

Ventura County Community Corrections Partnership

Public Safety Realignment: AB 109 Evaluation Brief

February 2023

Introduction

Ventura County's Community Corrections Partnership (CCP) has contracted with EVALCORP Research & Consulting (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 Justice Information System or VCJIS). Data for these analyses are provided by the IT Teams from Ventura County Probation Agency and the Ventura County Sheriff's Office.

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 2022, 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 each of 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 who were released from custody between FY11/22 and FY18/19, 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.

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. Because 1170(h) straight-sentence offenders are not eligible to receive these services once they are released from custody, this population can serve as a comparison group. Recidivism analyses examined whether the PROs and 1170(h) split-sentence populations had lower recidivism rates compared to 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).

Board of State and Community Corrections (BSCC) 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.

Ventura County's Realignment Population

Offenders Released to Supervision and into the Community

Table 1 presents the total number of AB 109 offenders by subpopulation and the fiscal year in which they were released into the community (i.e., their entry cohort). These data provide an overview of the realignment population in Ventura County and show differences between subpopulations.

Between October 2011 and June 2022, a total of 7,218 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.

Table 1. Ventura County AB 109 Realignment Offenders
by Subpopulation Type and Fiscal Year Released (FY11/12 – FY21/22)

Fiscal Year Released	PROs	1170(h) Split-Sentence	1170(h) Straight-Sentence	AB 109 Total
FY11/12	399	31	47	477
FY12/13	281	89	176	546
FY13/14	309	106	421	836
FY14/15	302	99	382	783
FY15/16	247	119	225	591
FY16/17	317	138	298	753
FY17/18	274	172	270	716
FY18/19	329	149	232	710
FY19/20 ¹	313	135	262	710
FY20/21 ¹	283	119	177	579
FY21/22 ¹	216	101	200	517
Total	3,270	1,258	2,690	7,218

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.

Offender Characteristics

Selected characteristics by AB 109 subpopulation are presented in **Table 2** below. 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.

Table 2. Characteristics of Ventura County AB 109 Offenders by Subpopulation (FY11/12 – FY20/21)

