

section two

Executive summary

❖ Placer County is facing the challenge of jail overcrowding and ever increasing demands on its criminal resources. The factors that affect jail usage are complex, but planning an efficient and effective system depends upon understanding them. Jail space is a limited and expensive resource; and, while the Sheriff is responsible for managing the detention facilities, overall jail usage is dictated by decisions largely outside his control. The key to the long-term population management of a jail is the development of system baseline data, and the implementation of a Criminal Justice Master Plan. This is a process that will allow a county to not just *react* to change, but to influence and *shape* that change.

These are challenging times for Placer County. Due to the passage of California Assembly Bill 109 and its implementation in October 2011 (in response to the United States Supreme Court's affirmation of the federal district court's order to relieve prison over-crowding) the state's prison population was reduced. This was accomplished by redirecting non-serious, non-violent, and non-sex offenders from the state prison and parole system to sentences in local jails, or to county-directed post-release community supervision. This 'realignment' resulted in an increased number of offenders returning to local communities. This change occurred as Placer County continues to struggle with an overcrowded Jail.

The Placer County Sheriff has been under a federal district court order limiting the jail population since 1990. This has eroded system integrity. In 2013, 2,017 inmates were released early, most without any supervision, pursuant to that order.

The court order **requires** the Sheriff to release inmates to maintain the cap limit. However, every unplanned jail release signifies a system failure. Some Pretrial inmates, released on a 'promise to appear' due to the Fedcap order, had already been denied a release by a judge. Other inmates were released early from a sentence ordered by the court, regardless of their behavior in custody or as the result of a risk assessment. Taken together, these unplanned releases not only undermine the actions of the courts but can compromise public safety.

The Placer County criminal justice system is negatively impacted by the lack of an empty jail bed. The forced release of inmates to comply with the Fedcap order distorts all other system efforts. It results in the system working at cross-purposes: the prosecutor can ask for custody time, the judge can deliver a jail sentence, and then the Sheriff must release the person because there is 'no room in the inn.'

The answer to this problem is neither to overcrowd the jail in violation of the federal order nor simply to construct an endless number of jail beds to detain everyone. In Placer County, bringing the South Placer Jail on-line will mitigate the problem, but not solve it. Without improvements in local system efficiency and effectiveness this facility will soon be filled, and overflowing. The solution is to implement a jail population management plan; one that doesn't rely upon the Sheriff alone to manage the jail population, but does so through a System Master Plan.

Available beds in any correctional facility tend to become filled – regardless of the number added. 'Build it and they will come.' However, assessing the efficiency of the entire criminal justice system allows the system to develop the policies and procedures necessary to appropriately manage the jail population.

This report provides an analysis of the local criminal justice system and presents strategies to help manage its jail population through a set of recommended system reforms. It addresses the objectives outlined in the Project Scope:

- ❖ Describe how well the Placer County criminal justice system is working, and how it might be improved
- ❖ Review data on the characteristics of the offender population and the detention program resources, and collect baseline data
- ❖ Recommend adjustments in policies and resources to reduce recidivism and to optimize system effectiveness, and
- ❖ Develop a criminal justice system Master Plan

This report concludes that there are ample opportunities to optimize system efficiency and improve system effectiveness within the Placer County justice system to reduce the impact on the Placer County Jail, to reduce system costs, and to improve offender outcomes.

The development of a Master Plan has been grounded in a Systems Approach. Such an approach has been guided by a philosophy that system change must be informed by data, guided by clear objectives, and shaped by an understanding of the interactive effects of the larger system. The Placer County 'Master Plan for Criminal Justice' reflects this approach.

Key findings

Placer County is fortunate in many regards. Compared to the statewide average it has a relatively low level of violent crime; it has a good foundation of court-based programs that serve as jail alternatives (Drug Court, Mental Health Court, and Veteran's Court); it has adopted research-based risk assessment tools to inform the release and supervision of its Pretrial and offender populations; and it has

a new detention facility ready to go on-line. And, Placer County has a cadre of professionals who are passionate about improving the business of the criminal justice system.

