Ventura County Community Corrections Partnership
Public Safety Realignment: AB 109 Evaluation Brief
April 2024

INTRODUCTION

Ventura County's Community Corrections Partnership (CCP) has contracted with EVALCORP to enhance the County's evaluation infrastructure and allow for analyses of system-level outcomes stemming from Realignment efforts. As part of these efforts, recidivism analyses are conducted each year utilizing data extracted from the County's integrated criminal justice data system (i.e., Ventura County Integrated Justice Information System or VCIJIS). The IT Teams from the Ventura County Probation Agency and the Ventura County Sheriff's Office provide data for these analyses.

The following evaluation report describes the population of offenders impacted by AB 109, including those released from prison or jail between October 2011 and June 2023 or sentenced during this timeframe. Information regarding sex, race/ethnicity, age at release, current offense information, and criminal history are provided for each AB 109 subpopulation (i.e., PROs, 1170(h) split-sentence, and 1170(h) straight-sentence) and the entire population of offenders. A summary of recidivism metrics for the three AB 109 subpopulations follows.

RECIDIVISM ANALYSES METHODOLOGY

Recidivism metrics were determined using the Board of State and Community Corrections' (BSCC) definition of recidivism and the "Guidelines for Recidivism Studies, Measuring Criminal Justice Outcomes for Local Programs", developed by BSCC researchers.

The BSCC guidelines suggest that cohort analyses be used to measure recidivism. Therefore, this report focused on offenders released from custody between FY11/22 and FY19/20, with each fiscal year corresponding to a new "entry cohort". This also ensured that individuals within each cohort had the full 36 months of exposure to risk in the community (i.e., were in the community for at least three years post-release), aligning with the BSCC definition of recidivism.

> **BOARD OF STATE AND COMMUNITY CORRECTIONS DEFINITION OF RECIDIVISM**
>
> "Conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction."
>
> Committed refers to the date of the first new offense post-release, not to the date of the conviction.

Analyses were further separated by AB 109 subpopulations: PROs, 1170(h) split-sentence, and 1170(h) straight-sentence offenders. Doing so provides information about the differences between each offender subpopulation and permits an assessment of the impact of AB 109 services (e.g., Case Management, Substance Use Treatment, Mental Health, and Employment Services) on offender recidivism rates. This population is an approximate comparison group because 1170(h) straight-sentence offenders are not eligible to receive these services once released from custody. Recidivism analyses examined whether the PROs and 1170(h) split-sentence populations had lower recidivism rates than the 1170(h) straight-sentence population.

It should be noted that (1) data regarding new offenses and convictions were available for only those that occurred in Ventura County, and (2) analyses excluded offenders that were initially released to Ventura County for supervision but were subsequently transferred out of county or abated (i.e., deceased).

VENTURA COUNTY'S REALIGNMENT POPULATION

OFFENDERS RELEASED TO SUPERVISION AND INTO THE COMMUNITY

Figure 1 presents the total number of AB 109 realignment offenders released into the community each fiscal year (i.e., their entry cohort). This total is further divided by subpopulation. These data provide an overview of the realignment population in Ventura County and show differences between the size of the groups. Complete statistics can be found in Table 1 in the Appendix.
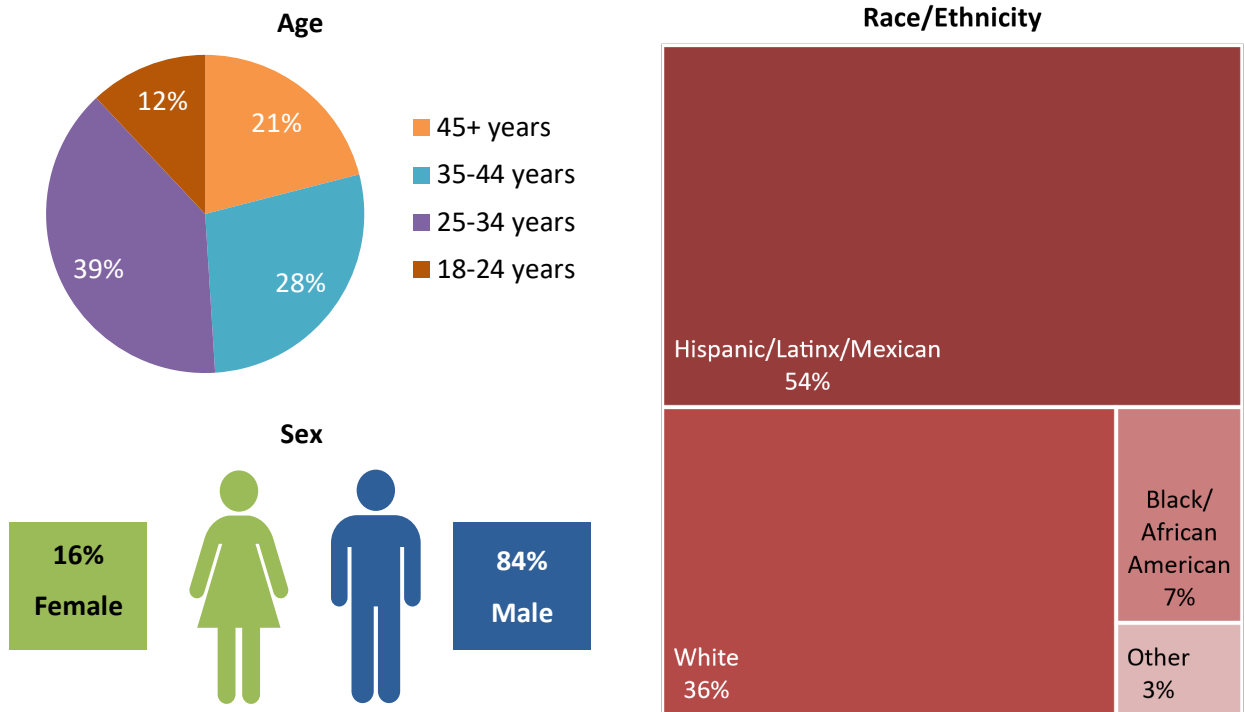
Between October 2011 and June 2023, a total of 7,813 offenders were released from prison or jail to local probation supervision (i.e., PROs and 1170(h) split-sentence, respectively) or were released into the community after serving their jail sentence without any terms of probation (i.e., 1170(h) straight-sentence). The largest proportion of offenders were classified as PROs, followed by 1170(h) straight-sentence, and 1170(h) split-sentence offenders.