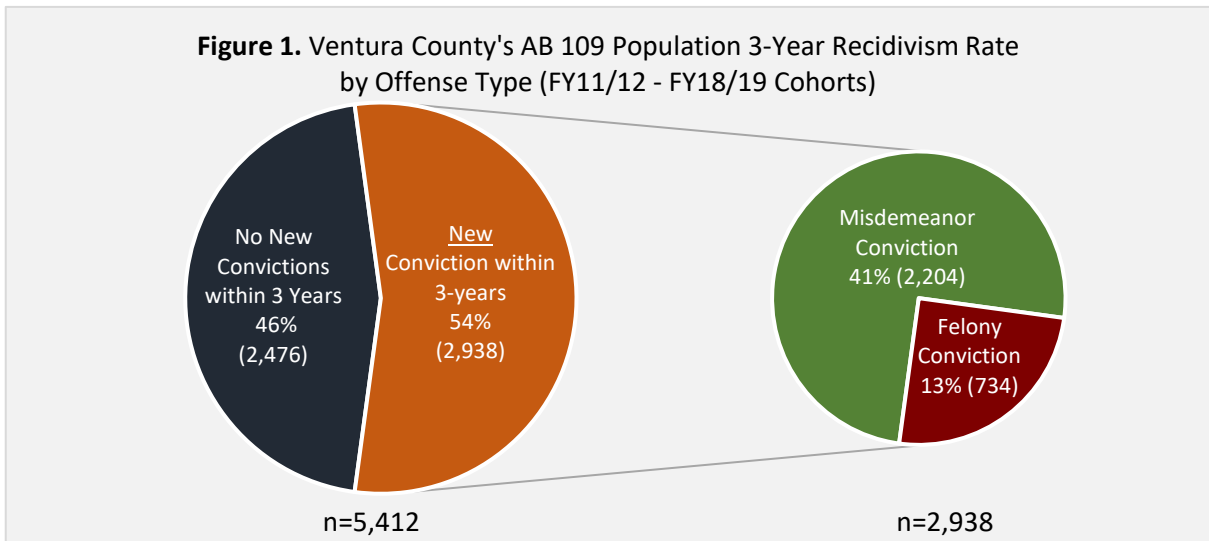
Characteristics		PROs (n = 3,270)	1170(h) Split- Sentence (n = 1,258)	1170(h) Straight- Sentence (n = 2,690)	AB 109 Total (n = 7,218)
		Section %	Section %	Section %	Section %
Sex	Male	92%	78%	77%	84%
	Female	8%	22%	23%	16%
	Unknown	<1%	--	--	<1%
Race/ Ethnicity	Hispanic/Latin/Mexican	59%	50%	51%	54%
	White	33%	40%	38%	36%
	African American	6%	6%	7%	7%
	Other	2%	4%	4%	3%
Age at Release	18 – 24 years	10%	11%	16%	12%
	25 – 34 years	37%	38%	41%	39%
	35 – 44 years	29%	30%	25%	28%
	45 years or older	24%	21%	18%	21%
	Missing	<1%	--	--	--
Offense Level	Felony	91%	93%	84%	89%
	Misdemeanor	9%	7%	14%	10%
	Missing	<1%	--	2%	1%
Top Charge Category	Person	13%	1%	2%	7%
	Weapon	16%	5%	8%	11%
	Property	24%	51%	53%	40%
	Drug	22%	35%	27%	26%
	DUI	7%	1%	2%	4%
	Other	17%	7%	6%	11%
	Enhanced	1%	--	<1%	<1%
	Missing	<1%	--	2%	1%
Prior Conviction History		<i>Mean</i>	<i>Mean</i>	<i>Mean</i>	<i>Mean</i>
Conviction History	Total prior convictions	8.6	9.5	9.1	8.9
	Prior felony convictions	2.5	2.4	1.6	2.2
	Prior misd. convictions	6.1	7.0	7.5	6.8

Three-Year Recidivism Metrics

Overall AB 109 Recidivism Rates and First New Conviction Offense Level

Figure 1 depicts Ventura County's overall AB 109 population three-year recidivism rate for the FY11/12-FY18/19 cohorts. For those who recidivated, the offense level (i.e., felony or misdemeanor) of the first new conviction is also provided.

- As shown, 54% (n = 2,938) of all realignment offenders recidivated within three years of release.
- A higher percentage of offenders recidivated on misdemeanor offenses compared to felony offenses (41% compared to 13%).

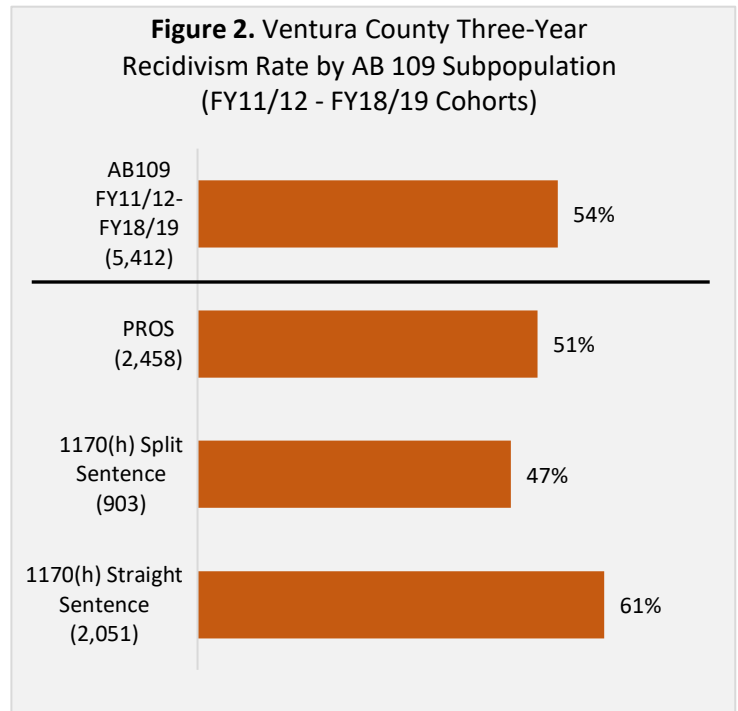


Recidivism Rates by Subpopulations

Figure 2 shows Ventura County's three-year recidivism rate for each AB 109 subpopulation.

