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The Great Shift: Analyzing the Effect of Public Safety Realignment on Crime in California  
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The Great Shift: Analyzing the Effect of Public Safety Realignment on  
Crime in California Between 2009-2013

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An Honors Thesis Submitted to the Political Science Faculty at the  
University of California, Berkeley

Written Under the Direction of  
Professors Amy Lerman and Terri Bimes  
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## Abstract

In 2011, the United States Supreme Court mandated California to reduce its severely overcrowded prison population. In an effort known as Public Safety Realignment, Assembly Bills 109 and 117 shifted the responsibility to house individuals convicted of non-serious, nonviolent, and non-sex felony offenses from state prisons and parole to local jails and probation in each of the 58 California counties. Using a multivariate regression model controlling for county-specific population factors, this thesis examines the extent to which Public Safety Realignment has impacted crime in California, both at the state and county levels. Additionally, through in-depth interviews of county officials, examples of “best practices” for accommodating realigned prisoners while keeping crime low are determined. *The results of this study indicate significant changes in both FBI Part I violent crimes (murder, forcible rape, robbery, and aggravated assault) and FBI Part I nonviolent property crimes (motor vehicle theft, larceny, arson, and burglary) in some counties, but not at the state-level. Based on the results of interviews of select county officials, counties that responded to Realignment by implementing or expanding evidence-based programs to prevent crime, target offenders’ criminogenic tendencies, and improve re-entry outcomes were generally able to keep instances of both violent and nonviolent crime fairly stable. This study suggests that with the right practices and priorities, shifting the responsibility to house offenders from the state to the county level can be done without significantly compromising public safety, making California a role model for other states with overcrowded prison populations.*

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## **Chapter 1: Introduction**

### Public Safety Realignment: A Brief History

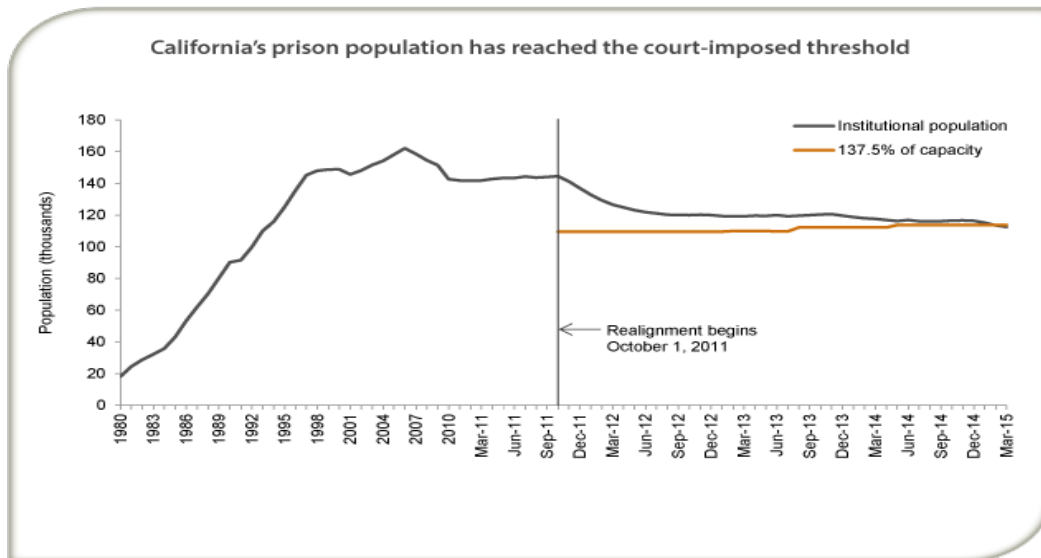
In 2013, California boasted the United States' largest prison population (Casella & Ridgeway, 2013). In the 2011 United States Supreme Court case *Brown v. Plata*, California's state prisons were deemed to be overcrowded to the point of unconstitutionality. In a 5-4 landmark decision, the Court ruled that the extent to which inmates were being denied adequate mental and health care was "cruel and unusual punishment," a violation of the Eighth Amendment to the United States Constitution (*Brown v. Plata*, 2011). Justice Anthony M. Kennedy stressed in his majority opinion that suicide rates in California prisons were 80% higher than those in the rest of the nation's prisons on average (Liptak, 2011). As a result, the Supreme Court mandated California to decrease its prison population to 137.5% of building design capacity by June 2013, thereby moving from 156,000 to 110,000 inmates (though still well above the 85,000 capacity of state prisons). In response, Assembly Bill (AB) 109 was introduced along with AB 117 in an effort collectively known as Public Safety Realignment. These bills shifted the responsibility to house individuals convicted of one of 500 non-serious, nonviolent, and non-sex felony offenses ("non-non-non" crimes) from state prisons and parole to local jails and probation in the 58 California counties ("About," N.d.). The responsibilities for counties became three-fold:

- (1) Non-non-non offenders would serve the entirety of their sentences in the jails of the county they were sentenced in, rather than in state prisons;
- (2) Parole offenders who violated the terms of their release (but did not commit new felonies) would serve short sentences in county jails instead of being sent back to state prisons; and

(3) Offenders who finished their state prison sentences would now be supervised under county probation instead of state parole (Lofstrom & Raphael, 2013, 3).

This applied to anyone sentenced on or after October 1, 2011 (“About,” N.d.). Seeing that Realignment efforts were underway but perhaps needed more time to be fully implemented, in February 2014 the Supreme Court granted Governor Brown an extension until February 2016 (“An Update,” 2016). Realignment combined with Proposition 47, a 2014 law reclassifying some felonies as misdemeanors, actually enabled California to meet the Supreme Court mandate an entire year early (Grattett & Hayes, 2015). The graph below from the Public Policy Institute of California indicates that California’s prison population met the court-imposed threshold by March 2015.

**Figure 1: California’s Prison Population Pre- and Post-Realignment in October 2011**



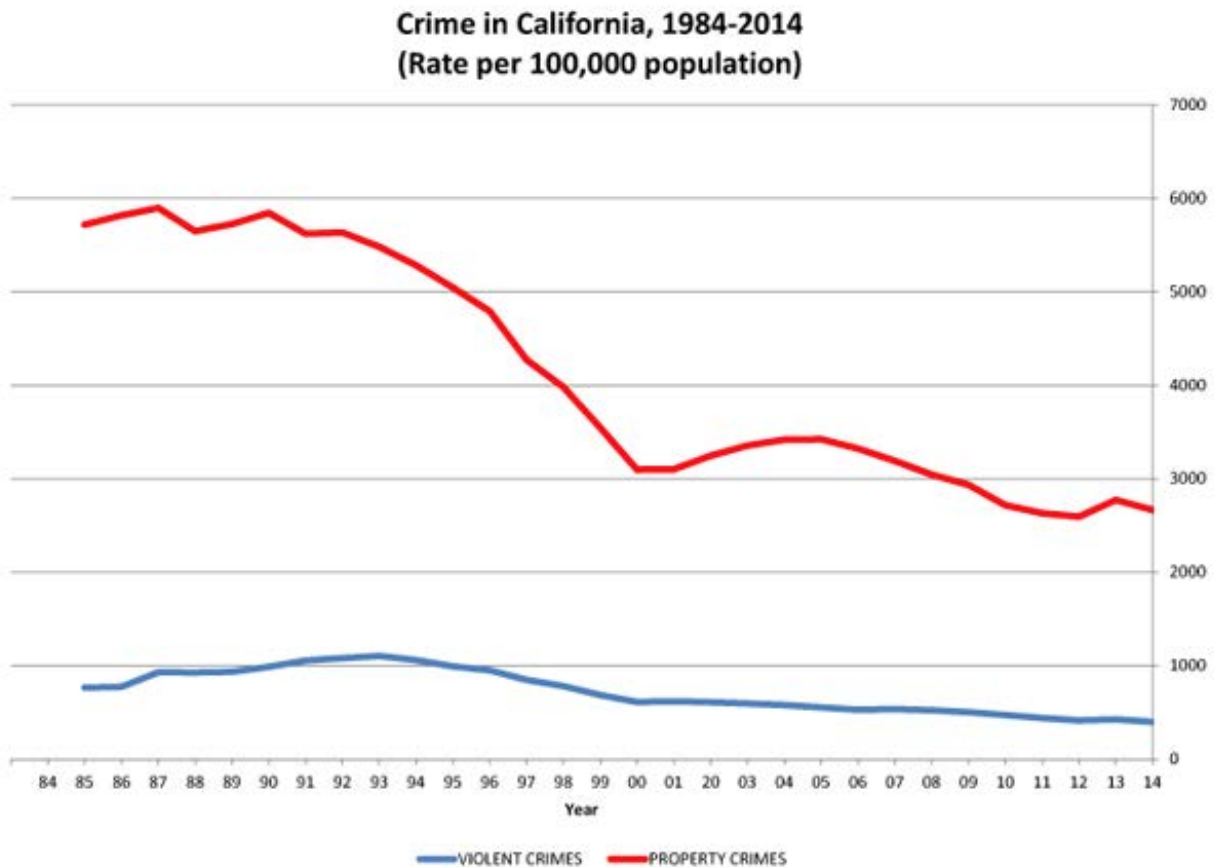
**Source:** California Department of Corrections and Rehabilitation data, 1980–2015.  
**Note:** The two largest capacity increases shown are the opening of California Health Care Facilities in Stockton (in July 2013, adding 1,818 beds) and the Dewitt Annex (in April 2014, adding 1,133 beds).  
**From:** Just the Facts: California’s Changing Prison Population, PPIC, 2015.

**Source:** (Grattett & Hayes, 2015). Copied directly from source.

## How California Got Here

How did California's prison population become so severely high by 2011 that the United States Supreme Court needed to get involved? The graph below from the California Justice Statistics Center website demonstrates California's crime trends since 1984. Research shows that although rates of both violent and nonviolent (property) crime in California have been declining since 1984 (with a slight uptick in property crime between 2001 and 2006, evidenced below in Fig. 2), the state's prison population continued to increase steadily until 2006 (see Fig. 1 above).

**Figure 2: Violent and Nonviolent Crime Rates in California (1984-2014)**



**Source:** California Justice Statistics Center, Office of California's Attorney General.  
<https://oag.ca.gov/crime>. Copied directly from source.



According to an article published in the *Berkeley Journal of Criminal Law*, California's prison overcrowding crisis is in large part attributed to the passage of more than 1,000 "tough on crime" state laws in the 1970s, 80s and 90s ("California Corrections," 2008, 139). In 1976, California enacted the Determinate Sentencing Law (DSL), which set sentence lengths for specific offenses to avoid arbitrary sentencing by criminal court judges. Judges could sentence convicted offenders to low, middle, or upper-length terms in state prison; low and upper terms were generally only given to criminals in outstanding circumstances (Rappaport, 2010, 287). "For example, an individual convicted of 'continuous sexual abuse of a child' (CA Penal Code 288.5) would be sentenced to six, twelve, or sixteen years"—usually twelve years (288). The issue was, however, that judges could no longer give short sentences to first-time offenders or reduce sentences based on the characteristics of any particular offense. The shortest sentence an individual convicted of continuous sexual abuse could be given would be six years. As a result of the Determinate Sentencing Law, we saw more people in state prisons and with longer sentences.

In the Determinate Sentencing Law, the California legislature declared, "the purpose of imprisonment for crime is punishment" and that "this purpose is best served by terms proportionate to the seriousness of the offense with provision for uniformity in the sentences of offenders committing the same offense under similar circumstances"<sup>1</sup> (Hayes, 2006, 8). However, scholars agree that determinate sentencing excludes the possibility of giving offenders individual consideration for their crimes, as criminals are treated the same based on their offenses (9).

The Determinate Sentencing Law demonstrated California's shift from treating prisons as a deterrent to crime to a mode of incapacitation (Hayes, 9). Incapacitation is the theory that crime

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<sup>1</sup> Cal. Penal Code 1170(a)(1) (West 2004). Citation taken from Hayes, 2006, 8.

will decrease in society only when we have direct control over the actions of convicted criminals—that criminals should be completely incapacitated (i.e. incarcerated) for long periods of time so they can be prevented from recidivating or committing other crimes. Deterrence, on the other hand, is the theory that rational human beings avoid committing crimes when they see other criminals get severely punished for their actions or feel they are being closely watched. Incapacitation can also be thought of from primarily a socially rational standpoint. Blumstein and Piquero argue that incarceration “exerts a significant suppression effect on crime” and that increasing prison populations leads to substantial decreases in crime because individuals who are incapacitated by definition do not have the freedom to commit crimes again (Blumstein & Piquero, 2007, 270). This has certainly been the mindset of California lawmakers for the past thirty years.

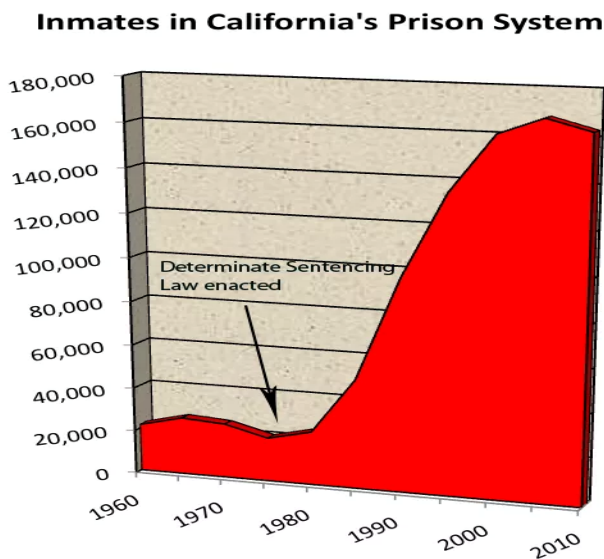
The “tough on crime” movement culminated in the passage of the Three Strikes Law in 1994 (“California Corrections,” 2008, 139). Twelve-year old Polly Klaas was having a slumber party at her home in Petaluma, California on October 1, 1993 when a stranger snuck into her window, tied up each little girl, and dragged a crying Polly into the dark. Just over two months later, Polly’s body was found with evidence of strangulation. After an extensive investigation, the police traced the horrific kidnapping back to Richard Allen Davis. While this experience was every parent’s worst nightmare, what was most upsetting to some was the fact that Davis was a repeat offender who had previously been convicted for murder and other violent crimes. Worried parents and concerned citizens alike asked why Davis was released back into society after having committed these other offenses. The Polly Klaas story fueled a revolution in criminal justice in California in the 1990s, resulting in the passage of the Three Strikes Law in 1994 and paving the

way for Davis to face a life sentence in prison given his previous offenses (“Polly’s Story,” N.d.).

Habitual offender laws are punitive policies that seek to offer a more permanent solution for repeat offenders than short periods of incarceration. They are based on the belief that “punishing [repeat offenders] for a particular crime is almost useless; the real offense is the willful persistence in the deliberately acquired habit of crime” (Kramer, 1982, 277). The primary philosophies that govern habitual offender laws are incapacitation and deterrence (as opposed to rehabilitation) because they strive to keep these repeat offenders off the streets for long periods of time while also discouraging others from committing similar crimes for fear of ending up in prison for the rest of their lives. Although habitual offender laws have been in place throughout the country as early as 1797, Three Strikes Laws are a far more recent phenomenon (Kramer, 279). Under California’s original Three Strikes Law, an individual who was convicted of three crimes (at least two of which were felonies) would receive a prison sentence from 25 years to life. A strike is a conviction for any serious or violent felony, including murder, sexual offenses, burglary, robbery, or arson. California amended its Three Strikes Law in 2012 with Proposition 36, making it so that all three crimes must be violent felonies for the individual to be sentenced to life (“California Proposition 36,” N.d.). The impact of the Three Strikes Law has been large. According to the California Legislative Analyst’s Office (LAO), “Since 1994, the courts have sent over 80,000 second strikers and 7,500 third strikers to state prison. (More than half of these second strikers have served their time and have been released.) As of December 31, 2004, there were almost 43,000 inmates serving time in prison under the Three Strikes law, making up about 26 percent of the total prison population” (“A Primer: Three Strikes,” 2005).

We can understand Three Strikes and the history of crime control in America by looking at the strategies and incentives of politicians. Starting in the 1970s, legislators and even government executives began contesting each other to be the most “tough on crime” (Fuchs, 2013). If politicians did not buy into the “tough on crime mindset,” they could lose their seats in office (Fuchs, 2013 and Green, 2012). Perhaps it is because of this political impetus that Governor Jerry Brown in his first term allowed for the passage of the Determinate Sentencing Law and other punitive incarceration policies. Now that he is Governor of California again, Brown has demonstrated regret for signing the DSL. He stated in a 2007 interview that “determinate sentencing, as it has worked out, is itself arbitrary” (Green, 2012). The graph below indicates that in the past 30 years since the DSL was enacted, California’s prison populations have skyrocketed 900% (see Fig. 3 below) (*ibid*).

**Figure 3: Inmates in California’s Prison System Pre- and Post- the 1976 Determinate Sentencing Law**



**Source:** KQUED News (Green, 2012).

Copied directly from source.

As a direct result of the “tough on crime” ethos in California, California began eradicating several reform services including inmate education and job training (Fuchs, 2013). These actions would save the state money, and it was difficult to keep up these programs when the prison population was increasing so rapidly. Offenders began getting released without adequate treatment or skills, and “often ended up back in prison on parole violations,” keeping prisons well occupied year-round (*ibid*). According to an article published in the San Francisco Chronicle, by 2008 a stunning 64% of inmates in California state prisons were recidivating and returning to prison within 3 years of their release (Lagos, 2012).

### Realignment: Theories & Predictions

Having reviewed the current context of incarceration in California, we now move on to analyzing theories regarding the extent to which Realignment could have an impact on crime. Because Realignment is a relatively recent phenomenon, extensive qualitative research has *not yet* been conducted on this topic. Most of the current research on Realignment consists of progress reports indicating the number of inmates in state prisons and county jails each year, along with any changes in crime overall. However, based on my research thus far, there are two primary schools of thought: the Pre-Existing Trends school and the Shifting Fiscal Responsibility/Best Practices school.<sup>2</sup>

The Pre-Existing Trends school asserts that the trends counties were experiencing before Realignment persisted even after the policy was enacted: counties with high instances of violent or nonviolent crime before Realignment continued to have relatively higher instances of crime after Realignment than did counties with low instances of crime before the policy. Essentially,

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<sup>2</sup> I came up with the names of the schools of thought myself.

this school argues that Realignment had a *minimal* impact on crime and rates of offender recidivism (Lofstrom & Raphael, 2013). The problem with the Pre-Existing Trends School is that it is too generalized to account for local factors that could influence variation in instances of crimes in California counties.

The second school of thought is the Shifting Fiscal Responsibility School. Scholars such as Hancock & Jett stress that the true purpose of Realignment was to shift the responsibility of overseeing certain offenders from the state government to local county administrations (2013). In 2012, Proposition 30 ensured a constant stream of funding to each of the 58 counties tasked with Realignment to fulfill their duties. This school of thought asserts that Realignment had a *large impact* on crime in counties based on the way each county chose to use those funds (Hancock & Jett, 2013, 237).

This school well explains the changes in crime we see in each county post-Realignment. The fact that several counties that are close in size, location, and demographic see such vast differences in instances of crime before, during, and after Realignment suggests that there might be county-specific “best practices” to point to. Whether a county employs incapacitation, deterrence, or rehabilitation strategies and whether it funnels money into expanding jails or investing in K-12 public education to keep at-risk youth out of trouble could all have major effects on the incentives and opportunities for individuals to commit crimes.

### Public Safety Realignment & Crime: The Link

Among other aspects of AB 109 and AB 117, opponents to Realignment feared the possibility of an increase in crime throughout California as a direct result of this policy (Lofstrom & Raphael, 2015). There are several mechanisms through which this was expected to happen. According to a report published by the Public Policy Institute of California, Realignment “significantly shifted incarceration rates and jail time” (Lofstrom & Raphael, 2013, 3). Indeed a big fear that many counties had in implementing Realignment was that they would be overburdened with the sheer influx of new inmates, having to either reduce individual offenders’ sentences, change the individuals’ punishment to split-sentencing wherein the offender would spend only half the time incarcerated and the other half on parole, or release offenders early altogether. Lofstrom & Raphael write, “Realignment appears to have increased the number of early releases of some jail inmates, especially in counties under court-ordered population caps” (4). They elaborate that “for every 4 Realigned prisoners, 1 sentenced offender is released early per month” in counties where jail populations are limited (4). Early release means that these offenders are back on the streets—negating any possible incapacitation effect. Additionally, these individuals are potentially missing out on important rehabilitation programs such as job training and counseling that the jails have to offer. Along the same note, there was a sensible concern amongst the public that county jails did not have the same resources—physically and financially—that state prisons did, and it would be very difficult for these local bodies to accommodate the sheer number of offenders they were projected to take on in the coming years. The lack of resources could mean less individualized attention for inmates, potentially increasing the possibility that they would re-offend once released.

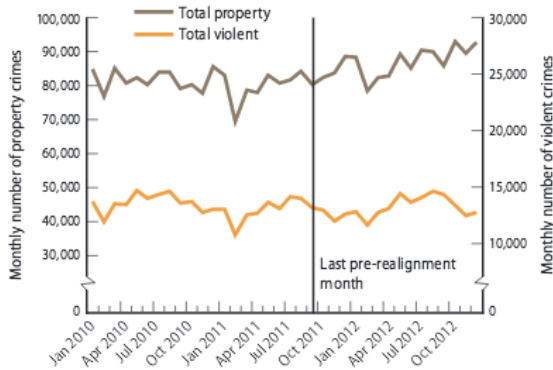
### Prior Research on Public Safety Realignment & Crime

Public Safety Realignment represented the first time an American state shifted so much of the fiscal and physical burden of criminal justice from the state government to local authorities. The Public Policy Institute of California has done much of the initial work in assessing the impact of this policy on crime in California. In their 2013 report, Magnus Lofstrom & Stephen Raphael found that the effect of Realignment on violent crime around the state was not significant, especially considering that California's rates were closely aligned with broader crime trends seen around the nation. However, Lofstrom & Raphael determined that nonviolent crime—especially motor vehicle theft—significantly rose in California post-Realignment in a way unlike that of other states (9). In fact, California's rate of nonviolent crime diverged from the trajectory of the national average just after Realignment was enacted in October 2011 (12). He wrote, "We find robust evidence that realignment is related to increased property crime. In terms of overall property crime, we estimate an additional one to two property crimes per year on average for each offender who is not incarcerated as a result of realignment" (Lofstrom & Raphael, 2013, 2). The key results of Lofstrom & Raphael's study are illuminated in their graphs below.



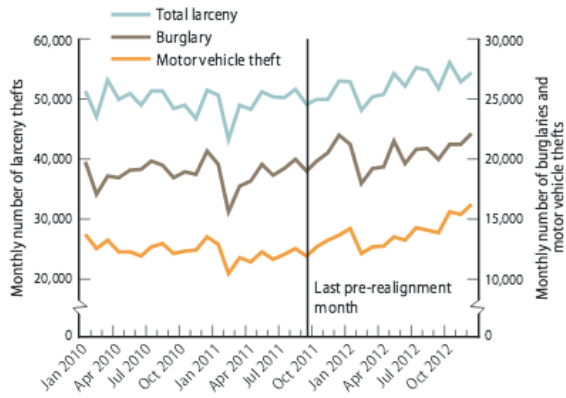
## Figure 4: PPIC Findings Regarding Realignment and Crime in California, 2013

**Figure 2. Property crime increased noticeably after realignment whereas violent crime remained about the same**



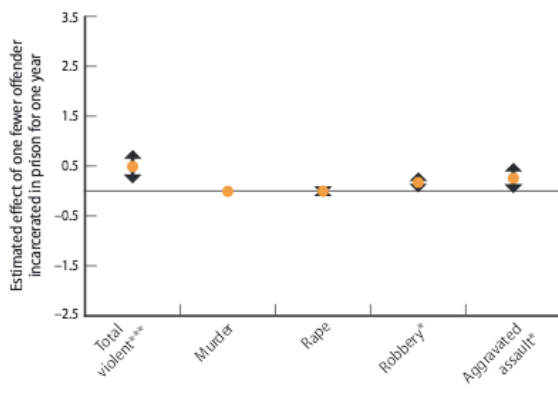
SOURCE: The California Department of Justice's Criminal Justice Statistics Center, California Crimes and Clearances Files, 2010–2012.

**Figure 3. Motor vehicle thefts increased most after realignment**

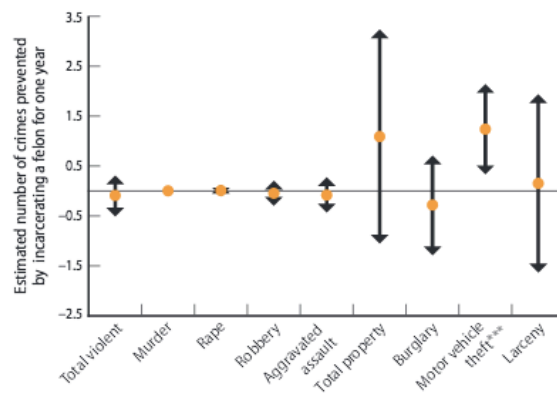


SOURCE: The California Department of Justice's Criminal Justice Statistics Center, California Crimes and Clearances Files, 2010–2012.

**Figure 4b. Realignment's effects on violent crime were very small**



**Figure 4c. When accounting for broader crime trends, realignment's effects on motor vehicle theft stand out**



**Source:** Public Policy Institute of California. (Lofstrom & Raphael, 2013). Copied directly from source.

Most of the prior analyses done on the relationship between Realignment and crime have been done at the state level. As such, an in-depth analysis of the relationship between Realignment and crime in California *counties*, controlling for specific county factors and observing county “best practices,” could have profound implications for how California moves forward with Realignment. Lofstrom & Raphael (2015) even write, “It is more important than

ever to identify and implement effective strategies in California. Realignment's shift of responsibilities from the state to the county level means that a number of strategies have already been implemented—some more successfully than others. More resources should be devoted to identifying effective alternative strategies and determining whether those efforts can be expanded and replicated around the state.” Learning these best practices could also help us understand the best way to formulate and implement similar programs to reduce prison overcrowding and state spending on criminal justice in other parts of the country.

## Chapter 2: Measuring the Effect of Realignment on Crime – Research Design & Methodology

### Research Question & Hypothesis

The questions I pose in this research paper are as follows:

- (1) To what extent has Public Safety Realignment affected violent and nonviolent crime in California, both at the state and county levels?
- (2) What kinds of specific practices were implemented in counties where crime did not significantly increase post-Realignment?

Based on my preliminary research, my Hypotheses are:

1. Realignment did not significantly affect instances of violent crime in California counties or in the state overall. However, because realigned individuals were nonviolent offenders, I believe that Realignment did significantly increase instances of nonviolent crime both at the state and county levels.
2. Counties that invested in rehabilitative programs such as alternative sentencing, psychological counseling, and job training for inmates did not experience significant increases in violent or nonviolent crime post-Realignment.

### Variables

Before moving forward, it is necessary to understand the key variables in this analysis.

The key independent variable in my research is Public Safety Realignment, which was instituted in 2011. The dependent variable of interest is instance of crime in California, measured by crime *volume*, not rate,<sup>3</sup> and classified pursuant to FBI Part I and Part II standards. Part I crimes refer to criminal homicide, forcible rape, robbery, aggravated assault and a series of serious property crimes such as burglary (breaking or entering), larceny-theft, motor vehicle theft, and arson. Part

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<sup>3</sup> “Crime volume is simply a count of the number of crimes that occurred in a specific jurisdiction in a given year, while crime rate is a relativized number that presents crime on a per capita basis. Crime rate is generally expressed as the number of crimes per 100,000 residents in the population.” (Nolan, 2004, 547)

II crimes refer to simple assaults, financial crimes, vandalism, sex offenses, drug abuse violations, and a series of minor offenses such as public drunkenness and curfew violations. For the purposes of this study, I will be focusing on FBI Part I crimes, distinguishing between the violent crimes of homicide, forcible rape, robbery, and aggravated assault and the serious property crimes of burglary, motor vehicle theft, larceny theft, and arson (“Appendix II,” 2004).

### Multivariate Regression Model

I took both a quantitative and qualitative approach to my research. First, I conducted a time-series analysis, looking at instances of crime in California as a whole and in each county in 2009, 2010, 2011, 2012, and 2013 (encompassing the two years before and the two years after the policy was instituted). I wanted to make sure that California’s instances of crime were not just following a pre-existing trend post-Realignment, so I observed instances of crime 2 years before the policy was implemented. Additionally, I limited my analysis to the year 2013, because at the end of 2014, Proposition 47 was passed. Proposition 47 was another landmark prison sentencing policy in California, and I would not have been able to isolate the effect of Public Safety Realignment had I extended my time frame to the years where it was in place. A description of the probable effect of Proposition 47 on crime is described in the final chapter of this paper. I used a dummy variable “Realignment” for my independent variable, assigning it a value of “0” for the years 2009 and 2010 (before Realignment) and “1” for the years 2011, 2012, and 2013 to indicate the years this policy was in place during this time period. Although Realignment was implemented in October 2011, both my research design and the information available in the database prohibited me from splitting up the year by months; thus I count the entirety of 2011 as a Realignment year. I downloaded the necessary dataset called “Crimes and Clearances,” aggregated down to the county level, from the California Justice Statistics Center

(CJSC) website in the California Attorney General’s Office. To find how statistically significant my findings are—and analyze to what extent prison realignment has affected crime in California—I ran a multivariate regression for both my state and county-level findings in STATA, a statistical analysis software commonly used in social science research (“STATA,” N.d.). There are several county-level factors that might be confounding variables when regressing crime on Realignment. The factors I attempted to control for in each year of analysis were:

- 1) **County Population** – James Nolan writes in his 2004 article in the *Journal of Criminal Law*, “The fact that the volume of crime is related to the size of a jurisdiction’s population has been well established” (Nolan, 2004, 547). We would expect instances of crime to be high in counties with high populations, just due to the sheer number of people who *could* commit crimes. I found the data for California county populations between 2009-2013 from Cubit, a demographic data provider that pools data from the United States Census American Community Survey (ACS), adjusting for margins of error (“California Demographics,” N.d.). I also used data from the 2000, 2010, and 2014 U.S. Censuses (“Population Estimates,” N.d.).
- 2) **Percent African-American** – According to Piquero & Brame (2008), “Official studies consistently show that Blacks exhibit higher levels of involvement in [serious] criminal offending than Whites do.” As such, we can expect that in counties with larger percentages of African-American residents, instances of both violent and nonviolent crimes (especially violent) might be higher. I found data for the African-American population variable from the United States Census “American Fact Finder”

website, using the category of “Race alone or in combination with one or more races: Black or African-American” as an indicator.

