# Santa Cruz County AB 109 Evaluation

**Recidivism Memo**

**Prepared by:**

**Resource Development Associates**

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**About Resource Development Associates**

Resource Development Associates (RDA) is a consulting firm based in Oakland, California, that serves government and nonprofit organizations throughout California as well as other states. Our mission is to strengthen public and non-profit efforts to promote social and economic justice for vulnerable populations. RDA supports its clients through an integrated approach to planning, grant-writing, organizational development, and evaluation.

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# Executive Summary

Findings from this report demonstrate that Santa Cruz County's AB 109 population is overall a high-risk population, with approximately 60% of AB 109 clients considered at high risk to recidivate. Key Findings include the following:

- Among all AB 109 clients who were released from custody and/or who started supervision between October 1, 2011 and June 18, 2017, only 31% recidivated by August 30, 2017. In addition, only half of these individuals recidivated with a new felony offense.
- Among individuals released from custody and/or starting supervision at least three years prior to the end of the evaluation period, fewer than fifty-percent (47%) recidivated, and only 26% recidivated with a felony offense.
- Risk level, AB 109 population type, and several different AB 109-funded services have a statistically significant association with recidivism, as measured by either any new convictions or only felony new convictions.
- The vast majority of individuals convicted of new offenses in Santa Cruz County were convicted of nonviolent offenses. This is also largely consistent with research on AB 109 outcomes across the state.

# Introduction

In February 2017, Resource Development Associates (RDA) completed an evaluation of the implementation of Santa Cruz County's AB 109 systems and services, and presented findings to the Community Corrections Partnership (CCP). This memo builds on that effort by beginning to examine recidivism outcomes for the County's AB 109 population. We begin with a description of our methods below. Next, we describe Santa Cruz County's AB 109 population, including demographics, risk for recidivism, classification types, and service receipt. Finally, we provide an overview of recidivism among Santa Cruz County's AB 109 population over time, as well as inferential analyses assessing factors associated with the likelihood of recidivism amongst Santa Cruz County's AB 109 population.

# Methods

## Defining Recidivism

The passage of AB 109, and the consequent focus on reducing recidivism among individuals currently or formerly involved in the criminal justice system, underscored the need for a common definition of recidivism that could be shared across the State of California. In January 2014, under the mandate of AB 1050, the Board of State and Community Corrections (BSCC) embarked on an 11-month process to define recidivism so that all 58 California counties could have a common measure by which to evaluate the effectiveness of community corrections interventions. After soliciting input from diverse stakeholders across the state, the BSCC settled on the following definition:

> ### Adult Recidivism Definition
>
> *Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.*

Using the above definition, this memo addresses recidivism among the County's AB 109 population by assessing the number of individuals convicted of a new criminal offense within three years following his or her initial AB 109 release from custody into Santa Cruz County.

## Data collection

The RDA team worked with Santa Cruz County's Probation Department and the Superior Court to obtain the data necessary for this analysis.

First, Probation Department staff identified all individuals subject to AB 109 who were released in Santa Cruz County between October 1, 2011 (when AB 109 went into effect) and June 18, 2017, as well as each client's *earliest date of release* from custody into the community utilizing Sheriff's Office data. Probation staff also worked with contracted service providers to attain program start dates for all AB 109 clients

receiving services from contracted providers since the start of AB 109.[1] RDA utilized these data to account for the timing of service receipt; however, RDA did not utilize service dosage data because contracted service providers offer a range of services that vary widely in terms of duration and criteria, making service dosage indicators potentially misleading.

RDA also worked with the Santa Cruz County Superior Court's Information Technology (IT) department to develop a query that pulled court records for all new misdemeanor and felony criminal convictions for identified AB 109 clients through August 1, 2017. Using these data, RDA was able to calculate recidivism rates at one, two, and three years post-release, as well as identify factors associated with the likelihood of recidivism using logistic regression, a statistical evaluation technique described in greater detail below. Because it generally takes weeks, months, and even years after an incident occurs for the adjudication process to conclude, new convictions were analyzed based on the date of the offense for all cases in which the defendant was found guilty.

## Analytic Methods

RDA used logistic regression to assess the relationships between various factors, including demographic characteristics, risk for recidivism, AB 109 classification type, service receipt, and recidivism. Logistic regression is a method for analyzing data that examine the probability of an event occurring, in this case, the probability of AB 109 clients recidivating. This technique is commonly used and widely accepted for isolating the effects of various factors on the likelihood of recidivism. Our logistic regression results indicate the estimated probability of recidivism, while accounting for additional factors including age, gender, race, risk for recidivism, AB 109 classification status, and service receipt, by service type.

## Limitations

There are a few important limitations to take into account when interpreting the findings presented here. First, the lack of a control group necessitates a non-experimental evaluation design. In assessing the impact of service delivery on recidivism, it was necessary to limit the analysis to data on services that were provided before the first new offense. It should be noted that a considerable portion of services are provided following recidivism in an effort to change behavior over time. Without a control group it is not possible to evaluate the impact of these long-term services.