Figure 1. Total Number of Ventura County AB 109 Realignment Offenders by Subpopulation and Fiscal Year Released (FY11/12 – FY22/23)
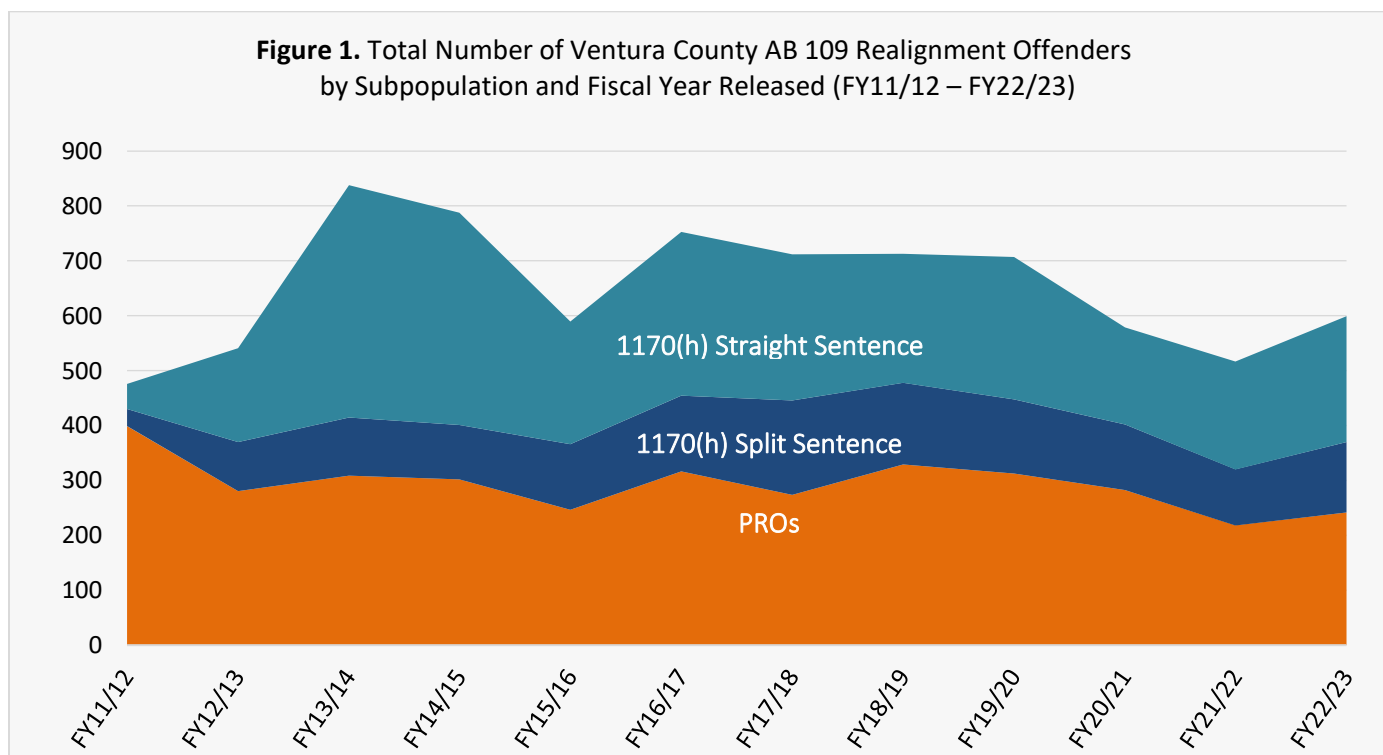
OFFENDER CHARACTERISTICS

Selected characteristics of all realignment offenders are presented in **Diagram 1**, with characteristics of each subpopulation in **Table 2**. This information provides an overall profile depicting the demographics of offenders being released, current charge information (i.e., offense level and top charge category for which they were convicted that led to their AB 109 supervision), and prior conviction history.

Diagram 1. Characteristics of Ventura County's AB 109 Realignment Population (FY11/12 – FY22/23)

Age

45+ years	21%
35-44 years	28%
25-34 years	39%
18-24 years	12%

Sex

16% Female

84% Male

Race/Ethnicity

Hispanic/Latinx/Mexican 54%

White 36%

Black/African American 7%

Other 3%

Realignment offenders are primarily male, aged 25-34, and Hispanic/Latinx. Individuals were almost universally convicted of a felony offense, which parallels the realignment law. 1170(h) split-sentence offenders had more prior convictions, followed by 1170(h) straight-sentence offenders and PROs.

Table 2. Characteristics of Ventura County AB 109 Offenders by Subpopulation (FY11/12 – FY22/23)

| Characteristics		PROs (n = 3,514)		1170(h) Split-Sentence (n = 1,387)		1170(h) Straight-Sentence (n = 2,912)
Sex	Male	92%		78%		77%
	Female	8%		22%		23%
	Unknown	<1%		--	--	--	--
Race/Ethnicity	Hispanic/Latin/Mexican	59%		50%		51%
	White	33%		40%		38%
	African American	6%		6%		7%
	Other	2%		4%		4%
Age at Release	18 – 24 years	10%		10%		15%
	25 – 34 years	37%		38%		41%
	35 – 44 years	29%		31%		26%
	45 years or older	24%		21%		18%
	Missing	<1%		--	--	--	--
Offense Level	Felony	92%		93%		85%
	Misdemeanor	8%		7%		13%
	Missing	<1%		--	--	2%
Top Charge Category	Person	14%		1%		2%
	Weapon	17%		5%		8%
	Property	24%		52%		54%
	Drug	21%		34%		26%
	DUI	7%		1%		2%
	Other	17%		7%		6%
	Enhanced	<1%		--		<1%
	Missing	<1%		--		2%
Conviction History (mean)	Total prior convictions	8.7		9.5		9.1
	Prior felony convictions	2.5		2.5		1.6
	Prior misd. convictions	6.1		7		7.5

THREE-YEAR RECIDIVISM METRICS

OVERALL AB 109 RECIDIVISM METRICS

Figure 2 depicts the three-year recidivism rate for Ventura County's overall AB 109 realignment population FY11/12 – FY19/20 cohorts and, for those who recidivated, the offense level (i.e., felony or misdemeanor) of the first new conviction. Just over half of all realignment offenders recidivated, with a higher percentage of those offenses being misdemeanors rather than felonies.

