



Performance Metrics for Community Corrections

February 2015



State of California
Board of State and Community Corrections
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EXECUTIVE SUMMARY

The Budget Act of 2014 requires the Board of State and Community Corrections (BSCC) to establish a set of commonly available performance metrics that can help policymakers better understand how local criminal justice systems are working.

Performance metrics are measures that together can assess the behavior of a system. The interrelated factors outlined in this report can provide insight into the functioning of a criminal justice system. Arrest rates impact court cases, which in turn impact the functions of jails and probation departments as well as non-custodial alternatives to incarceration. The effectiveness of all forms of punishment together influence recidivism and future crime rates.

In this report, the BSCC has selected and analyzed performance metrics that are readily available and measurable, and collectively assess how local criminal justice systems are functioning.

Having an understanding of system performance will help State and County policymakers understand how their decisions affect the functioning of local and statewide criminal justice operations. Analyses of the data will allow policymakers to make informed decisions based on local priorities and desired outcomes.

INTRODUCTION

The Budget Act of 2014 requires the BSCC to generate a reliable method, using the best available data, to measure the results of county corrections systems.

The Board of State and Community Corrections shall provide, no later than February 15, 2015, a report to the Governor and the Legislature describing a set of 6 to 12 recommended performance metrics that are available or should be commonly available and can be used to provide information to county governments, the Legislature, and the Governor about the results of a county's community corrections system. In developing the report, the board is strongly encouraged to consult with stakeholders and nonpartisan research organizations. The report shall include, but not be limited to, definitions of data points, a description of where the data may be accessed, and how the data may be interpreted.

To accomplish this objective, the BSCC has analyzed criteria for local corrections metrics and has sought input on the relevance of available measures from representatives of the Administration, the California State Association of Counties (CSAC), the California State Sheriffs' Association (CSSA), the Chief Probation Officers of California (CPOC), Community Corrections Partnerships, and research colleagues at several universities and institutes. With their help, the BSCC has narrowed the selection to the most reliable, readily available and relevant measures that are listed and discussed in this report, including incarceration rates, crime rates, arrest rates, and supervision and revocation rates.

This report includes:

- A list of recommended measures (the metrics data points), a description of where they can be accessed, and a brief rationale for inclusion.
- Descriptions of how the proposed metrics are relevant for policymakers tracking ongoing correctional policy changes at county and state levels.
- Selected findings on key metrics, along with suggestions for interpretation.

The proposed metrics are based on a model of county community corrections systems, presented and explained in Appendix I.

This report fulfills the requirement in the 2014-15 Budget Act (Statutes of 2014, Chapter 25 (SB 852)), Item 5227-001-0001, Provision 1.

I. PROPOSED PERFORMANCE METRICS, DEFINITIONS, AND SOURCES

Performance metrics are measures that together can help us assess the behavior of a system. Data on criminal justice system functions can be found at each of the following stages:

Crimes → Arrests → Court Processing → Sanctions → Outcomes

In this report, a county community corrections system is defined as the set of local agencies that respond to violations or alleged violations of the criminal law by detaining, supervising, incarcerating, and treating defendants and offenders. The proposed metrics include measures of the flow of people and cases into the correctional system — reported crimes, arrests, and court proceedings — as well as its results: numbers detained, sanctioned, supervised and treated. Arrest rates impact court cases and jail bookings, which in turn impact the functions of corrections and probation departments as well as non-custodial alternatives to incarceration. The effectiveness of all forms of sanctions influences recidivism.

These measures focus on felony populations because this is the primary group affected by the recent policy emphasis on community-oriented corrections. The metrics include both current status and changes since mid-2007, when incarceration rates peaked.

Access to Metrics

The metrics listed in Table 1 (next page) are currently available through statewide and local agency sources. Links to the original sources are provided on BSCC's research and data website (http://www.bscc.ca.gov/m_data&research.php). To facilitate analysis, BSCC staff recompiles versions of tables retrieved from BSCC's own surveys and those of other agencies. These data also include socioeconomic factors, such as poverty rates, which are also applied in the AB 109 allocation formula recommended by the CSAC. The BSCC, by March 2015, will provide access to county-by-county reports of these metrics.

