

**San Diego City Attorney's Office
The Community Justice Initiative
Strategic Plan**

I. Target Problem

In 2013, there were 24,455 misdemeanor arrests in San Diego and Poway (cities within San Diego City Attorney's jurisdiction) which accounted for almost half the total number of misdemeanor arrests in San Diego County.¹ Despite a reduction in crime and in the number of arrests in San Diego, three significant changes in California required re-evaluation for custody and supervision of individuals. First, the California judicial branch budget was cut by approximately \$1 billion over the several years leading up to and including 2013, resulting in courtroom closures across the state, including in San Diego.² Second, in October 2011, the responsibility for housing, supervising and rehabilitating individuals charged with certain felony offenses shifted from the state to the county.³ This resulted in an increase in the average daily population at local detention facilities from 102% of capacity in 2011 to 113% of capacity in 2012.⁴ Third, in November 2014, California voters passed Proposition 47, which reclassified certain felonies as misdemeanors.⁵ From 2014 to 2015, when reviewing issued cases, the City Attorney's Office saw a 38% increase in drug charges, a 65% increase in theft charges, and a 184% increase in cases with combined drug and theft charges.⁶

The criminal justice system in California offers little, if any, opportunity for intervention with individuals charged with misdemeanor offenses. Summary probation alone does not provide adequate supervision for probationers. In particular, it does not sufficiently monitor individuals, impose consequences, modify behavior, or provide linkages to community support.

To address these concerns, the San Diego City Attorney's Office launched the San Diego Community Justice Initiative (CJI, then called San Diego Community Court) in November 2014.⁷ This is a targeted approach, designed to address some of the challenges associated with

¹ In 2013, there were 55,455 misdemeanor arrests in San Diego County.

² <http://www.courts.ca.gov/partners/3202.htm>

³ A.B. 109: Public Safety Realignment.

⁴ In 2012, 48,678 individuals were arrested and booked into San Diego County jails.

⁵ Such as drug possession and property crimes valued under \$950.

⁶ The Criminal Division of the City Attorney's Office reviews approximately 20,000 cases a year, and issues approximately 15,000 cases, with a trial conviction rate of 87.8 percent.

⁷ Stakeholders include: the San Diego County Public Defender's Office, the San Diego County Sheriff's Department, Urban Corps of San Diego County, Alpha Project, the San Diego Association of Governments

a specific offender population. CJI is a city-wide, post-filing alternative sentencing program for individuals committing low-level misdemeanor offenses.⁸ The Office projected the number of individuals eligible to participate in the program by running internal reports based on defined criteria and collaborating with the Sheriff's Department to forecast program impact on the jail population. These efforts led the City Attorney's Office to predict that 500 misdemeanor cases would be eligible for a CJI offer. Data collected between November 1, 2014, and March 15, 2015, provided the following results: 448 individuals were offered CJI, 266 individuals or 59% chose to enter the program, 56 individuals or 88% successfully completed the program, and 8 individuals failed to complete the program.⁹

Building upon the groundwork laid in the first six months, the City Attorney's Office decided to expand the program.

II. Approach

The City Attorney's Office and its stakeholders designed an evidence-based strategy to augment CJI. A CJI Coordinator was hired to help expand the program.¹⁰

a. Objectives

The expanded program focuses on four objectives: (1) conducting standardized assessments on participants to understand risk and need; (2) a dedicated case manager to provide participants with personal counseling and direction in accessing services; (3) strengthening the current documentation effort to ensure decisions and strategies are informed by data; and (4) greater degrees of community engagement.

The first objective is to implement a standardized risk and need assessment for prevention and intervention. The stakeholders selected the Proxy Risk Screening and the COMPAS Risk and Need Assessment System. The Proxy Risk Screening is used to give a general risk level, meaning risk to reoffend.¹¹ The goal is to focus resources on those who need

(SANDAG), the American Civil Liberties Union of San Diego and Imperial Counties, the Superior Court of San Diego County, and the community members of San Diego City Council District 4.

⁸ All misdemeanors are eligible for CJI, subject to certain exclusions. Offense exclusions include driving under the influence, domestic violence, sex offenses, child abuse, elder abuse, hate crimes, and infractions. Offender exclusions include registered sex offenders, offenders with strike priors within the last ten years, chronic offenders (such as those eligible for other programs like the Serial Inebriate Program), arsonists, and offenders with open warrants.