Figure 2. Ventura County's AB 109 Population 3-Year Recidivism Rate by Offense Type (FY11/12 – FY19/20)
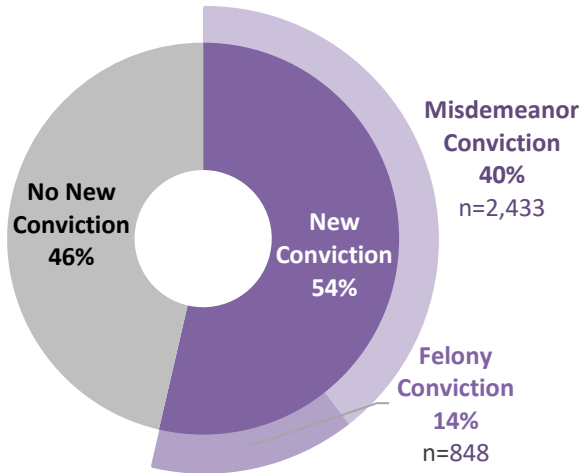
Although nearly all AB 109 offenders committed a felony leading to their AB 109 supervision, the offense that led t to their new conviction was most often a misdemeanor. **Figure 3** depicts the level of the offense that led to AB 109 supervision (on the left) and the level of the offense that led to their first new conviction after release (on the right).


Figure 3. Supervision and Recidivating Offenses Among AB 109 Realignment Offenders
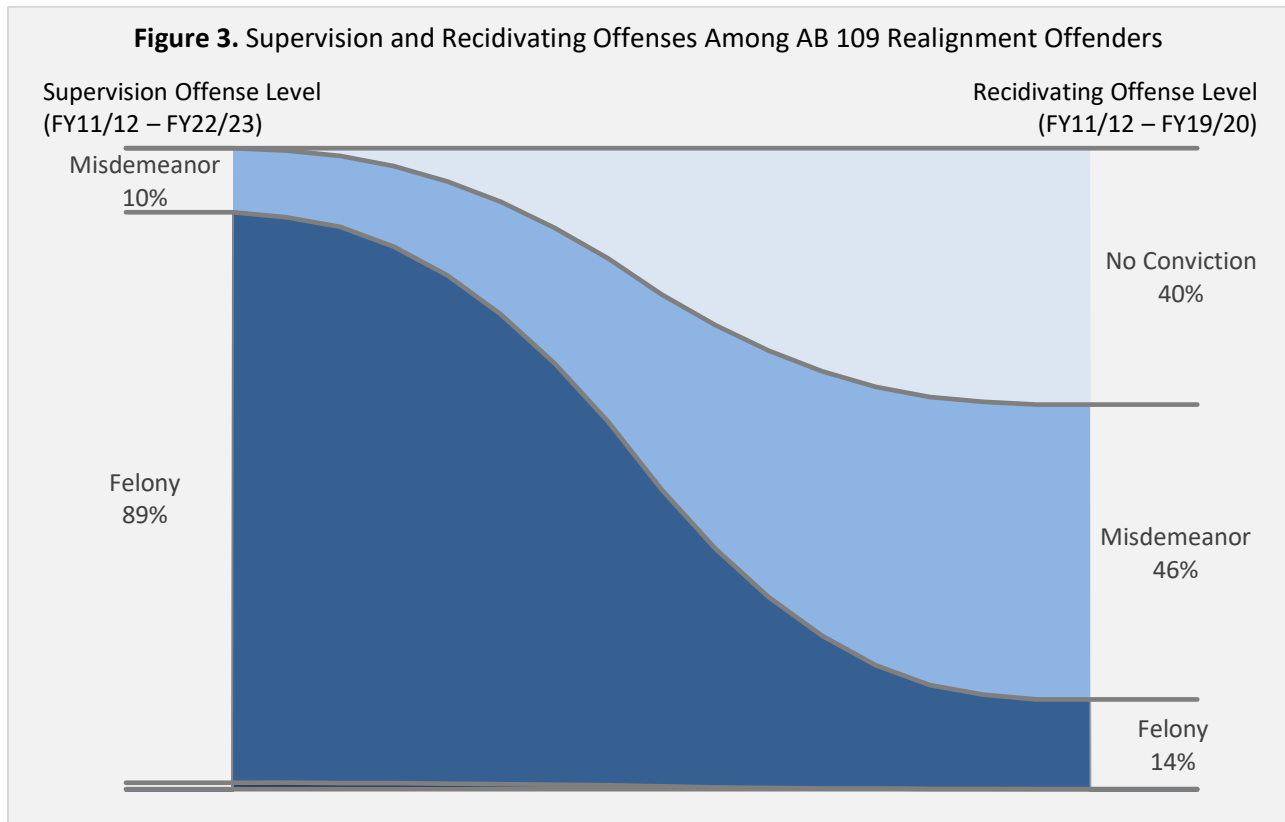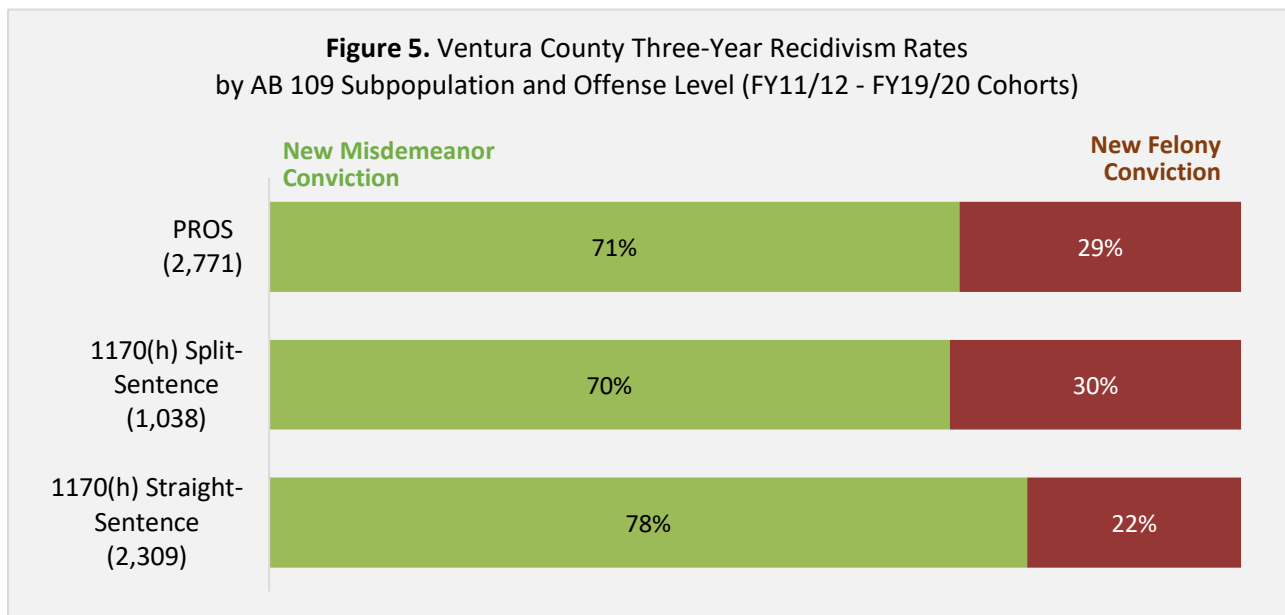
RECIDIVISM METRICS BY SUBPOPULATION

Figure 4 shows Ventura County's three-year recidivism rate for each AB 109 subpopulation.