On the other hand, Placer County faces many challenges. The goals of offender punishment and rehabilitation are compromised by the lack of system integrity. There is a need to improve overall system efficiency and cohesion. Through a rigorous process of data collection and system assessment we have identified local issues that need attention in order to improve the local administration of justice, and we make specific recommendations to help chart a course forward. These recommendations address case processing efficiency; judicial sentencing; Pretrial release decision-making; adherence to best practices in the supervision and sanctioning of offenders; and the availability of local resources, from pre-booking to re-entry, to help reduce recidivism.

These findings suggest that improvements will require the involvement of **all** system players. This report paints a picture of a county that has real opportunities to significantly lessen the impact on its jail, improve offender outcomes, and reduce cost.

What sets Placer County justice system apart

Placer County is set apart from other jurisdictions on several counts. It has a lower rate of felony person crime arrests than the statewide average. Consistent with the State's experience, after a multiple year downward trend in arrests, there has been an uptick in felony arrests over the last 2-3 years. For Placer County we do know that the uptick in felony arrests in 2013 is almost entirely explained by an increase in drug arrests; there was no increase in violent and property arrests.

What else sets Placer County apart? In terms of its offender profile, Placer County has a relatively high percentage of female offenders being arrested for felony offenses and booked into jail. While the country as a whole has seen an upward trend in female arrests, the Placer County numbers are still surprisingly high.

Placer County is also set apart by its high reliance on incarceration as a sentence (60% of felony sentences and 92% of misdemeanor sentences include jail); the courts low usage of split-sentencing for felony AB109 offenders (a strategy shown to reduce recidivism by incorporating both custody and mandatory community supervision); and longer jail sentences compared to the national average.

The county is also set apart by high 'no-file rates' (half of felony cases booked into the Placer County Jail on a person offense were ultimately filed by the district attorney); and high 'felony reduction' rates (the percentage of cases booked as a felony that were ultimately reduced by the district attorney to a misdemeanor). These are compounding factors that contribute to a low 'felony conviction rate':

32% of cases booked into jail on a new felony charge resulted in a felony conviction.

Finally, Placer County has a low trial rate. Compared to the national felony trial rate of 4 percent, the Placer County felony trial rate is extremely low: only one-half of one percent of the felons who were convicted, were convicted as the result of a trial as opposed to pleading guilty. Two percent of misdemeanants were convicted as the result of a trial.

System integrity

Everyone in the Placer County justice system is working very hard. The problem is that actions ordered at one point in the process are not necessarily carried out at another point. The dots are not well connected.

In Placer County a person booked into jail on a felony person offense has a good chance that the case will **not** be filed. If the case is filed, and the person is convicted and sentenced to jail, it is likely that the person will not serve their full sentence. Fedcap releases due to an overcrowded facility undermine the work of courts and the rest of the system. In fact, last year sixty AB109 offenders were released early due to overcrowding.

In Placer County, if an offender is sentenced to jail by the courts on a 'straight sentence' (the custody sentence is not coupled with community supervision) but then released before sentence completion due to overcrowding, there is no modification of the sentence order to mandate probation supervision as the inmate walks out of jail. The inmate simply exits having not fulfilled his sentence and with no further legal obligations, including no further monitoring for restitution collection.

And, if the person does complete their jail sentence, they often exit custody without the benefit of a transition program or any type of plan to help prevent their future return.

System integrity is eroded when there is a lack of an empty jail bed: a bed to ensure the enforcement of court orders, to encourage offender compliance, and a bed to provide the flexibility needed to manage a diverse jail population.

Emergency jail releases, such as Fedcap releases, is never the long-term answer to jail overcrowding and yet, Placer County like many other counties under court order, has grown to rely upon this mechanism for managing the population. This perpetuates defendant failure and erodes the integrity of the system. And once a system turns defendants out of jail on an over-crowding release it loses its ability to compel compliance. Offenders in the community quickly learn of this system malfunction and take advantage of its existence.

System efficiency

Placer County case processing should be streamlined and case processing times improved. The average time from booking to felony disposition for persons released from custody prior to case resolution is 7 months. Felony defendants have an average 8.7 court hearings to reach case disposition — which takes its toll on court and county resources and sets defendants up for failure.