- 3) **Percent Hispanic** – Piquero & Brame also write that police records and self-report surveys show Hispanics coming in second to Blacks in involvement in serious offenses (6). We would expect to see counties with larger percentages of residents of Hispanic descent having higher instances of crime than in counties with low percentages of Hispanic populations. I found data for the African-American population variable from the United States Census “American Fact Finder” website, using the indicator “Hispanic or Latino (of any race).”
- 4) **Household Median Income & Percent of Population Below Poverty Level** – Both Household Median Income and the Percent of the Population Below Poverty Level are associated with occurrence of violent and nonviolent crime. In a 2002 study, the World Bank found that as levels of financial inequality increased within countries, so did their instances of crime (Fajnzylber, et al., 2002, 1). We could similarly expect counties with low household median incomes and a high percentage of the population below poverty level to have higher instances of both violent and nonviolent crime. I use the data for these statistics as 2009-2013 averages from IndexMundi, another demographic data provider drawing from the United States Census American Community Survey. However, because I could only find 5-year data averages, these variables were ultimately omitted from my statistical regressions at both the state and county levels because no change could be observed.

5) **Percent of Persons 25 Years or Older with a High School Degree or Higher & Percent of Persons 25 Years or Older with a Bachelor's Degree –**

Lochner & Moretti (2003) found that “schooling significantly reduces criminal activity,” and that obtaining a high school education or higher is correlated with less instances of murder, assault, and motor vehicle theft (both violent and nonviolent crimes) (19-20). We would therefore expect to see fewer instances of these crimes in counties with high percentages of high school and/or college graduates. For these statistics, I use 2009-2013 averages from IndexMundi. However, because I could only find 5-year data averages, these variables were ultimately omitted from my statistical regressions at both the state and county levels because no change could be observed.

6) **Percent Male** – In their 1999 study, the United States Department of Justice found that, on average, 1 out of every 9 males above ten years old commits a violent offense, a “per capita rate 6 times that of women” (Greenfeld & Snell, 1999, 1). We would expect to see counties with larger percentage males than females have more instances of violent crime. I found data for percent male from the United States Census “American Fact Finder” website, using the indicator “Sex and Age: Male.”

7) **Percent Youth (Between 15-24)** – According to the *Handbook of Crime Correlates*, studies show that crime is “most common among persons in their teens and 20s” (Ellis, et. al., 2009, 17). Counties with high proportions of individuals in this age range are likely to have higher levels of violent and nonviolent crime in general than counties with an older demographic. I thus found data for percent youth between 15-24 from the United States Census “American Fact Finder” website, by adding the statistics “Sex and Age: 15 to 19 years” and “Sex and Age: 20 to 24 years” together.

Each of these population factors has thus been correlated with crime occurrence.

**However, due to my small sample size at the county level (N = 5 years), STATA would not let me control for more than 2 variables at a time. As such, I conducted several county-level regressions of crime against realignment in the following manner:**

- 1) Controlling for County Population and Black Population
- 2) Controlling for County Population and Hispanic Population
- 3) Controlling for County Population and Percent Male
- 4) Controlling for County Population and Percent Youth

At both the county and state levels, the variables Household Median Income, Percent Below Poverty, Percent High School Graduate, and Percent College Graduate were omitted in STATA due to collinearity as I had taken 2009-2013 averages.

It should also be noted that U.S. Census Data was not available per year for the following counties: Alpine, Amador, Calaveras, Colusa, Del Norte, Glenn, Inyo, Lassen, Mariposa, Modoc, Mono, Plumas, San Benito, Sierra, Siskiyou, Tehama, Trinity, and Tuolumne. For these counties, I interpolated data for Black Population, Hispanic Population, Percent Youth, and Percent Male from the 2010 and 2014 Censuses.

#### County Official Interviews

To get a better picture of what is going on at the individual county level and put my quantitative results into context, I tried to conduct in-depth analyses of counties identified from my statistical analysis as, (1) a county that experienced a significant increase in violent crime and (2) a county that experienced a significant increase in nonviolent crime, or (3) a county that experienced a significant decrease in violent crime and (4) a county that experienced a significant decrease in nonviolent crime post-Realignment. For these counties, I hoped to



interview key officials to determine the practices each county implemented to specifically deal with its new role post-Realignment and accommodate realigned offenders. My ideal interviewees would have been representatives from the: (1) Probation Department, (2) County Sheriff's Department, (3) District Attorney's Office, (4) Public Defender's Office, and the (5) Court System (i.e. Judges) of each county. However, based on specific county factors, the availability of said officials, and my own time constraints, I was only able to contact a few representatives from each county, described in each county's analysis later in this paper.

The questions I asked each of these officials addressed both the challenges that counties faced as a result of Realignment and also how they responded to those challenges:

**Figure 5: County Official Interview Questions**

- ◆ What were your expectations regarding the effect of Public Safety Realignment on crime in your county? Through what mechanism did you think Realignment would impact crime?
- ◆ What was the greatest challenge your county faced in implementing Public Safety Realignment? Why?
- ◆ Did Realignment change the way you perform your job in any way?
- ◆ Do you think that this policy changed the way other county officials such as police, prosecutors, judges, and public defenders performed their duties?
- ◆ What policies, practices, or programs to address crime and recidivism changed in your county as a result of Realignment? Did your county implement any new practices to accommodate realigned prisoners?
- ◆ What specific purposes did your county spend AB 109 Realignment funding on?
- ◆ Did Realignment change the length of sentencing/incarceration time for inmates in your county jails?
- ◆ Were jails in your county overcrowded as a result of Realignment? Did you have to release any individuals early to keep your jails at capacity?

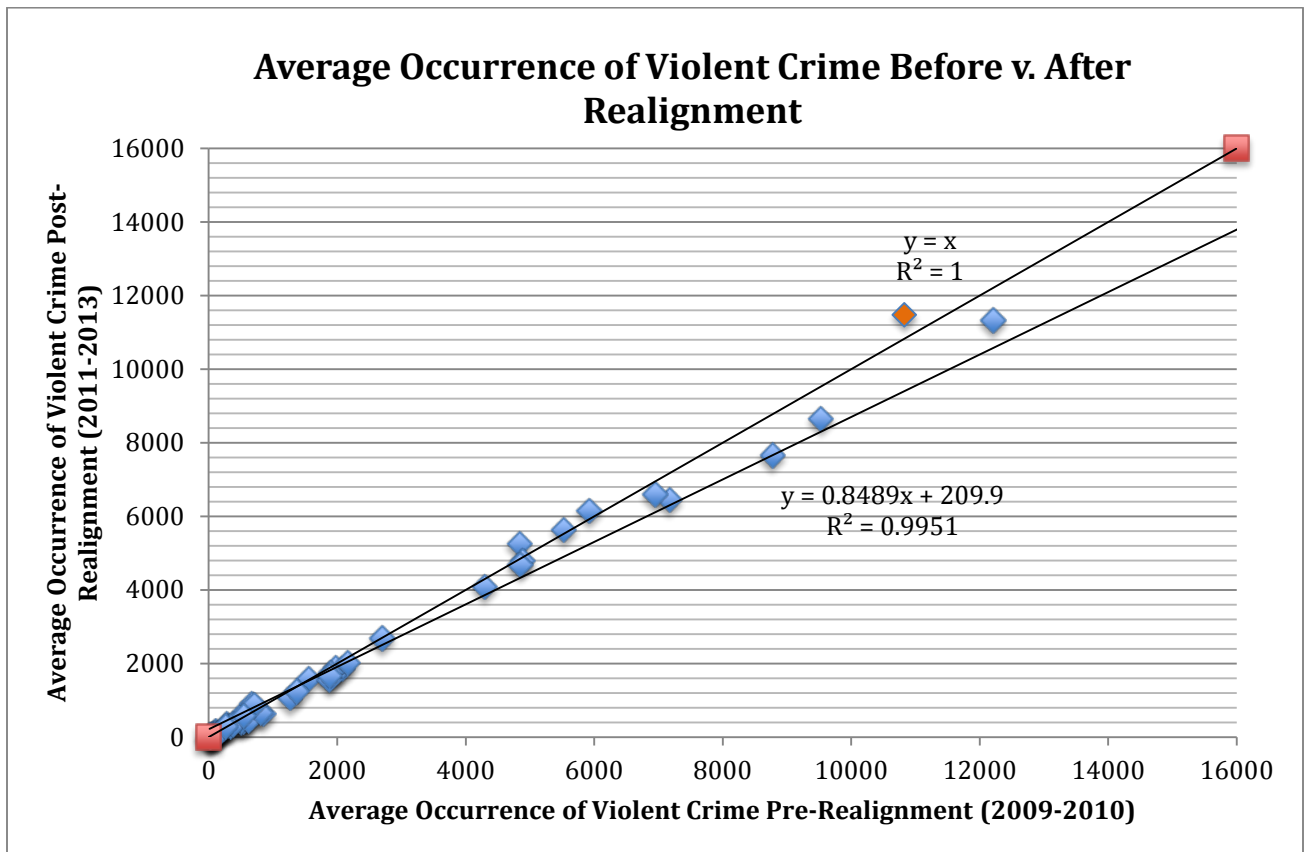
I assessed the officials' responses qualitatively to give me a descriptive sense of what "best practices" counties employed that could be replicated to keep crime low statewide or nation-wide under policies similar to Public Safety Realignment.

### Chapter 3: Analysis & Assessment

#### Analysis of Average Crime Changes in California Counties

Instances of both violent and nonviolent crime fluctuated considerably within each of the 58 California counties between 2009 and 2013. Graphs depicting the crime trends in these counties can be observed in the Appendix, and will be referenced in Chapter 4 when analyzing county best practices for keeping instances of crime stable.

**Figure 6: Graph Indicating the Average Violent Crime Occurrence in California Counties Before v. After Realignment**

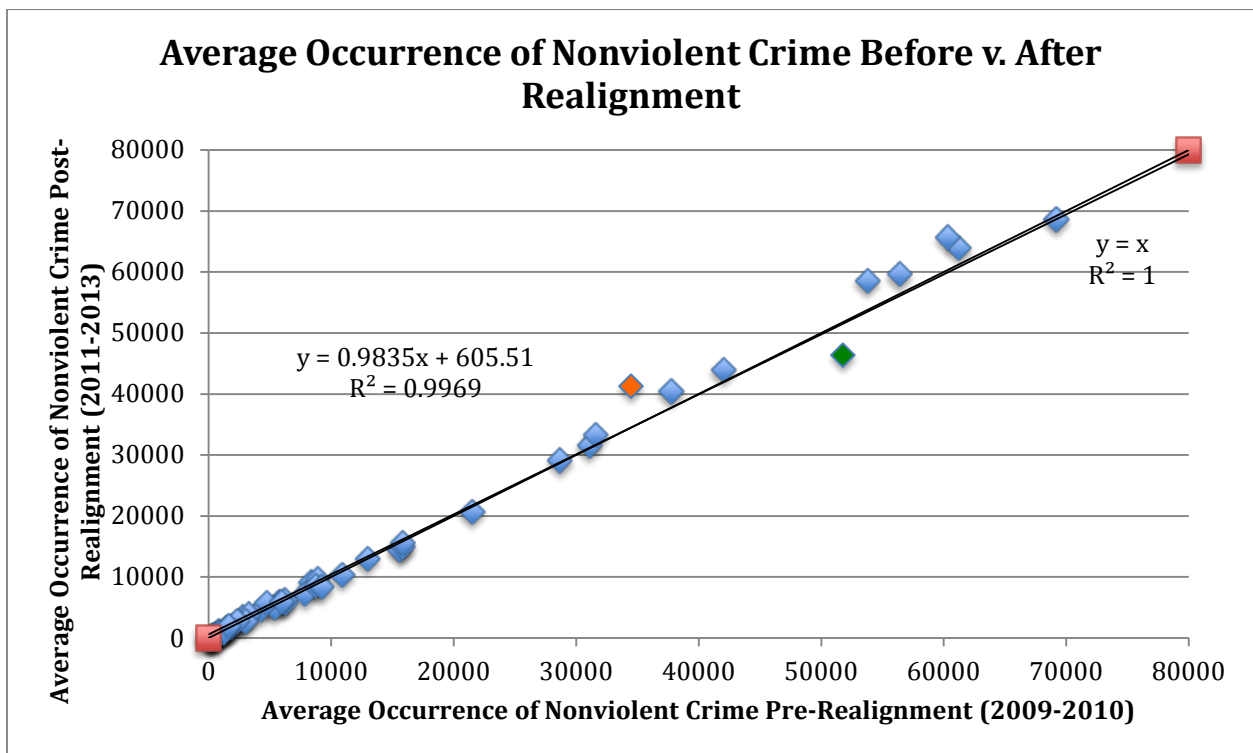


Above is a graph comparing the instances of violent crime in each California county before Realignment (2009-10) with instances of violent crime in each county after Realignment (2011-13). 2011 is considered the first year of Realignment here and in the rest of this analysis. Each point on the scatterplot here represents a county. Along with the marked points, there are two trend lines. The first is the simple line  $y = x$ , which in this case represents the trajectory of counties had they experienced no change in occurrences of violent crime before and after Realignment. The second trend line  $y = 0.8489x + 209.9$  represents the actual mean trajectory of occurrences of violent crime in California counties before and after Realignment; it can conceptually be thought of as a statewide average. The  $R^2$  value of 0.99 tells us that the line encompasses 99% of the data points. Thus, this graph tells us two things— (1) which counties experienced the largest increase and decrease in violent crime occurrence after the implementation of Public Safety Realignment, and (2) which counties strayed the most from the mean. Any point above  $y = x$  means that the instance of violent crime in that county was higher after Realignment as compared to before the policy was enacted; any point below  $y = x$  means that crime was actually reduced in that county following Realignment. Any point above  $y = 0.8489x + 209.9$  means that the instance of violent crime in that county was higher than the mean instance of violent crime in California counties after Realignment; any point below  $y = 0.8489x + 209.9$  means that the county had a lower instance of violent crime compared to the mean in California after Realignment.

This graph shows us that Alameda County (highlighted in orange) is the highest point above both  $y = x$  and the line of best fit,  $y = 0.8489x + 209.9$ . Before Realignment (2009-2010), on average, Alameda County experienced 10,828 instances of violent crime, which shot up to 11,474 post-Realignment (2011-2013). Not shown on the graph (due to scale) is an extreme

outlier, Los Angeles County. Los Angeles County is farthest below  $y = x$  and the line of best fit. The average instances of violent crime in this county were 52,485 between 2009-2010. In the period between 2011-2013, violent crime actually dropped in Los Angeles County to 43,685 on average. Finally, the fact that  $y = 0.8489x + 209.9$  is very different from  $y = x$  (the lines actually diverge quite a bit on the graph), we can infer that violent crime perhaps did change considerably post-Realignment in the state as a whole. If there were no real change, the two lines would have been very similar in slope. We cannot make conclusions about the significance of these results based on this graphical representation alone. To come closer to understanding the true extent to which Public Safety Realignment affected violent crime in California counties, a statistical regression is necessary.

**Figure 7: Graph Indicating the Average Nonviolent Crime Occurrence in California Counties Before v. After Realignment**



Above is a graph comparing the instances of nonviolent crime in each California county before Realignment (2009-10) with instances of nonviolent crime in each county after Realignment (2011-13). Each point on the scatterplot here represents a county. Along with the marked points, we again have two trend lines.  $Y = x$  represents the trajectory of counties that experienced no change in occurrences of nonviolent crime before and after Realignment. The second trend line  $y = 0.9835x + 605.51$  represents the actual mean trajectory of occurrences of nonviolent crime in California counties before and after Realignment. The  $R^2$  value of 0.99 tells us that the line encompasses 99% of the data points. Any point above  $y = x$  means that the instance of nonviolent crime in that county was higher after Realignment as compared to before the policy was enacted; any point below  $y = x$  means that nonviolent crime was actually reduced in that county following Realignment. Any point above  $y = 0.9835x + 605.51$  means that the instance of nonviolent crime in that county was higher than the mean instance of nonviolent crime in California counties after Realignment; any point below  $y = 0.9835x + 605.51$  means that the county had a lower instance of nonviolent crime compared to the mean of all California counties after Realignment.

This graph shows us that San Francisco County (highlighted in orange) has the greatest distance above both  $y = x$  and the line of best fit,  $y = 0.9835x + 605.51$ . This means that it experienced the greatest increase in nonviolent crimes post-Realignment, just in terms of numbers. Nonviolent property crime in San Francisco rose on average from 34,474 (2009-2010) to 41,285 (2011-2013), almost 20%. Sacramento County (highlighted in green) has the greatest distance below both  $y = x$  and the line of best fit. This means that it experienced the greatest decrease in nonviolent crimes post-Realignment, just in terms of numbers. Before Realignment, Sacramento had an average of 51,776 instances of nonviolent crime. After Realignment in the

period of 2011-2013, it averaged 46,353 instances—roughly 11% less. Los Angeles was again an outlier on the graph here, just due to the magnitude of crimes we saw there; it was perhaps the farthest below both trend lines. Pre-Realignment, Los Angeles had an average of 240,027 nonviolent crimes, which dropped to 231,914 on average between 2011 and 2013. The fact that it was below both trend lines indicates that not only did it experience an average decline in instances of nonviolent crime post-Realignment, but it also experienced a decline somewhat greater than other California counties did overall. Finally, the fact that the line of best fit is almost identical in slope to  $y = x$  tells us that, on average, the state perhaps did not experience a notable change in nonviolent crime, although a few counties certainly stand out. However, we cannot make conclusions about the significance of any of these results based on this graphical representation alone. For a deeper understanding of statistical significance, we turn to multivariate regression modeling in STATA.

### *Multivariate Regression Results and Discussion*

#### County Level Regressions

It is important to note what each of the reported results mean. The coefficient value indicates the number increase in violent crimes we can expect to see in each county after Realignment has been implemented (as we move from 0 to 1). The standard error can help us understand the 95% confidence interval. The  $R^2$  statistic explains the amount of variation in crime that can be directly explained by Realignment. The closer  $R^2$  is to 1.0 (i.e. 100%), the more confidently we can correlate Realignment and change in instances of violent crime. The p-Statistic details the level of significance each result has in this model. Only a p-value less than or equal to 0.05 (again describing a 95% confidence level that the changes in violent crime are due to Realignment and not any other reason) are statistically significant. Finally the F-value is the

“ratio of two mean square values.” An F-value close to 1.0 indicates very little evidence that Realignment has had any impact on instances of violent crime in that county, but the greater the F-value, the less probability that the variation in crime instances is simply due to chance.

(“Interpreting Results,” N.d.).

After controlling for County Population and Black Population, I found the effect of Public Safety Realignment on instances of crime to be statistically significant in these counties:

**Table 1: OLS Multivariate Regression on Part I Violent Crime Controlling for County Population & Black Population**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
El Dorado	-72.0	1.78	0.016	0.99	1515.99	-94.66 to -49.42
Fresno	1796.58	18.61	0.007	0.99	3162.49	1560.10 to 2033.05
Marin	43.93	3.34	0.048	0.99	235.73	1.41 to 86.45
Mendocino	-1314.8	21.68	0.01	0.99	1737.02	-1590.32 to -1039.27
Monterey	82.39	6.96	0.054*	0.99	2895.22	-6.11 to 170.89
Placer	-44.50	1.49	0.021	1.00	18540.15	-63.56 to -25.44
San Benito	-58.06	3.75	0.041	0.99	155.92	-105.71 to -10.41
Solano	-397.36	32.124	0.051*	0.99	52.12	-805.53 to 10.81
Ventura	-383.41	14.51	0.024	0.99	1065.06	-567.88 to -198.95

**Table 2: OLS Multivariate Regression on Part I Nonviolent Crime Controlling for County Population and Black Population**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
Colusa	-40.44	0.73	0.012	0.99	4880.06	-49.83 to -31.04
El Dorado	322.98	7.78	0.015	0.99	1413.83	224.10 to 421.86
Humboldt	930.41	30.12	0.021	0.99	342.93	547.58 to 1313.24
Siskiyou	26.88	1.96	0.046	0.99	1118.45	1.97 to 51.80
Yolo	-1168.29	18.26	0.01	0.99	2167.46	-1400.39 to -936.20

The results presented in these charts must be read as follows. In El Dorado County in Table 1, for example, it is likely that implementing Realignment (shifting from Realignment = 0 in 2009-2010 to Realignment = 1 in 2011-2013) brought about a decrease of 72 violent crimes. More specifically, the 95% confidence interval based on the standard of error is between negative 94.66 and negative 49.42, indicating that with Realignment, the predicted reduction in violent crime in El Dorado County can with 95% confidence be said to be between 49 and 94 crimes. The R<sup>2</sup> value 0.99 is close to 1.0, telling us there is a strong statistical correlation between the independent (Realignment) and dependent (instances of violent crime) variables, also supported by the high F-ratio of 1515.99. El Dorado County had both a statistically significant decrease in violent crime and a statistically significant increase in nonviolent crime, demonstrated by its positive coefficient of 322.98 in Table 2. The results here indicate that El Dorado, Mendocino, Placer, San Benito, Solano, and Ventura Counties experienced significant decreases in violent crime post-Realignment. Fresno, Marin, and Monterey Counties experienced significant upticks in violent crime post-Realignment when controlling for the overall populations and Black populations of each county. On the other side, Colusa and Yolo Counties experienced significant



declines in nonviolent crime post-Realignment, whereas El Dorado, Humboldt, and Siskiyou Counties experienced statistically significant increases. Solano and Monterey Counties just barely exceeded the 0.05 p-Statistic significance threshold, so I still consider them significant.

After controlling for County Population and Hispanic Population, I found the effect of Public Safety Realignment on instances of crime to be statistically significant in these counties:

**Table 3: OLS Multivariate Regression on Part I Violent Crime Controlling for County Population and Hispanic Population**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
Imperial	-245.59	21.81	0.056*	0.99	109.48	-522.73 to 31.54
Mendocino	-1332.05	100.70	0.048	0.99	83.83	-2611.64 to -52.46
Placer	-46.79	3.19	0.043	0.99	3874.32	-87.40 to -6.18
San Benito	-64.62	3.69	0.036	0.99	155.32	-111.53 to -17.71
Trinity	9.55	0.30	0.02	0.99	1371.73	5.64 to 13.45

**Table 4: OLS Multivariate Regression on Part I Nonviolent Crime Controlling for County Population and Hispanic Population**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
Colusa	-43.21	2.75	0.04	0.99	375.54	-78.19 to -8.23
Humboldt	345.33	30.98	0.057*	0.99	635.97	-48.33 to 738.99
San Mateo	-1509.77	37.55	0.016	0.99	1668.5	-1986.94 to -1032.60
Yolo	-1166.77	7.18	0.004	1.00	13553.58	-1258.12 to -1075.42

The results here indicate that Imperial, Mendocino, Placer, and San Benito County experienced significant decreases in violent crime post-Realignment. The only county in California to experience a statistically significant increase in violent crime post-Realignment when controlling for county population and Hispanic population was Trinity County. Colusa, San Mateo, and Yolo Counties experienced significant decreases in nonviolent crime, while Humboldt County experienced a significant increase. Not only was the magnitude of Yolo County's decline in nonviolent crime the greatest of all California counties according to this analysis, but it was also the most statistically significant. With a p-Statistic of 0.04, an R<sup>2</sup> value of exactly 1, and an extremely high F-statistic of 13553.58, we can infer that the variation pre- and post-Realignment for Yolo County was not likely due to chance.

After controlling for County Population and Percent Male, I found the effect of Public Safety Realignment on instances of crime to be statistically significant in these counties:

**Table 5: OLS Multivariate Regression on Part I Violent Crime Controlling for County Population and Percent Male**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
Imperial	-257.36	24.30	0.06*	0.99	89.87	-566.21 to 51.47
Madera	-1196.13	101.49	0.054*	0.99	712.31	-2485.80 to 93.52
Monterey	44.28	4.13	0.059*	0.99	6475.68	-8.31 to 96.88
Napa	-252.40	7.11	0.018	0.99	1769.76	-342.79 to -162.02
Placer	-76.85	1.86	0.015	1.00	8190.88	-100.53 to -53.16
San Luis Obispo	-103.89	0.19	0.001	1.00	> 99999	-106.38 to -101.41

**Table 6: OLS Multivariate Regression on Part I Nonviolent Crime Controlling for County Population and Percent Male**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
Madera	-1868.55	117.26	0.04	0.99	3160.62	-3358.49 to -378.61
San Mateo	-1513.83	84.67	0.036	0.99	327.02	-2589.76 to -437.90
Yolo	-1170.46	12.84	0.007	0.99	4500.45	-1333.65 to -1007.27

Here, we can see that Imperial, Madera, Napa, Placer, and San Luis Obispo Counties experienced statistically significant decreases in violent crime post-Realignment. San Luis Obispo, especially, had the smallest p-Statistic of all the recorded results in that regression along with an R<sup>2</sup> value of exactly 1 and an F-statistic of greater than 99,999. This tells us that Realignment itself likely caused the variation we see in San Luis Obispo County pre- and post-Realignment when controlling for county population and percent male. Madera, San Mateo, and Yolo Counties all experienced significant decreases in nonviolent crime post-Realignment according to this analysis. It is interesting to note that Madera County experienced statistically significant decreases in both violent and nonviolent crime in the post-Realignment years of 2011-2013 when controlling for county population and percent male.

After controlling for County Population and Percent Youth, I found the effect of Public Safety Realignment on instances of crime to be statistically significant in these counties:

**Table 7: OLS Multivariate Regression on Part I Violent Crime Controlling for County Population and Percent Youth**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
Imperial	-247.58	11.57	0.03	0.99	383.36	-394.62 to -100.55
Sonoma	-211.41	5.21	0.016	0.99	1008.37	-277.73 to -145.10
Sutter	-0.60	0.0089	0.010	1.00	> 99999	-0.71 to -0.48

**Table 8: OLS Multivariate Regression on Part I Nonviolent Crime Controlling for County Population and Percent Youth**

N = 5 (2009-2013)

# Counties = 58

\* = Borderline Statistical Significance (p is just slightly greater than 0.05)

County	Coeff.	Std. Error	p-Statistic	R <sup>2</sup>	F <sub>(3,1)</sub>	95% Confidence Interval
El Dorado	343.69	21.67	0.04	0.99	179.65	68.30 to 619.08
Napa	263.91	21.38	0.051*	0.99	434.88	-7.76 to 535.59
Tulare	-1288.37	50.31	0.025	0.99	3059.07	-1927.64 to -649.10
Yolo	-1152.73	0.29	0.00	1.00	> 99999	-1156.41 to -1149.04

The results here show that when controlling for county population and percent youth between 15-24, Imperial, Sonoma, and Sutter Counties experienced statistically significant decreases in violent crime post-Realignment. Sutter County—with its extremely small p-Statistic of 0.01, its R<sup>2</sup> value of exactly 1, and its F-Statistic value of greater than 99,999—likely did not experience this variation due to chance, but rather because of the Realignment itself. Not one

county according to this analysis experienced a significant increase in violent crime post-Realignment. When looking at variation in nonviolent crime pre- and post-Realignment after controlling for county population and percent youth, we see that El Dorado and Napa Counties experienced significant increases in nonviolent crime and Tulare and Yolo experienced significant decreases. Yolo here had a p-Statistic of 0.00, a perfect  $R^2$  value of 1, and an F-Statistic of greater than 99,999. Statistical analysis would consider Yolo County a perfect example of one where it is almost 100% likely that Realignment caused the average decrease in nonviolent crime we see there post-Realignment in 2011-2013.

Overall, the results here indicate that when we control for specific county-level factors, we can observe statistically significant changes—both increases and decreases—in violent and nonviolent crime in California counties. The question then becomes—why? Why is it that some counties experienced change while others did not at all? Why is it that some counties experienced decreases in certain types of crime while others experienced increases? These are questions I address in my interviews of county officials. Although I set out to interview counties very methodologically, I ended up picking 5 counties to interview partially based on methodology, but mostly based on convenience and availability of county officials. The counties I selected to interview methodologically were Stanislaus County (which experienced no significant change pre- and post-Realignment pursuant to my statistical analysis) and Marin County (which experienced a statistically significant increase in violent crime post-Realignment when controlling for county population and Black population). I additionally interviewed representatives from Alameda, Riverside, and San Francisco counties (which did not experience any statistically significant change pre- and post-Realignment) because I have personal connections to the criminal justice administrations there and I was interested in learning more

about county practices that enabled these counties to keep crime stable even after facing Public Safety Realignment.

State Level Regressions

At the California state level, I first ran a “fixed effects” regression on my panel data, which creates a binary (“dummy”) variable for each year and holds average variation in each county as constant (“fixed”). This model also omitted the variables for which I had taken 2009-2013 county averages, including Household Median Income, Percent Below Poverty, Percent of Population 25+ with a High School Diploma or Higher, and Percent of Population 25+ with a Bachelor’s Degree or Higher. The results of my statewide regression follow.