In addition, data on criminal convictions were collected by County agencies. Thus, all data presented here is specific to Santa Cruz County and any recidivism incidents that occurred outside the County are not included in this analysis. Therefore, recidivism rates may be somewhat higher than what we report here.

There are also few limitations related to service receipt. First and foremost, while the majority of AB 109 individuals engaged in AB 109-funded services (as demonstrated in the process evaluation conducted in

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1 No information on service start dates were available for Health Service Agency (HSA) Assessment, WTL Legal, Janus Reconcile, Watsonville Law Center, and Other (leveraged services)

2017),[2] a relatively small number of AB 109 individuals received services prior to re-offending, with less than half of the County's AB 109 population receiving AB 109-funded services prior to re-offending. These low numbers inherently limit the evaluation's ability to assess the efficacy of these services, and findings below should be considered preliminary.

There were also challenges with the data that were (and were not) available to the evaluation related to client service receipt. First, RDA is not able to account for differences that may exist among individuals who received services versus those who did not, such as motivations to make positive life changes or differences in the level of need. As a result, the analysis may overestimate the impact of some services if individuals who enrolled in these services were more motivated to make positive behavioral changes than individuals who did not enroll in these services. On the other hand, if individuals with higher levels of need and a greater risk for recidivism are more likely to be connected to services, the impact of service receipt may be underestimated. In addition, we cannot account for differences that may exist for the amount of programming an individual received from a particular service provider. We used data on program enrollment to determine whether or not an individual received a particular program or service. Since it is possible that individuals who enrolled in a program or service did not actually attend regularly enough to receive the benefits associated with program completion, the analysis may underestimate the impact of some programs and services.

Finally, because services were delivered based on assessed needs with no control group, data were not available to compare service/no service outcomes for individuals within a subgroup with the same assessed need. Instead, this analysis compares outcomes for each service type to the population as a whole. If some areas of need (such as substance use disorder or homelessness) carry a greater risk for criminality, services addressing them will appear artificially to be less effective. Attempts were made to access additional data provided by the County Health Services Agency to include individuals with assessed needs who did not receive services, but the analysis was inconclusive.

## Overview of Santa Cruz County's AB 109 population

Since the start of realignment, 828 individuals subject to AB 109 were released in Santa Cruz County through June 18, 2017. Among these individuals, 21 were ICE detainees and 33 were transferred out of the County within thirty days; these individuals are omitted from the analyses, and there are 773 AB 109 clients included in the analyses below.[3] This section provides a breakdown of Santa Cruz County's AB 109 population, including AB 109 classification, risk level, service receipt, and demographics.

## Population Distribution by AB 109 Classification

The majority of the AB 109 population released from custody in Santa Cruz County between October 1,

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[2] http://www.co.santa-cruz.ca.us/Portals/0/County/prb/pdfs/Santa-Cruz-AB109_Implementation-Evaluation_20170202_STC4.pdf

[3] One additional client was dropped due to data inaccuracies

2011 and June 18, 2017 were individuals on Post-Release Community Supervision (PRCS) (54%). The remaining 355 individuals released in Santa Cruz County during the evaluation period were individuals sentenced to local custody, or 1170(h) defendants. These 1170(h) clients comprised 46% of the County's released AB 109 population; of these, slightly over half received a straight jail sentence without mandatory supervision upon release.

**Table 1. Over half of AB 109 clients are on Post-Release Community Supervision**

| AB 109 Classification Type | Individuals (N=773) | % of AB 109 Population |
|---|---|---|
| PRCS | 418 | 54% |
| 1170 Split | 169 | 22% |
| 1170 Straight | 186 | 24% |

## Demographics

Table 2 below shows that the majority of Santa Cruz County's AB 109 population is male, as they make up 86% of the population. Over half (53%) of the population is white, while 35% is Latino and 9% is African American. The remaining 3% of the AB 109 population is some other race/ethnicity, or unknown. The average age of the AB 109 population is 36.8 years; approximately two-thirds (66%) of the population is between the ages of 25 to 44, while 9% of the population is between the ages of 18-24. Twenty-five (25%) percent of the County's AB 109 population is 45 years or older.

**Table 2. AB 109 clients were primarily white males ages 25-44**

| Demographic Characteristics | Individuals | % of AB 109 Population |
|---|---|---|
| **Race** | | |
| White | 410 | 53% |
| Latino | 270 | 35% |
| African American | 67 | 9% |
| Other/Unknown | 20 | 2% |
| Asian | 6 | 1% |
| **Gender** | | |
| Male | 664 | 86% |
| Female | 109 | 14% |
| **Age** | | |
| 18-24 | 74 | 9% |
| 25-44 | 508 | 66% |
| 45-64 | 186 | 24% |
| 65+ | 5 | 1% |
| **Total** | 773 | 100% |

## Risk for Recidivism

At the start of realignment, Santa Cruz County's Probation Department was phasing out the Static Risk and Offender Needs Guide (STRONG) and implementing the Correctional Assessment and Intervention

System (CAIS), a validated criminogenic assessment tool that determines clients' risk for recidivism based on a series of factors that have been research-demonstrated to predict the likelihood of re-offense.[4] Based on these assessments, approximately 59% of the AB 109 population was determined to be at high risk for recidivism and 28% of the population was determined to be at moderate risk. Only 13% of Santa Cru County's AB 109 population was assessed to be at low risk for recidivism (see

Table 3 below).