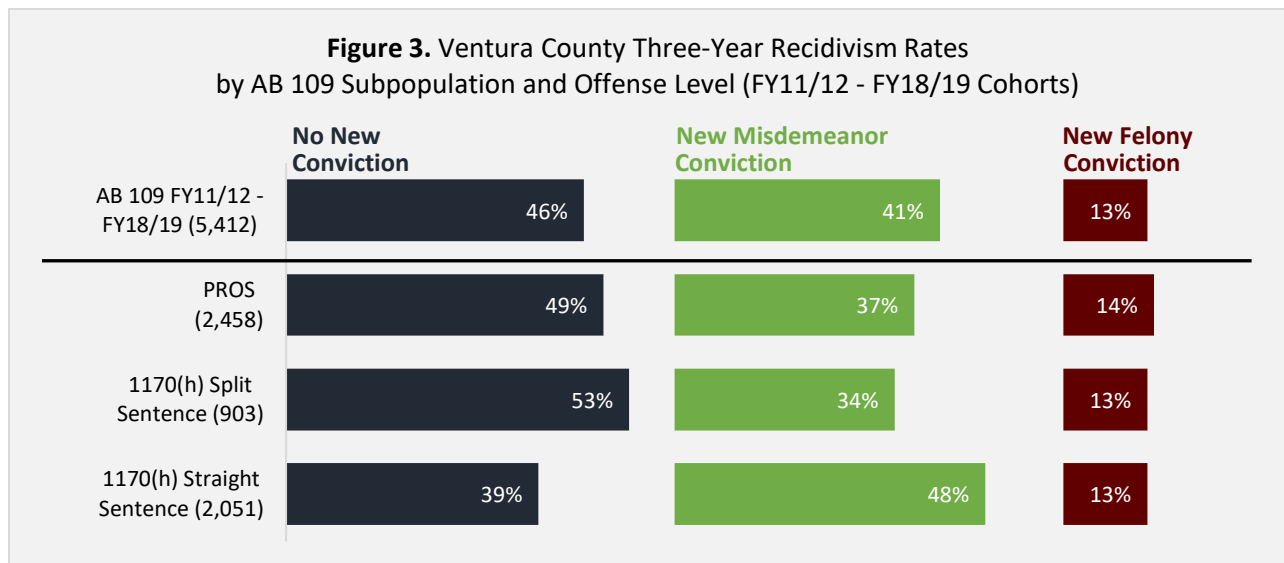
The three subpopulations significantly differed in the proportion of individuals who recidivated within three years after release from custody ($p < 0.001$):

- slightly more than half (51%) of PROs recidivated within three years of release from custody;
- just under half (47%) of 1170(h) split-sentence offenders recidivated within three years of release from custody; and
- about three in five (61%) of 1170(h) straight-sentence offenders recidivated within three years of release from custody.



First New Conviction Offense Level by Subpopulation

Figure 3 provides the offense level (i.e., felony or misdemeanor) that resulted in the first new conviction by 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 compared to a felony.



First New Conviction Top Charge Type by Subpopulation

Table 3 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 by PROs, 1170(h) split-sentence, and 1170(h) straight-sentence subpopulations. Across all subpopulations, a misdemeanor drug offense was most common.