**Table 9: OLS Fixed Effects Multivariate Regression on Part I Violent Crime at the State Level**

---

N = 290  
Number of Groups = 58 Counties

<b>Coeff.</b>	<b>Std. Error</b>	<b>p-Statistic</b>	<b>R<sup>2</sup> overall</b>	<b>F(9, 223)</b>	<b>95% Confidence Interval</b>
124.02	151.35	0.41	0.93	21.86	-174.23 to 422.29

**Table 10: OLS Fixed Effects Multivariate Regression on Part I Nonviolent Crime at the State Level**

---

N = 290  
Number of Groups = 58 Counties

<b>Coeff.</b>	<b>Std. Error</b>	<b>p-Statistic</b>	<b>R<sup>2</sup> overall</b>	<b>F(9, 223)</b>	<b>95% Confidence Interval</b>
181.30	459.19	0.69	0.18	2.81	-723.61 to 1086.22

Next, I ran a “robust” fixed effects regression, which accounts for standard error in each of the 58 county clusters. This model also omitted the variables for which I had taken 2009-2013 county averages, including Household Median Income, Percent Below Poverty, Percent of Population 25+ with a High School Diploma or Higher, and Percent of Population 25+ with a Bachelor’s Degree or Higher. The results of my statewide regression follow.

**Table 11: OLS Robust Fixed Effects Multivariate Regression on Part I Violent Crime at the State Level**

N = 290  
Number of Groups = 58 Counties

<b>Coeff.</b>	<b>Robust Std. Error</b>	<b>p-Statistic</b>	<b>R<sup>2</sup> overall</b>	<b>F<sub>(9, 57)</sub></b>	<b>95% Confidence Interval</b>
124.02	98.27	0.21	0.93	3.52	-72.77 to 320.83

**Table 12: OLS Robust Fixed Effects Multivariate Regression on Part I Nonviolent Crime at the State Level**

N = 290  
Number of Groups = 58 Counties

<b>Coeff.</b>	<b>Robust Std. Error</b>	<b>p-Statistic</b>	<b>R<sup>2</sup> overall</b>	<b>F<sub>(9, 57)</sub></b>	<b>95% Confidence Interval</b>
181.30	375.35	0.63	0.18	2.10	-570.34 to 932.94

Whichever model we use (fixed effects or robust fixed effects), the results here indicate that there was no statistically significant change in violent or nonviolent FBI Part I crime in California in 2011-2013 post-Realignment as compared to the pre-Realignment period of 2009-2010. Although the R<sup>2</sup> values for both regressions is close to 1, the F-statistics are relatively low and the p-values for both regressions are greater than 0.05, indicating there is a strong possibility

that the coefficients observed are due to chance and do not demonstrate any actual causation between Realignment and instance of crime.

In their 2013 report by the Public Policy Institute of California, Lofstrom & Raphael argued that Realignment did not have a significant impact on the instance of violent crime in California, but that it did significantly impact nonviolent property crime in the state overall. My findings suggest, however, that when controlling for county-specific factors (namely county population in each of the years of analysis, which aggregates to state population in the state-level regression), there is no general observable change in nonviolent crime in California post-Realignment. However, as Lofstrom & Raphael pointed out, specific types of nonviolent crime like motor vehicle theft did increase post-Realignment. Because I do not look at individual types of nonviolent crime in my analysis, it could be that motor vehicle thefts increased while other types of nonviolent crime more or less remained the same. As a result, it could make sense for my analysis of nonviolent crime as a whole to show no significant change if only one type of nonviolent crime significantly increased post-Realignment.



## Chapter 4: County Interview Results and Discussion

### Alameda County

Looking at the crime data for Alameda County (demonstrated in the graph on page 68 in the Appendix), there is an increase in the upward slope of the nonviolent crime trend line between 2011 and 2012, just after Realignment was enacted. Between 2009 and 2010, instances of nonviolent crime went down by almost 6,000 from 56,348 to 50,323. There was an uptick of nonviolent crime by 2,300 instances by 2011, and between 2011 and 2012, a dramatic increase of almost 10,000 instances. In 2013, nonviolent crime instances dropped 2,000 to 60,133. Violent crime instances, evidenced by the graph, appear to be relatively stable throughout my period of analysis. Alameda County, based on my statistical analysis, did not experience a statistically significant change in violent or nonviolent crime post-Realignment. If I were to guess, I would hypothesize that perhaps Alameda County was hit hard the first year of Realignment in 2011, unable to accommodate the sheer influx of inmates in its local jails and having to release many early. As a result, nonviolent inmates who were released early recidivated.

In Alameda County, I spoke to Hon. Stuart Hing, who was an Assistant District Attorney before Realignment was implemented and became a Superior Court Judge shortly after. He indicated to me that Realignment had *no negative impact* in the county, and that jails in Alameda did not find themselves overcrowded once the policy took effect. He indicated that Alameda County—in his experience—actually did not release a significant number of inmates early due to jail overcrowding (in fact, not even one in his time as a Judge). Judge Hing expressed that Alameda County did not implement split sentencing to the extent that other counties did; in fact, split sentencing decreased in Alameda County after Realignment. The “stakeholders” in Alameda County such as the District Attorney, Public Defender, Private Attorneys, and Courts

did not consider split sentencing to be an effective method of keeping crime sustainably low and did not see the need to use such a program when beds were generally free for inmates to spend the entirety of their sentence in county jails.

Regarding new programs Alameda County enacted to accommodate realigned prisoners in 2011, Judge Hing said that the county expanded its Drug Program. New counselors and intake officials were hired to assess offenders and tailor custom drug rehabilitation programs instead of shipping off each offender to one of three or four pre-set rehabilitation centers in the county. Behavioral therapies and practices were adapted from each of these different centers, giving offenders a more individualized treatment plan. Another program that Alameda County started post-Realignment was Maximizing Opportunities for Mothers to Succeed (MOMS), targeted at inmates who were mothers. In Santa Rita Jail, MOMS was implemented to “assist mothers to transition from a custodial setting to the community,” also providing housing after release to mothers who “successfully completed the program” (“Inmate Services,” N.d.).

Judge Hing considered these to be “model programs” for California. However, he admitted that the nuances of these programs are still in the works, and it will take several years to truly know whether they are preventing and reducing crime in the county.

## Marin County

Looking at the crime data for Marin County (demonstrated in the graph on page 78 in the Appendix), there is a clear increase in nonviolent crime between 2011 and 2012, just after Realignment was enacted. Before 2011, nonviolent crime appears to be on a declining trend. The instance of violent crime appears to remain fairly stable throughout the period of analysis. As a reminder, however, statistical analysis indicated that Marin County actually had a significant increase in violent crime post-Realignment when controlling for county population and Black population. In numbers, Marin County's instance of violent crime went down from 524 in 2009 to 520 in 2010, increasing to 541 in 2011 (the first Realignment year), but decreasing to 490 in 2012 and remaining fairly constant the year afterward in 2013 at 491. Looking at the data, this suggests to me that perhaps Marin County was challenged the first year of Realignment with adjusting to the increase in its jail population and perhaps implementing services to reduce recidivism. However, once Marin figured out proper practices, it was able to push on, accommodating the realigned inmates without increasing crime. Perhaps the statistical analysis indicates a significant increase in Marin County's violent crime due to the spike between 2010-2011.

In Marin County, I had the honor of speaking directly to the County Sheriff, Robert T. Doyle. When Realignment was enacted in 2011, Sheriff Doyle stated that the biggest challenge Marin County faced was uncertainty. He and several other county officials did not know how many people would be realigned or how high the county jail populations would become. Fortunately, the Sheriff said that Marin County did not experience a spike in its jail population post-Realignment. The true issue the county faced was in making sure offenders could be involved in rehabilitative programs such as drug treatment to prevent recidivism. Another

challenge was figuring out how to house the now increased number of inmates post-release. Sheriff Doyle indicated that post-release housing programs in Marin County required a lot of resources and required a large portion of their AB 109 funding. I learned that Marin County spends \$5.5 million a year in AB 109 funding for Realignment purposes.

Sheriff Doyle told me that Marin County did not ever really need to release inmates early. Split sentencing was extensively used for the realigned inmates, but Marin County—unlike several other counties—had split sentencing in place since the 1980s to keep jail populations manageable. This tells me that a time-trusted practice such as split sentencing in Marin County potentially allowed the county to keep its jail populations low enough to prevent the need for early release post-Realignment, reducing the possibility of offender recidivism. Perhaps this is why we do not see statistically significant increases in nonviolent crime in Marin County. However, Realignment did change the length of sentencing for some offenders in Marin County. Before Public Safety Realignment, offenders could only be sentenced to 1 year in county jail. Post-Realignment, nonviolent offenders whose crimes were very serious or who were at high risk of recidivism could get up to 5 years in jail.

Sheriff Doyle ended his interview with me by telling me that the biggest crimes Marin County sees nowadays are nonviolent property crimes, but that he does not think there is a correlation between Realignment and crime in Marin County. He believes that Proposition 47 (discussed later) is more strongly correlated with changes in crime in the county.

## Riverside County

Looking at the crime data for Riverside County (demonstrated in the graph on page 84 in the Appendix), it appears as if Realignment had no significant change in the trend of nonviolent or violent crime throughout the period of 2009-2013. My statistical analysis confirms this. The graph shows that nonviolent crime has been steadily increasing in Riverside County from 2010-2012, only decreasing between 2009-2010 and slightly between 2012-2013. It looks like the county's increase in nonviolent crime post-2011 was following a pre-existing trend since 2010. Violent crime in Riverside County appeared to slightly fluctuate between 2009-2010, declining from 7,284 instances in 2009 to 6,203 instances in 2013 with a spike to 6,989 in 2012.

In Riverside County, I had the honor of speaking directly with Public Defender Steve Harmon, who was able to answer several of my questions. Mr. Harmon indicated that Riverside County was hit especially hard because of Realignment, simply because the funding the county needed to accommodate the influx of prisoners was just not what it received from the state. The county itself had to pay for a large portion of the adjustment costs of Realignment and did not have any say in how much it received in AB 109 funding.

Second, I interviewed Assistant Sheriff Jerry Gutierrez, the individual at the County Sheriff's Department who was responsible for overseeing the correctional facilities in Riverside County before, during, and after Realignment was implemented. Assistant Sheriff Gutierrez indicated to me that Riverside County is in the process of constructing a large new jail facility in Indio, and that is partly because of AB 109 requirements and partly because of lack of jail space. Beds were quickly being filled by those who were convicted of technical violations of state parole, offenses that would usually send the individuals back to state prison but now because of Realignment were sending them to county jails. He told me that Riverside jails are at *maximum*

*capacity* every day, and in response to Public Safety Realignment, the county had to change several practices. Mr. Gutierrez indicated that post-Realignment, Riverside County relied on early release and split sentencing. Since October 2011, approximately 30,000 inmates were released early from Riverside County jails to prevent mass overcrowding. Individuals also rarely got sentenced to serve their entire terms in jail. Normally, for every inmate who before would have spent 2 years in county jail, he or she after Realignment would serve 1 year in jail and 1 year under supervised probation. However, when I asked Mr. Gutierrez if split sentencing had any impact on the chances that an individual would re-offend, he said that the policy would not affect recidivism, as it did not matter whether individuals spent the entirety of their sentence behind bars or split behind bars and under closely supervised probation. He said that individual characteristics of offenders were more important risk factors for recidivism. Perhaps this is why I found the increases in nonviolent crime in Riverside post-Realignment to be statistically insignificant.

Assistant Sheriff Gutierrez spoke a bit about the types of rehabilitative and educative programs that Riverside County jails had before Realignment, calling them “short-term” but nonetheless niche programs to help current inmates obtain their GEDs and participate in drug counseling and rehabilitation before they were released. However, with the sheer influx of new inmates because of Realignment, these programs were “overhauled.” Immediately after Realignment took effect, Riverside County worked with UC Riverside and the University of Colorado to create and implement Evidence-Based Recidivism Reduction Programs, targeting high-risk youth, the poor, and those with family histories of crime. According to the Riverside County Probation Department, the most effective behavioral models include “structured social learning where new skills and behaviors are modeled; family-based approaches that train family

on appropriate techniques; and cognitive behavioral approaches that target criminogenic risk factors” (Latessa, N.d.). Criminogenic risk factors refer to qualities that could increase an individual’s propensity to commit a crime. Examples of criminogenic risk factors include mental illness, a history of abuse, lack of education and job-readiness, and aggressive personalities (*ibid*). Therapy to target criminogenic risk factors is largely psychological (with the exception of tangible education/job-readiness training), teaching individuals to think a different way and stem violent and criminal thoughts when they first appear in their minds. However, because more and more inmates were being released early, Assistant Sheriff Gutierrez said that inmates had no *incentive to even participate in these programs*. Perhaps this is why even though Riverside County has tried to increase the robustness of its targeted crime prevention programs, instances of nonviolent crime continued to increase post-2011, only slightly dropping between 2012-2013.

Both the officials from Riverside County and the Judge from Alameda County agreed that Public Safety Realignment forced different county departments, such as the Sheriff’s Office, the Probation Office, and the Public Defender and District Attorney’s Offices, to work much closer together to form, implement, and enforce crime prevention strategies. A big part of the Evidence-Based Recidivism Reduction model was making sure that offender data was transmitted using a uniform database between Departments such as the Sheriff’s Department, the Probation Department, and the Police Department.

### Stanislaus County

Stanislaus County similarly did not experience any statistically significant changes in violent and nonviolent crime post-Realignment. Between 2011-2012 (the first year of Realignment), instances of violent crime jumped from 2,484 to 2,875, more than 15%. In that same time period, nonviolent crime jumped from 19,346 to 22,178, almost the same percentage. This tells me that perhaps Stanislaus County was not well equipped physically or financially to deal with the burden of Realignment in 2011. However, after 2012, we saw decreases in both violent and nonviolent crime. This could indicate that Stanislaus adopted some effective practices to keep crime stable. The crime trend data for Stanislaus County is available on Page 93 of the Appendix.

In Stanislaus County, I spoke to both the Sheriff's Department and the Probation Department. Probation Officer Mark Ferreira told me that property theft and nonviolent crime overall did increase in Stanislaus post-Realignment. When asked why this phenomenon might have happened, Officer Ferreira pointed to the fact that—similar to Riverside—housing the new influx of offenders post-Realignment put a large physical strain on county jails. More than space, however, was the fact that Stanislaus County lacked proper and adequate staff supervision of these inmates. The Officer pointed to the fact that it was very difficult to hire staff on such short notice who could pass background checks and quickly learn the job duties of supervising an increasingly large number of jail inmates. Stanislaus County needed to hire several officers and staff members after Realignment in 2011 while still maintaining high standards for employees.

Again, in a manner very similar to Riverside County, Stanislaus County has been at maximum capacity in its current jails since Realignment was instituted. As a result, Officer Ferreira indicated to me that inmates were often released early, or “kicked out,” as he called it. In



addition, although Stanislaus County has always been hailed as the top 2<sup>nd</sup> or 3<sup>rd</sup> leader in split sentencing in California, since Realignment it has split a whopping 81% of cases in county jail. Usually, offenders were given 1-2 year sentences in jail and then 1 year in the community under supervised probation. However, because individuals were still sentenced to 1-2 years in jail, the jail population spiked despite splitting custody. As a result, early release was often given to these individuals. Stanislaus County, like Riverside, is in the middle of building a new jail. This Maximum Unit Facility will open up 300-400 new beds, include classrooms, and create a 73-bed mental health unit. AB 109 Realignment funding will be used to staff the jail facilities once they are built.

In addition to using AB 109 funds for staffing the new jail, since Realignment in 2011, AB 109 state funds have been used by Stanislaus County to implement and maintain the Day Reporting Center in the County Sheriff's Office. The Day Reporting Center was created (actually by Officer Ferreira) to offer inmates GED preparation courses, work maturity & readiness courses training inmates to enter the workforce upon release, drug and alcohol rehabilitation classes, and even a 52-week domestic violence counseling program for those convicted of domestic violence charges. Another program instituted by Stanislaus County with AB 109 funding was "El Concilio," a one-on-one case management service for offenders, helping formerly incarcerated individuals get drivers licenses, clothes for job interviews, and entry-level jobs.

Officer Ferreira told me about the practices Stanislaus County adopted in response to Public Safety Realignment. The County realized that it not only had a stake in keeping jail populations manageable, but also really in keeping crime low and closing the revolving door of recidivism that seemed to permeate both the county and the state. In response to Public Safety

Realignment, Stanislaus County became more dependent on evidence-based programming, namely education and job-training for inmates through its Day Reporting Center. Different public departments such as the Police Department, Sheriff's Department, Public Defender's Office, District Attorney's Office, the Court system, and even Behavioral Health & Recovery Services became a part of the Community Corrections Partnership after Realignment was enacted (this was the case in every county, mandated by the Public Safety Realignment Law). Every month, representatives from all of these departments meet and discuss how they can better collaborate to prevent crime and offender recidivism. Proposals are also created and shared to determine how AB 109 Realignment funding should be allocated between each department and for what specific purpose. Finally, according to Officer Ferreira, Realignment encouraged Stanislaus County police to be more proactive on crime. The county saw a large increase post-Realignment in the number of armed officers patrolling the streets so that they could quell crime when they saw it and possibly deter future crime. These are some of the practices Stanislaus County adopted that could explain why we do not see statistically significant changes in crime there post-Realignment.

Second, I spoke to Dr. Michael Atinsky, Director of Volunteers at the Stanislaus County Sheriff's Department who is responsible for the day-to-day operations of the Day Reporting Center and other inmate rehabilitation and education programs. Dr. Atinsky strongly supported Public Safety Realignment from its inception, stating that it would be a good way to reduce recidivism. He said that when you give inmates the opportunity to build a support system of caseworkers and contacts in the county that they will eventually be released in, they can reintegrate into society with ease upon release. According to Dr. Atinsky, inmates in state prisons are too far removed from their home counties, so that when they are released, they find

themselves abandoned and at risk for recidivating. Dr. Atinsky thought that Realignment would thus not increase violent and nonviolent crime in counties overall. The main challenges he thought Stanislaus County faced in implementing Realignment were finding housing and jobs for inmates upon release and equipping them with the skills they needed to become employable. Dr. Atinsky mentioned that over the past year, Stanislaus County created the Homelessness Action Council to address housing deficiencies throughout the area. Much of the work of the Council is to help formerly incarcerated individuals reintegrate into society by providing affordable housing. Finally, Stanislaus County used AB 109 Realignment funding and additional county resources to bulk up its Sheriff's Custody Institute of Life Skills (SCILS) program post-Realignment. SCILS is a classroom-style program offering life and educational skills to inmates while they are still in custody. Since its inception in 2013 (it was created without Realignment funding), 500 to 550 inmates have gone through the program. In an analysis of those who went through the program and rates of recidivism in the county, it was discovered that whereas statewide recidivism can run up to 65% on average, only 33% of those who complete the SCILS program in Stanislaus ever return to jail for any reason.

## San Francisco County

San Francisco was another county where my statistical analysis showed no significant change in violent and nonviolent crime post-Realignment, although its crime trend graph (shown on page 87 of the Appendix) indicates a steady climb upward in nonviolent crime right after 2011. Between 2009 and 2010 in San Francisco, instances of violent crime averaged 5,919, which rose slightly to 6,167 between 2011-2013. Nonviolent crime was on average 34,474 but did increase rather dramatically to 41,285 after 2011.

I had the pleasure of speaking with Katherine Miller, the Chief of Alternative Programs & Initiatives at the San Francisco District Attorney's Office. Ms. Miller informed me that San Francisco has historically always had a small population of offenders sent to serve their sentences in state prison, so she was never really concerned that violent and nonviolent crime would increase post-Realignment. However, her concern—as was the concern of much of the City and County of San Francisco—was the potential impact of Realignment on the county jails' population. Fortunately, because of the practices San Francisco was able to adopt in direct response to Realignment, San Francisco jails are at a 40-year low today. San Francisco did not ever have to release inmates early due to physical space constraints in county jails. Figure 9 below indicates that the District Attorney's Office was allotted \$190,507 in AB 109 funding for Realignment in the 2011-2012 fiscal year and amounts ranging from \$109,000 to \$200,000 in the years following. According to Ms. Miller, the SFDA has used the entirety of AB 109 funding to date to hire and support an Alternative Sentencing expert. Ms. Miller and the expert Luis Aroche have conducted monthly trainings for Assistant District Attorneys in the office since Realignment was implemented to train the prosecutors on the importance of alternative sentencing and evidence-based recidivism reduction services. According to Ms. Miller,

evidence-based practices analyze how specific risk levels of individuals correlate with what kinds of services they need. For example, studies indicate that putting a low-level offender in intense incarceration (such as solitary confinement) actually increases the likelihood that he or she will recidivate. Ms. Miller said that San Francisco is one of the first Prosecutors' offices in the nation to spearhead an Alternative Sentencing program, something usually seen from the Defense side of criminal law.

Alternative Sentencing in San Francisco encompasses many aspects. Post-Realignment, San Francisco increased collaboration with its Behavioral Services department, pushing for Cognitive Behavioral Therapy for offenders to equip them with mental tools to make better choices and be aware of their cycle of offending and re-offending. Through a program called "Thinking for Change," San Francisco City & County encouraged weekly support groups for inmate participants and put them through a strict curriculum to address their needs. Post-Realignment, San Francisco increased its reliance on Collaborative Courts, a model where several community departments and organizations work together to help individuals access the services they need to alter the underlying behaviors of their criminality.

The Alternative Sentencing Commission at the San Francisco District Attorney's Office ensures that those recommended for this program are held accountable for their offense (both to the victim and the community) but are also given the opportunity to "reintegrate back into the community by becoming active participants in the reparation for harm done" ("Alternative Sentencing," N.d.). Studies have shown that alternative sentencing programs actually "rehabilitate more effectively" for several first-time, non-violent offenders aged 18-25 years (*ibid*). The big caveat to Alternative Sentencing is that it is 100% resource-based and reliant on the cooperation and coordination of outside professionals and agencies such as social workers,

psychologists, prosecutors, defense attorneys, parole officers, and even related non-profits to decide on sentencing guidelines and practices (*ibid*). There are several branches of the Collaborative Courts Program.

At a glance, Neighborhood Courts are alternatives to criminal justice courts that enable volunteer “adjudicators” to hear cases and decide on what reparations a criminal must do make up for his or her actions. Adjudicators are entirely made up of residents from the area where the crime occurred; thus, Neighborhood Courts effectively deal with the specific needs of people in each area. Ms. Miller said, however, that realigned offenders did not qualify for the Neighborhood Courts initiative, which targets offenders who have committed nonviolent misdemeanors (who would not have been sentenced to state prison even before Realignment). Next, San Francisco has Behavioral Health Courts (BHCs). In order to be eligible for BHC services, an individual must already be in custody for a crime and have a history of severe and persistent mental illness. If the mental illness is thought to be the cause for the crime the individual committed, BHC helps draft a treatment plan for the person, including substance abuse programs, supportive living arrangements, and “intensive care management services” (“Collaborative Courts Programs,” N.d.). Drug Court is a Collaborative Court for non-violent felony drug offenders. Generally, individuals in Drug Court are offered a 10-12 month rehabilitation program that includes frequent court appearances, weekly random drug testing, and medical treatment at a separate Drug Court treatment facility specifically for use by program participants. Finally, the Veteran’s Justice Court provides “substance abuse and mental health treatment, as well as academic, vocational, or skills improvement leading to job placement and retention” for Veterans of the United States Armed Forces, targeting a unique group of offenders who might have criminogenic tendencies due to Post-Traumatic Stress Disorder (*ibid*). Some

smaller Collaborative Courts that are now gaining prominence include the Transitional Age Youth Court, which serves young adults aged 18-25 from minority, high-risk, and low-income backgrounds, and a Re-entry Court that provides “wrap-around” services to individuals on probation to give them the highest probability of success when they re-enter society after their sentence is finished. All Collaborative Courts are focused on problem solving, integrating both a social and judicial aspect to treatment planning and supervision. Like Alternative Sentencing, these programs all require communities, professionals, and local agencies to come together and work as a team. Eligible defendants can choose to either participate in Collaborative Court programs or pursue normal criminal proceedings (*ibid*). It is also important to note that high-level offenders—specifically, those convicted of sexual, violent, or other serious crimes—do not have the option of participating in these alternatives to criminal proceedings and incarceration. Fortunately, that means that realigned offenders do qualify for most of these collaborative courts.

Overall, Ms. Miller indicated that Realignment spurred a very deliberate strategy in the county to supplement jail time with rehabilitative services, without which she does not believe San Francisco would have been able to accommodate realigned offenders and keep crime manageable. Realignment ignited the fuel for San Francisco to pursue these services, which again directly address the criminogenic needs of individuals such as lack of education and gang involvement. Ms. Miller indicated that if a community’s go-to solution to punish offenders is custody without rehabilitation, eventually, that will make the community less safe as these individuals—once released—will likely recidivate.

I also spoke to a representative from the San Francisco Sheriff’s Department, who did not want me to reveal her name. When asked about the practices San Francisco adopted after Realignment to keep crime and offender recidivism stable, she told me San Francisco was very

lucky in that it always had programs to rehabilitate and educate inmates to prepare them for re-entry; it did not have to “reinvent the wheel” after Realignment. She said that one of the best programs San Francisco had that allowed it to face Realignment without any significant change in crime was its Five Keys Charter School. The school runs on the mission that the five “keys” needed for success are education, employment, community, recovery, and family. It was created in 2003 in response to decades of frustration trying to implement a consistent education program that addressed the needs of adult learners in a jail custodial setting. Although this school started inside the jails as a method for inmates over 18 to get their High School diplomas and GEDs, it now operates outside of the jail setting in the community for inmates who have been released (“Vision,” N.d.).

Finally, I was in contact with Lauren Bell, the Director of Reentry Services at the Adult Probation Department. Ms. Bell helped me understand how exactly San Francisco County allocated AB 109 funding since 2011. She indicated to me that, after Realignment, the Probation Department made it a priority to help offenders who were released on probation find affordable housing and obtain the counseling and treatment they needed to re-enter society. Beginning in the 2013-2014 fiscal year, the Probation Department began using a majority of its AB 109 funding for adult probation services, treatment, and housing—more so than for any other purpose. A chart from a county-wide report is shown below as Figure 8, and details the sources and uses of AB 109 funding in San Francisco County.



**Figure 8: AB 109 Funding Allocation and Uses in San Francisco County Between 2011-2015**

SOURCES	FY 11-12 (9 months)	FY 12-13	FY 13-14	FY 14-15
<b>AB109 Revenue Allocation</b>				
Sheriff	\$350,938	\$8,539,301	\$10,500,000	\$10,090,000
Sheriff - Trial Courts				\$11,099,000
Adult Probation, Ongoing	\$4,498,899	\$8,539,301	\$10,500,000	\$10,290,000
Adult Probation, One-Time	\$556,323			
District Attorney	\$190,507	\$109,755	\$200,000	\$170,000
Public Defender	\$190,507	\$109,755	\$200,000	\$170,000
<b>Total AB109 Revenue</b>	<b>\$5,787,174</b>	<b>\$17,298,112</b>	<b>\$21,400,000</b>	<b>\$31,819,000</b>
<b>General Fund Support</b>	<b>\$6,908,912</b>	<b>\$2,339,714</b>	<b>\$2,400,000</b>	<b>\$3,094,808</b>
<b>TOTAL SOURCES</b>	<b>\$12,696,086</b>	<b>\$19,637,826</b>	<b>\$23,800,000</b>	<b>\$34,913,808</b>
<b>USES</b>				
Sheriff	\$7,259,850	\$9,679,800	\$11,100,000	\$10,090,000
Sheriff - Trial Courts				\$11,099,000
Adult Probation Supervision, Training and Operations	\$3,238,060	\$6,471,139	\$5,546,400	\$5,888,604
Adult Probation Services, Treatment, and Housing	\$1,817,162	\$2,907,987	\$6,553,600	\$7,496,204
District Attorney	\$190,507	\$289,450	\$300,000	\$170,000
Public Defender	\$190,507	\$289,450	\$300,000	\$170,000
<b>TOTAL USES</b>	<b>\$12,696,086</b>	<b>\$19,637,826</b>	<b>\$23,800,000</b>	<b>\$34,913,808</b>

**Source:** “Three Years of Realignment in San Francisco.” (Still, et al., 2015). Copied directly from source.

In 2014, State Prisons Chief Jeffrey A. Beard hailed San Francisco as a model for Realignment for other counties. He praised the fact that San Francisco City & County could report a recidivism rate of below 50%, whereas around the state it was 60% or more. He also acknowledged the effectiveness of San Francisco’s Alternative Sentencing model to incarcerate the most violent offenders but put first-time and low-level offenders through structured and targeted rehabilitation programs (Lamb, 2014). Because of this model of incarceration as a last resort, Chief Beard acknowledged that San Francisco has been able to keep its jails well under capacity, whereas other counties have struggled to accommodate realigned prisoners. Chief

Beard spearheaded a program known as the “re-entry pod,” which “sends prison inmates who only have 60 days until release to serve the remainder of their time in San Francisco. Once here, they are put into programs that include high school and nascent vocational classes, among others, so that upon release they are better prepared for the world outside” (*ibid*). San Francisco was specifically chosen as the destination for these inmates because of its tried and trusted rehabilitation programs. Chief Beard hopes that other counties in California will take note of the way San Francisco faced Realignment head-on (*ibid*).

## **Chapter 5: Conclusion**

### Overview of Findings

Upon analysis, my initial hypothesis was only partially supported. I thought that Realignment would not significantly affect instances of violent crime in California counties or in the state overall, but that it would significantly increase nonviolent crime at both the state and county levels. What I found was that, as counties implemented Public Safety Realignment, some counties did seem to experience significant increases in violent crime while others experienced decreases. Similarly, some counties experienced significant increases in nonviolent crime while others experienced decreases. Finally, I found no statistically significant changes in violent or nonviolent crime at the state-level overall. Based on these results, I would hesitate to consider Realignment a perfectly successful policy.