**Table 3. The majority of AB 109 109 clients are assessed as high risk to recidivate [56]**

| Risk Score | Individuals | % of AB 109 Population |
|------------|-------------|------------------------|
| High | 434 | 59% |
| Moderate | 202 | 28% |
| Low | 91 | 13% |
| **Total** | 727 | 100% |

While the County's AB 109 population is overall a high-risk population, there are some differences in risk levels across AB 109 classification types. For instance, Figure 4 below demonstrates that the PRCS population has the highest proportion of high and low risk individuals, compared to the two 1170 groups.

**Figure 1. AB 109 classification types had similar proportions of high, moderate and low risk clients**



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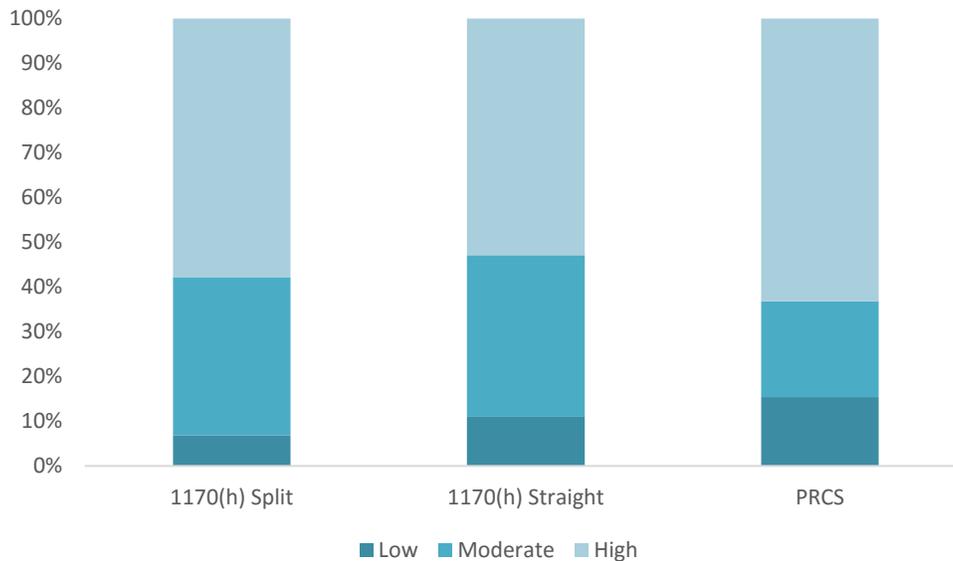
[4] It is important to note that the CAIS predicts risk for *any* future system involvement, including arrests, while the BSCC only considers new convictions to be recidivism.

5 Includes scores for 56 individuals who were assessed with the STRONG instrument

6 Risk scores missing for 47 AB 109 individuals, n=773

## Pre-Offense Service Participation

Pre-offense service participation varied by program type among Santa Cruz County's AB 109 population (as shown in Table 4 below). The greatest percentage of clients engaged with Reentry Planning and Support (27%) and Substance Use Disorder Treatment services (12%). Less than 10% of the AB 109 population participated in all other service types pre-recidivism. In all, 280 AB 109 clients engaged with at least one program prior to a recidivism occurrence or the end of the evaluation period of August 1, 2017. Among these individuals, approximately 60% received two or more service types.

**Table 4. The most common AB 109 contracted services received pre-recidivism was Reentry Planning and Support, followed by Substance Use Treatment**

| Service Type | Individuals |
|---|---|
| Criminal Thinking, Behavior and Identity | 69 |
| Reentry Planning and Support | 212 |
| Education | 38 |
| Employment and Job Placement | 55 |
| Housing Support | 64 |
| SUD Treatment | 96 |
| Mental Health Services | 71 |
| Family Involvement | 20 |

## Client Outcomes

The following analyses utilize the BSCC definition of recidivism to analyze AB 109 clients recidivism rates, looking both at individuals convicted of any new criminal offense and at individuals convicted of new felony offenses within a three-year window post release. While the BSCC's definition of recidivism does include both misdemeanor and felony criminal convictions, for the purpose of this analysis, the evaluation team believed that it was important to differentiate between those who were convicted of felonies versus misdemeanors in order to underscore the value of harm reduction. The harm reduction approach, which originated as part of substance use treatment, recognizes that "relapse is a component of recovery," and works to "meet people where they're at" in order to reduce the negative consequences of their behavior.[i] In criminal justice, a harm reduction approach means celebrating reduced negative contact with the justice system or contact for less serious offenses rather than focusing only on the complete abstinence from criminal behavior. This approach is especially important in the context of AB 109, which, by design is inclusive primarily of individuals who have a lengthy history of involvement with the criminal justice system. Consistent with this approach, in the sections below, we highlight convictions for new felony as the recidivism measure of greatest importance.