The three subpopulations significantly differed in the proportion of individuals who recidivated within three years after release from custody (*p*<0.001):

- slightly more than half (51%) of PROs (n = 2,771) recidivated within three years of release from custody;

- just under half (47%) of 1170(h) split-sentence offenders (n = 1,038) recidivated within three years of release from custody; and

- about three in five (60%) of 1170(h) straight-sentence offenders (n = 2,309) recidivated within three years of release from custody.

Figure 4. Ventura County Three-Year Recidivism Rate by AB 109 Subpopulation (FY11/12 - FY19/20 Cohorts)

|	
PROS	51%
1170(h) Split-Sentence	47%
1170(h) Straight-Sentence	60%
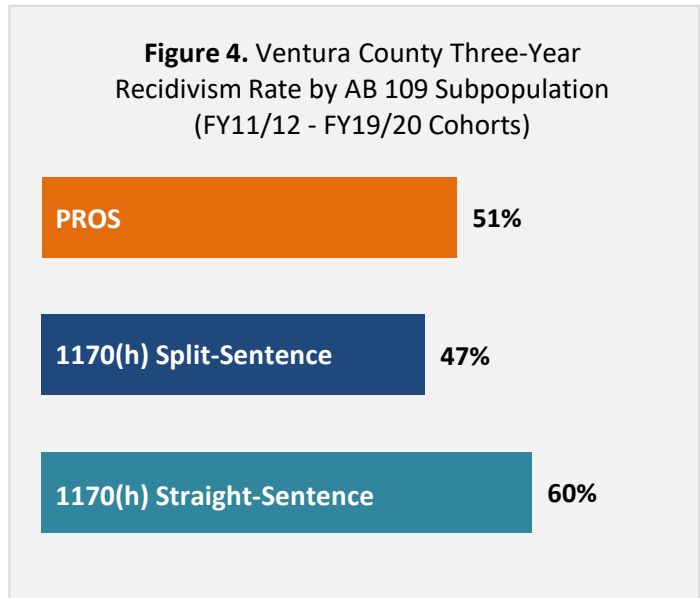
Among those who recidivated, offenses were described by level and type. **Figure 5** provides the offense level (i.e., felony or misdemeanor) that resulted in the first new conviction among the PROs, 1170(h) split-sentence and 1170(h) straight-sentence subpopulations. Across all three subpopulations, offenders were more likely to be reconvicted of a misdemeanor offense than a felony. This was particularly true among straight-sentence offenders.

Figure 5. Ventura County Three-Year Recidivism Rates by AB 109 Subpopulation and Offense Level (FY11/12 - FY19/20 Cohorts)

	New Misdemeanor Conviction	New Felony Conviction
PROS (2,771)	71%	29%
1170(h) Split-Sentence (1,038)	70%	30%
1170(h) Straight-Sentence (2,309)	78%	22%

Next, the type of offense was considered—person, weapon, property, drug, DUI or other[1]. **Figure 6** provides the offense type of the top charge resulting in the first new conviction by PROs, 1170(h) split-sentence, and 1170(h) straight-sentence subpopulations. Across all subpopulations, drug offenses were the most common.

Figure 6. Top Charge Offense Category of First New Conviction by Subpopulation (FY11/12 – FY19/20 Cohorts)
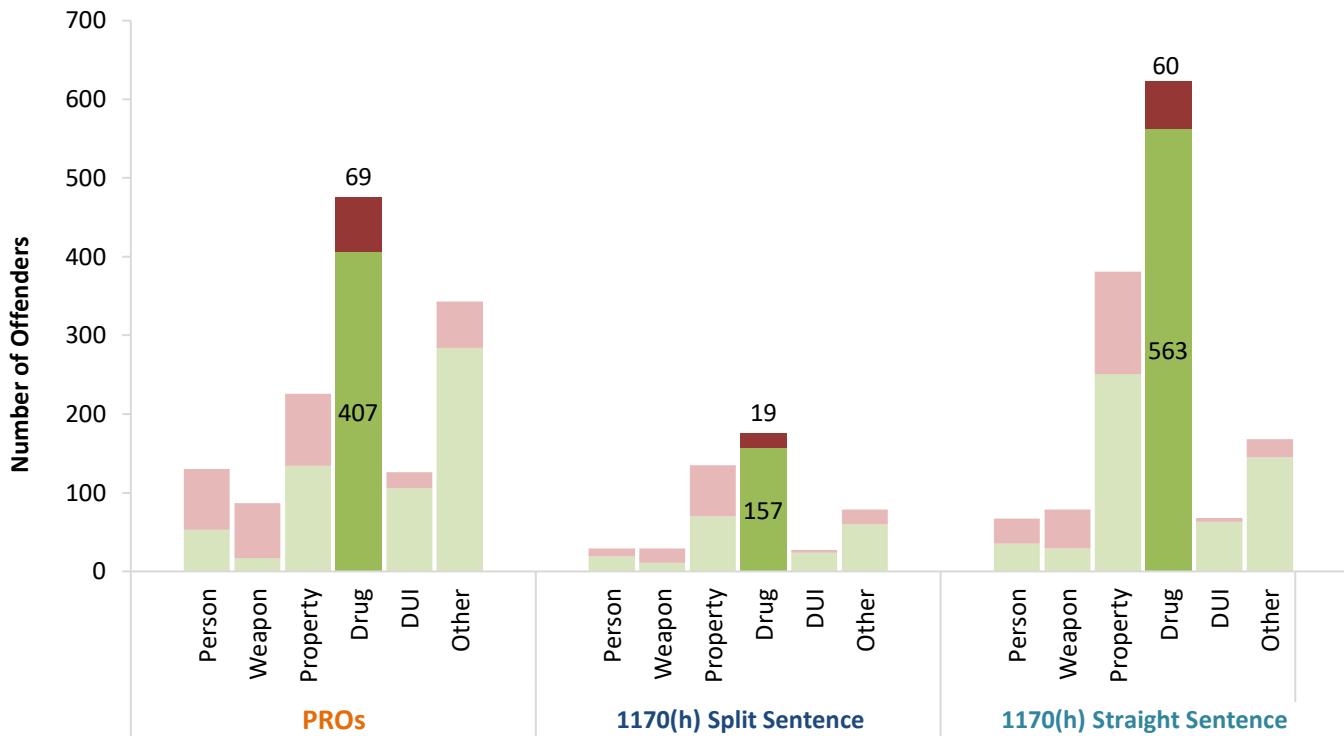

In addition to drug offenses being the most common across all three subpopulations, about 75% of recidivating offenses for each subpopulation fall into five categories: misdemeanor drug, other, property, and DUI crimes, and felony property crimes. The remaining categories (misdemeanor person and weapon offenses; and felony person, weapon, drug, DUI, and other offenses) make up only about one-quarter of recidivating offenses. Detailed statistics can be found in Table 3 in the Appendix.