Table 3. Top Charge Category Offense of First New Conviction by Subpopulation: FY11/12 – FY18/19 Cohorts

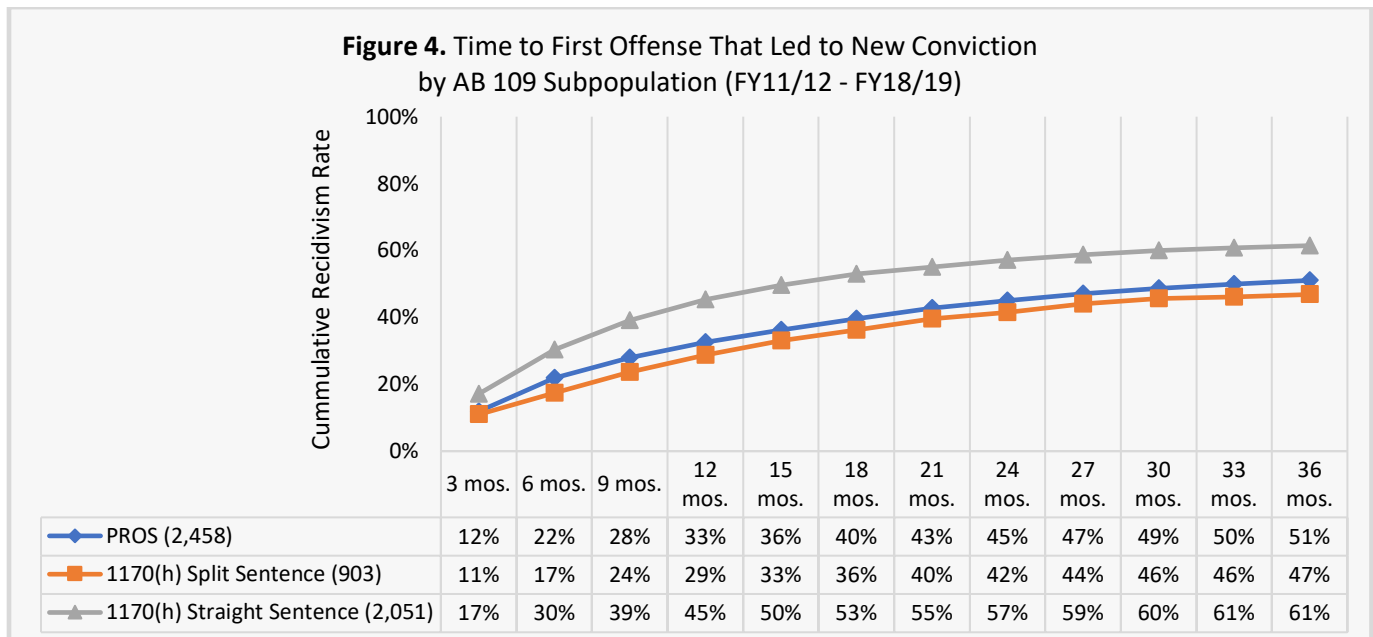
Top Charge Category	PROs		1170(h) Split-Sentence		1170(h) Straight-Sentence		FY11/12-FY18/19 Cohorts	
	Column #	Column %	Column #	Column %	Column #	Column %	Column #	Column %
No New Convictions	1,203	49%	480	53%	793	39%	2,476	46%
New Conviction	1,255	51%	423	47%	1,264	61%	2,936	54%
▪ Felony Person	63	2%	8	1%	29	1%	100	2%
▪ Felony Weapon	59	2%	15	1%	46	2%	120	2%
▪ Felony Property	94	4%	53	6%	117	6%	264	5%
▪ Felony Drug	57	2%	25	3%	55	3%	137	2%
▪ Felony DUI	18	1%	3	<1%	4	<1%	25	<1%
▪ Felony Other	49	2%	16	2%	23	1%	88	2%
▪ Misd. Person	43	2%	18	2%	29	1%	90	2%
▪ Misd. Weapon	16	1%	8	1%	25	1%	49	1%
▪ Misd. Property	119	5%	60	7%	227	11%	406	7%
▪ Misd. Drug	386	16%	145	16%	525	26%	1,056	20%
▪ Misd. DUI	95	4%	21	2%	54	3%	170	3%
▪ Misd. Other	256	10%	51	6%	126	6%	433	8%
Total	2,458	100%	903	100%	2,057	100%	5,412	100%

Recidivism Analyses by Time to First Offense

To provide a more in-depth assessment of recidivism patterns, additional analyses were conducted. First, the time to the first offense which led to a new conviction was calculated for each offender subpopulation (**Figure 4**). Next, this was further broken down by entry cohort (**Table 4**).