## Overall Recidivism Rates

Among all AB 109 clients released from custody and/or starting community supervision between October 1 2011 and June 18, 2017,[7] 70% had not recidivated (see Figure 2 below) as of August 1, 2017. Less than one third of all clients were convicted for any new crime, while only 15% of all clients were convicted of a new felony offense after being released from custody and/or starting supervision.

**Figure 2. Thirty percent (30%) of AB 109 clients were convicted of any new criminal offense and fifteen percent (15%) were convicted of a new felony offense**
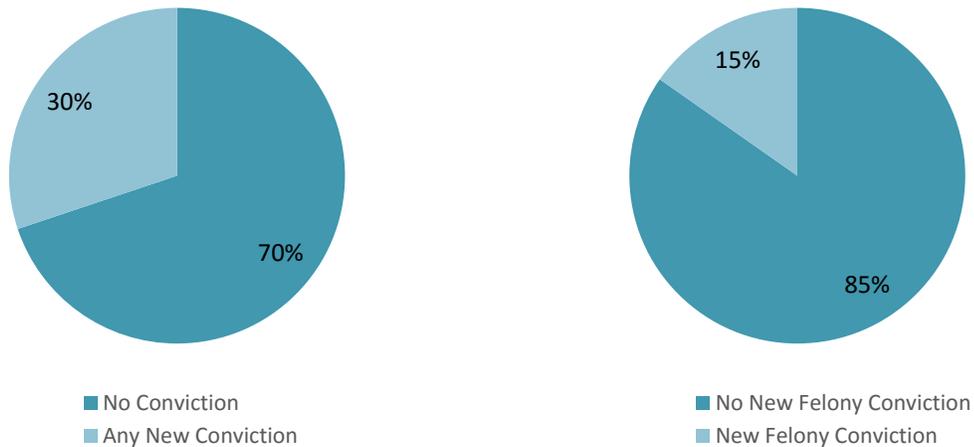


## Recidivism Rates at One, Two, and Three Years

Figure 3 below highlights recidivism rates at one, two, and three years for all AB 109 clients who were released from custody and/or who started supervision on or prior to August 1, 2016; August 1, 2015; and August 1, 2014, respectively. These findings demonstrate that AB 109 clients were most likely to recidivate in the first year after they were released from custody. This pattern was true for both felony and misdemeanor convictions. Additionally, the findings below demonstrate that among all AB 109 clients who were released from custody and/or who started supervision at least three years prior to the end of the evaluation period (August 1, 2017), 47% recidivated within three years, and 26% recidivated with a new felony. These recidivism rates are substantially lower than recidivism rates found in PPIC's *Realignment and Recidivism in California* report, which found 56.4% of realigned individuals across 12 California counties recidivated within two years (whereas only 39% of Santa Cruz County's AB 109 population recidivated within two years).

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7 N=773 - ICE detainees and individuals who were transferred out of the County in less than thirty days are not included, as noted previously

**Figure 3. AB 109 clients were most likely to recidivate in the year after they were released from custody**



**Any Conviction**

**Felony Conviction**
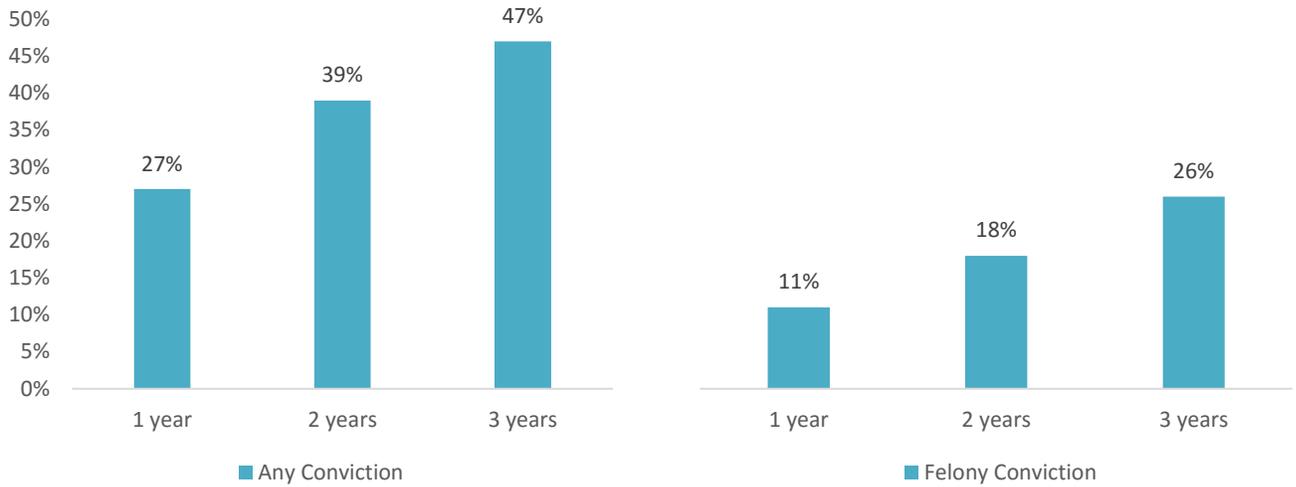
## Recidivism Rates for Different AB 109 Populations

Figure 4 below demonstrates differences in recidivism rates across AB 109 classification types. Notably, a much greater proportion of the PRCS and 1170(h) split clients were convicted of a new criminal offense than individuals with 1170(h) straight sentences. This pattern was true for both felony and misdemeanor convictions. In addition, among individuals who recidivated, a greater proportion of the PRCS clients (54%) were convicted of a felony offense compared to individuals with 1170(h) split (46%) and 1170(h) straight (40%) sentences.

