1. Yes
 - 2. No
- ii. Currently taking medication for mental illness?
 - 1. Yes
 - 2. No
 - 3. Unknown

If applicable, describe:

iii. Any mention of violent tendencies

- 1. Yes
- 2. No

If applicable, describe:

a. **Developmental Disability**

iv. Identified as developmentally disabled by prison officials

- 1. Yes
- 2. No

If applicable, describe:

b. **Physical Disability**

v. Identified as physically disabled by prison officials

- 1. Yes
- 2. No

If applicable, describe:

5. COMPAS Risk Assessment

a. Score: _____

b. Date of Administration: _____

c. Risk potential:

i. Violence: _____

ii. Recidivism: _____

iii. Failure to appear: _____

iv. Community non-compliance: _____

*Alternatively, If another risk assessment is available, describe the assessment and the results here:

6. Legal Status Summary Form