⁹ Successful completion is measured after the 90-day review or sentencing date has passed.

¹⁰ At this point, CJI was renamed from San Diego Community Court, based on feedback from stakeholders.

¹¹ The San Diego Sheriff's Department currently uses the Proxy Risk Screening in the jails.

intervention, and not to focus resources on those who are already at a low risk to reoffend. Those who are medium or high risk based on the scoring system are offered the opportunity to complete a more thorough assessment, by completing the COMPAS assessment.

The COMPAS is a fourth generation validated tool, and in this context is used to get more information about the participant's needs that, if addressed, may reduce the risk of reoffending. The COMPAS assessment is provided to a participant before he or she leaves the courthouse.¹² The COMPAS is administered to CJI participants by a member of the Sheriff's Transfer Assessment Release (STAR) Unit, and the results are transmitted to the service provider.

Under the second objective, a dedicated case manager provides participants with personal counseling and direction in accessing services. Hiring the case manager is a strategy change from CJI's original grant application which did not include this position. Originally, it was anticipated that the Sheriff's Department would hire additional personnel to administer the COMPAS. The Sheriff's Department graciously donated the service in-kind, freeing up the funds now to hire a case manager. This hire represents a significant program improvement, as there are now resources dedicated to providing appropriate services and service referrals for participants assessed at the medium and high risk level.

Two non-profit agencies, Urban Corps of San Diego County and Alpha Project, were selected as program service providers.¹³ Alpha Project receives all participants assessed at the medium or high risk level, and the case manager is also located at Alpha Project. These two service providers are experienced at linking participants with resources and services appropriate to their situation, including alcohol and drug addiction programs, mental health services, education programs, job training, and housing assistance.

The third objective is to strengthen the data collection and analysis, so decisions are based on evidence. To achieve this, the partners are working together to capture data and to create a more reliable and functional data platform to capture and share information. Armed

¹² A version of the COMPAS assessment is currently completed by Sheriff's Reentry staff for individuals charged with crime(s) and booked into jail.

¹³ Urban Corps of San Diego County provides high school education and green job training to young adults ages 18-25. Alpha Project provides services to over 4,000 men, women, and children each day. Its mission is to empower individuals, families and communities by providing work, recovery and support services to people who are monitored to change their lives and achieve self-sufficiency.

with this “action research,” program partners will make in-progress adjustments that help deliver the best outcomes for participants.

The fourth objective is to integrate community engagement into CJI. This will begin with the community members in San Diego City Council District 4. This may include advisory boards, work service participation, or mentorship opportunities. It is expected that this portion of the program will launch in Fiscal Year 2017.

b. Research Base

The research base for this approach is grounded in the first community court established in Manhattan in 1993, to address quality of life issues. Common goals of a community court are to reduce crime, increase community engagement, and provide a greater level of accountability for individuals charged with low-level, misdemeanor offenses.

The approach draws heavily on the risk-need-responsivity model. The proxy determines an individual’s risk level immediately, allowing CJI to focus resources on higher-risk offenders, by providing them with the opportunity to engage in case management. The participant’s needs are assessed and that information is shared with the case manager, who is able to tailor a program to address each individual’s specific needs.

The San Diego City Attorney’s Office has established strong partnerships and collaborations for this initiative. The research partner, San Diego Association of Governments (SANDAG), Criminal Justice Research Division, has been conducting action research with local public safety entities since 1981. SANDAG and the City Attorney’s Office enjoy a longstanding relationship.

The expected result of CJI is the development of an efficient, fair, and effective system for individuals charged with low level misdemeanor crimes. Participants successfully completing the program may earn a dismissal of their court case by completing community work service or by engaging in services. The program provides an opportunity for early and swift intervention for those in need of services. The community engagement component of CJI will provide restorative justice and neighborhood empowerment.

The long-term vision of CJI, including future sustainment, is based on successful outcomes for program participants combined with the strong history of collaboration between the City Attorney’s Office and its program partners. It is expected that future stakeholder meetings will address program sustainability.