RECIDIVISM METRICS BY TIME TO FIRST OFFENSE

Additional analyses regarding the time to an individual's first offense were conducted to provide a more in-depth assessment of recidivism patterns. **Figure 7** depicts the number of offenders that recidivated during each three-month period (purple bars) and the cumulative recidivism rate over time (red line). Most offenders committed their first offense within one year; the number of offenders recidivating decreased as time progressed. In other words, individuals who recidivated were more likely to do so early on.

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[1] For those who were convicted of multiple offenses, only the 'top', or most severe charge was considered. Severity was evaluated in the following order: person, weapon, property, drug, DUI, and other.

Figure 7. Time to First Offense That Led to New Conviction Among All AB 109 Realignment Offenders (FY11/12 – FY19/20)
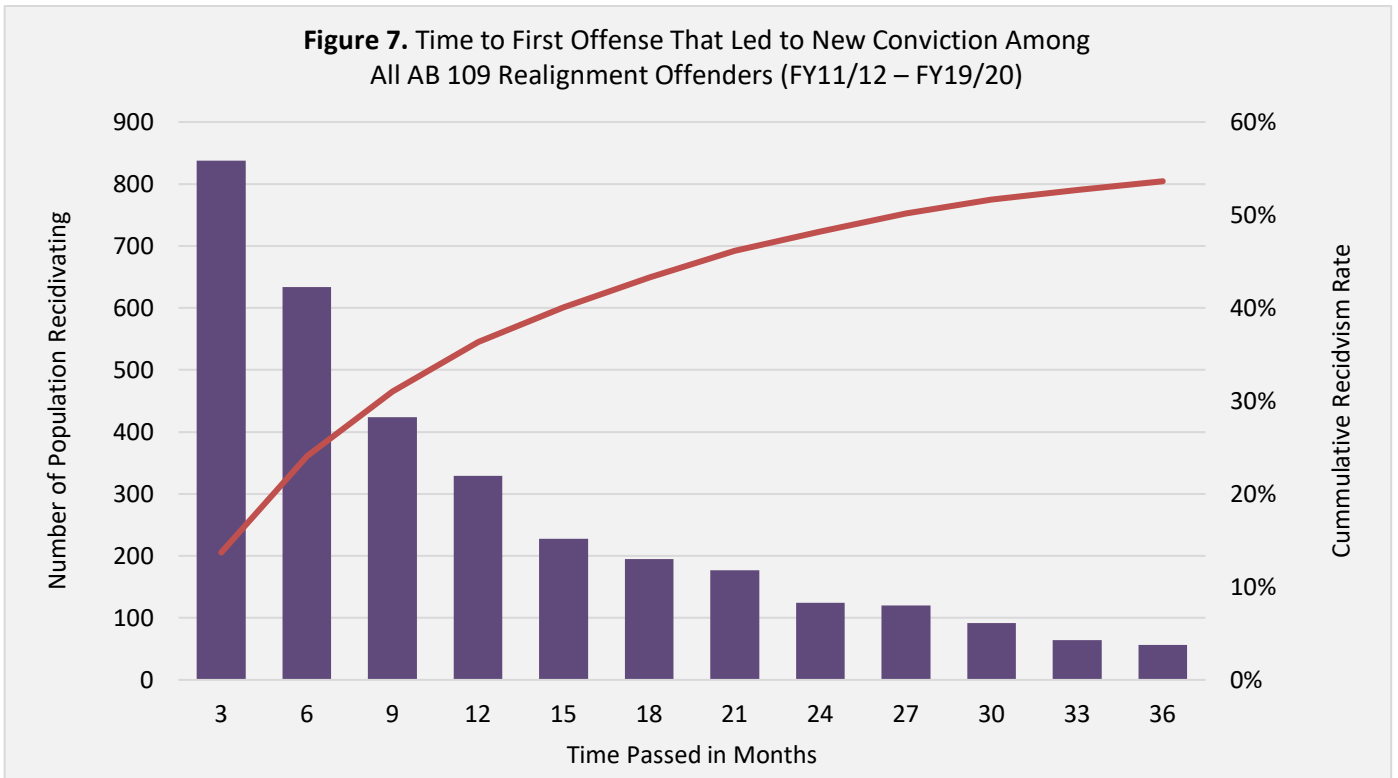
This pattern was consistent among all three subpopulations (**Figure 8**). Across the three years, 1170(h) straight-sentence offenders recidivated at a higher rate than PROs and 1170(h) split-sentence offenders. And the number of new individuals recidivating decreased over time across all three groups. Detailed statistics regarding the time to first offense by subpopulation and entry cohort are in Table 4 in the Appendix.