The interviews I conducted of county officials indicated that there are best practices that counties need to adopt in order to accommodate realigned offenders and keep crime stable. These are specifically programs to rehabilitate offenders through education and job training, targeted therapy to reduce individuals' criminogenic tendencies, and systems to support inmates post-release including financial aid for housing and continued treatment. These sorts of programs help inmates in custodial settings build connections to different people from social workers to employers, so that upon release, they have a network of support they can rely on. In turn, this could help inmates reintegrate into society and become productive citizens, reducing recidivism overall.

### Limitations of Research

Generally, the figures for instances of crime are not 100% accurate due to false reporting and, especially, underreporting of crimes. However, future research can compare my numbers with the results of the National Criminal Victimization Survey (published by the National Bureau of Justice Statistics each year), which asks individuals the number and characteristics of victimizations they have experienced in the past 6 months (“Data Collection,” 2015).

Additionally, my research suffers from a few methodological issues. First, counties self-selected to pursue certain rehabilitation measures. Second, the counties that I conducted in-depth interviews of were chosen by me based on the availability of officials to interview. Third, the sample size for my county-level regression analysis was small (N=5 years), which is why I could not run my county regressions controlling for all confounding variables at once. Future research could incorporate crime data from as far back as the 1980s, observing if adding more years to the sample size changes the significance of the results and/or which counties experience the most significant changes. Further research could also utilize different or additional control variables for counties, such as county budget. It could very well be that counties with higher relative budgets or counties that have historically prioritized criminal justice (often termed “public protection”) financially are in a better position than poorer counties to implement the “best practices” discussed earlier. Ideally, I would have liked to run fixed-effect panel regressions on my county-level data like I did at the state level. However, after repeated attempts, STATA would not let me. Further research could observe if running fixed-effect regressions changes my results, especially the p-Statistics. Finally, my analysis suffers from an “ecological inference problem.” I am using aggregate data to make generalized claims about individual offenders. However, I do not take into account individual-level factors such as race, ethnicity, age, or

gender that make an offender more or less likely to re-offend or benefit from rehabilitation programs at all.

Due to the absence of a true counterfactual (*every* California county was tasked with accommodating realigned prisoners), such a research design precludes me from making any strong causal arguments. However, with the time-series set-up and county-level analyses of best practices, I can find a descriptive correlation between Realignment and variation in crime to a reasonable degree of confidence. If I were to do this study again, I would set standards to evaluate and compare inmate education and rehabilitation programs in counties that experienced significant decreases in violent and nonviolent crime post-Realignment with programs in counties that experienced significant increases. This would make clearer what exactly counties need to be doing to keep instances of crime stable in the face of Realignment.

#### *Proposition 47 & Looking Ahead*

As mentioned earlier, a large reason that I isolated my analysis to the years 2009-2013 was because of the passage of Proposition 47 in 2014. Proposition 47 lessened sentences for several nonviolent, non-serious drug and property crimes. It is projected to save the state between \$100-200 million a year beginning in 2016. These savings, under the Proposition, would be funneled into programs to prevent truancy and high school dropouts and bolster mental health and victim services. The California Legislative Analyst's Office (LAO) projects that Proposition 47 will reduce the state prison population by almost 2,000 inmates at the end of 2016. The way Proposition 47 could affect California counties is also important here. The LAO projects that counties will have a "reduced criminal justice workload" because of both the reclassification of crimes as well as the extra state funding for crime prevention services. This could potentially, according to the LAO, encourage counties to beef up their inmate education and rehabilitation

programs and release fewer individuals early because they have more resources to accommodate each inmate (Taylor, 2015, 3).

The effect of Proposition 47 on crime in California thus far, while not completely understood, is interesting. About 2,700 inmates have been released early from state prisons since their felony crimes were reclassified as misdemeanors under Proposition 47 (Gutierrez, 2015). According to a 2016 Fox News article, since Proposition 47 took effect, major California cities have seen spikes in “theft-related crimes such as robbery, burglary, and identity theft” (Cowan, 2016). However, in cities such as Los Angeles and Sacramento, violent crime and homicide have increased by upwards of 20% (Cowan, 2016). An article published in March 2016 in a local Riverside County newspaper indicated that crime increased significantly in the county in 2015, with vehicle theft rising more than 20% and violent crime increasing by 6.6% overall (Rokos, 2016). The Riverside County Sheriff’s Department believes that this unprecedented increase in crime is due to the effects of Proposition 47 (Rokos). Further research on the effect of Realignment on crime in California counties could extend the county analysis to 2014-present, discussing the potential effects of Proposition 47 on the physical and financial burden of counties to accommodate realigned prisoners.

In conclusion, Public Safety Realignment is a unique policy that California piloted in order to rapidly reduce the state prison population in compliance with a Supreme Court mandate. It represented the first time in modern history that an American state so substantially shifted the fiscal and physical burden of criminal justice from the state government to local authorities. The research I conducted shows that such a policy can be implemented without the risk of compromising public safety in counties, if counties adopt specific practices. This could have

profound implications for the formulation and implementation of similar programs to reduce prison overcrowding and state spending on criminal justice in other parts of the country.

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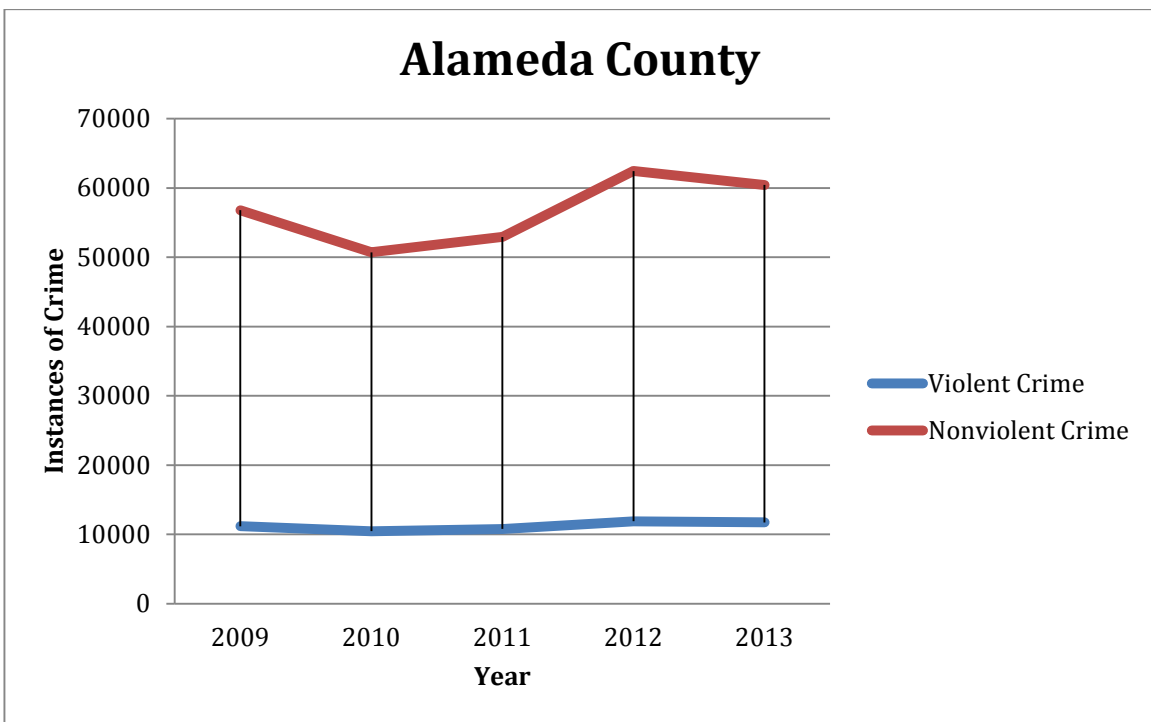
**APPENDIX: Instances of Crime by County Pre (2009-10) and Post (2011-2013)**  
**Realignment**

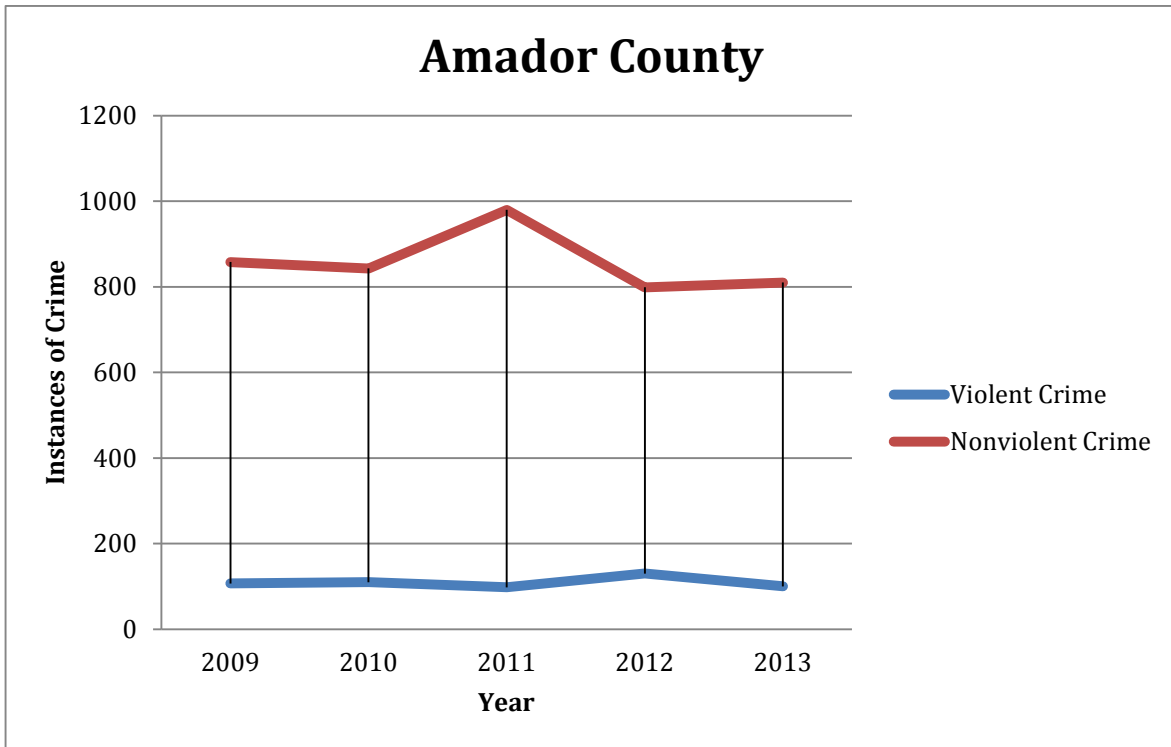
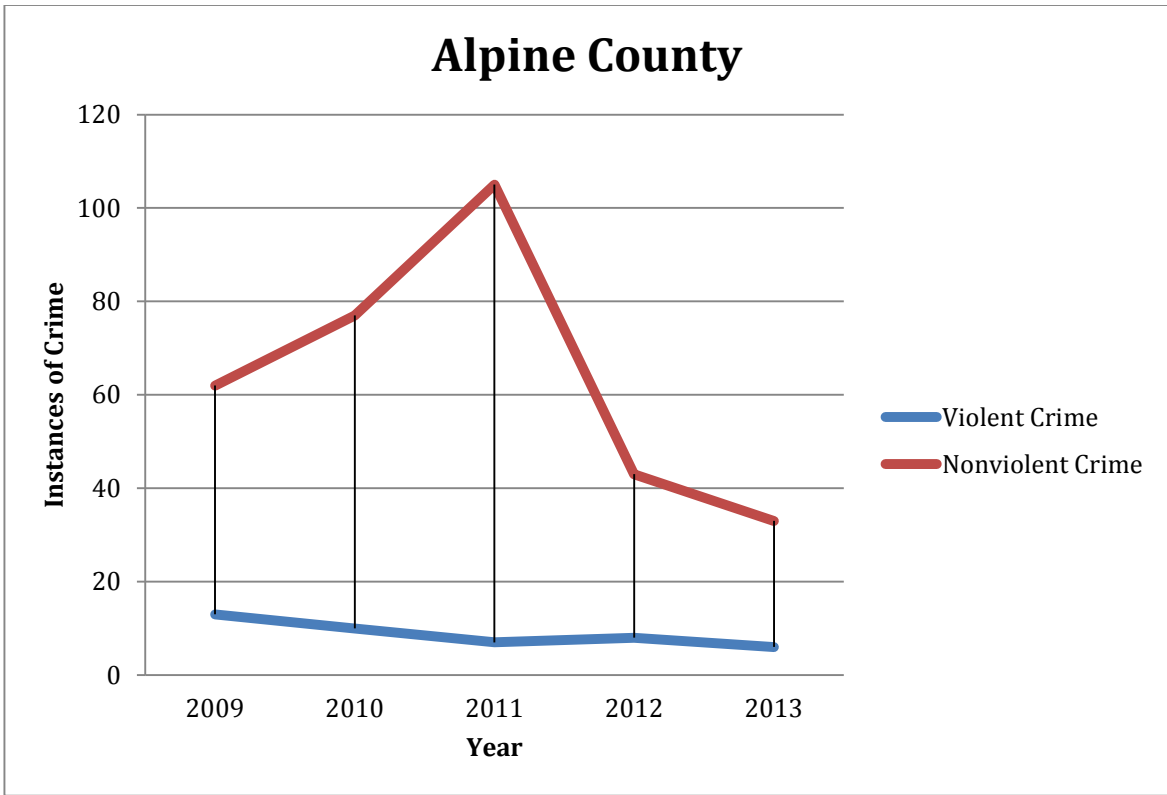
**Data Source:** Interactive Crime Statistics Table, Criminal Justice Statistics Center, Office of the Attorney General of California

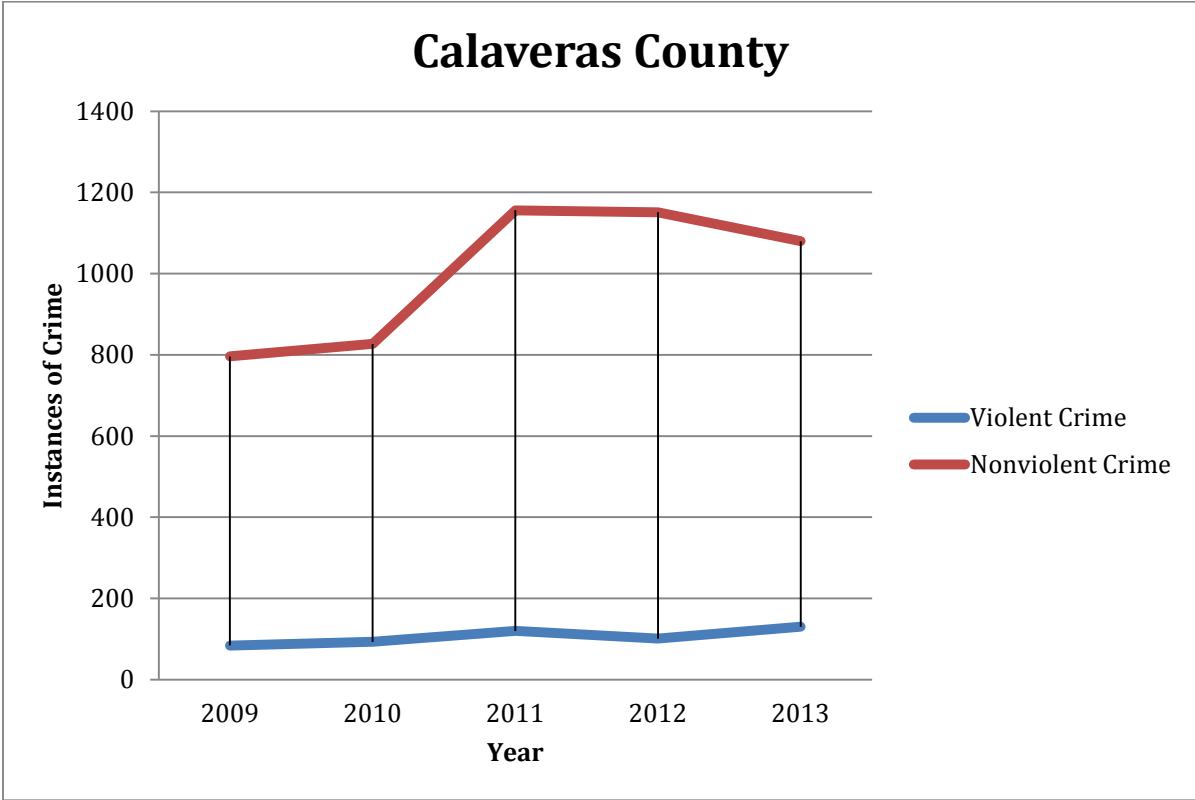
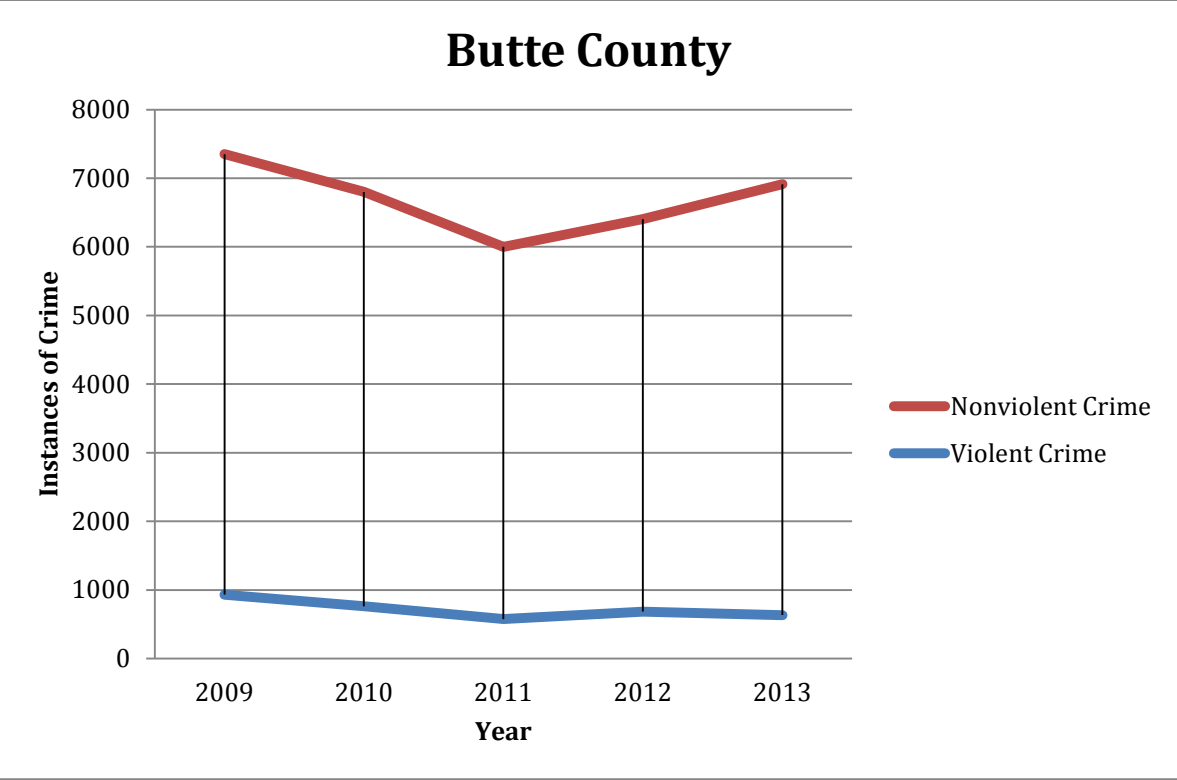
**Note:** Realignment was implemented in October 2011, just past the halfway point between 2011 and 2012 on the x-axis. However, for the purposes of my analysis, 2011 as a whole is considered the first year of Realignment. I am interested in whether or not we see upticks in violent and nonviolent crime beginning right at x = 2011.

**Violent Crime** = Homicide, Robbery, Forcible Rape, Aggravated Assault

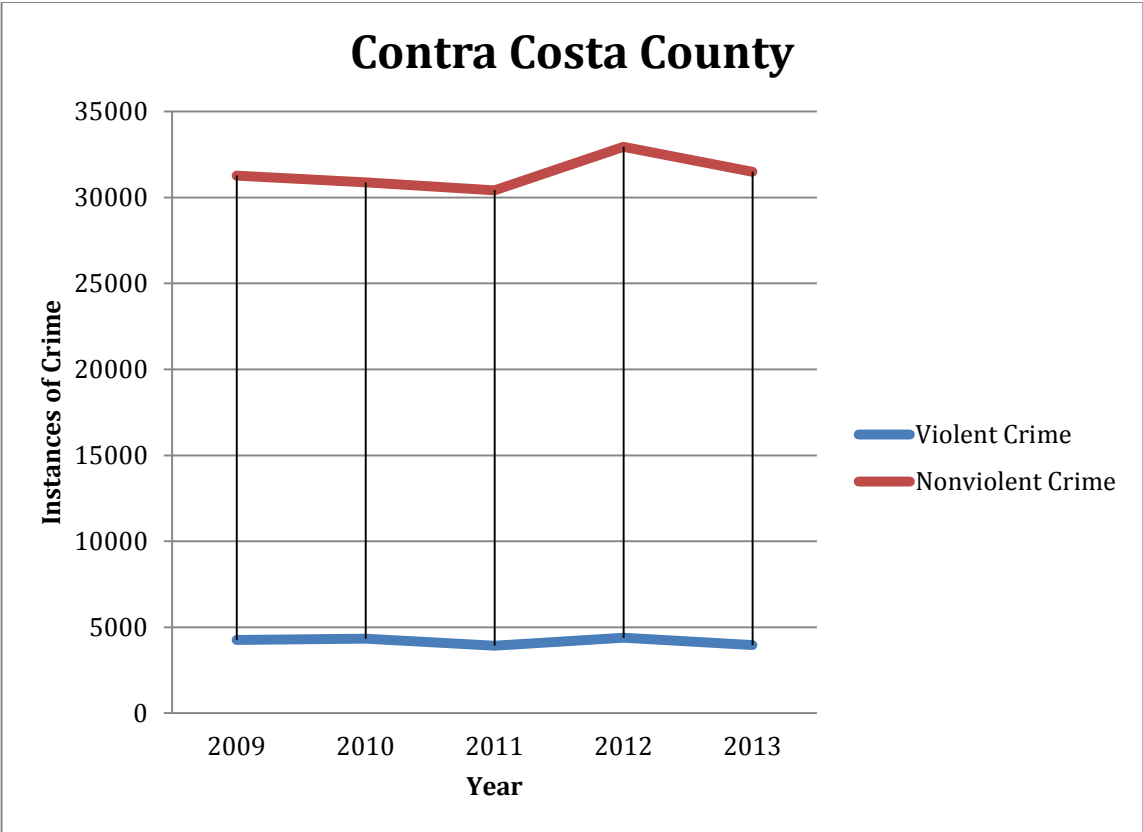
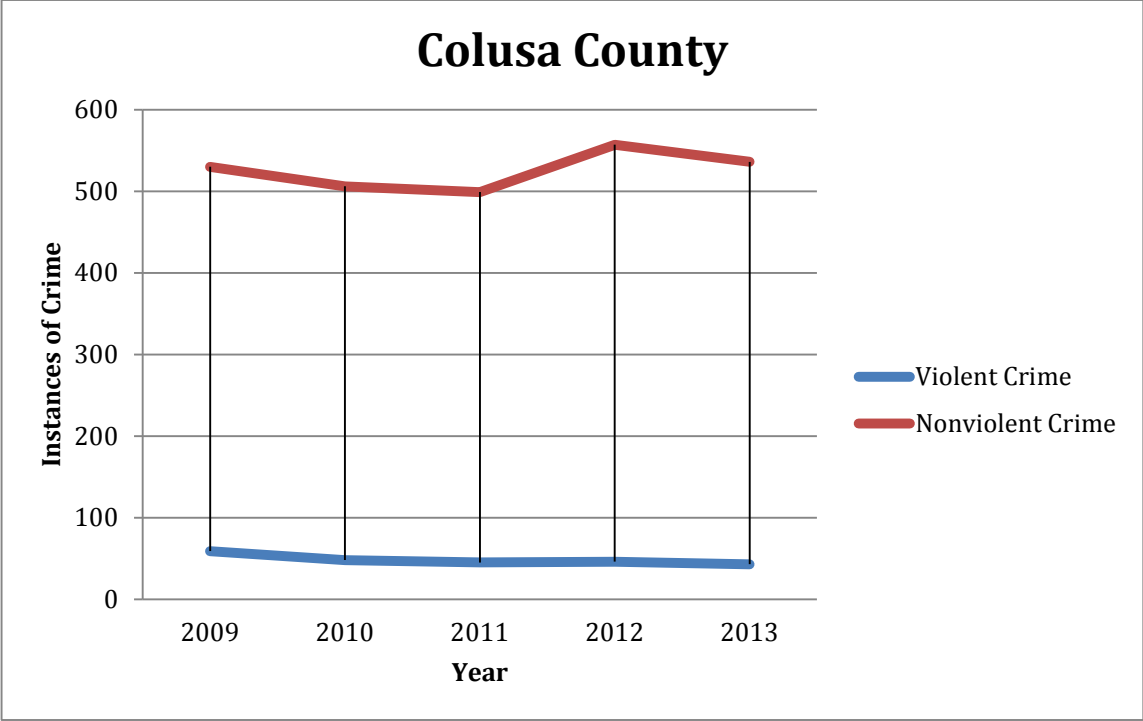
**Nonviolent Crime** = Burglary, Motor Vehicle Theft, Larceny Theft, Arson

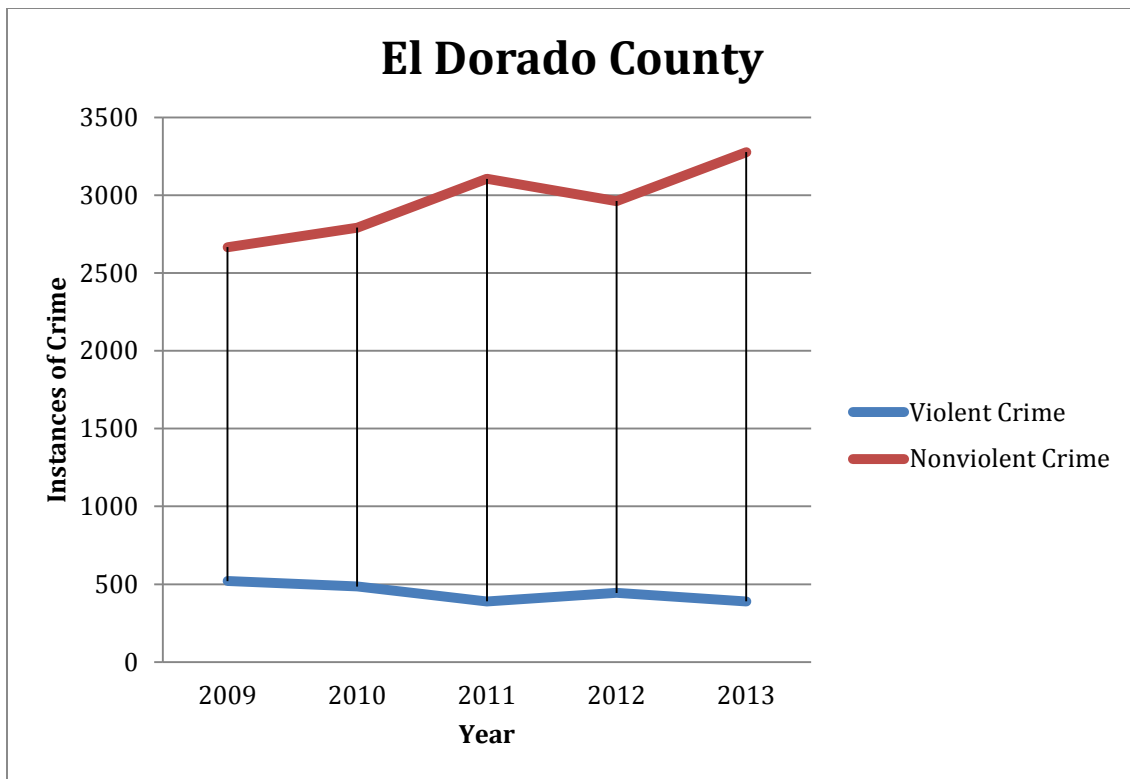
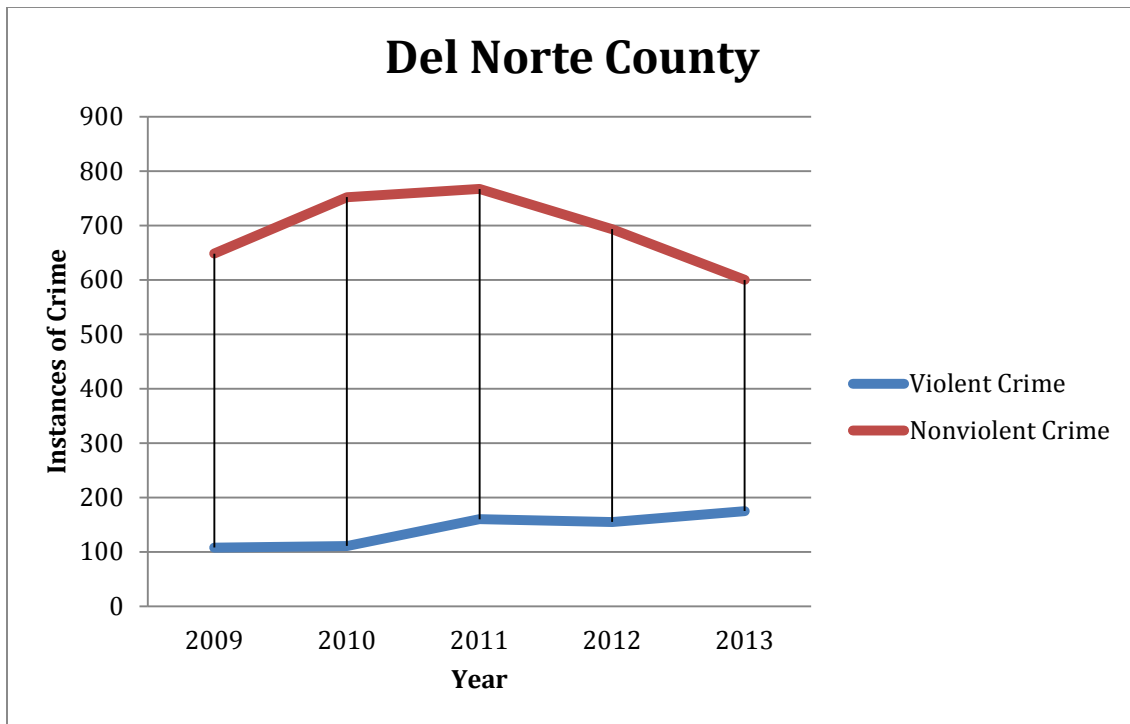