With the action research collected thus far, the partners have identified a second target population—individuals committing low-level chronic offenses and choosing not to participate in CJI. The City Attorney’s Office, with its stakeholders, is currently developing a new track within CJI to address this population, the San Diego Misdemeanants At-Risk Track (SMART).¹⁴ SMART will launch as a pilot program, based in the San Diego Police Department’s Central Division. The initial pilot will focus on chronic drug and quality of life offenders, and offer intensive case management, treatment, and housing. The housing will be in single bedroom apartments, and available for up to two years, as the participant transitions into permanent housing. The pilot is expected to launch in August of 2016.

III. Process and Impact Evaluation

SANDAG will conduct a process and impact evaluation and issue a final report. The data collected will include secondary data from archival criminal justice records, and primary data from program assessments, service data, surveys, and interviews.

The research questions for the process evaluation will include: (1) How many individuals were offered CJI and how many accepted the offer? (2) What are the characteristics (including criminal history and current offense, as well as demographic) of those individuals declining program participation and the reason(s) for it? (3) What are the characteristics of those individuals accepting program participation? (4) What are the assessed risk and needs of clients and were they provided appropriate service referrals? If not, why? (5) How did project partners view implementation and expansion and where did they indicate room for improvement?

The research questions for impact evaluation will address: (1) How many clients accessed services they were referred to and what client characteristics were predictive of following through with services? (2) How many clients completed CJI and what factors were predictive of successful completion? (3) If clients dropped out of the program, at what point and why? (4) What was the recidivism rate (i.e. a new arrest) in the six-month period following the CJI offer? (5) What factors were related to non-reoffending? (6) What is the cost-benefit of CJI?

¹⁴ Stakeholders include: The San Diego Police Department, San Diego Mayor’s Office, San Diego City Council, San Diego Sheriff’s Department, San Diego Public Defender’s Office, San Diego Superior Court, San Diego Housing Commission, and San Diego County Behavioral Health Services, including the Regional Recovery Centers for outpatient drug treatment.

Additionally, SANDAG will provide CJI “lessons learned” for other sites considering similar programs.

IV. Analysis

SANDAG will perform both quantitative and qualitative data analysis. Quantitative data analysis will use frequency distributions and cross-tabulations of objective data with averages and proportions that will provide a description of “who did what to whom.” Qualitative data will be analyzed using content analysis and MAXQDA text analysis to discover patterns regarding challenges to implementation and lessons learned. To determine what factors are predictive of outcomes and whether the treatment group had better outcomes than the historical comparison, the first part of the analysis will employ statistical tests, including t-tests, chi-square, and Lambda (measure of strength) to test for outcome differences ($p < .05$) between the treatment group and the comparison group as well as the effect size. Since all eligible clients should receive CJI offers, SANDAG will conduct a comparison by identifying a historical sample using propensity score matching techniques on key variables. The second part of the analysis will use binomial logistic regression models to determine if CJI participation predicted success (recidivated—yes or no, measured as arrests, bookings, and convictions), while controlling for confounding factors. Success will be measured as no recidivism at six months. Predictor variables will be included that measure client characteristics and need, match of needs to services, and type of services referred to.

For the cost-benefit analysis, the costs and benefits of the treatment and comparison groups will be compared. Cost-benefit ratios will be computed for both groups by determining the cost of CJI versus traditional disposition, calculating the benefits after propensity score matching and determining the proportion not rearrested and the subsequent system costs, and calculate the savings to the criminal justice system associated with total number of arrests and convictions prevented, and reduction in time served using the cost savings measures.

The goals of the analysis are to compile the information necessary to guide the CJI expansion, understand the factors to consider when implementing this type of program, and understand the cost-benefit of a positive outcome in a realized program.

V. Theory of Change Model

See attached Logic Model.

VI. Training and Technical Assistance (TTA)

CJI will engage in TTA with the Association of Prosecuting Attorneys (APA) in the following manner: (1) APA will consult with site champion Allyson West for the preparation of a CJI survey for SDCA staff (attorneys and project staff) and Public Defenders; (2) APA will consult with site champion Allyson West for a recommendation to CJI for cognitive behavioral therapy curriculum for program participants. Considerations may include “Thinking for Change,” and “Matrix Model.” Additionally, APA will explore CBT software; (3) in consultation with site champion Allyson West, APA will provide recommendations for potential CJI community engagement; (4) APA will provide information regarding police-led and prosecutor-led diversion programs; (5) APA will provide information about similar initiatives targeting mental health and substance abuse, and (6) APA will assist with development of a CJI brochure.