Figure 8. Time to First Offense That Led to New Conviction by AB 109 Subpopulation (FY11/12 - FY19/20)
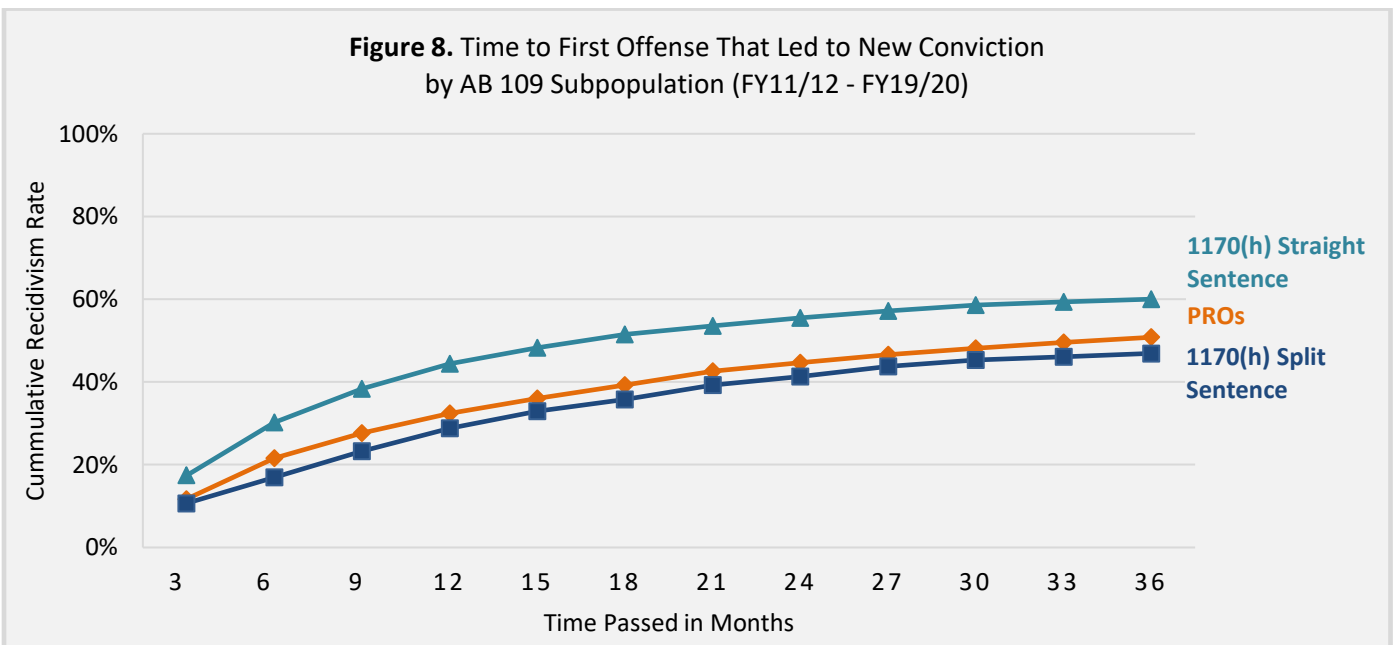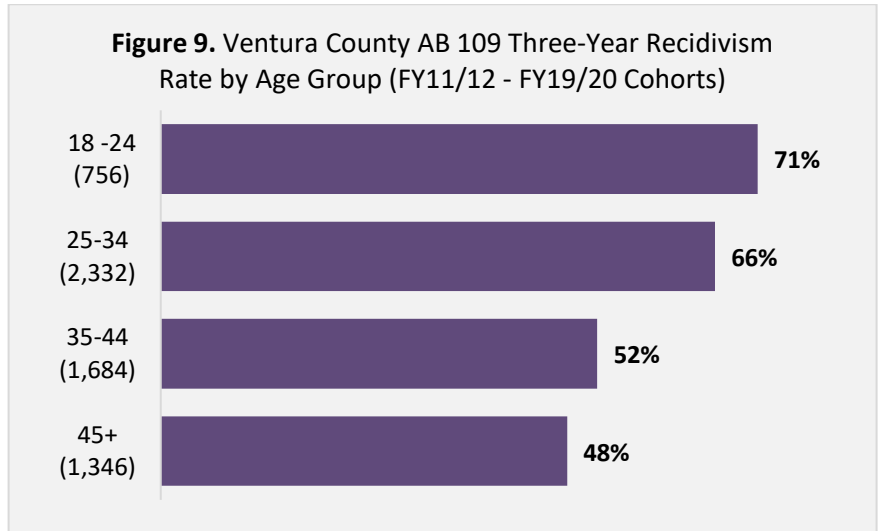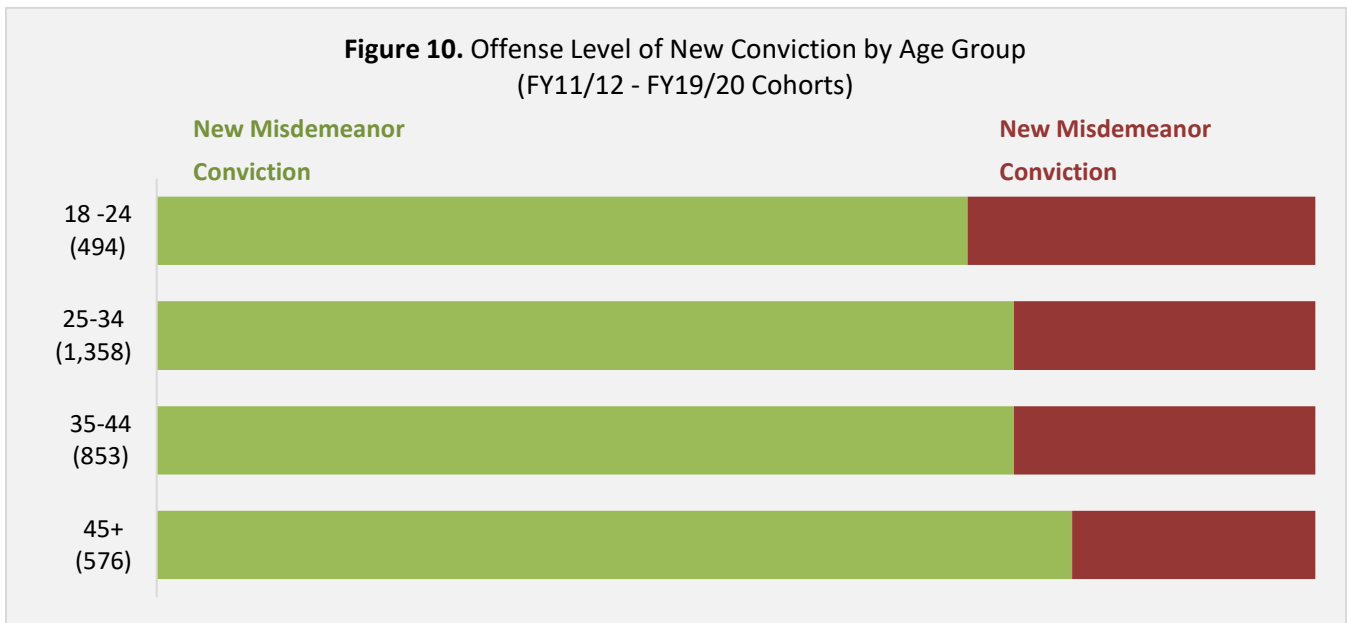
Ventura County's three-year AB 109 recidivism rate by age group is provided in **Figure 9.**

Younger offenders (i.e., aged 18-34 years) recidivated at a higher rate than older offenders (i.e., aged 35 years and older).