Time to First Offense by AB 109 Subpopulation

- Within 12 months of being released from custody, 45% of the 1170(h) straight-sentence offenders recidivated, compared to one-third (33%) of PROs and 29% of the 1170(h) split-sentence offenders.
- At 36 months, 61% of the 1170(h) straight-sentence offenders recidivated, compared to 51% of PROs and 47% of 1170(h) split-sentence offenders.



Time to New Offense by AB 109 Subpopulation and Entry Cohort

The 36-month recidivism rates varied across all three subpopulation entry cohorts (**Table 4**). Available data are not sufficient to determine the reason for this variation, though it could be due to the impact of COVID-19, service delivery changes, or other factors.

Table 4. Time to First New Offense by AB 109 Subpopulation and Entry Cohort (FY11/12- FY18/19)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%	47	45%	53%	57%
FY 12/13	281	30%	41%	46%	89	25%	43%	53%	176	43%	54%	60%
FY 13/14	309	32%	46%	52%	106	26%	35%	40%	421	45%	60%	67%
FY 14/15	302	32%	45%	49%	99	27%	42%	46%	382	44%	58%	62%
FY 15/16	247	28%	41%	48%	119	33%	45%	51%	225	44%	56%	62%
FY 16/17	317	39%	52%	57%	138	26%	39%	46%	298	46%	57%	61%
FY 17/18	274	31%	43%	48%	172	39%	48%	52%	270	47%	56%	58%
FY 18/19	329	26%	40%	44%	149	23%	38%	39%	232	49%	55%	56%
Total	2,458	33%	45%	51%	903	29%	42%	47%	2,051	45%	57%	61%

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

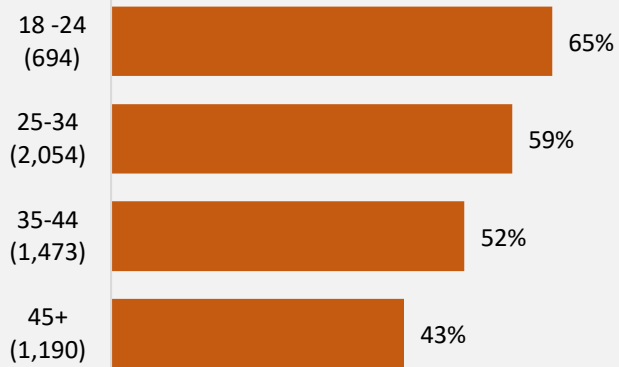
Recidivism Metrics by Age Group

Recidivism Rate by Age Group

Ventura County's three-year AB 109 recidivism rate by age group is provided in **Figure 5**.

Younger offenders (i.e., aged 18-34 years) recidivated within three years of release from custody at a higher rate than older offenders (i.e., aged 35 years and older).