**Figure 4. PRCS clients had the greatest rate of new criminal convictions while individuals with 1170(h) straight sentences had the lowest rate of new convictions.**



**Felony**    **Misdemeanor**
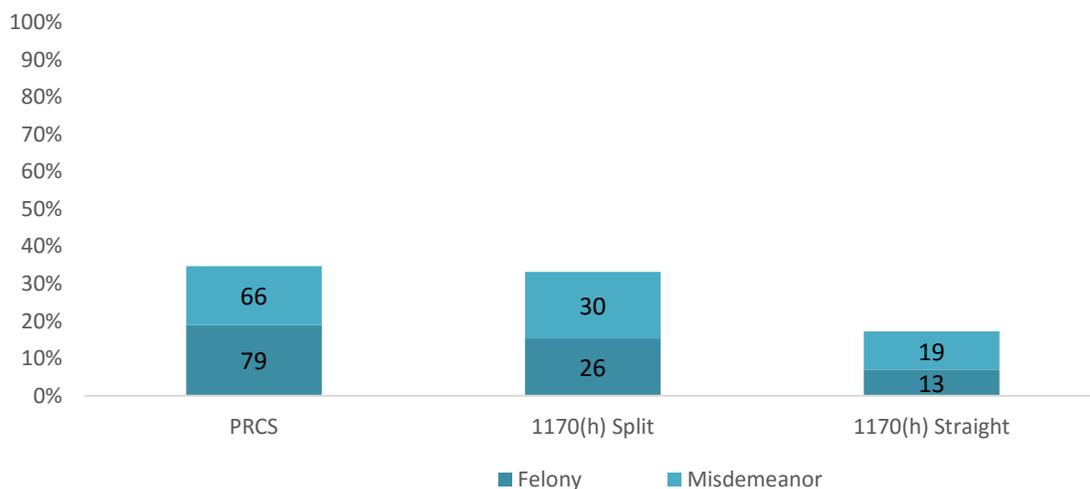
The differential rates of recidivism for PRCS and 1170(h) clients found in Santa Cruz County are generally consistent with research recently completed by the Public Policy Institute of California (PPIC) as part of a study of AB 109 outcomes across 12 California counties. According to PPIC's *Realignment and Recidivism in California*, PRCS clients are more likely to recidivate than either individuals convicted of 1170(h) offenses or comparable individuals released from prison prior to realignment. Looking at individuals with 1170(h) sentences, PPIC found mixed results and significant variation across counties, but showed that overall, individuals with 1170(h) straight sentences were less likely to be rearrested and less likely to be convicted of new crimes than individuals with 1170(h) split sentences.[ii] This finding is in line with research suggesting that increased oversight through community supervision increases the probability of future incarceration, because the detection of minor violations and offenses is more likely. Alternatively, some research highlights community supervision as a cost effective alternative to incarceration that provides a more rehabilitative environment than institutions, suggesting that greater use of probation should result in positive behavioral change and lower rates of incarceration. While the literature is not conclusive, research has consistently documented that when restrictions and monitoring associated with probation are increased, probation violations and revocations to prison grow[iii]. A number of researchers have argued that this is evidence of the net-widening effect of supervision, while others argue that this is the very purpose of community corrections—to catch lower-level offenses in order to avoid more serious ones. In many ways, this debate is less a research debate than one of policy and philosophy. Regardless, it may help explain why individuals who are not under community supervision in Santa Cruz County recidivated at lower rates over the course of the evaluation period.

**Figure 5. Men and women were convicted of new offenses at comparable rates**



As illustrated in Figure 5 above, the rates at which men and women were convicted of a new crime was similar, and the same is true when further broken down by offense severity. The similar rates takes into account that there are over six times as many men as there are women. Unsurprisingly, as depicted in Figure 6, individuals with a higher risk of recidivism had higher rates of conviction. However, among clients with low risk for recidivism, there was a higher proportion of felony convictions. Among moderate- and high-risk individuals, there was a more balanced proportion of misdemeanor and felony convictions.