Case processing delays have collateral consequences. This can be seen in Placer County's felony pretrial failure-to-appear rate that, at 33%, is 2x the national average.

Case processing efficiency improvements should be pursued, and it should go hand-in-hand with a discussion about the findings regarding high 'no-file' rates and high rates of 'felony reduction'. The driving factors behind these rates should be explored, including how to better align law enforcement charging and district attorney filing practices.

Offender accountability

High pretrial failure-to-appear rates (FTA) reflect case processing delays, a high number of court hearings, and a pretrial release process in which risk-based release decisions are undermined by unplanned Fedcap releases, and by unsupervised releases on 'own recognizance' due to pending DA investigations and filing decisions — regardless of defendant risk level.

High felony failure-to-appear rates also reflect the percentage of cases released to for-profit surety companies (bail bondsmen) instead of to Pretrial services. The local data shows significantly higher FTA rates for felony Pretrial defendants who exit jail on a surety release compared to those who exit to Pretrial services supervision. (Conclusions could not be drawn for misdemeanor cases given the high percentage who were released on a Fedcap 'promise to appear' which challenges outcome analysis.)

Offender outcomes

We are impressed by the efforts of Placer County's Probation Department to put proven practices to work, and to be ever adopting new and innovative approaches. In the end, though, their efforts are only as good as the system in which they work.

In Placer County the Drug Court program is significantly underutilized; too many sentenced jail inmates score as lower risk, making them good candidates for jail alternatives; the continuum of treatment resources needs expansion, with in-custody resources in place to match those available in the community upon release; a formal re-entry program is missing; and there is a need for more services

at the front-end of the system to divert the mentally ill and the 'frequent flier' population who repeatedly cycle through the jail.

This study documented 7 individuals who have, over the last 5 years, cost the local system close to \$900,000 in jail bed usage due to repeated bookings. There is no question that improving the local continuum of programs can improve public safety and reduce system costs.

Jail capacity planning

Jail forecasting is made difficult in Placer County because the system is not operating effectively. It is challenged by an ineffective processing of defendants that results in some defendants being held in jail too long waiting case disposition, while some defendants may be released too early due to overcrowding or the lack of a district attorney filing decision. And without risk assessments being the driving factor in the release of Pretrial defendants, it is impossible to know whether the size of the Pretrial population in jail is too high or too low.

The projected range of jail beds needed by 2040 in Placer County is based on an analysis of broad patterns of local jail usage over the past 17 years. Different forecasts scenarios are presented depending on assumptions about the jail admissions rate and average length of stay. Which forecast is chosen by local officials will have tremendous cost implications.

As an example, to select a forecast scenario that assumes a reduced average length of stay, from the current 18 days to an average 16 days (the local 5-year average) would result in 131 fewer inmates by 2040. Not counting jail construction costs, which in California can be \$250,000 per bed for new construction of a facility that includes a variety of housing options, the operating cost savings for those 131 beds (at the current California state average for jail operating costs of \$114 per day) would be \$5.5 million per year or \$109 million over a 20-year period. (Jail operating costs account for less than 10 percent of the total detention facility costs over its lifetime.)

The results are even more dramatic if one begins by assuming an average length of stay of 22 days in the future. An increase from 18 days to 22 days would result in an expected average daily population increase of 261, at an added cost of \$13 million per year or \$326 million over a 20-year period.

Difference in 20-year jail operation (excluding construction) Cost by capacity forecast scenario over 20 years

- ❖ Difference in expected ADP between, based on 18 day - 16 day average length of stay: \$109 million
- ❖ Difference in expected ADP, between 18 day and 22 day average length of stay: \$326 million

There is ample opportunity to reduce the jail impact in Placer County. This Report identifies many system efficiencies and changes that can serve to mitigate pressure on the jail. As such, we recommend that Placer County select a forecast scenario on the lower end. A 16 day average length of stay would require 1101 beds by 2040. The new South Placer Jail will, once fully operational, will closely accommodate that need — if Placer can make suggested system reforms. However, to plan for the lower end of the jail capacity range requires the system to make significant, coordinated changes to existing policies and practices.

Other jurisdictions and states have demonstrated that a reliance on incarceration can be dramatically lessened without jeopardizing public safety.