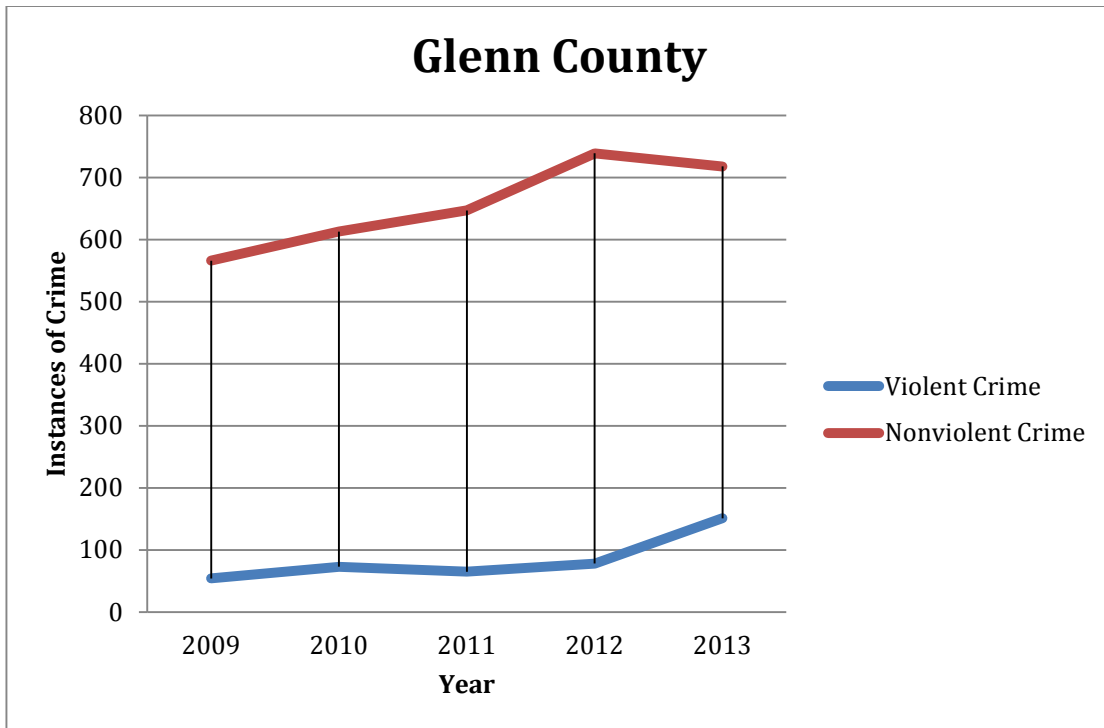
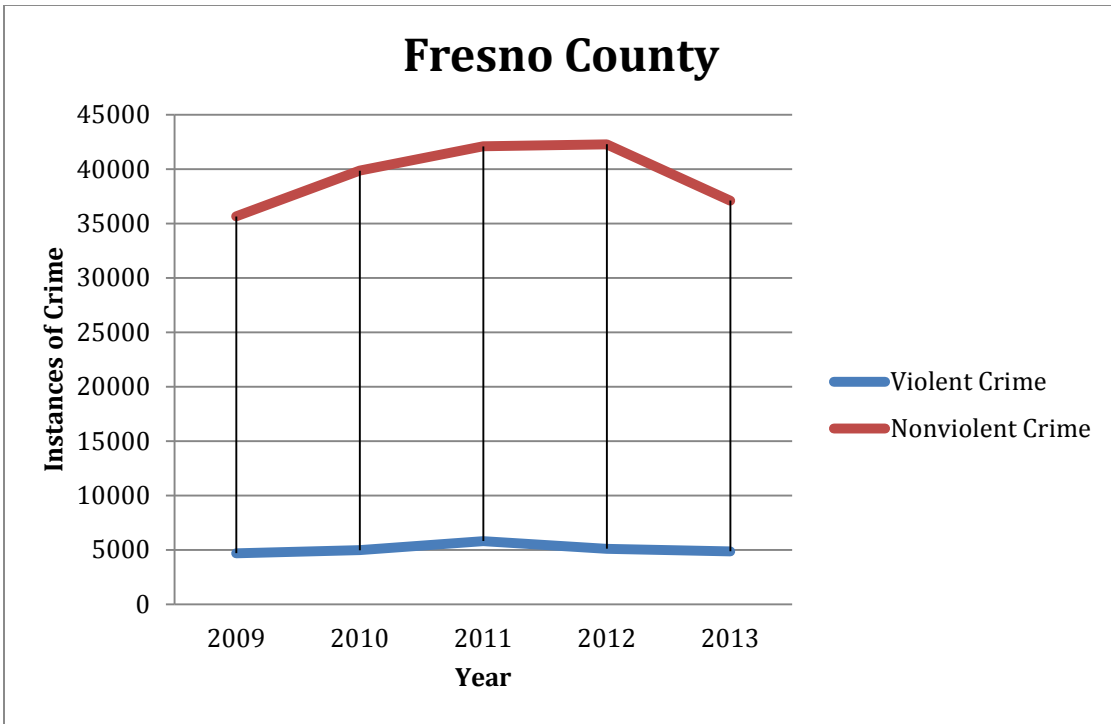


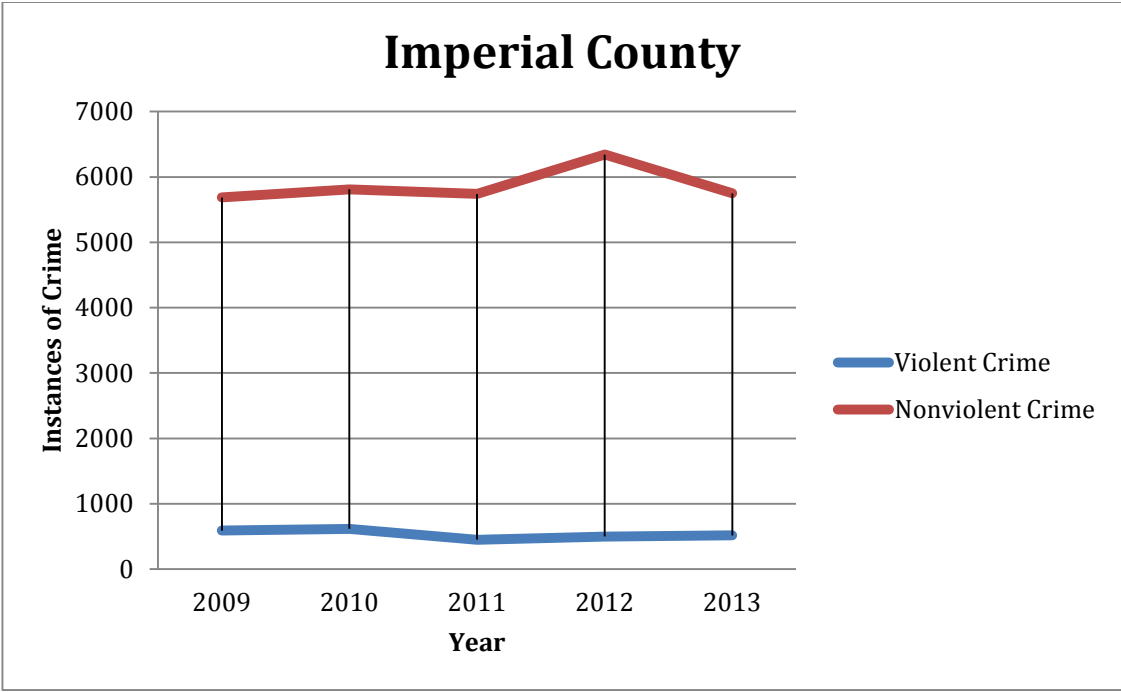
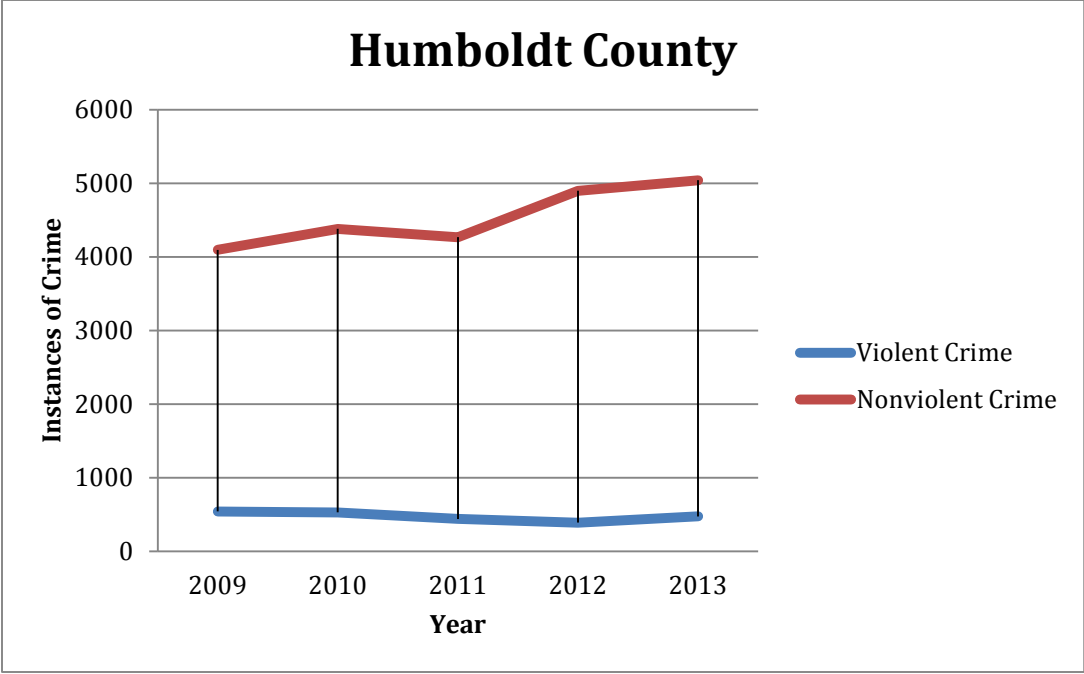


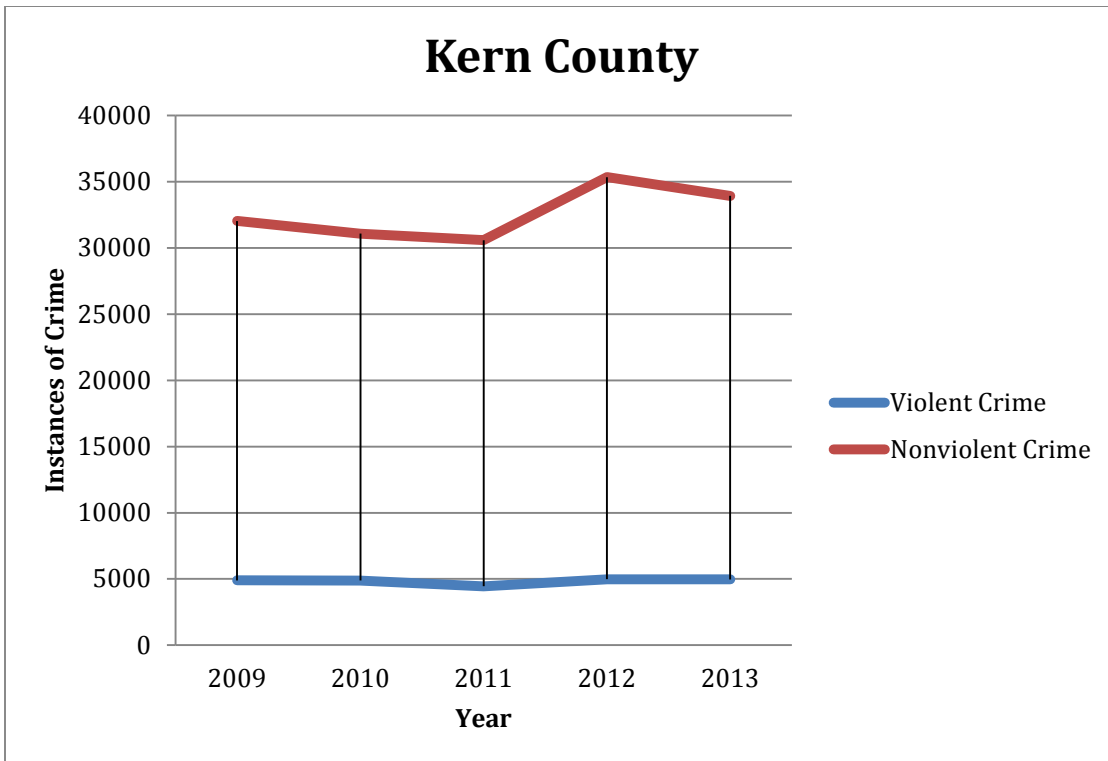
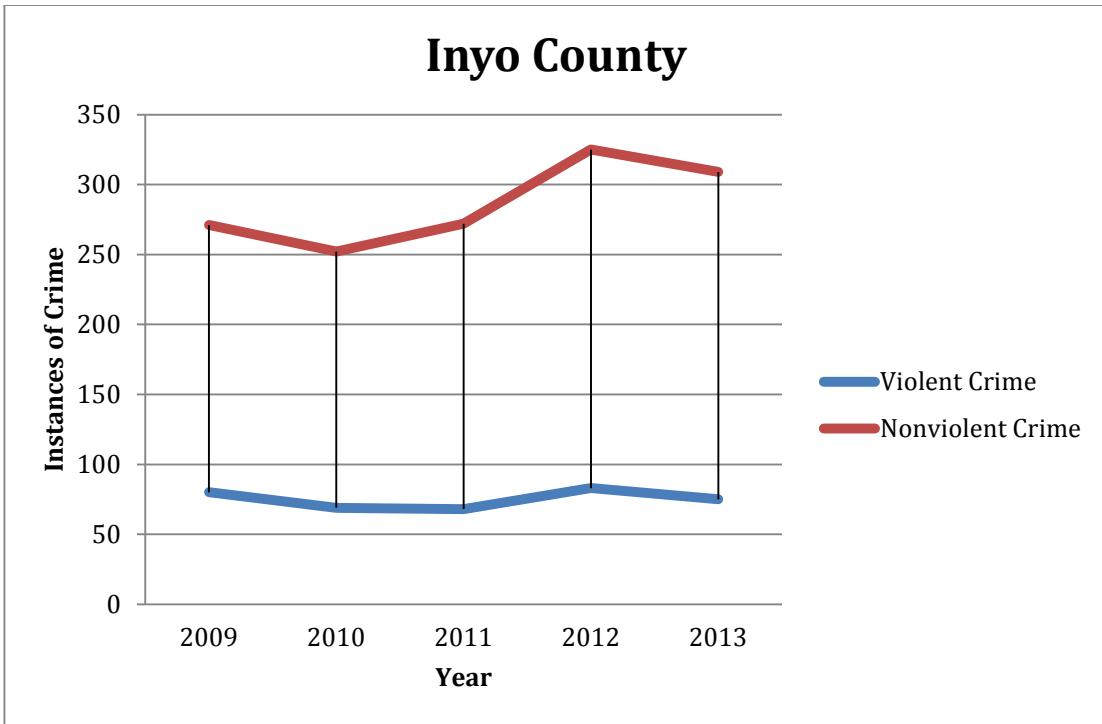


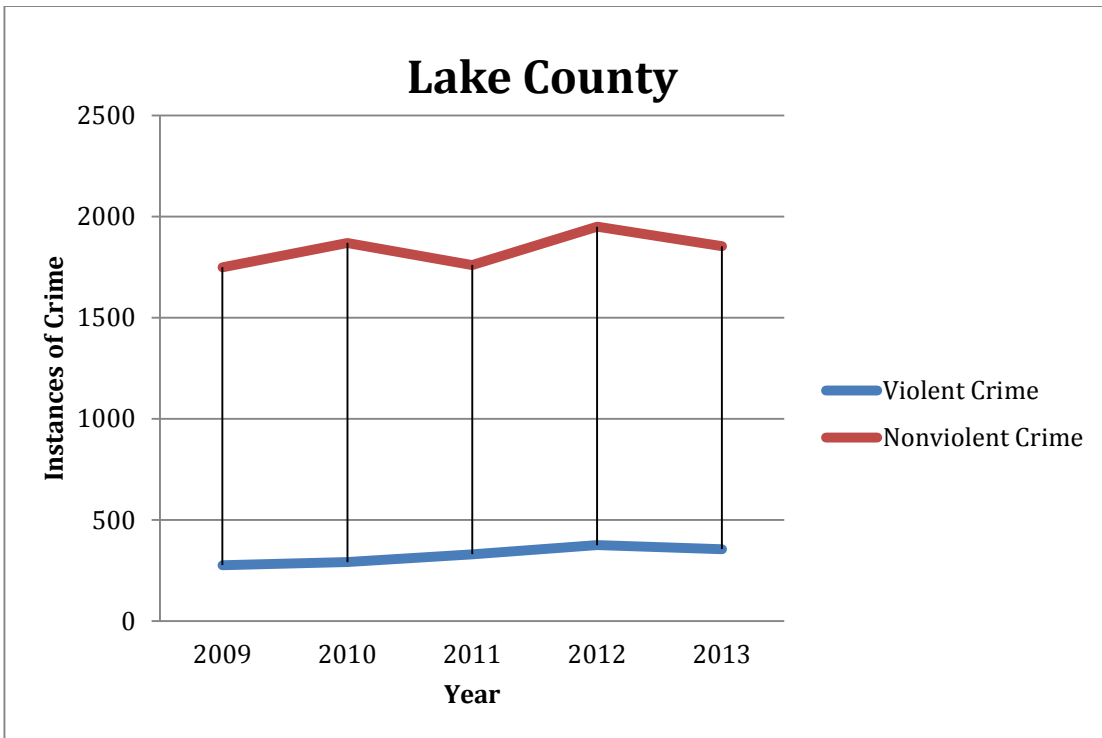
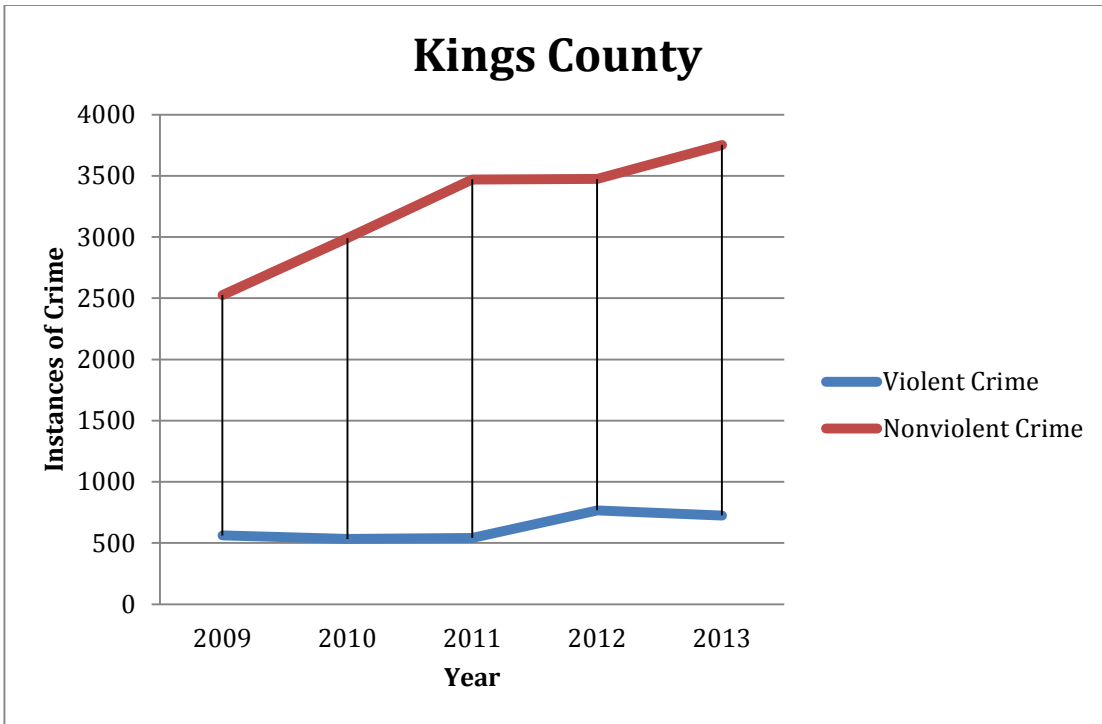


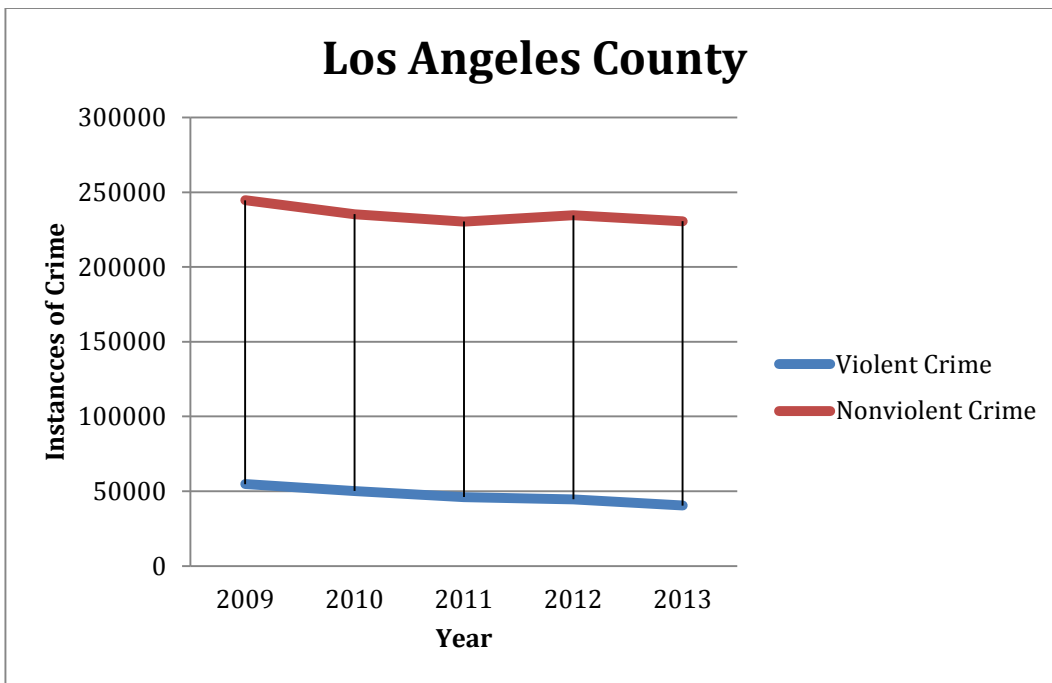
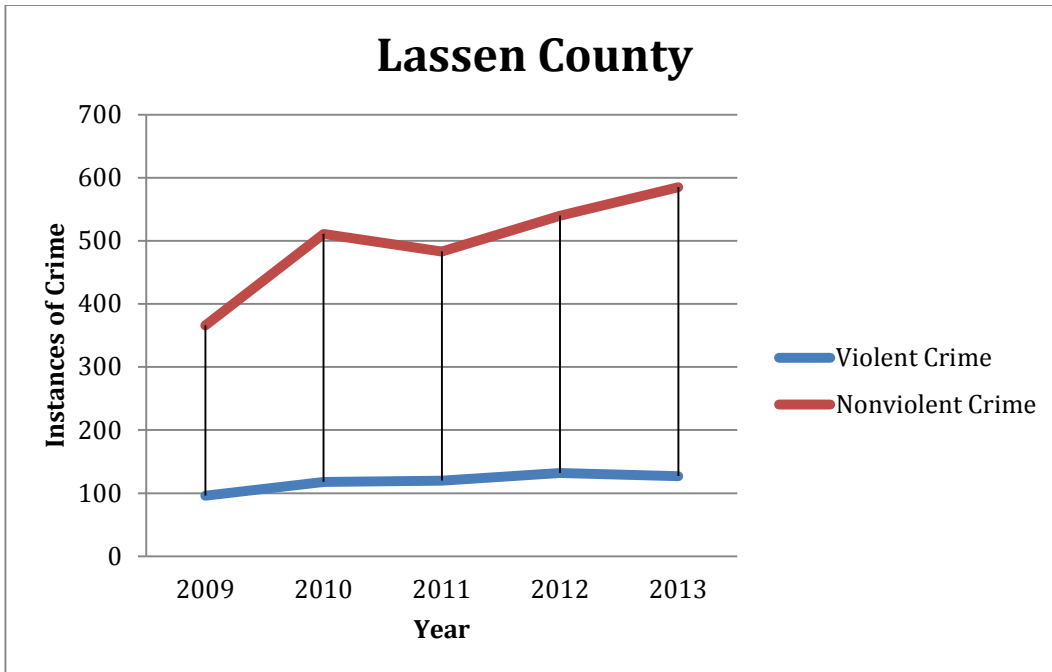


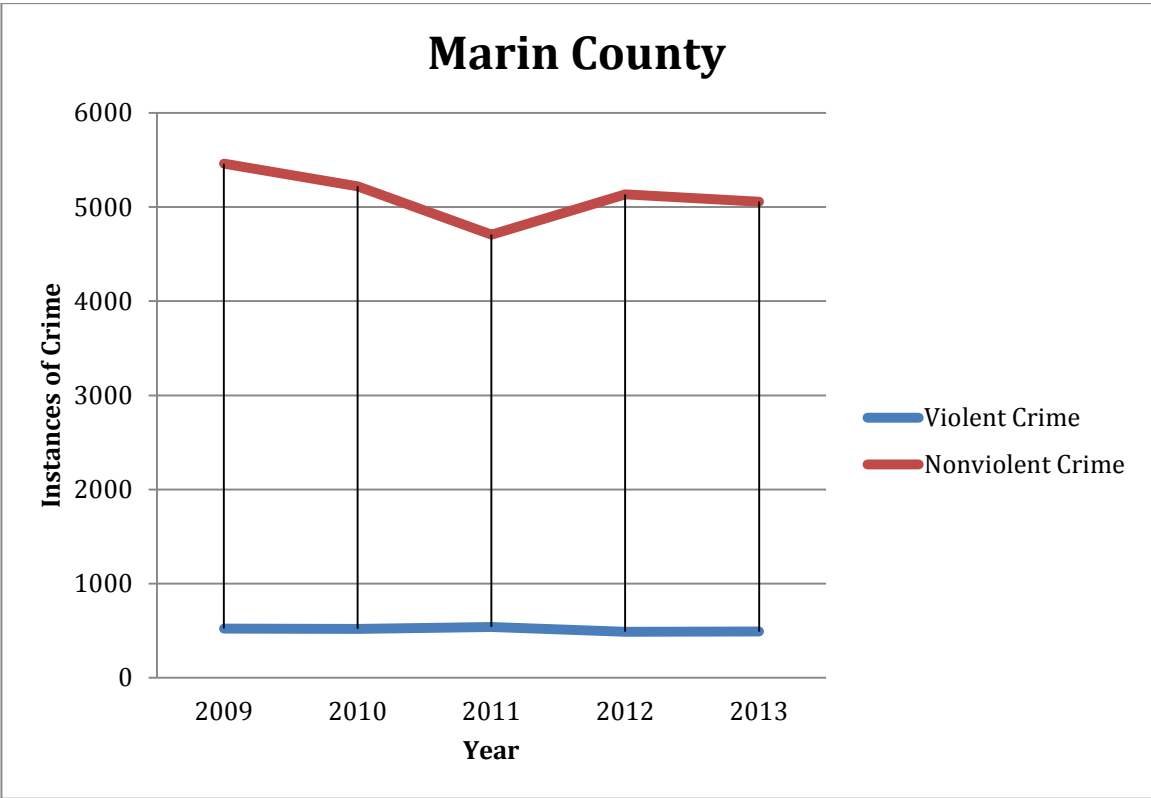
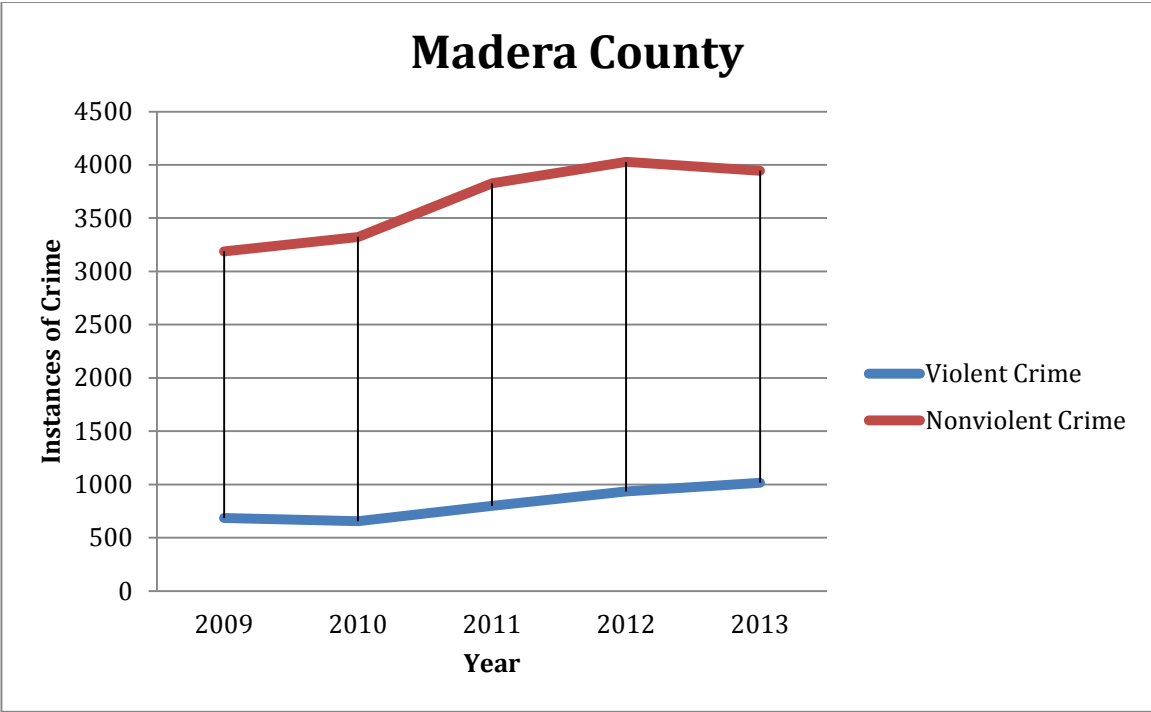