**Figure 6. Overall, recidivism rates were consistent with risk level**
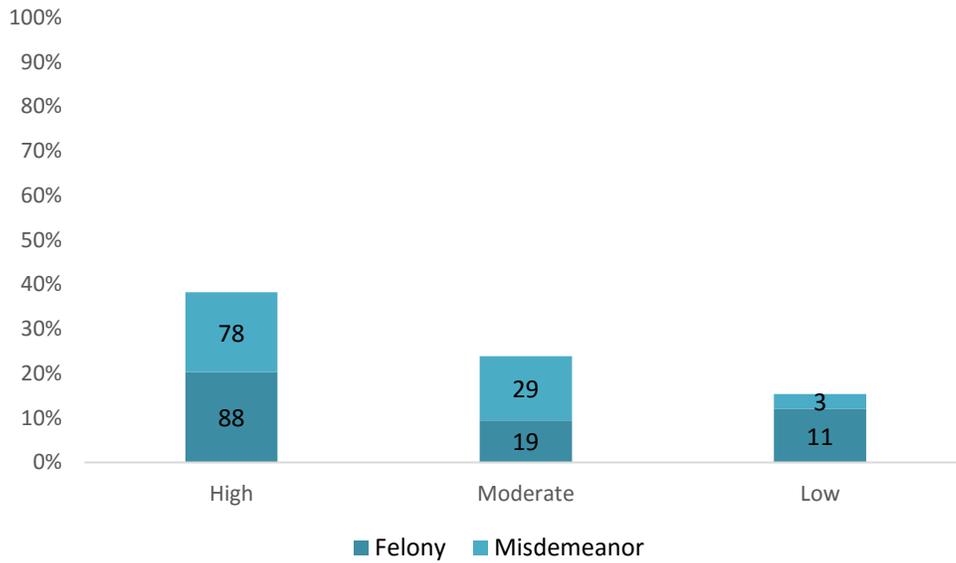


## Offense Type

Regardless of whether individuals were convicted of felonies or misdemeanors, the vast majority of individuals convicted of new offenses in Santa Cruz County were convicted of nonviolent offenses (56% or drug offenses (36%). Of the 305 individuals who were convicted of a new criminal offense, only 14 people (5%) were convicted of a violent crime. This is also largely consistent with research on AB 109 outcomes across the state.

**Figure 7. The majority individuals who were convicted of new offenses were convicted for non-violent or drug-related offenses[8]**
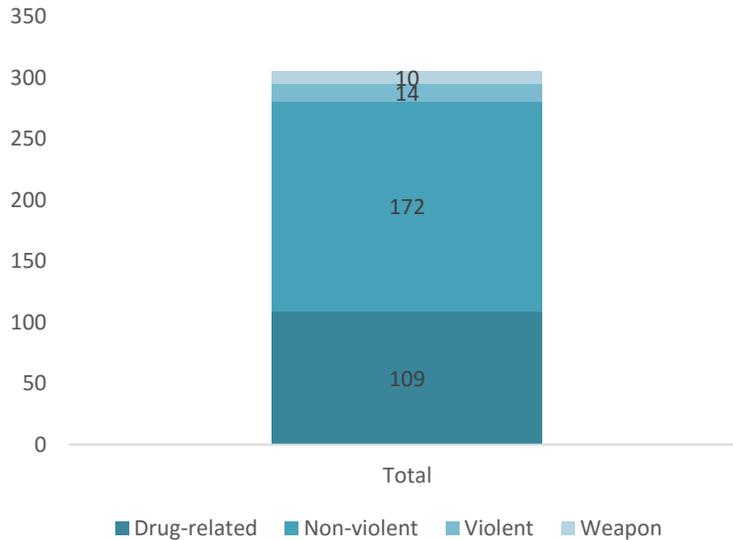


## Factors Influencing Recidivism Outcomes

In order to assess the relative impact of different interventions on client outcomes, the evaluation team conducted a multivariate analysis that compares likelihood of recidivism among AB 109 clients based on demographics, risk level, AB 109 population type, and whether they received specific services pre-offense. As noted in Analytic Methods on page 1, this method, called a *logistic regression*, uses patterns in recidivism across clients to estimate the effect of different characteristics on the likelihood that someone will recidivate.[9]

Due to data limitations, the number of clients included in this analysis is slightly lower than the total number of AB 109 clients served and supervised in Santa Cruz County during this period, although the overall distribution of client characteristics is similar. In addition, while this analysis can examine the association between certain services and client recidivism, due to limited data it cannot examine differences in recidivism among clients whose needs are addressed and those whose needs are not.

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[8] Four categories of offense type were constructed. Drug-related offenses included any possession of a controlled substance or paraphernalia. Violent crimes spanned battery, assault, and arson. Crimes involving weapons included the following: possession of firearm, transportation of tear gas, and concealment of weapon. The last category described non-violent crimes, like driving while license suspended, nudity, petty theft, and burglary.

[9] It is important to note that this approach can only estimate the effect of characteristics for which there is *individual-level* client data available*,* so gaps in data availability and quality inherently limits the comprehensiveness of this model.