Planning in a time of new models of system reform

System reform efforts can lessen the demands on expensive custody resources. There are many examples of systems that have adopted cost-effective and proven strategies to manage their corrections populations while enhancing public safety. One example is from Texas.

Several years back Texas set about forecasting their future prison capacity needs. The forecast that came back produced sticker shock: At the current rate of prison population growth they were projected to need an additional 17,000 beds 10 years out. In the past, the next step would have been to hire a facility planner and start building. But Texas did something different this time; it asked what would be required to change the trajectory of custody growth.

Bold action was taken. Texas decided to first expand non-custody treatment options. The research suggested it would work. So, they increased the number of Drug Courts from 7 to 74. Drug Court participants undergo substance abuse treatment, drug-testing and probation supervision, while reporting to regular status hearings before a judge. It worked as they had hoped. In Texas, the re-arrest and recidivism rates of Drug Court participants are between 10 and 30 percentage points below those offenders who are arrested and do not receive this court-based program.

Texas didn't stop there. To further mitigate prison growth it changed parole policies, limiting custody as a sanction for technical supervision violations (no new crime); and it invested hundreds of millions of dollars into in-custody drug treatment and other programs. It has paid off. Not only did Texas avoid a massive prison build-out but it has reduced recidivism.

The Texas experience is not unique. Unlike the California response to prison overcrowding, which has been more like a 'reshuffle' than a 'realignment,' other states have embarked on system-wide reforms that attempt to rebalance the use of

custody and community sanctions.

South Carolina has, over the last 3 years, reduced prison admissions by an astonishing 24 percent. Interestingly, violent crime rates dropped over the same period. South Carolina accomplished this with system-wide reforms, including expanded community alternatives for non-violent offenders; the repeal of mandatory minimum sentences for certain drug offenses; and the implementation of clear graduated sanctions for probationers, as well as earned reductions in supervision length for compliance.

Big changes are underway. It has become clear to jurisdictions that jail and prison utilization is a symptom of the policies and practices of the larger criminal justice system. Policies and practices are under review at every level of government.

At the national level the Senate Judiciary Committee recently approved a bill calling for the most significant overhaul in federal sentencing guidelines for drug offenses since the 1970's. The 'Smarter Sentencing Act' would, with bipartisan support, reduce federal minimum-mandatory sentences for drug offenses and give judges greater discretion in sentencing. Since 2000, at least 29 states have taken steps to roll back mandatory minimum sentences.

A broad coalition of individuals is challenging the status quo: from the incarceration of the non-violent drug addict, to the use of prison for supervision violations, to long sentences or supervision that does not include treatment. And they are increasingly adopting new tools, such as actuarial risk tools to help prioritize custody and treatment resources. States from New Jersey to Georgia to Texas to South Carolina are leading the way in enacting sweeping system reform.

While the above examples come from changes in state and federal policy, they are cited as examples of philosophical shifts that can be made at the county level that will lessen the impact on county jail facilities.

Planning in a time of new research

Decades of research have demonstrated that sentencing laws and Corrections practices can be employed in a manner to both punish and rehabilitate effectively. In fact, the bottom line of much of this research is that neither 'get tough' nor 'simply treatment' approaches reduce recidivism. New research is serving as a catalyst for reappraisal of current practices. In this Report we offer summaries of recent landmark research. Highlights include the following:

Risk tools can help predict Pretrial failure: A 2013 landmark study, that tracked more than one million persons released from custody while awaiting the disposition of their case identified risk factors correlated with Pretrial failure, and unveiled a

9-question actuarial risk tool that can help predict three types of Pretrial failure: 1. Failure-to-appear in court; 2. Commission of a new crime, and; 3. Commission of a violent crime. [The Arnold Foundation Study, 2013]

Post-custody supervision reduces recidivism: An unprecedented study that tracked New Jersey prisoners for 3-years after release found that those released to parole supervision had significantly lower recidivism than those prisoners who exited without continued supervision. [PEW Study, 2013]

Drug Courts reduce crime more than traditional sentencing: In the largest Drug Court study of its kind, a multi-state analysis of Drug Court participants who were matched with offenders who were sentenced through the traditional court process, found significantly lower recidivism for Drug Court participants: up to 50 percent reductions. [National Institute of Justice & Urban Institute]