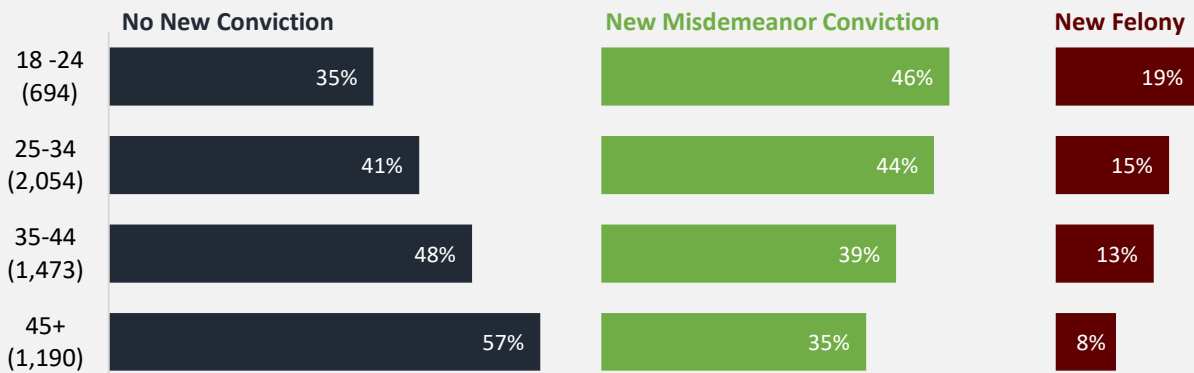
Figure 5. Ventura County AB 109 Three--Year Recidivism Rate by Age Group (FY11/12 - FY18/19 Cohorts)



Recidivism Rate by Age Group and Offense Level

Table 6 further divides these analyses by offense level (i.e., felony or misdemeanor). Across all age groups, individuals that recidivated were more likely to commit a misdemeanor offense than a felony offense. Moreover, as age increased, the likelihood of recidivating decreased, regardless of offense level.

Figure 6. Ventura County AB 109 Three-Year Recidivism Rates by Age Group and Offense Level of New Conviction (FY11/12 - FY18/19 Cohorts)



First New Offense Type by Age Group

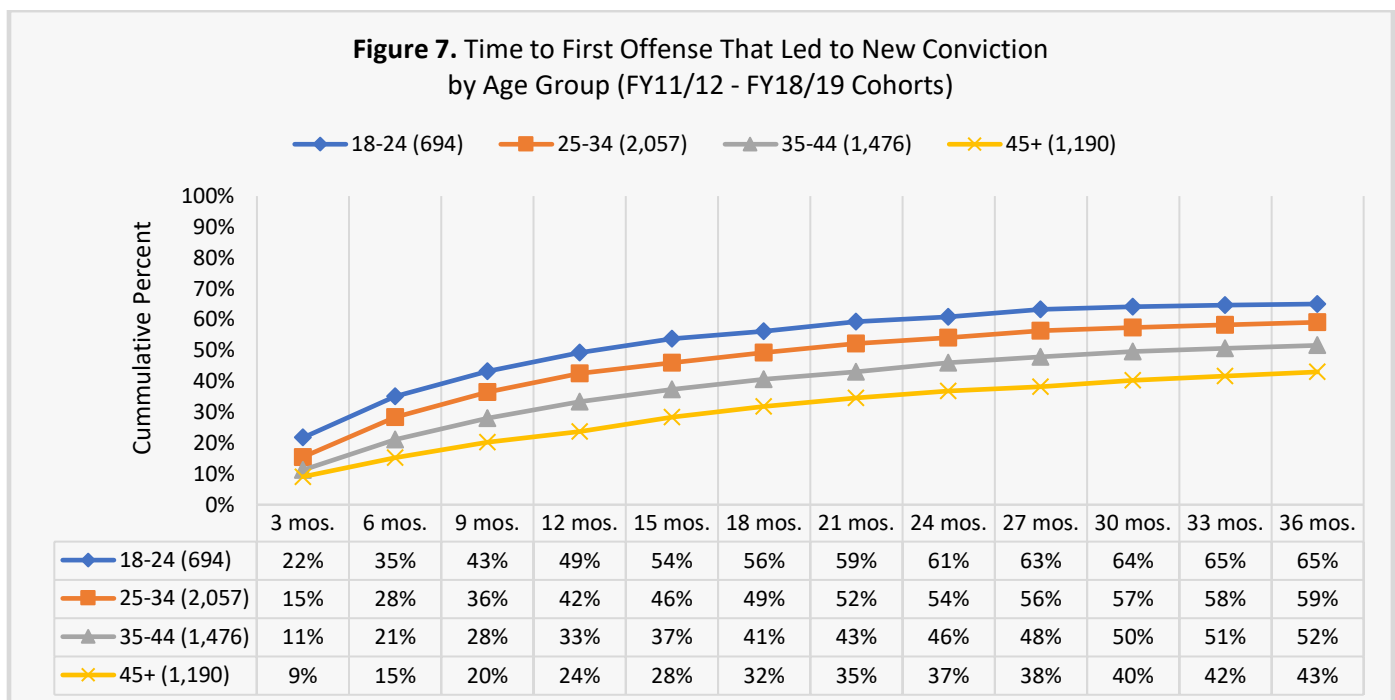
The offense category (i.e., drug, property, other, weapon, DUI, or person crime) and offense level (i.e., felony or misdemeanor) of the top charge resulting in the first new conviction post-release is provided in **Figure 5** by age group. Regardless of age, a misdemeanor drug offense was the most common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