The model below presents the relative impact of these characteristics on the likelihood that clients will be convicted of *any new crime within three years* and on the likelihood that clients will be convicted of *a new felony crime within three years*.[10]

**Table 5. Predictors of recidivism included AB 109 classification and the type of service received pre-offense**

| Variable | Any Conviction Odds Ratio (SE) | Felony Conviction Odds Ratio (SE) |
|---|---|---|
| **Demographics** | | |
| White | 1.00 | 1.00 |
| Latino | .96 (.19) | .73 (.18) |
| Black | 1.19 (.37) | 1.50 (.54) |
| Other | .37 (.23) | .30 (.31) |
| Male | 1.00 | 1.00 |
| Female | 1.37 (.35) | 1.14 (.38) |
| Ages 18-24 | 1.00 | 1.00 |
| Ages 25-44 | .72 (.20) | .60 (.20) |
| Ages 45-64 | .77 (.25) | .54 (.21) |
| Ages 65+ | .27 (.36) | .56 (.73) |
| **Risk Level** | | |
| Low Risk | 1.00 | 1.00 |
| Moderate Risk | 1.88 (.67) | .78 (.33) |
| High Risk | 3.84 (1.27)* | 1.71 (.63) |
| **AB 109 Classification Type** | | |
| PRCS | 1.00 | 1.00 |
| 1170 straight sentence | .53 (.13)* | .47 (.16)* |
| 1170 split sentence | .88 (.20) | .72 (.21) |
| **Pre-Offense Service Receipt** | | |
| No Services Received | 1.00 | 1.00 |
| Criminal Thinking Services Pre-Offense | .21 (.08)* | .115 (.07)* |
| Reentry Planning Services Pre-Offense | 1.88 (.42)* | 1.77 (.46)* |
| Education Services Pre-Offense | 3.17 (1.31)* | 2.06 (.97) |
| Employment/Job Services Pre-Offense | .93 (.35) | .92 (.43) |
| Housing Support Services Pre-Offense | 2.91 (1.02)* | 2.79 (1.09)* |
| Substance Abuse Services Pre-Offense | 1.92 (.60)* | 2.37 (.89)* |
| Mental Health Services Pre-Offense | .94 (.31) | .38 (.18)* |

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[10] Because this analysis examines the *relative impact* of different characteristics on the odds of recidivism, this approach is inherently comparative. For each characteristic, this model measures the odds that clients with that characteristic will recidivate *compared to clients with different characteristics* in order to understand which characteristics have the greatest effect. For this reason, within any set of characteristics one group of clients will have an odds ratio of 1.00 and clients with other characteristics will have higher or lower odds ratios.

| | | |
|---|---|---|
| Family Involvement Services Pre-Offense | .71   (.38) | 1.04   (.57) |
| | | |
| Pseudo R-Square Value | .11 | .11 |

\* Indicates coefficient statistically significant at p < .05 or below

Looking across both outcomes, this analysis found that AB 109 population type and several different AB 109-funded services have a statistically significant association with recidivism, as measured by either *any* new convictions or only *felony* new convictions. It is important to note that, while this model estimates the effect of various characteristics on recidivism outcomes, only those found to be statistically significant should be understood as conclusively related to the outcome. In these instances, the patterns associating this characteristic with the outcome are so strong that they are unlikely to be the result of chance. Below, we discuss statistically significant findings.

In terms of AB 109 population type, this analysis found that individuals sentenced to 1170(h) straight sentences had approximately half the likelihood of being convicted of any new crime (.51 odds ratio) or a new felony crime (.44 odds ratio) as PRCS clients. This finding is in line with the research highlighted above, which suggests that increased oversight through community supervision increases the probability of future incarceration because the detection of violations and criminal offenses is more likely. In addition, this finding is largely consistent with a recent study on realignment across California, which similarly found that individuals sentenced to 1170(h) straight sentences have the lower overall recidivism rates compared to other AB 109 populations and comparable pre-realignment individuals. At the same time, the PPIC study did find significant variation in outcomes for 1170(h) clients with different sentence types across counties, making it unclear whether this outcome is due to differences between clients who receive straight versus split sentences, differences in County-level practices, or some combination of the two.

Findings on services receipt, on the other hand, are not generally consistent with the existing research literature and should be interpreted with caution. The fact that few services have a statistically measurable effect on recidivism largely reflects the small number of individuals who began their engagement in services prior to recidivating.[11]

For example, this analysis found that clients who participated in Criminal Thinking Services have a significantly lower likelihood of recidivating than clients who received no services, with clients who participated in the County's Criminal Thinking programming being one-fifth as likely of being convicted of any new crime (.21 odds ratio) and one-tenth as likely of being convicted of a new felony crime (.098 odds ratio) as clients who did not participate in any AB 109-funded programs or services. Nonetheless, it is important to note that only 25% of AB 109 individuals participated in this service prior to recidivism, limiting the generalizability of this findings.