Violence can be reduced with coordinated strategies that get out in front of the problem: Seemingly intractable problems of gang violence and homicides are being effectively addressed with ‘focused deterrence’ strategies that enlist the criminal justice system and the community in a ‘carrot and stick’ approach to behavior change. Instead of the traditional system approach that waits for the next serious crime and then responds, this strategy gets out ahead of the problem by identifying the few individuals fueling the problem and bringing the system together to deliver a concise message: This must stop. There are consequences. We can help if you want to change. The results have been dramatic, with the most recent data coming from our project in Stockton, California. After adopting this ‘Ceasefire’ strategy the city has experienced a one-year 55% drop in homicides. [Stockton, 2013]

California Realignment: In one-year tracking of AB109 offenders, little difference was found between the one-year arrest and conviction rates of offenders released from prison prior to realignment and post-realignment. The study looked at offenders released to counties from California prisons between October 1, 2011 and September 30, 2012. If these results persist over time it will demonstrate what other states have found: In the aggregate, prison time for the non-violent offender can be reduced without compromising public safety.

Research shows that simply holding offenders in custody and then releasing them does nothing by itself to reduce future offending. Accordingly, jail planning must move beyond simple formula-based approaches that build more beds based on past demand.

The goal of jail planning within a ‘systems approach’ is to curb future demand by alleviating pressures put on the jail and better managing the offender population. This is accomplished by achieving system efficiencies and improving offender outcomes. It is accomplished by making full use of jail diversion and alternatives to incarceration. And it is done by ensuring that programs conform to evidence-based

practices. In short, the long-term management of the Placer County Jail depends on a comprehensive System Master Plan.

Study methodology

The planning process for this project, the Placer County System Assessment, put data collection up front. The emphasis was on generating meaningful system information *and establishing system baseline data*.

The project also focused on issues of *policy*. County criminal justice systems must be designed to respond quickly to rapidly changing needs. The nature of county jail populations (whose lengths of stay are measured in days, not years) is that they are constantly changing. When a county criminal justice system loses its flexibility — as it can when opportunities to update policies and procedures are allowed to pass by unrecognized — the system feels the impact. As such, this project included a review of policy issues that impact resources and shape their use.

This project also conducted *jail capacity projections*. This was approached with the understanding that *jail beds alone cannot solve a county's overcrowding problem*.

The approach to jail capacity planning is based on multiple forms of information collection and analysis. We interviewed system players, observed operations, toured programs and collected data. We conducted surveys, collected specific program information, and looked at general indicators of system efficiency and program quality.

The Placer County Criminal Justice System Needs Assessment included 10 separate studies.

Jail snapshot data

One of the key areas of focus was the development of a jail snapshot for Placer County. An automated jail snapshot allows a jurisdiction to monitor its custody population and to note changes and trends over time. The snapshot captures the offender profile, legal status, offense type, and time-in-custody for each person in jail. While it still needs refinement, the goal is that a routine jail snapshot be produced on a routine basis for system review.

Case processing study

A case processing study tracks a sample of cases through the criminal justice system from booking to disposition. It provides baseline system data to allow an examination of system efficiency and to reveal system decision-making along with process times. In the Placer County study the sample included 1,000 local arrests that were booked into the Placer County Jail in calendar year 2011 on new charges

(600 felony cases and 400 misdemeanor cases). The sample was taken from each of four quarters (January, April, July and October). The detailed statistics this study generated provides a framework for system assessment and planning.

Jail capacity forecasts

Jail forecasting enables a system to anticipate future capacity need – and then work to mitigate that need. Jail forecasts developed for Placer County look out 25 years and present different scenarios based on varying assumptions in jail admissions and average length of stay. The degree to which Placer County can alter those variables will dictate future capacity needs.