Figure 9. Ventura County AB 109 Three-Year Recidivism Rate by Age Group (FY11/12 - FY19/20 Cohorts)

Age Group	Rate
18 -24 (756)	71%
25-34 (2,332)	66%
35-44 (1,684)	52%
45+ (1,346)	48%

Figure 10 further divides these analyses by offense level (i.e., felony or misdemeanor). Across all age groups, individuals who recidivated were more likely to commit a misdemeanor offense than a felony offense. Moreover, older offenders were less likely to commit a felony than younger offenders.

Figure 10. Offense Level of New Conviction by Age Group (FY11/12 - FY19/20 Cohorts)

New Misdemeanor Conviction   New Misdemeanor Conviction

Age Group	
18 -24 (494)	
25-34 (1,358)	
35-44 (853)	
45+ (576)	

**Table 5** provides the offense category (i.e., drug, property, other, weapon, DUI, or person crime) and offense level (i.e., felony or misdemeanor) of the top charge resulting in the first new conviction post-release by age group. Regardless of age, a misdemeanor drug offense was the most common type of offense that resulted in a new conviction. The least common were felony DUI and misdemeanor weapon offenses.

Table 5. Top Charge Category Offense of Recidivism Event by AB 109 Subpopulation
(FY11/12 – FY19/20 Cohorts)

Top Charge Category	18-24 years		25-34 years		35-44 years		45+ years	
	Column #	Column %	Column #	Column %	Column #	Column %	Column #	Column %
No New Convictions	**262**	**35%**	**974**	**42%**	**831**	**49%**	**770**	**57%**
New Conviction	**494**	**65%**	**1,358**	**58%**	**853**	**51%**	**576**	**43%**
▪ Felony Person	21	3%	62	3%	23	1%	13	1%
▪ Felony Weapon	36	5%	53	2%	30	2%	19	1%
▪ Felony Property	58	8%	124	5%	87	5%	33	2%
▪ Felony Drug	18	2%	61	3%	51	3%	30	2%
▪ Felony DUI	4	<1%	8	<1%	5	<1%	11	<1%
▪ Felony Other	13	2%	49	2%	25	1%	14	2%
▪ Misd. Person	11	1%	59	2%	29	2%	8	<1%
▪ Misd. Weapon	8	1%	21	1%	20	1%	8	<1%
▪ Misd. Property	74	10%	175	8%	124	7%	87	6%
▪ Misd. Drug	136	18%	479	21%	303	18%	209	16%
▪ Misd. DUI	20	3%	82	4%	47	3%	45	3%
▪ Misd. Other	95	12%	186	8%	109	6%	99	7%
Total	756	100%	2,332	100%	1,684	100%	1,346	100%

TIME TO FIRST NEW OFFENSE BY AGE GROUP

Figure 11 illustrates how the time to first new offense differed across age groups. Compared to older groups (i.e., 35 years and older), younger offenders (i.e., aged 18–24 and 25-34) were more likely to recidivate and tended to commit their first offense sooner compared to older age groups (i.e., 35-44 and 45 and older).

Figure 11. Time to First Offense That Led to New Conviction by Age Group (FY11/12 - FY19/20 Cohorts)
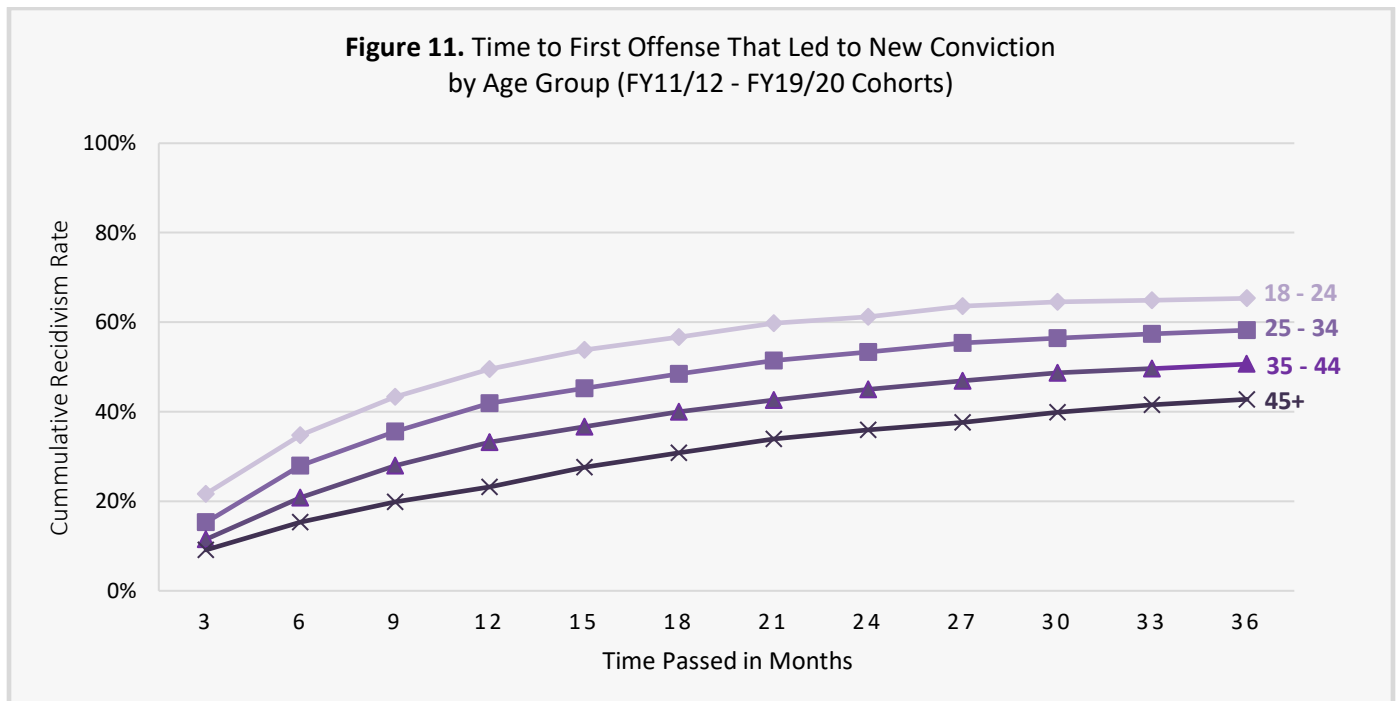
REGRESSION ANALYSES

The previous analyses in this report describe recidivism trends over time, across AB 109 subpopulations, and between various age groups. An additional analysis was conducted to consider which factor(s) had a unique impact on an individual's likelihood of recidivating.