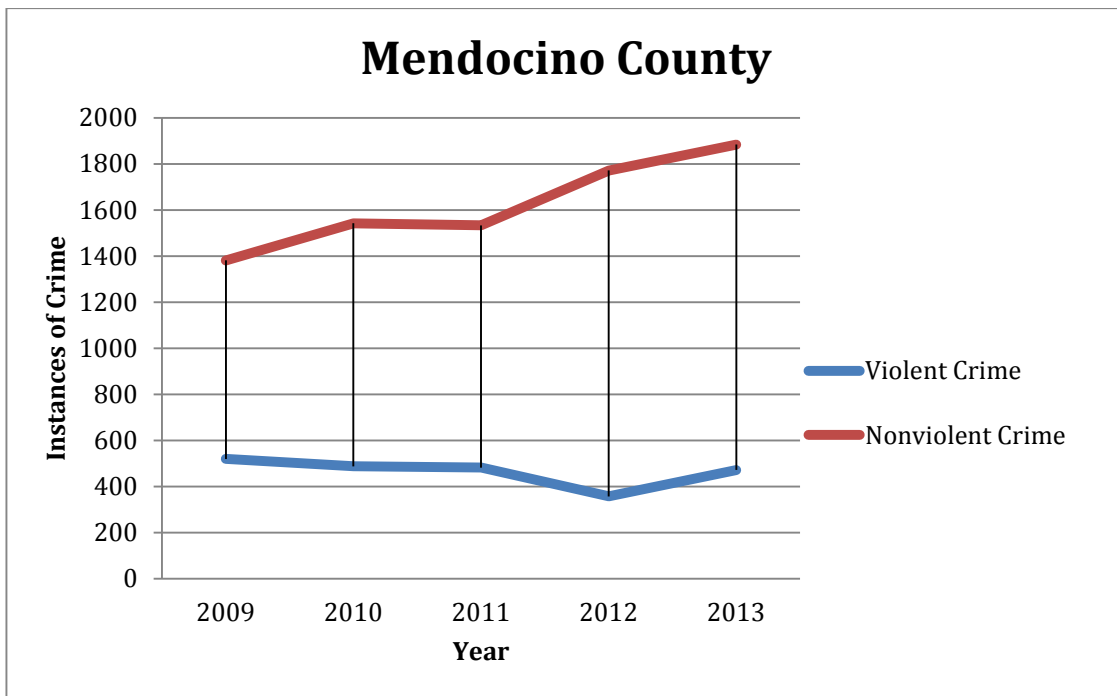
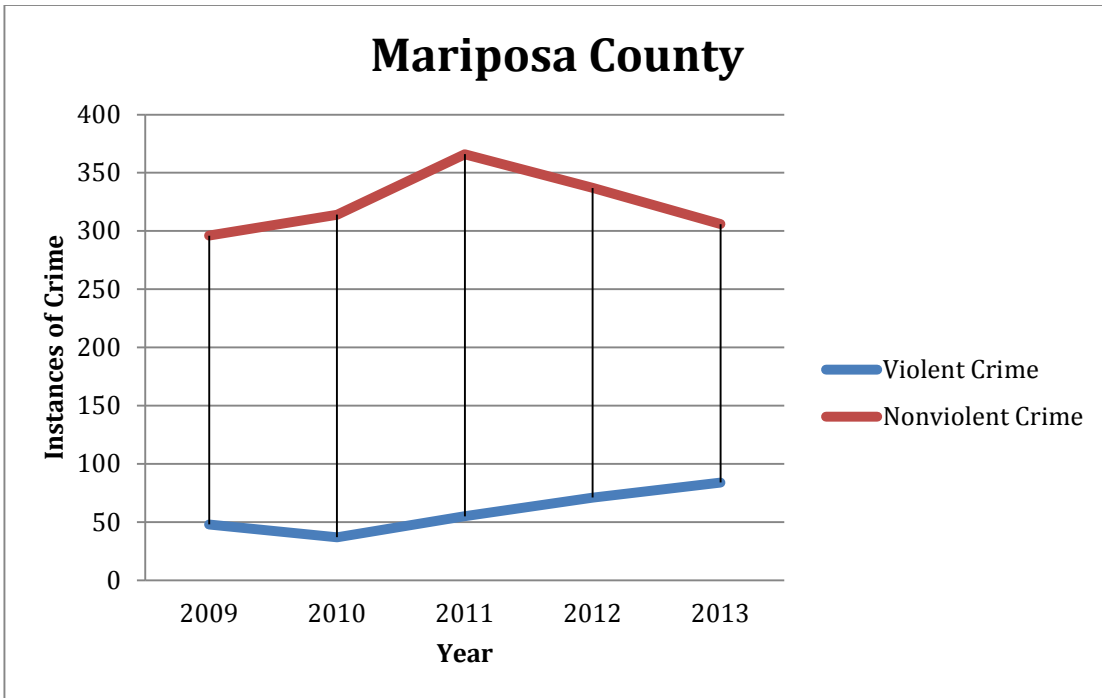


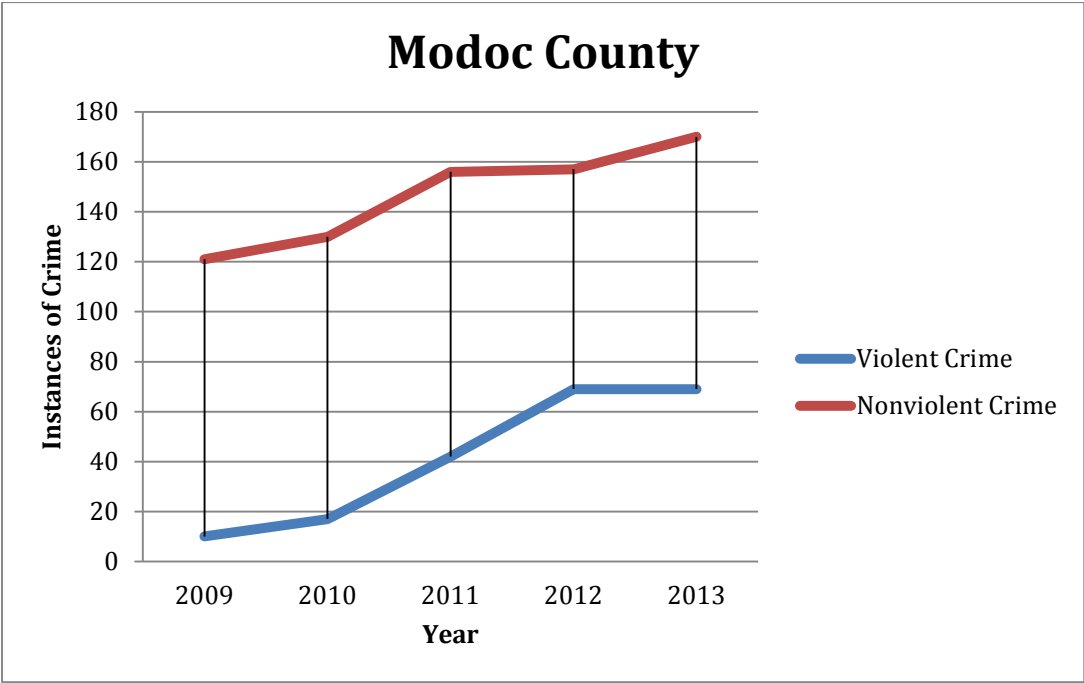
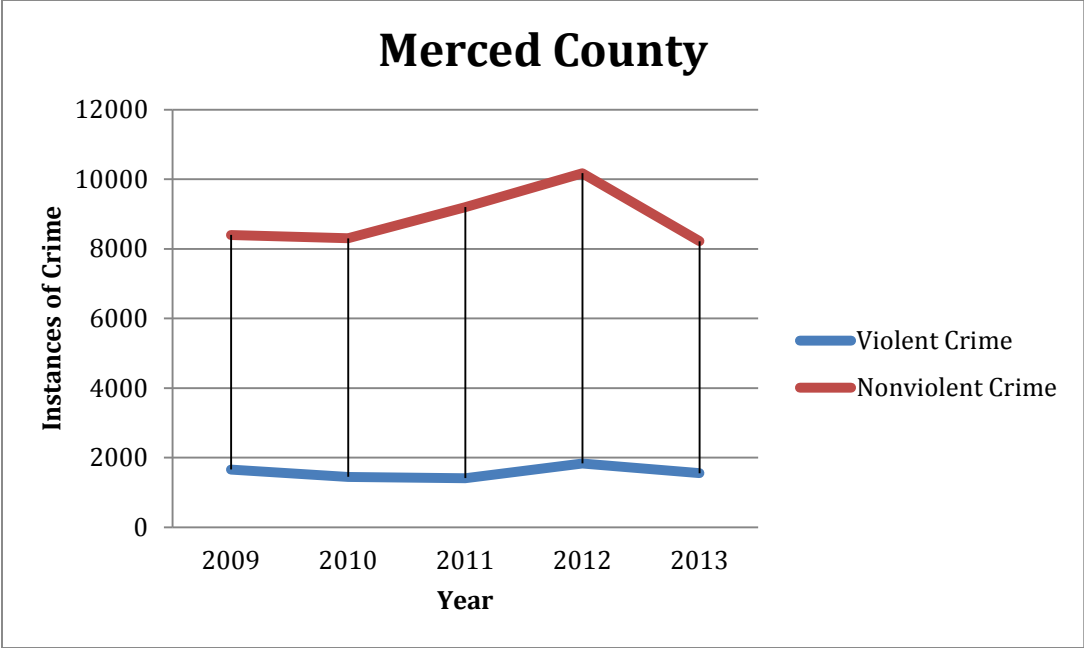


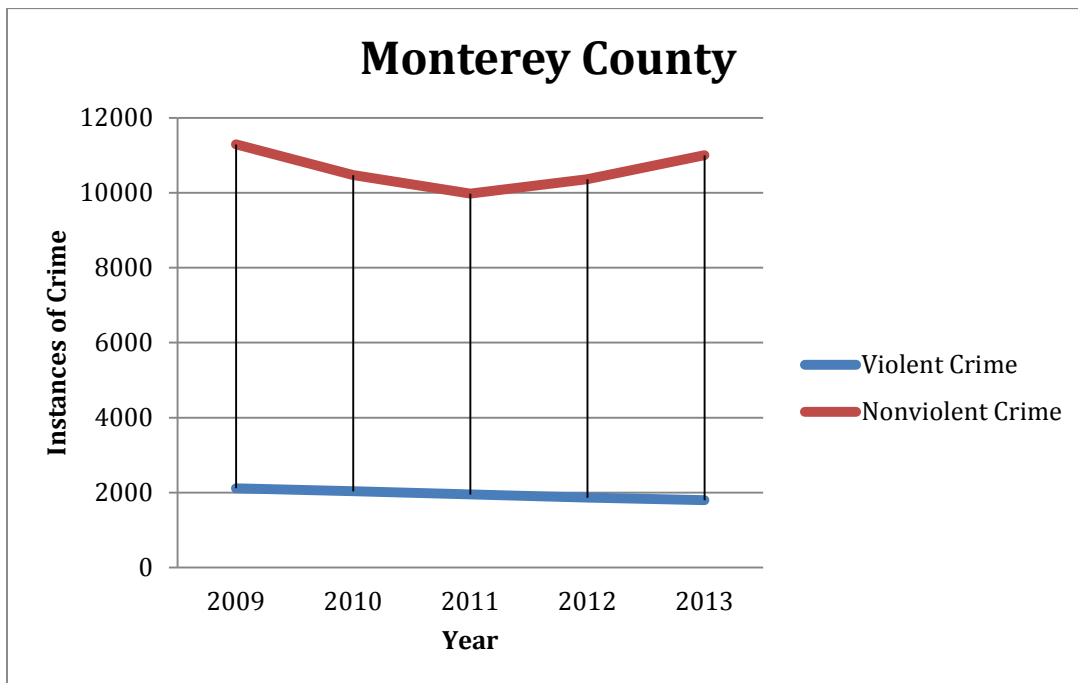
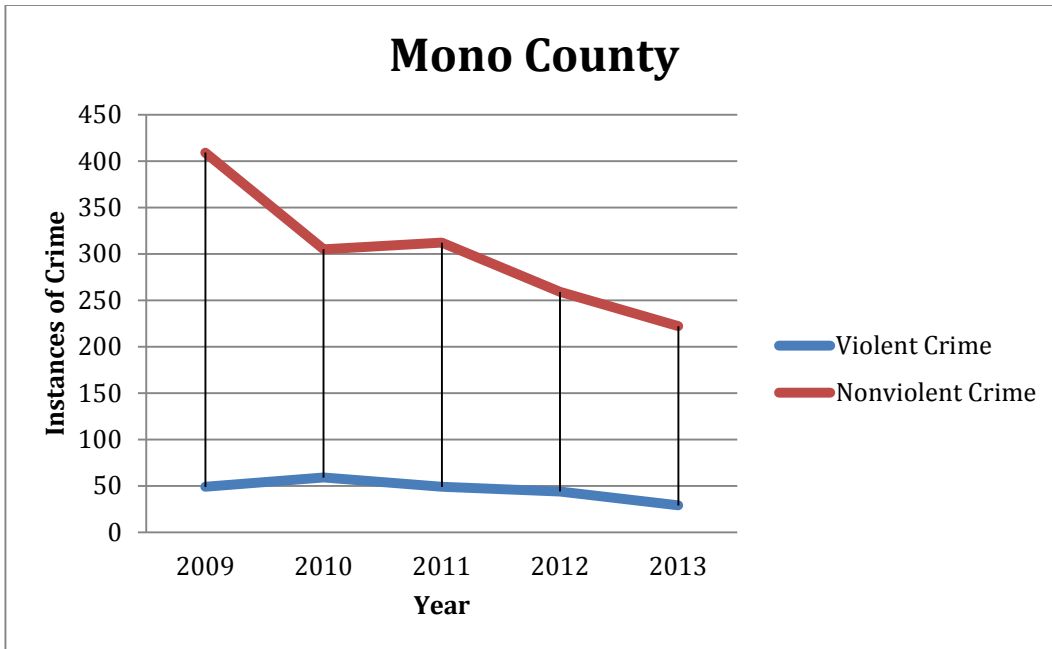


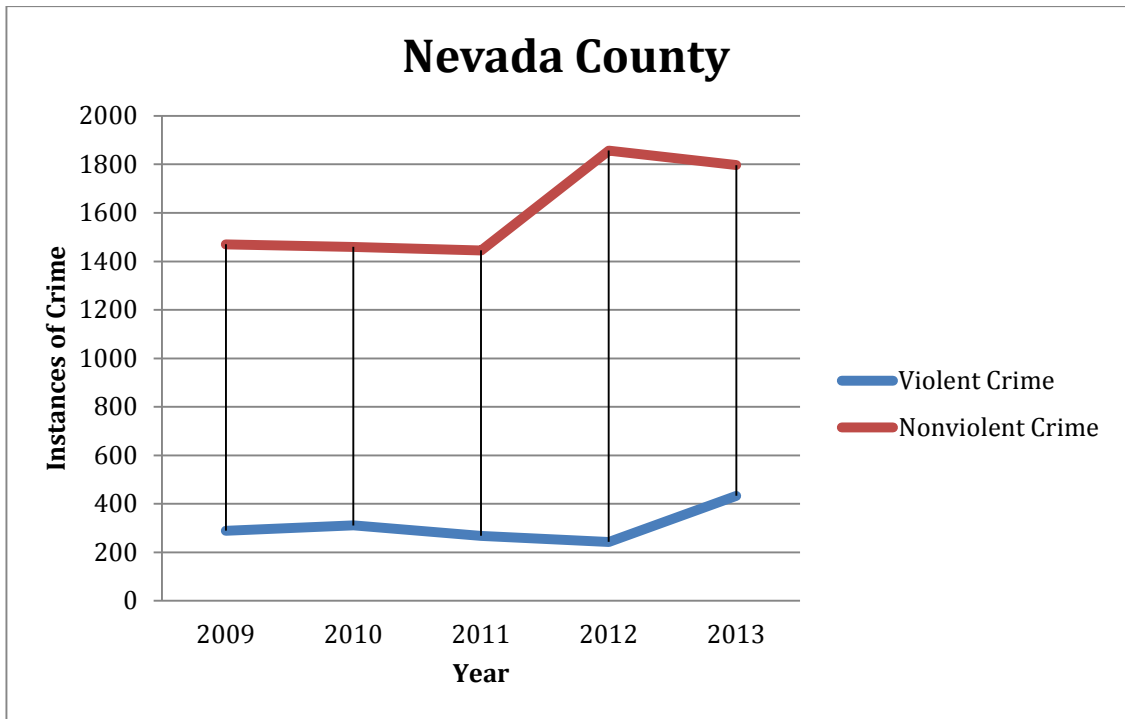
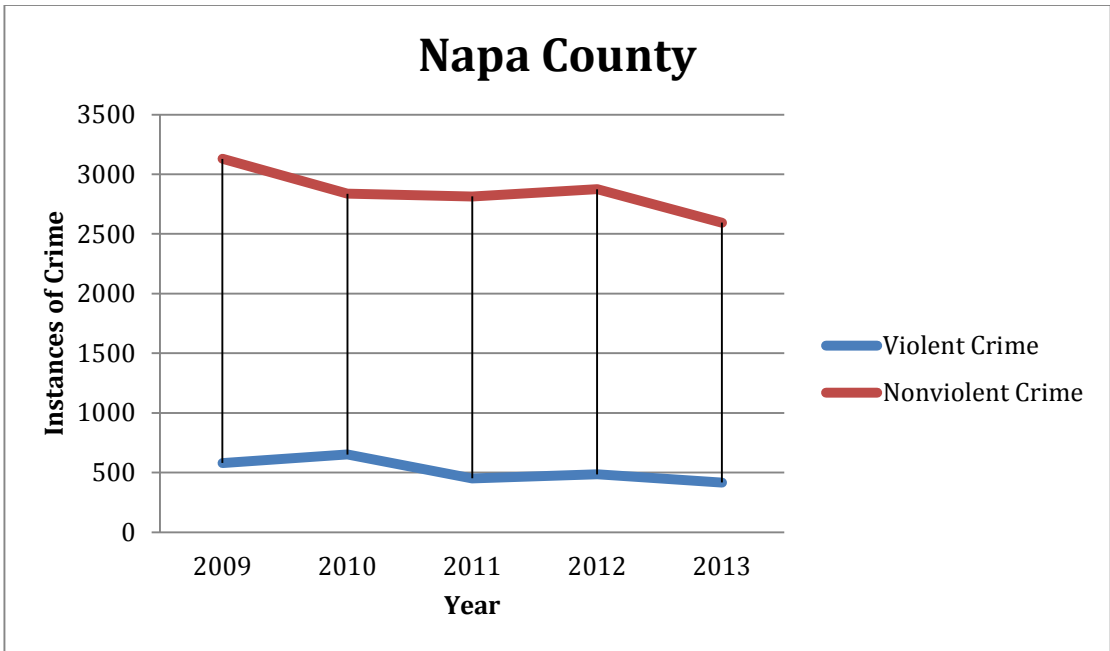


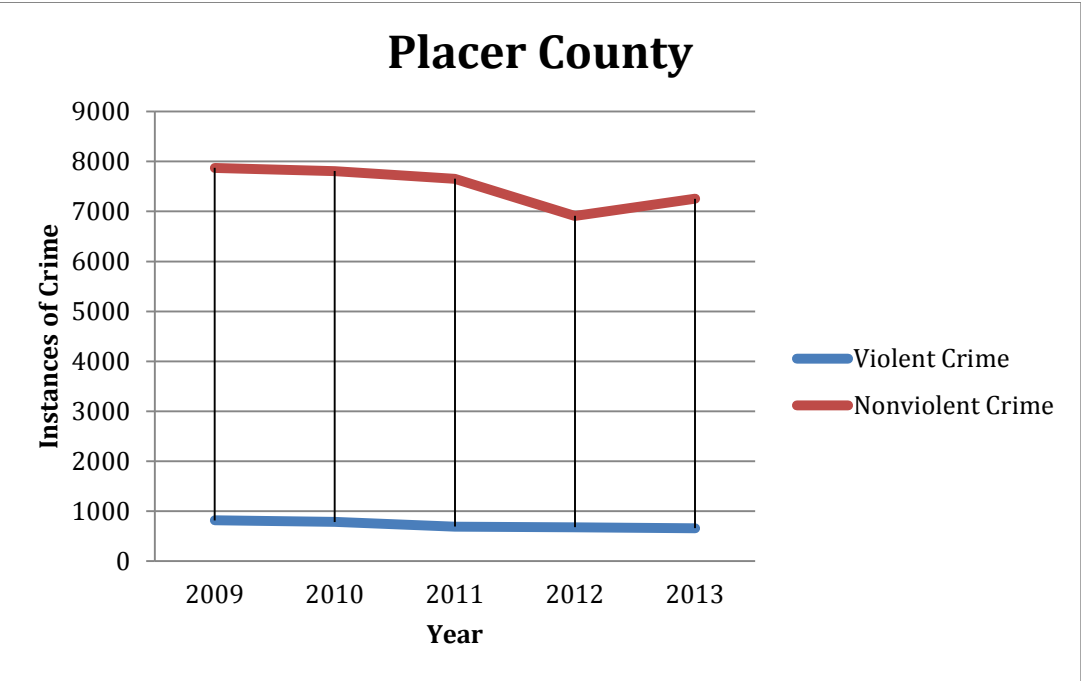
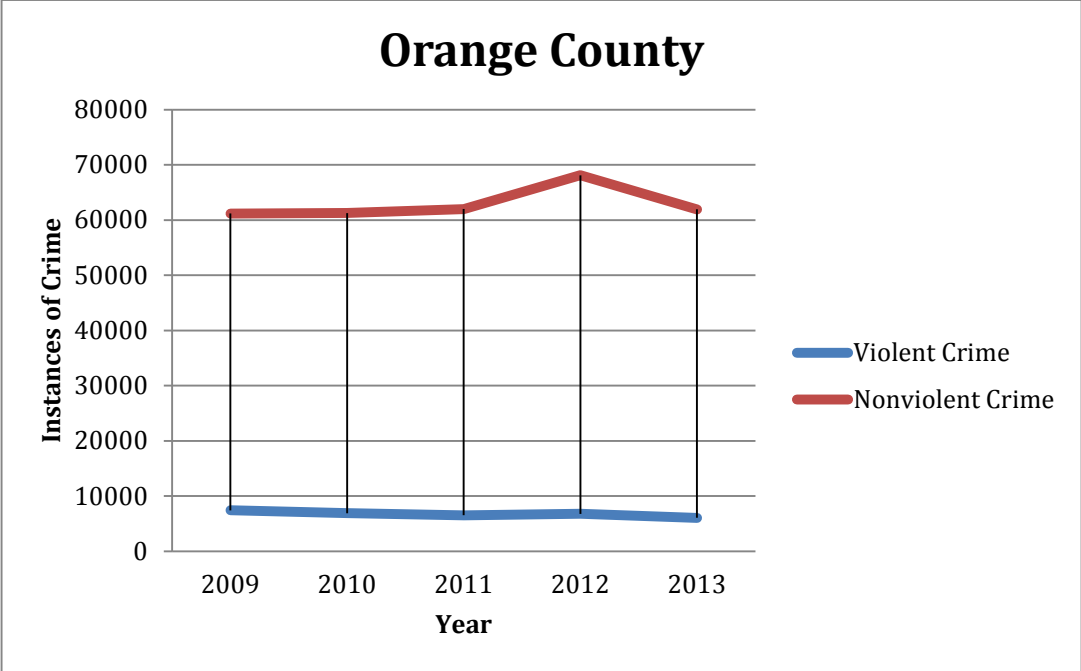


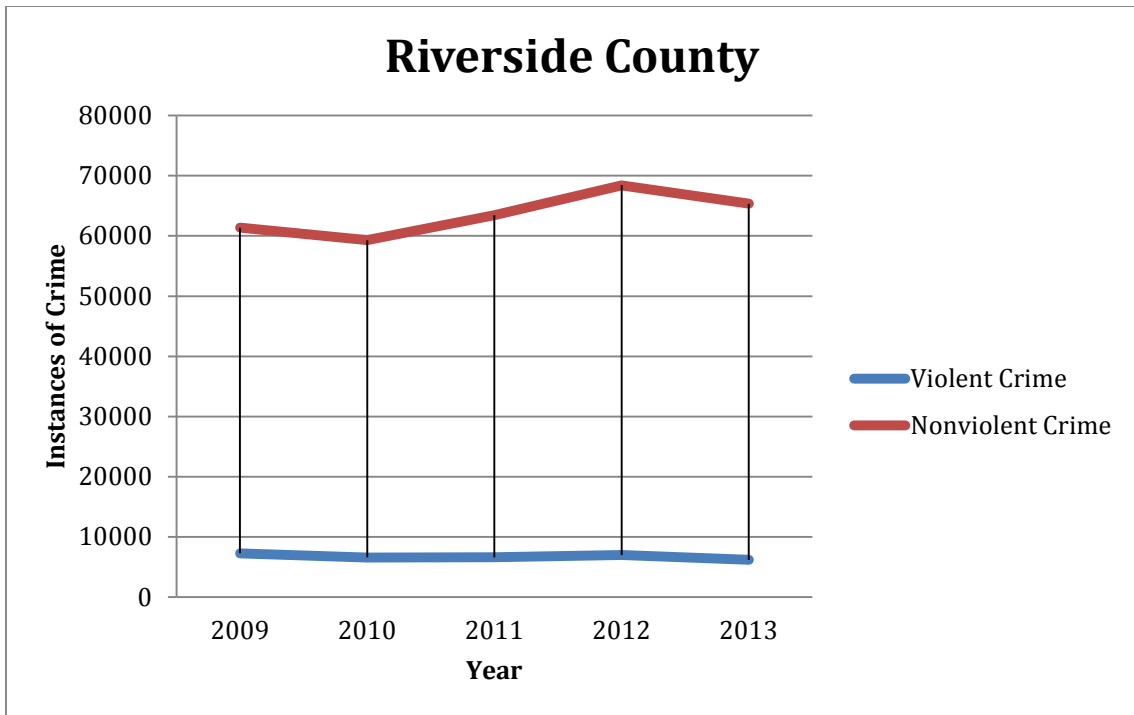
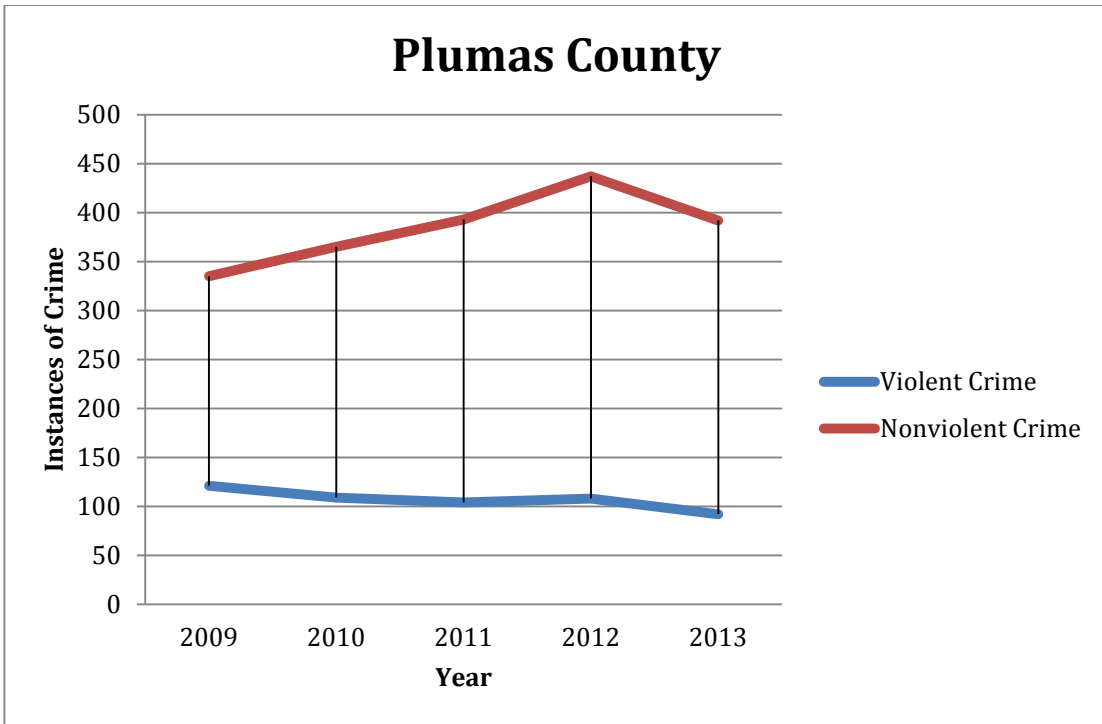