By contrast, clients who participated in Reentry Planning, Housing Support, and Substance Abuse Treatment all had higher likelihoods of recidivating than clients who did not participate in any AB 109-

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[11] As noted above, more than 80% of AB 109 clients in Santa Cruz County did engage in AB 109-funded services; however, because many of these clients began receiving services following a recidivism event, this analysis cannot measure the impact of these services on overall recidivism rates.

funded programs or services. The finding about reentry planning appears consistent with findings from the process evaluation conducted in 2017, which found that the reentry planning process, while important, is still very much a work in progress. Planning for the seamless transition of individuals from custody to the community is a notoriously difficult process that requires significant coordination between a number of County and community partners, as well as clients and their families.[iv] Santa Cruz County has taken a number of critical steps to improve this process, including establishing a pre-release multidisciplinary case planning meeting that includes correctional officers, probation officers, and community providers; and increasing in-custody service availability to ensure continuity.

The finding that clients who engaged in housing support services and substance abuse services had higher likelihoods of recidivating is not reflective of the larger body of research on the impact of service receipt on recidivism and likely reflects a lack of data on services needs, including diagnostic data on individuals who substance use and mental health disorders. [12]  In particular, the relatively small number of clients who received mental health services (19%) or substance use disorder services (36%) compared to common estimates of the number of AB 109 clients who have mental health or substance use disorders (or both), indicates that those individuals who receive these services are likely those who present these issues with the greatest severity.[13]

## Conclusion and Recommendations

Findings from this report demonstrate that Santa Cruz County's AB 109 population is overall a high-risk population, with approximately 60% of AB 109 clients considered at high risk to recidivate. At the same time, findings showed that a relatively low percentage of the AB 109 population recidivated.

Among all AB 109 clients who were released from custody and/or who started supervision between October 1, 2011 and June 18, 2017, only 31% recidivated by August 30, 2017. Among individuals released from custody and/or starting supervision at least three years prior to the end of the evaluation period, fewer than fifty-percent (47%) recidivated, and only 26% recidivated with a felony offense. Compared to two-year recidivism rates of 56.4% among twelve California counties studied in the PPIC reported highlighted previously, these rates are quite low (only 39% of Santa Cruz County's AB 109 population

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[12] When evaluating AB 109 and other reentry initiatives in other California counties, RDA has found that being able to document and control for service needs—especially behavioral health and substance use diagnoses—can have a dramatic effect on the results of a multivariate analysis. In Contra Costa County, for example, initial analyses that did not take into account diagnostic need similarly indicated that clients who received behavioral health services had higher rates of recidivism than those who did not. After receiving client-level diagnostic data, however, the analysis was able adjust the model to control for these needs and found that it was having a substance use disorder or mental health disorder predicted recidivism, rather than receiving services to address those needs.

[13] Approximately one-third of individuals incarcerated by the California Department of Corrections and Rehabilitation (CDCR) "receive treatment for a 'serious mental disorder'" and estimates for the rate of incarcerated individuals with substance use disorders are even higher. (Stanford Justice Advocacy Project. 2017. *Confronting California's Continuing Prison Crisis: The Prevalence And Severity Of Mental Illness Among California Prisoners On The Rise.;* Wiseman, D. 2016. *AB 109 Implementation: A Follow-up look at how four California Counties continue to meet the challenges of the 2011 Public Safety Realignment Statute.* California Mental Health Planning Council.

recidivated within two years). Perhaps just as noteworthy, among all individuals who recidivated, only very few committed violent or weapons-related offenses (approximately 8% of charges). From a harm reduction approach, the relatively low level of negative justice system contact, a majority of which was for less serious offenses, demonstrates preliminary successes for Santa Cruz County's AB 109 population.

At the same time, this analysis does highlight a number of areas for improvement, related to both service delivery and data collection. First, the relatively low percentage of AB 109 individuals who engage in n AB 109 funded services prior to recidivating indicates that there is room to improve early engagement of clients, especially engagement immediately post-release. It many jurisdictions, the establishment of "one-stop" reentry centers where clients can receive all services—and supervision—in a single shared location—has proven an effective mechanism for more seamless custody-to-community transitions and early post-release service engagement, especially when implemented in alignment with the National Institute of Corrections' jail to community transition (JTC) model and principles of evidence based practices in community supervision.

In addition, regardless of any changes to the service delivery system, there are opportunities to improve data collection and sharing. This is especially the case between the Probation Department and the Health Services Agency; while the laws and regulations regarding privacy for confidential individual data are of critical importance, given the sizeable overlap between individuals under supervision and those with behavioral health disorders, better data sharing between these departments could likely support efforts to improve service delivery, in addition to future efforts for evaluation.

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[i] McCracken, K. 2014. *Harm Reduction: A Hard Pill to Swallow.* Center for Juvenile and Criminal Justice. http://www.cjcj.org/news/7804

[ii] Bird, M; Grattet, R; Nguyen, V. 2017. *Realignment and Recidivism in California.* Public Policy Institute of California. http://www.ppic.org/wp-content/uploads/r_1217mbr.pdf

[iii] Phelps, M.S. 2013. *The Paradox of Probation: Community Supervision in the Age of Mass Incarceration.* Law Policy. Vol. 35(1-2): 51–80. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3780417/#R87

[iv] See The Urban Institute's array of research and guidance related to planning for the transition from jail to community. https://www.urban.org/policy-centers/justice-policy-center/projects/transition-jail-community-tjc-initiative