Specifically, we examined the impact of AB 109 subpopulation (PROs, 1170(h) split-sentence, 1170(h) straight-sentence), offender demographics (race/ethnicity, sex, age), current offense information (level and category), felony conviction history, and misdemeanor conviction history on the likelihood of recidivating. Key findings from this analysis are provided below:

- **AB 109 Subpopulation:** Compared to 1170(h) straight-sentence offenders, PROs were 27% less likely, and 1170(h) split-sentence offenders were 47% less likely to recidivate after removing the influence of demographics, current offense information, and conviction history.

- **Demographics:** Sex was not significantly related to rates of recidivism, but age and ethnicity were— Hispanic/Latinx offenders were 16% more likely to recidivate than those who did not identify as Hispanic/Latinx. Older offenders were significantly less likely to recidivate than younger offenders.

- **Current Offense Information:** Regarding the offense that led to their detention or supervision, individuals who had committed a misdemeanor had a 112% higher chance of recidivating than those who had committed a felony.

- **Conviction History:** For each additional prior felony conviction, offenders had a 24% higher likelihood of recidivating. For each misdemeanor conviction, that percentage was 12%.

SUMMARY

Between October 2011 and June 2023, 7,813 AB 109 offenders were released from prison or jail in Ventura County. Of those individuals who had been in the community for at least three years post-release, just over half (54%) committed a new offense (i.e., they recidivated). Although the realignment population primarily consists of felony offenders, their recidivating offense was most commonly a misdemeanor.

The majority of offenders who recidivate commit their first new offense within one-year post-release, indicating an early peak in recidivism. This trend was consistent across age groups and the three AB 109 subpopulations, with 1170(h) straight-sentence offenders exhibiting higher rates overall.

Certain characteristics related to an offender's likelihood of recidivating. For example, younger offenders were more likely to recidivate than older offenders and having one or more prior conviction(s) was associated with a higher likelihood of recidivating.

The three AB 109 subpopulations differed in their likelihood of recidivating, even after accounting for group differences in common risk factors and characteristics (i.e., current offense information, demographics, and conviction history). PROs and 1170(h) split-sentence offenders, who were released to local probation supervision, were less likely to recidivate than 1170(h) straight-sentence offenders, who were released without any terms of probation. PROs and 1170(h) split-sentence offenders may differ from 1170(h) straight-sentence offenders in ways that make them more likely to reoffend. Or, this difference in recidivism could be a positive outcome of the oversight PROs and 1170(h) split-sentence offenders received through probation and/or the services they were offered post-release (e.g., Case Management, Substance Use Treatment).

Table 1. Ventura County AB 109 Realignment Offenders
by Subpopulation Type and Fiscal Year Released (FY11/12 – FY22/23)

Fiscal Year Released	PROs	1170(h) Split-Sentence	1170(h) Straight-Sentence	AB 109 Total
11/12	399	31	46	476
12/13	281	89	171	541
13/14	309	106	423	838
14/15	302	99	387	788
15/16	247	119	224	590
16/17	317	138	298	753
17/18	274	172	266	712
18/19	329	149	235	713
19/20	313	135	259	707
20/21[1]	283	119	177	579
21/22[1]	218	102	197	517
22/23[1]	242	128	229	599
Total	**3,514**	**1,387**	**2,912**	**7,813**

[1] Individuals in these three cohorts do not have a full 36 months of exposure to risk in the community
(i.e., in the community for three years post-release) for the recidivism analysis.

Table 3. Top Charge Category Offense of Recidivism Event by AB 109 Subpopulation (FY11/12 – FY19/20 Cohorts)

Top Charge Category	PROs		1170(h) Split-Sentence		1170(h) Straight-Sentence		FY11/12-FY19/20 Cohorts	
	Column #	Column %	Column #	Column %	Column #	Column %	Column #	Column %
No New Convictions	1,363	49%	551	53%	923	40%	2,837	46%
New Conviction	1,408	51%	487	47%	1,386	60%	3,281	54%
Felony								
Person	77	3%	10	1%	32	1%	119	2%
Weapon	70	3%	18	2%	50	2%	138	2%
Property	107	3%	65	6%	130	6%	302	4%
Drug	69	3%	31	2%	60	3%	160	3%
DUI	20	<1%	3	<1%	5	<1%	28	<1%
Other	59	2%	19	2%	23	1%	101	2%
Misdemeanor								
Person	53	2%	19	2%	35	2%	107	2%
Weapon	17	<1%	11	1%	29	1%	57	<1%
Property	139	5%	70	7%	251	11%	460	7%
Drug	407	15%	157	15%	563	24%	1,127	18%
DUI	106	4%	24	2%	63	3%	193	3%
Other	284	10%	60	6%	145	6%	489	8%
Total	**2,771**	**100%**	**1,038**	**100%**	**2,309**	**100%**	**6,118**	**100%**

Table 4. Time to First New Offense by AB 109 Subpopulation and Entry Cohort (FY11/12- FY19/20)[1]

Entry Cohorts	PROs				1170(h) Split-Sentence				1170(h) Straight-Sentence			
	N	Cumulative Recidivism Rate			N	Cumulative Recidivism Rate			N	Cumulative Recidivism Rate		
		Within 12 mos.	*Within 24 mos.*	*Within 36 mos.*		*Within 12 mos.*	*Within 24 mos.*	*Within 36 mos.*		*Within 12 mos.*	*Within 24 mos.*	*Within 36 mos.*
FY 11/12	399	38%	50%	61%	31	23%	42%	52%	46	41%	50%	54%
FY 12/13	281	30%	41%	46%	89	25%	43%	53%	171	43%	54%	60%
FY 13/14	309	32%	46%	52%	106	26%	35%	40%	423	44%	59%	66%
FY 14/15	302	32%	45%	49%	99	27%	42%	46%	387	44%	58%	62%
FY 15/16	247	28%	41%	48%	119	33%	45%	51%	224	44%	56%	63%
FY 16/17	317	39%	52%	57%	138	26%	39%	46%	298	45%	57%	60%
FY 17/18	274	31%	43%	48%	172	39%	48%	52%	266	49%	58%	60%
FY 18/19	329	26%	40%	44%	149	24%	39%	42%	235	49%	57%	60%
FY 19/20	313	33%	43%	46%	135	28%	38%	41%	259	38%	44%	48%
Total	2,771	33%	45%	51%	1,038	29%	41%	47%	2,309	45%	57%	61%

[1] Time to first new offense refers to the date of the offense that led to the first new conviction.