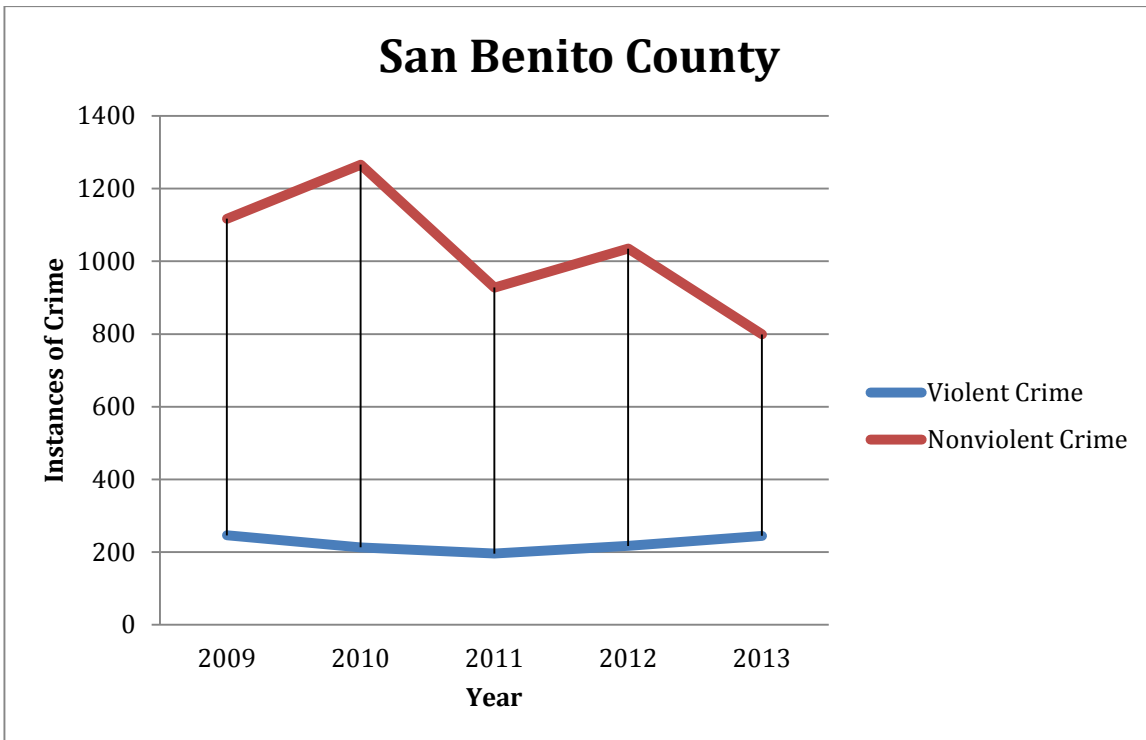
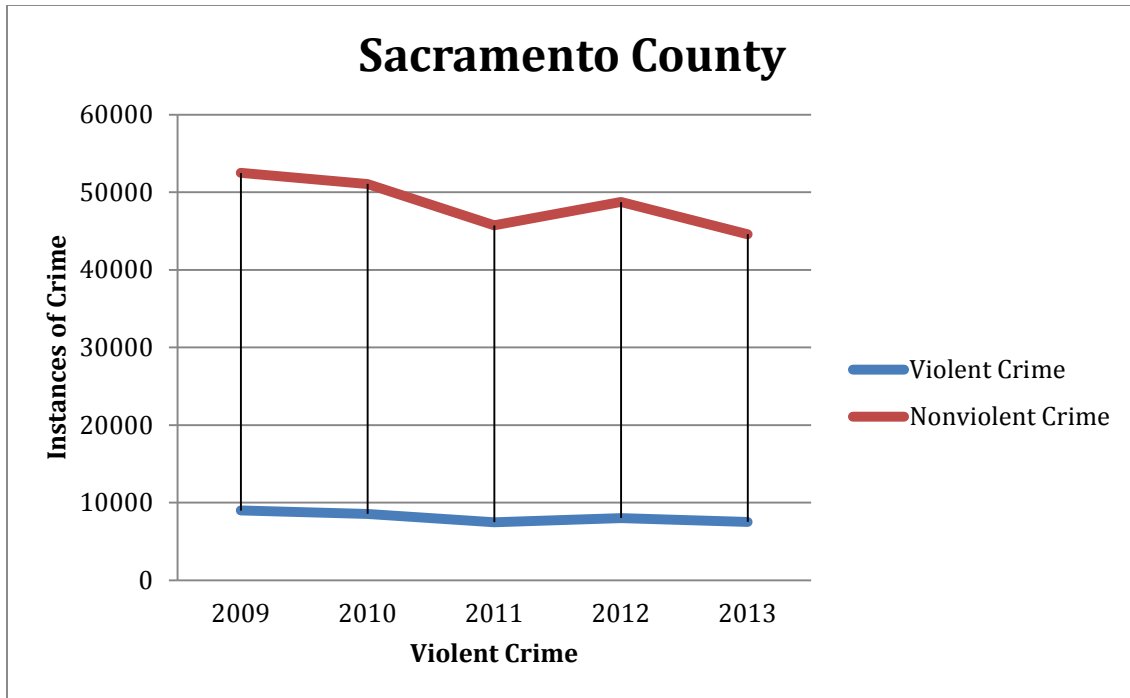




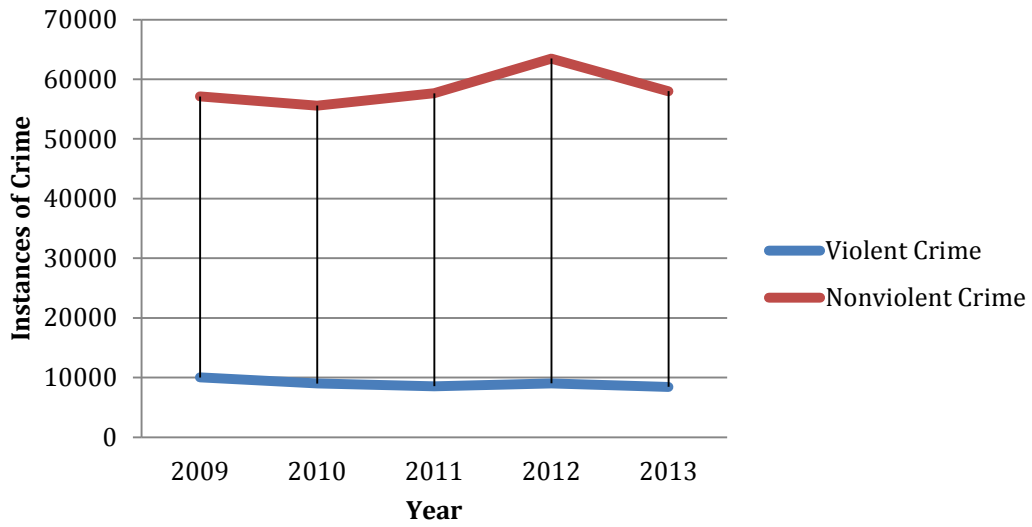




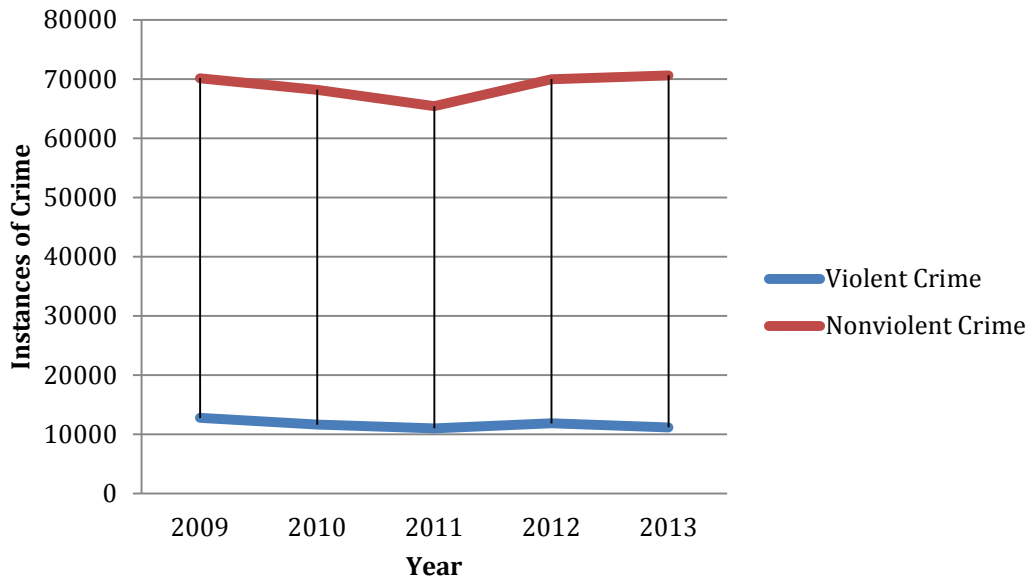




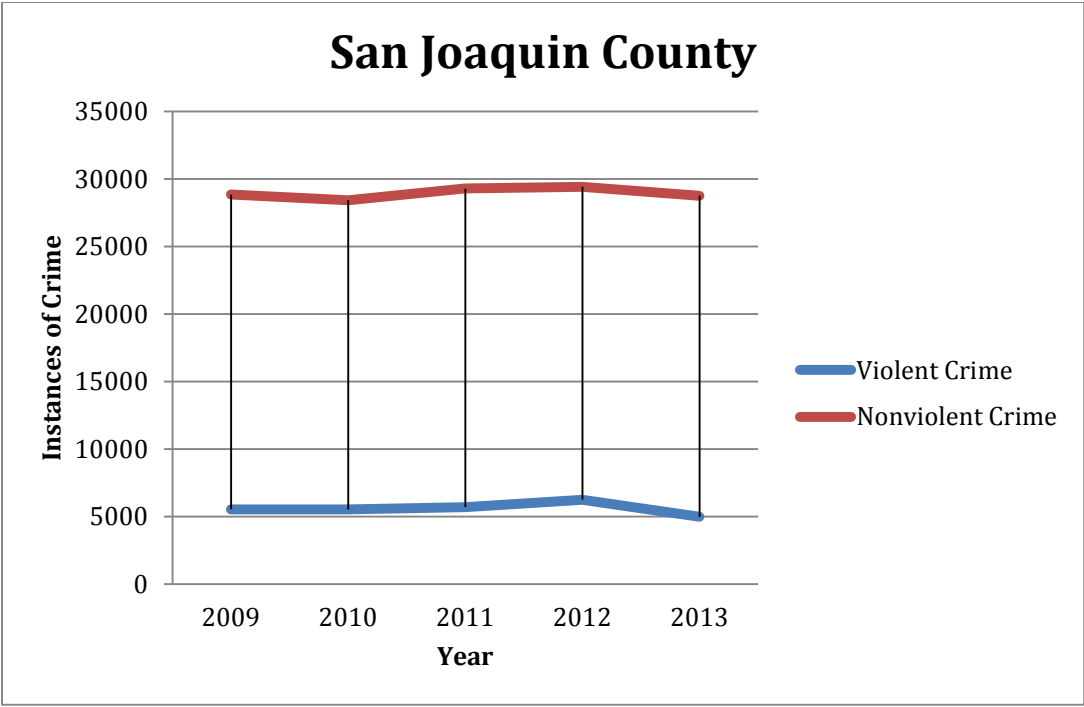
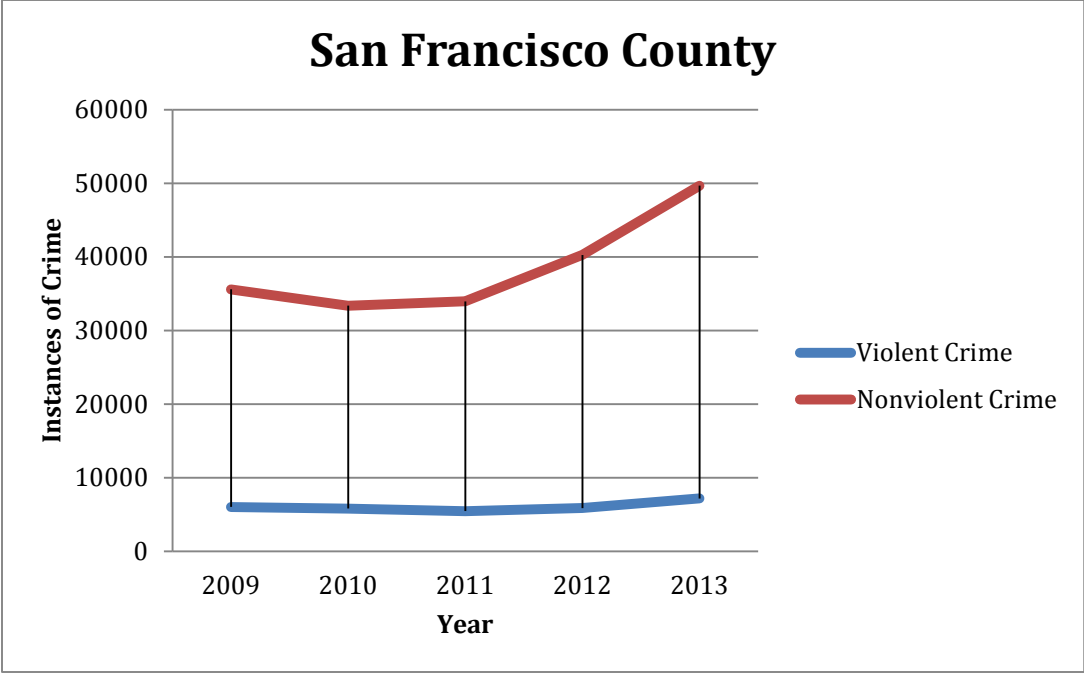
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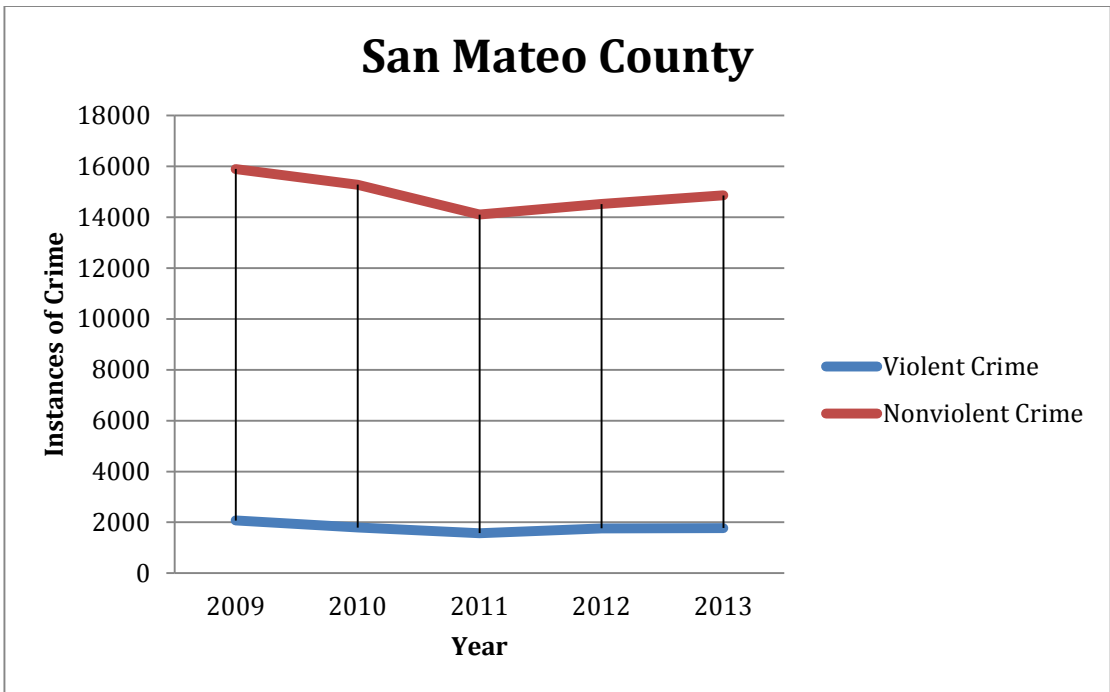
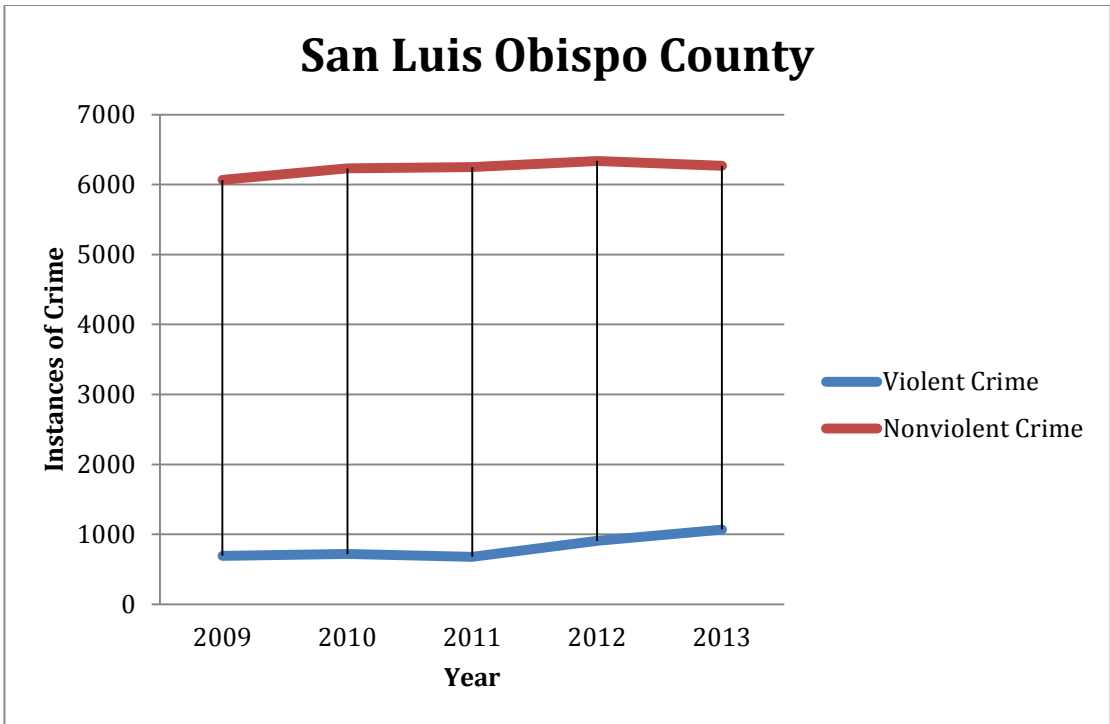


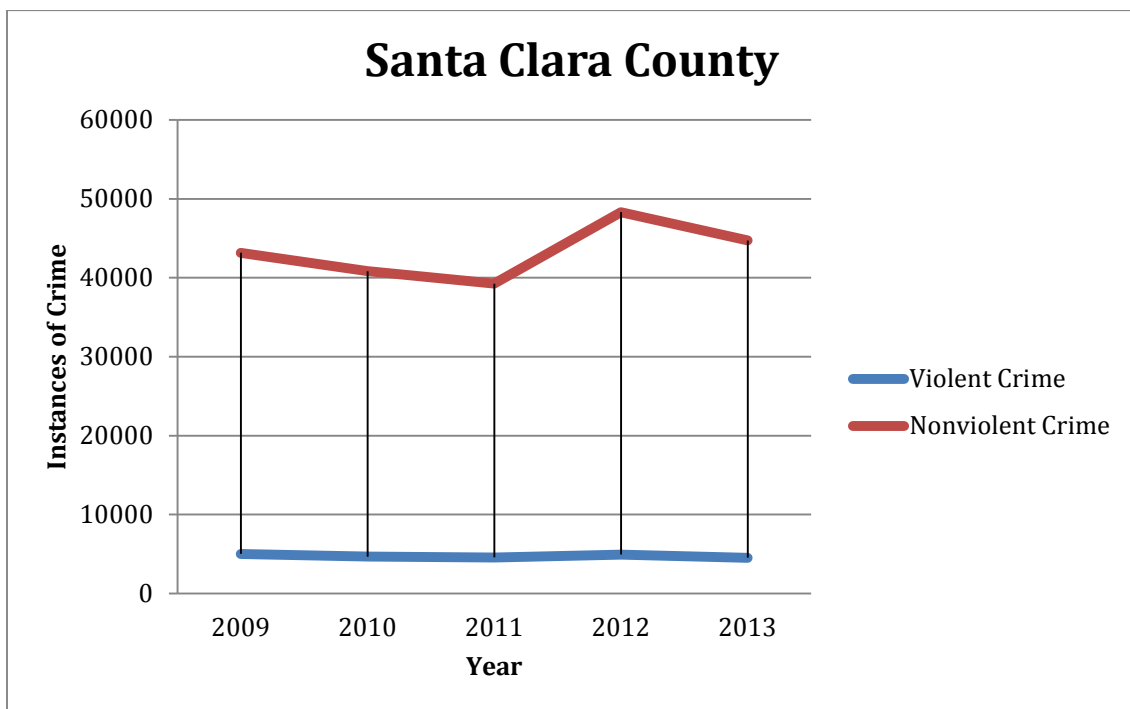
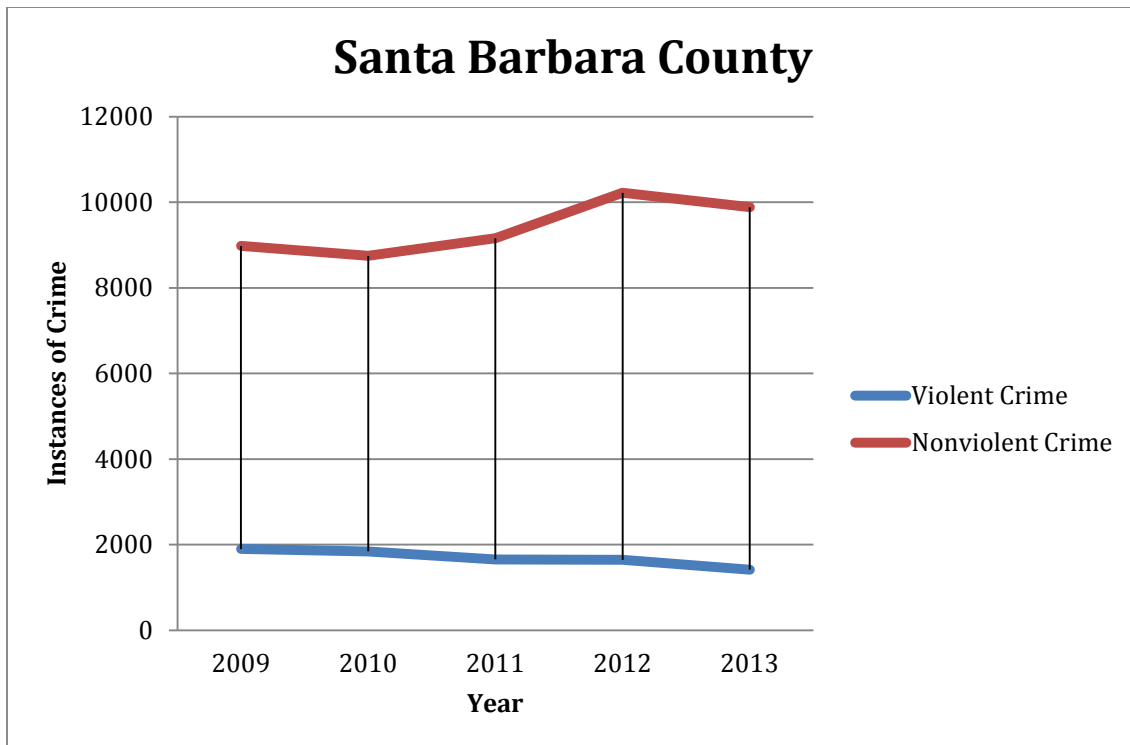
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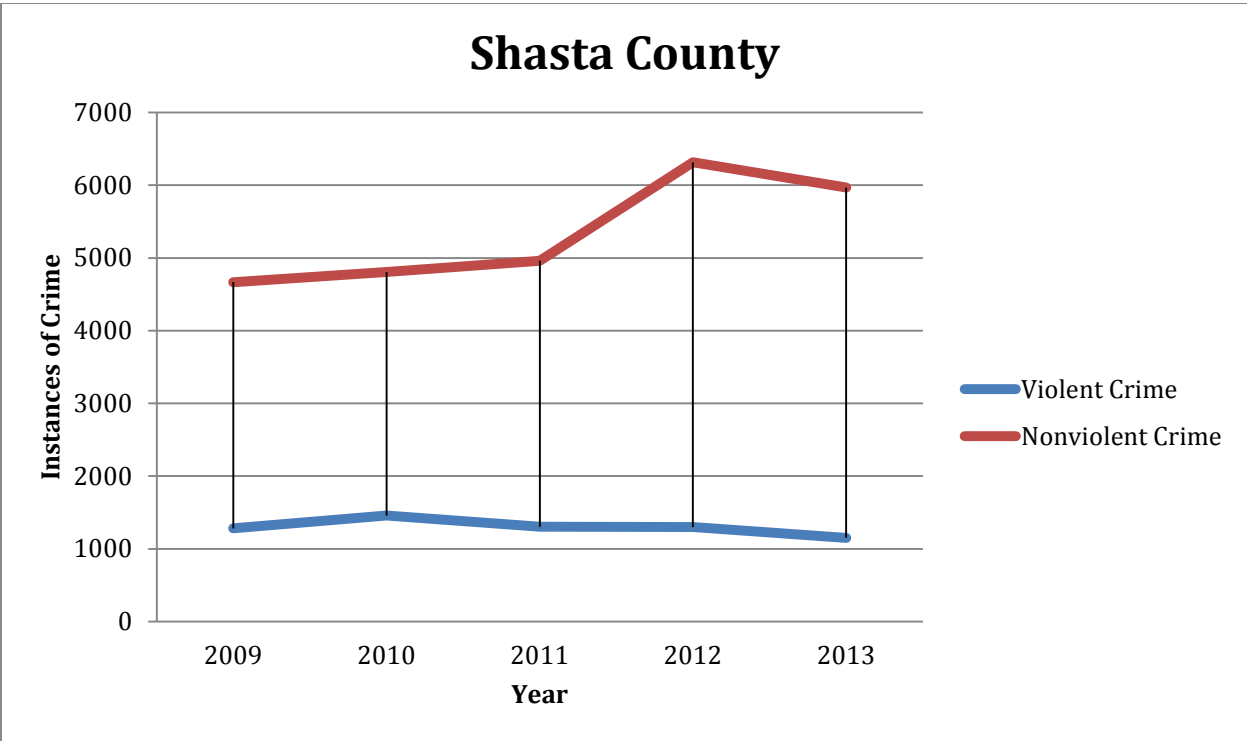
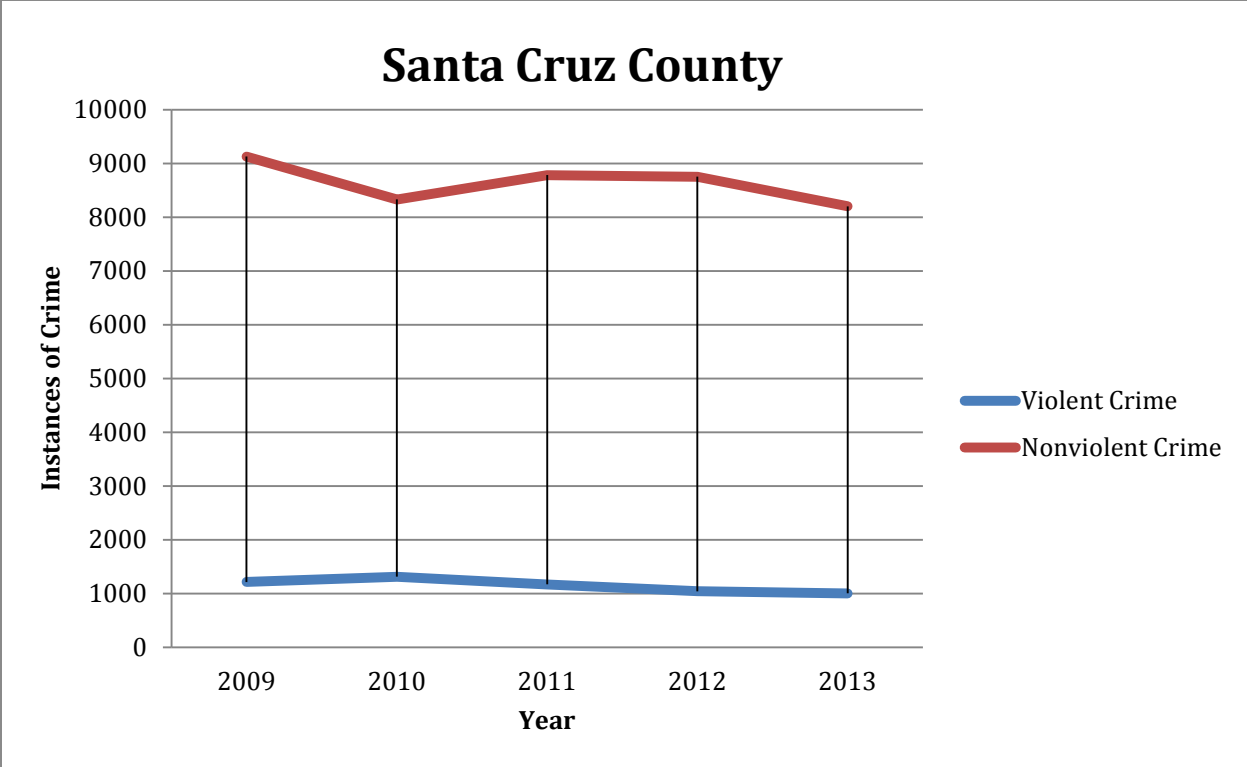