Table 5. Top Charge Category Offense of Recidivism Event by AB 109 Subpopulation (FY11/12 – FY18/19 Cohorts)

Top Charge Category	18-24		25-34		35-44		45+	
	Column #	Column %	Column #	Column %	Column #	Column %	Column #	Column %
No New Convictions	243	35%	840	41%	714	48%	677	57%
New Conviction	451	65%	1,214	59%	759	52%	513	43%
▪ Felony Person	17	2%	50	2%	21	2%	12	1%
▪ Felony Weapon	31	4%	49	2%	22	2%	18	2%
▪ Felony Property	53	8%	107	5%	75	5%	30	2%
▪ Felony Drug	14	2%	54	3%	48	3%	21	2%
▪ Felony DUI	4	1%	8	1%	5	<1%	8	1%
▪ Felony Other	13	2%	43	2%	21	2%	11	1%
▪ Misd. Person	9	1%	50	2%	25	2%	6	<1%
▪ Misd. Weapon	8	1%	19	1%	16	1%	6	<1%
▪ Misd. Property	63	9%	157	8%	107	7%	78	7%
▪ Misd. Drug	134	19%	450	22%	280	19%	192	16%
▪ Misd. DUI	19	3%	67	3%	44	3%	40	3%
▪ Misd. Other	87	13%	160	8%	95	6%	91	8%
Total	694	100%	2,054	100%	1,473	100%	1,190	100%

Time to First New Offense by Age Group

Figure 7 illustrates how the time to first new offense differed across age groups. Younger offenders (i.e., aged 18–24 and 25-34 years) 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).



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 26% less likely and 1170(h) split-sentence offenders were 50% less likely to recidivate, after removing the influence of demographics, current offense information, and conviction history.
- **Demographics:** Race/ethnicity and sex were not significantly related to rates of recidivism, but age was: older offenders were significantly less likely to recidivate than younger offenders.
- **Current Offense Information:** Concerning the offense that led to their supervision, individuals who had committed a misdemeanor had a 111% higher chance of recidivating compared to 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 2022, a total of 7,218 AB 109 offenders were released from prison or jail to 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).

An offender's likelihood of recidivating was related to certain characteristics. For example, current offense level was the strongest predictor of recidivism rates: Offenders sentenced to AB 109 for a misdemeanor offense were more likely to recidivate than those who had been sentenced due to a felony. Age and conviction history were also related to recidivism. 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.

Even after accounting for group differences in these characteristics (i.e., current offense information, demographics, and conviction history), the AB 109 subpopulations differed in their likelihood of recidivating. 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. This difference could be a result of the oversight PROs and 1170(h) split-sentence offenders received and/or the services they were offered post-release (e.g., Case Management, Substance Use Treatment). Alternatively, the PROs and 1170(h) split-sentence groups of offenders may have differed from 1170(h) straight-sentence offenders in other ways that made them less likely to recidivate.