System assessment

A qualitative assessment of system functioning was conducted through system observation, interviews, and policy review. This assessment looked across the system continuum (from Pre-Booking to Re-entry) to examine issues of service infrastructure, program philosophy, service efficiency, system coordination, and adherence to evidence-based practices. Issues that were reviewed included: The Pretrial release decision-making process, including the placement of conditions; the timeliness of case filing and the subsequent delays in case calendaring; the appointment of counsel decision; case processing and the use of continuances; timeliness of counsel receiving complaints and probation reports, and the process of advising incarcerated defendants of case options by counsel; discovery and any delays; the resolution of cases early in the process; calendaring practices when there are multiple defendants released to multiple bondsmen; different release standards based upon gender due to custody constraints; the use of split sentences, initially and when a cap release is imminent; supervision options for out of county defendants; cost of electronic monitoring; adherence to best practices; the use of valid and reliable risk assessments to guide decisions and prioritize treatment resources; the ability to track system data and evaluate outcomes; etc.

Inmate risk study

A sample of 101 sentenced inmates, currently serving time in the Placer County Jail, was examined to provide a more in-depth profile of inmate demographics and risk level. Each inmate in the study was also afforded the opportunity to be interviewed. The interview provided information on current program involvement, past treatment participation, and input on programs that would be deemed beneficial if available.

Jail high-frequency booking population

A sub-sample of individuals from the inmate risk study, those with 20 or more bookings into the Placer County jail, was examined. The objective was to develop a profile of this 'frequent flier' population in an effort to consider possible strategies

to mitigate their impact on the jail.

Pretrial release study

This study looked at Pretrial release decisions for 200 defendants who were interviewed by Pretrial Services staff over an 18-month period, between January 2012 and July 2013. The study examined release rates and release type to better understand the workings of this important front-end component of the criminal case process. As part of this study we also took a look at 199 cases of individuals released on electronic monitoring to determine rates of successful completion.

Probation behavioral health assessment & referral

A review of 217 recent probation assessments was conducted. The goal was to better understand Behavioral Health staff decision-making in the determination of individual treatment needs and referral to services, and to gain a general sense of resource need.

Drug Court profile

The objective of this analysis was to gain basic profile information about the Placer County Drug Court participants and to review key process data toward the goal of identifying possible areas for program improvement. The study reviewed data on 44 individuals who had participated in the program between September 2011 and October 2013.

Judicial use of alternative sentencing

This study examined 405 sentencing outcomes between July 1 and October 25, 2013 to better understand the extent to which alternatives to incarceration are utilized by the courts, and to review the reasons given when they are not employed.

Recommendations

The use of an overflow valve to manage a jail is not a long term solution. Unfortunately, in Placer County it has been the main solution for many years. Steps need to be taken to eliminate this population management approach. As this Report demonstrates, there are many opportunities for system change. Taken together, these changes can help bring this system into realignment – its own realignment.

Placer County can only effect change through comprehensive whole-system reform. This is a system that is falling short of the goals of both punishment and rehabilitation. This is not an indictment of any one sector of the system; it is a clarion call to the entire system. To address this will require a system plan. We recommend that the recommendations presented in this Report form the basis of

that plan: a System Master Plan.

We also recommend the formation of work groups charged with the task of designing implementation strategies. These groups include:

Work-Group: Case processing

- Develop Expedited Case Resolution program
- Review reasons behind high ‘No-File’ rates
- Review reasons behind high ‘Felony reduction’ rates

Work-Group: Assessment & resource prioritization

- Develop universal risk and need assessment protocols and policies for decision-points along the continuum: law enforcement diversion; Pretrial release; sentencing alternatives; in-custody programming; re-entry planning, and Probation supervision and sanctions
- Validate and implement the use of a Pretrial release tool
- Consider expanded Pretrial assessment process to support diversion decisions, mental health referral, and drug dependency treatment needs
- Develop a plan for the screening and enrollment of Pretrial defendants into Medicaid or new Marketplace insurance programs, through the Affordable Care Act, to access medical and treatment services
- Review eligibility for Alternative programs
- Discuss issues raised in ‘Sentencing chapter’: use of incarceration, split sentencing, lack of sentence order modification upon Fedcap release, longer sentences for out-of-county offenders, low use of Drug Court, etc.