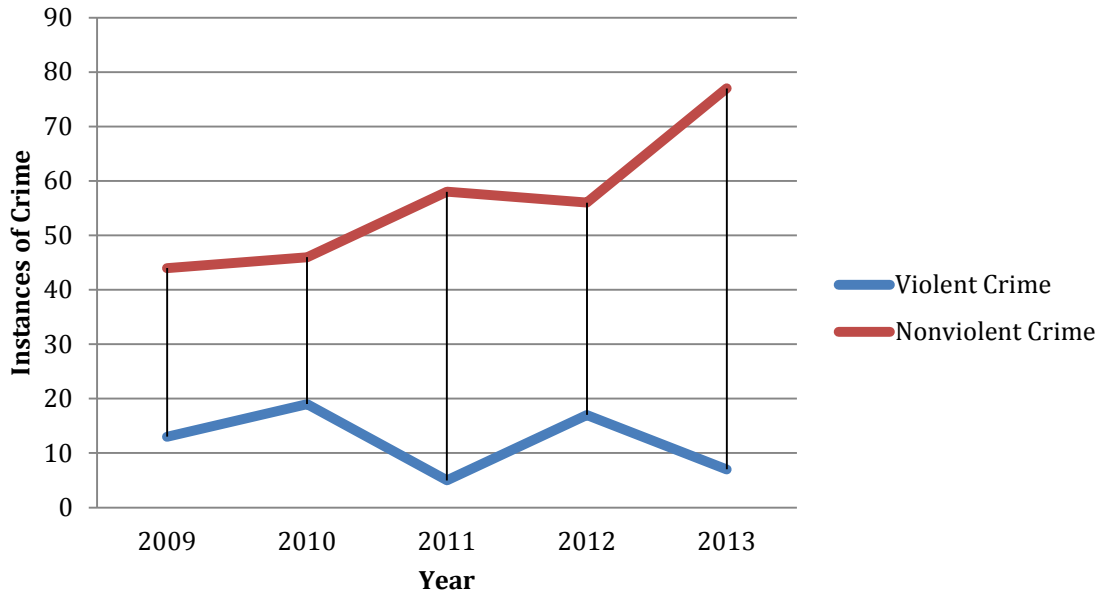




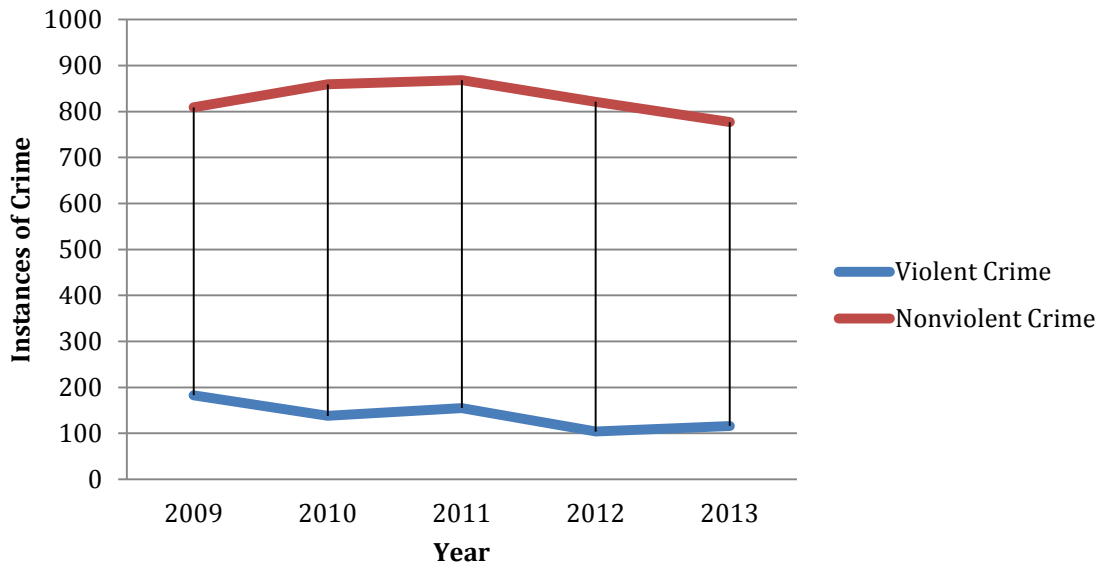


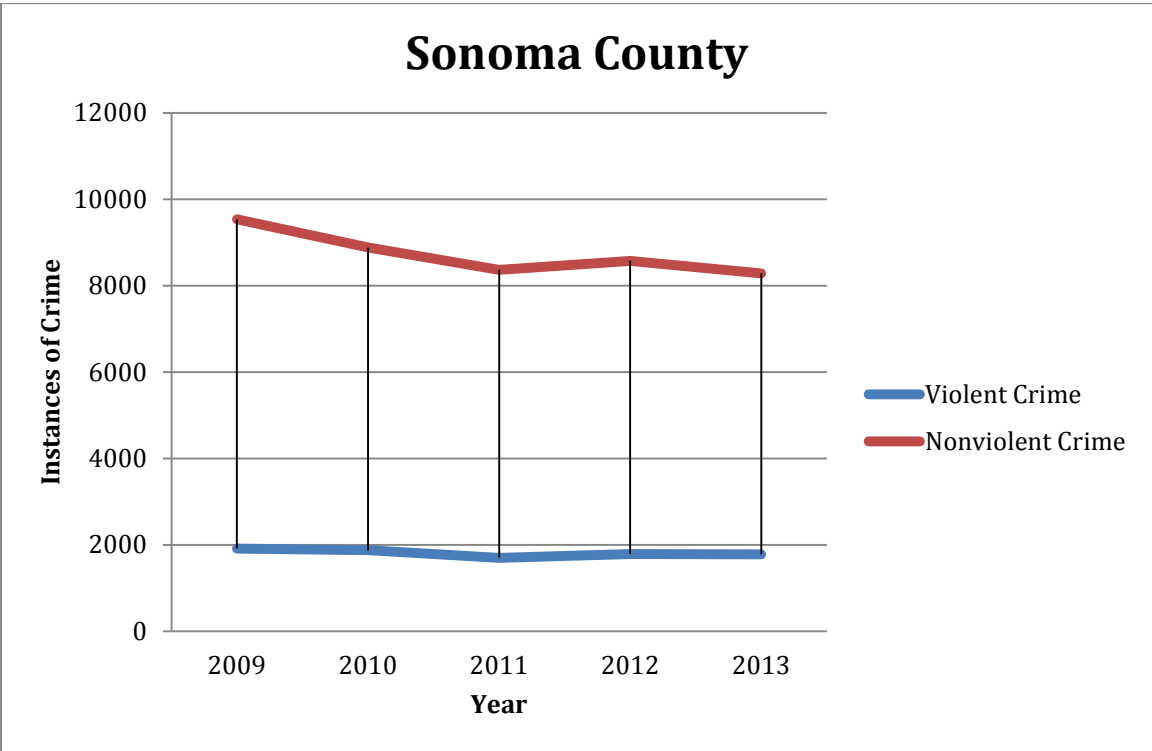
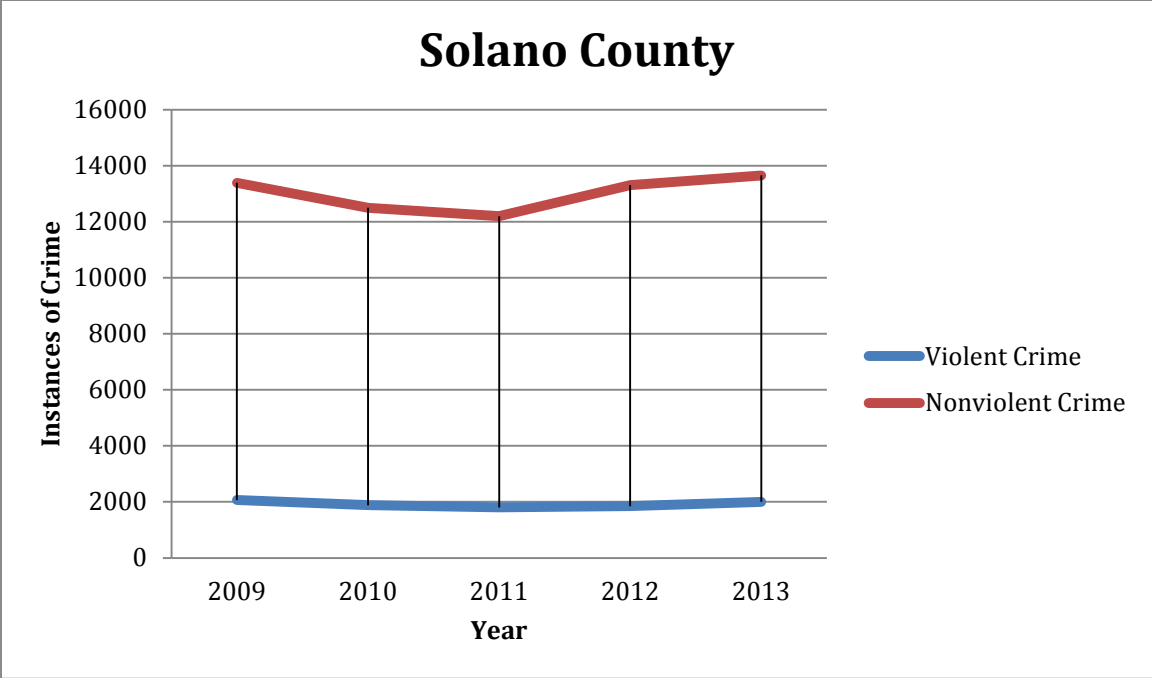


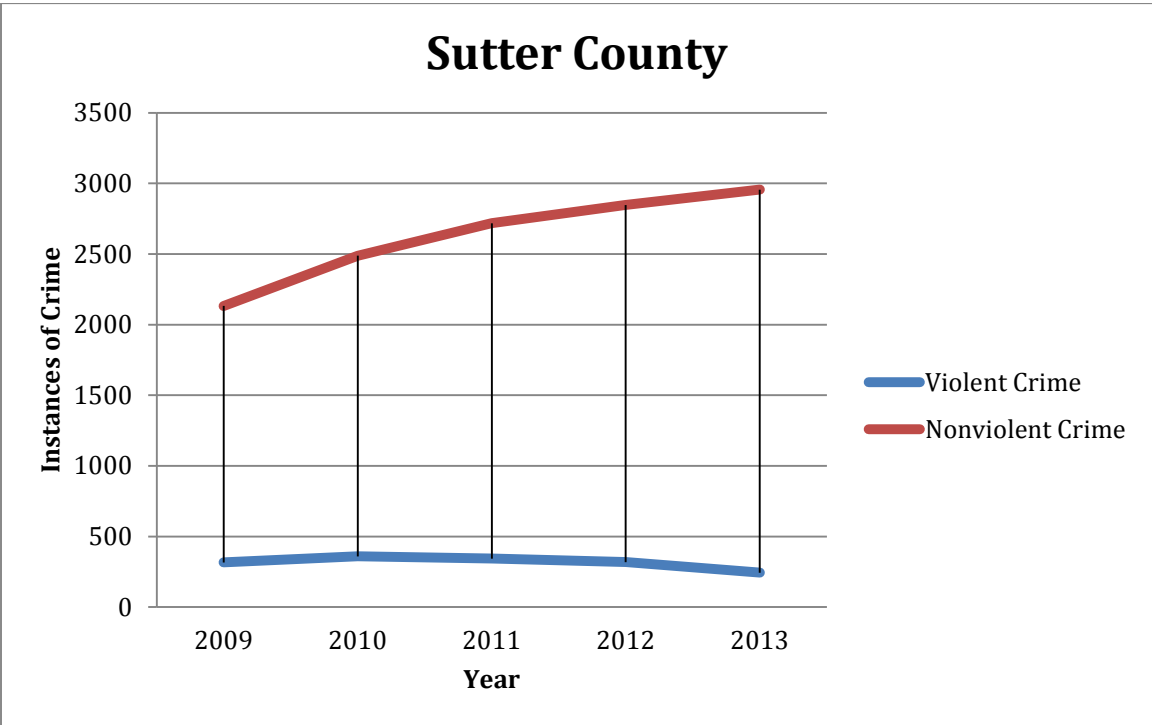
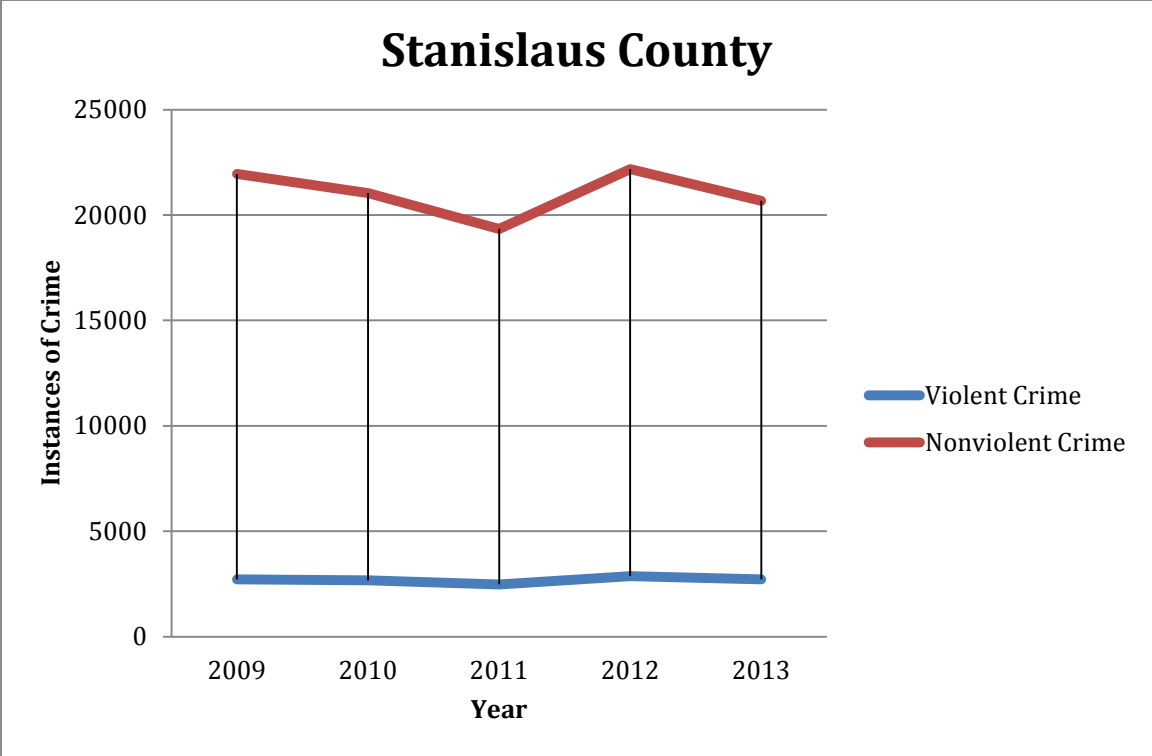
## Sierra County



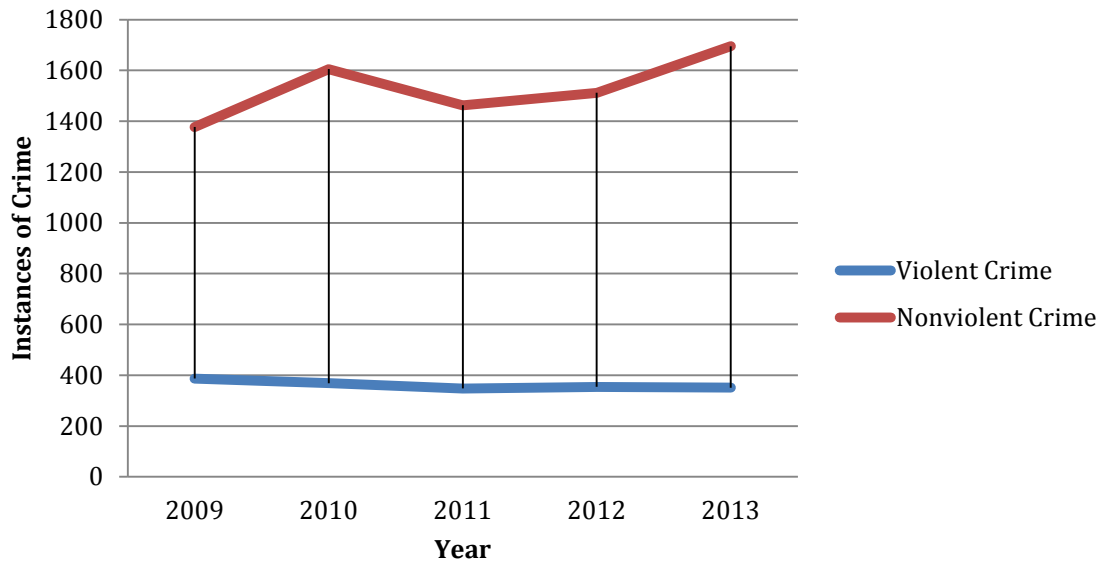
## Siskiyou County



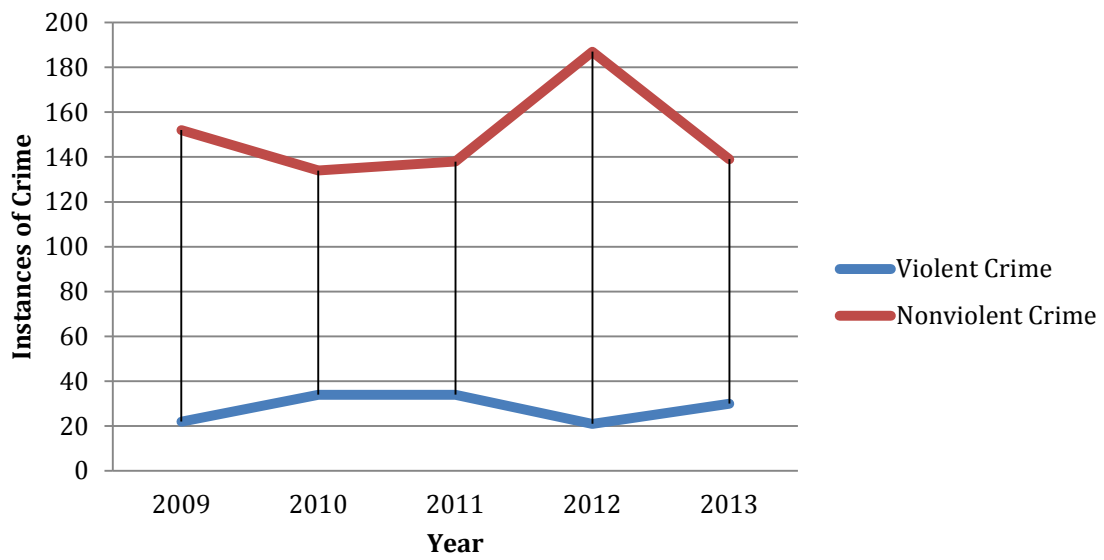




## Tehama County

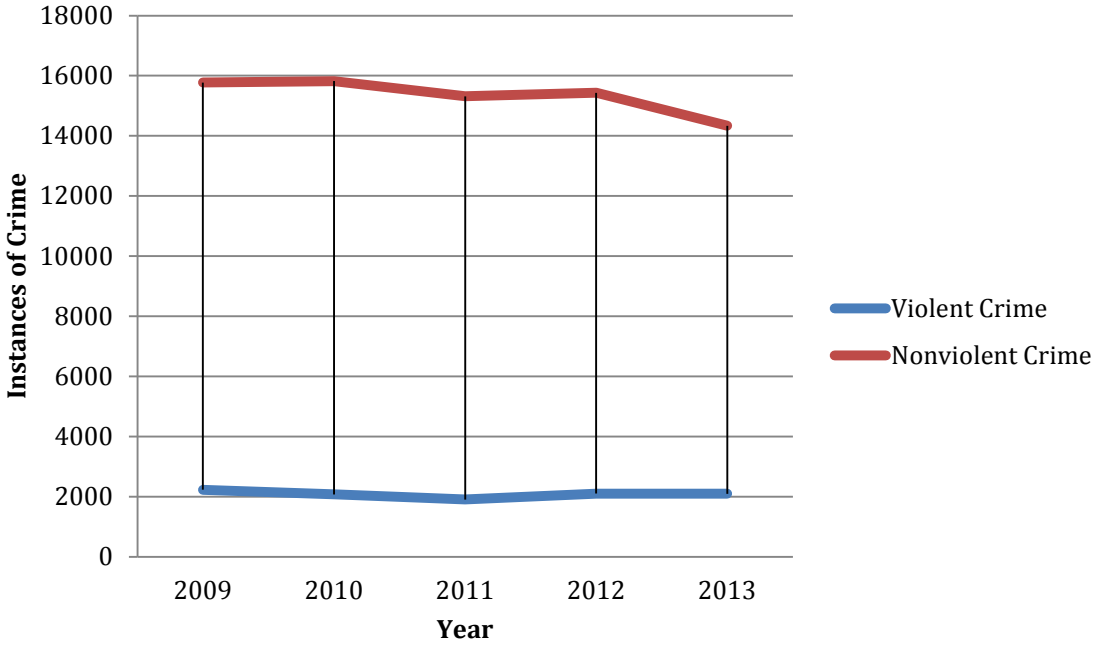


## Trinity County

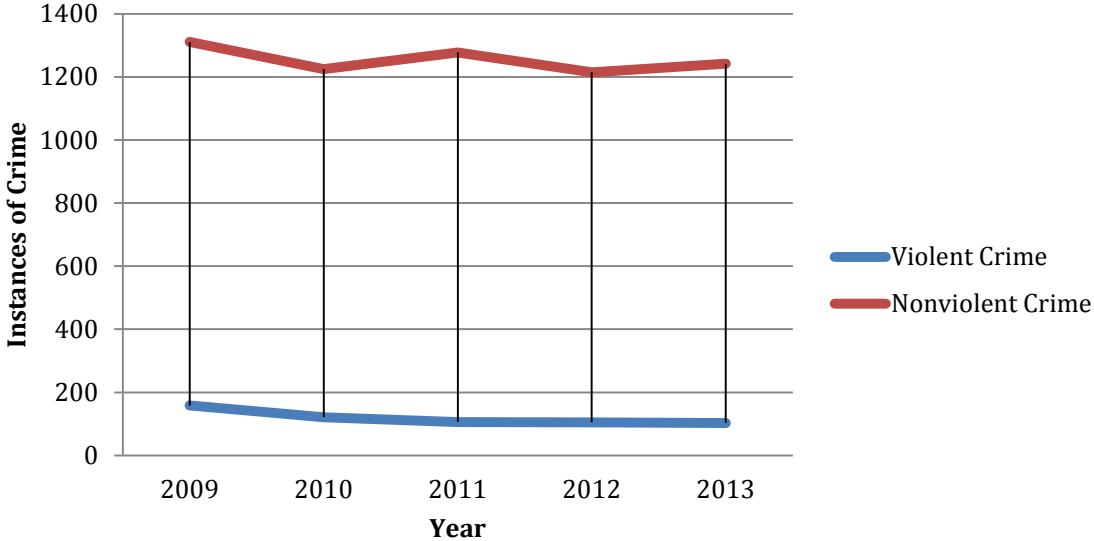


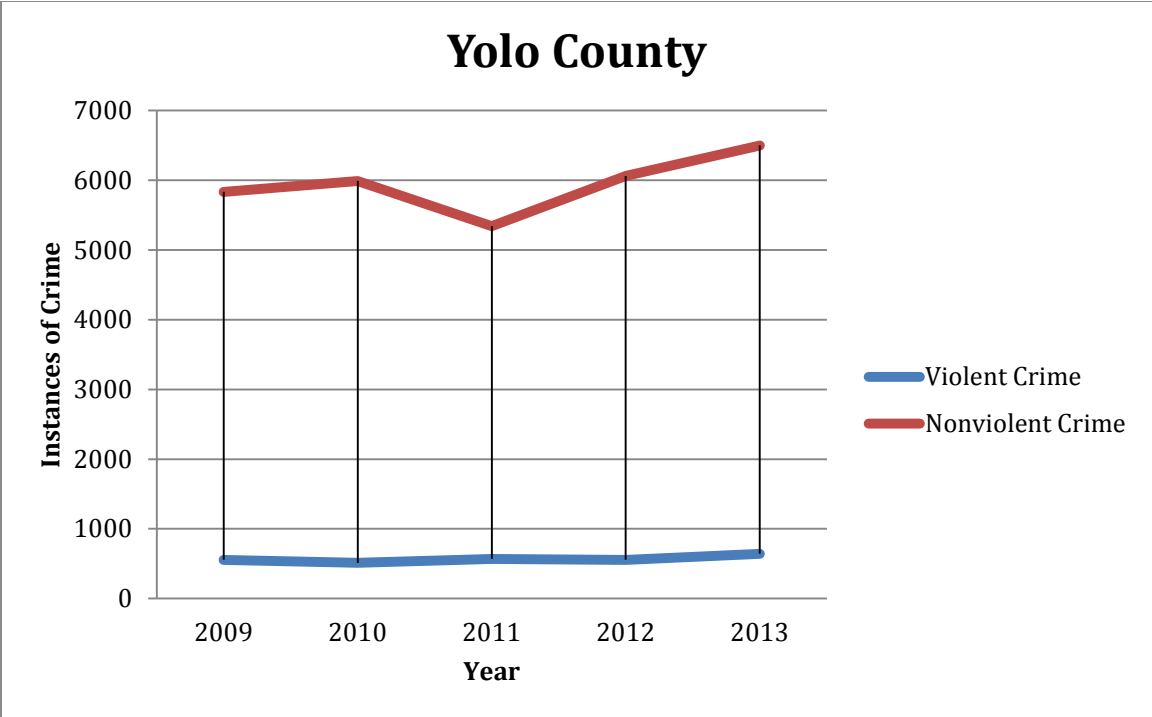
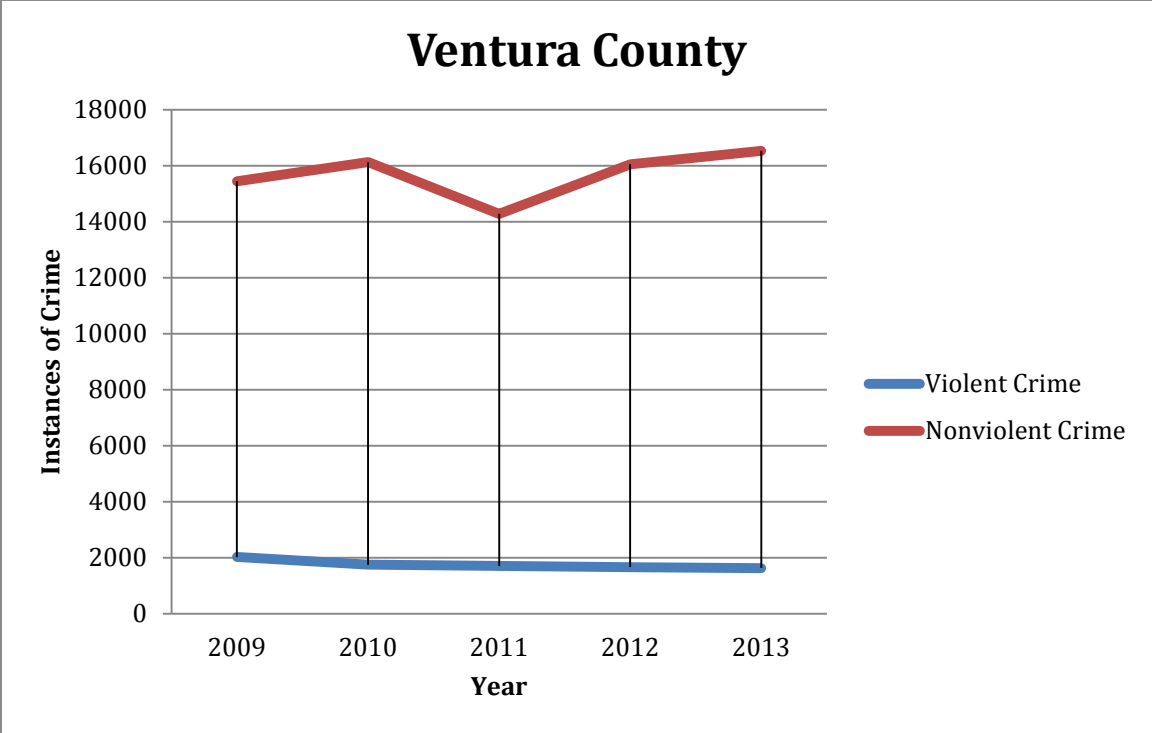


### Tulare County



### Tuolomne County





# Yuba County