Work-Group: Offender management along the continuum

- Review pre-booking options to divert mentally ill and inebriates
- Review the needs of specific populations of offenders from Pretrial to re-entry: the ‘frequent flier,’ the domestic violence offender, female offenders, drug and alcohol depended persons, and the mentally ill.
- Review use of Drug Court as an alternative
- Expand jail treatment and vocational options
- Develop re-entry program and consider a step-down jail facility
- Discuss concept of ‘supervisory authority’ for behavior-based offender management along the continuum

Work-Group: Data routines and quality control

- Develop routine data reports to track jail usage and system functioning
- Collect recidivism data for probation and programs and the jail
- Design a quality control assessment and remediation protocol for all corrections programs

Report organization

The narrative portion of the report provides an analysis of the data along with recommendations. It is divided into three sections: Case Processing, Sentencing, and The Continuum. The latter chapter, The Continuum, covers a broad range of system decision points: Pre-booking, Pretrial Services, Probation, Treatment & Diversion, Jail, and Re-entry. These sections are followed by two chapters, one that offers a Recommendation Summary and one that offers a detailed Summary of Findings.

This is followed by a chapter that provides detailed data from the Case Processing study. Finally, there is a chapter that takes the reader through the jail forecasting exercise and presents different future capacity scenarios based on an analysis of past experience and trends.

Key findings

- **Person offenses comprise a high percentage of felony bookings:** 49% of felony bookings.
- **High percentage of female bookings:** 26% of felony bookings
- **Significant felony ‘no-file’ rate:** 33% of felony arrests and 21% of misdemeanor arrests were not filed by the District Attorney.
- **High charge reduction rate for felony cases:** 25% of felony bookings were ultimately filed as a misdemeanor.
- **Low felony conviction rate:** Only 32% of felony bookings resulted in a felony conviction. This is a result of a significant ‘no-file’ rate coupled with a high ‘charge reduction’ rate (felonies reduced to misdemeanors).
- **Low felony trial rate:** Only one-half of one percent of the felons who were convicted, were convicted as a result of a trial as opposed to pleading guilty. Two percent of misdemeanants were convicted as the result of a trial.
- **Very high case attrition for felony domestic violence cases:** Only 15% of felony DV cases resulted in a felony conviction.

- **High number of court appearances:** Felony defendants have an average 8.7 court hearings; misdemeanor defendants have an average 5.3 hearings.
- **Significant case felony processing times:** Average time from booking to disposition (released prior to disposition) is approximately 7 months (209 days).
- **High rates of Pretrial Failure to Appear (FTA):** At 33%, the felony Pretrial FTA rate is 2x the national average for felony defendants.
- **Pretrial safety compromised by Fedcap releases and delays in District Attorney filing:** 28% of felony Pretrial defendants exit jail to an unsupervised release pending the completion of a district attorney investigation and a filing decision. Another 5% of felony Pretrial defendants exit on an unplanned Fedcap release.
- **Felony Pretrial defendants released on surety have high FTA rates:** 4x the FTA rate of those released to Pretrial Services electronic monitoring.
- **High use of incarceration as a sentence** 60% of felony and 92% of misdemeanor offenders sentenced to Jail. Nationally, 28% of felony offenders are sentenced to Jail and 56% of misdemeanors.
- **Low use of split sentencing (jail + probation):** In the first 18 months of realignment only 6% of sentences were split; most were straight custody.
- **Large number live outside the county:** 42% of those booked. Out-of-county jail inmates (30 days or longer jail sentence) serve an average 7 months longer than local offenders, although they have similar risk levels.
- **High percentage of lower risk inmates serving a jail sentence:** 63% of inmates serving a jail sentence of 30 days or more scored as low or moderate risk for recidivism.
- **No relationship between inmate risk score (risk of recidivism) and eligibility for alternatives:** A higher percentage of moderate risk sentenced inmates were deemed ineligible for alternatives than high risk inmates.
- **Significantly underutilized Drug Court:** Over two years only 44 active participants. Yet, over that same period an estimated 1100 individuals were booked into the Placer County Jail on a narcotics charge, not including those drug-dependent individuals who could qualify for a Drug Court program that were booked on property charges and other offenses.

- **Small number of 'frequent fliers' impact the jail:** 7 persons (7% of the sample of sentenced jail inmates) had 221 bookings, an average of 32 bookings each.