Table 1: County-Level Performance Metrics

Measure	Source	Rationale
1. Reported Crime: <ul style="list-style-type: none"> • Annual FBI Part I Violent Offenses • Annual FBI Part I Property Offenses 	California Department of Justice (DOJ)	Standard measure, specifically defined
2. Arrests: Annual Number of Felony Arrests	DOJ	Represents law enforcement activity
3. Court Processing: Of felons given PC 1170(h) felony sentences, number with sentences split between incarceration and mandatory supervision	Counties	Affects jail and supervision numbers
4. Supervision <ul style="list-style-type: none"> • Supervisees include: number of felony probationers, post-release community supervision (PRCS), and mandatory supervision (MS) following a split sentence imposed under PC 1170(h). • Revocations: number of felons under probation supervision returned to custody for violating supervised release terms 	Judicial Council	Basic measure of supervision population
5. Incarceration <ul style="list-style-type: none"> • County California Department of Corrections and Rehabilitation (CDCR) Inmates: number of people from the county in state prisons • Jail inmates by sentencing status: sentenced or non-sentenced • Jail inmates by level of charge: felony or misdemeanor 	CDCR	Critical policy focus
	BSCC	Affected by recent policy changes
	BSCC	Key factor in jail populations

II. PERFORMANCE METRICS REFLECT POLICY CHANGES

The BSCC’s charge was to select, among available measures, those most readily and reliably collected that provide the most useful information about the results of community corrections. Measures of persons arrested, booked, adjudicated, incarcerated, and supervised are critical to evaluating system performance and designing policies and programs. The most relevant metrics show the response of community corrections systems to criminal justice policies that have placed greater responsibility for correctional performance at the county level. Policy changes at county and statewide levels include Proposition 36 (2000), SB 678 (Ch. 608, Statutes of 2009),

Public Safety Realignment (AB 109, Ch. 25, Stats. 2011), and Proposition 36 (2012). Further changes are likely as a result of Proposition 47.¹ Following are some effects of policy changes:

- Transfer to counties of responsibility for offenders without any current or prior serious, violent, or sex offense convictions, commonly referred to as “non-non-nons”
- Enhanced flexibility in community supervision and response to violations
- Increased use of alternatives to incarceration
- Split sentencing for “non-non-non” felonies under PC 1170(h)
- Accelerated accrual of custody credits for all jail inmates to match the day-for-day custody credit rates awarded to CDCR inmates
- Accelerated schedules for successful completion of supervision

The BSCC can track impacts of the above developments as well as county-level responses. The information selected for BSCC’s metrics is routinely collected by criminal justice agencies, and is reported to and reviewed by statewide agencies. This is why the measures described in Section I are the most relevant, reliable and readily available.²

III. SELECTED FINDINGS AND INTERPRETATION

The BSCC begins with a brief summary of statewide trends, bearing in mind that community corrections systems have responded in many different ways to their increased responsibilities. Table 2 (next page) provides a comparison of two points in time: June 2007, when incarceration rates peaked; and June 2014, the latest date for which we have data across systems.

Incarceration: Changes in where and how felony offenders serve time have occurred as a result of new policies.

- Since peaking in mid-2007, total state and county incarceration populations have dropped by 20 percent. Of this drop, more than half occurred *before* 2011 Public Safety Realignment took effect.
- Since peaking in mid-2007, total CDCR populations (including those housed in private facilities or out of state), have declined by 22 percent, to 135,500 from 173,000. The state prison incarceration rate in 2014 of 351 per 100,000 can be compared to the national adult imprisonment rate of 480 per 100,000 in 2012; the latter includes 62 per 100,000 imprisoned under federal jurisdiction.³
- Jail populations have increased by 11,500 since Public Safety Realignment took effect, but have remained lower than the 2007 peak. Population changes vary widely across counties, and longer-term tracking is required to assess whether post-Realignment county correctional populations show upward, downward, or stabilizing trends.

- The sentenced portion of jail inmates had increased from 32 percent in 2007 to 38 percent in 2014, likely representing new PC 1170(h)-sentenced inmates who otherwise would have been sent to prison.

Table 2: County-level Performance Metrics: Sample Findings (summarized statewide)

Statistic			
County-Level Metrics	<u>2007 Rate</u>	<u>2014 Rate⁴</u>	<u>Change</u>
CDCR Incarceration Rate	475	351	-26 %
Jail Incarceration Rate	230	216	-6 %
Total Incarceration Rate	705	567	-20 %
Non-sentenced pct of jail inmates	68 %	62 %	-6 %
Felons under probation supervision ⁵	902	907	+1 %
Annual revocation rate	8.1 %	11.2 %	+3.1 %
Split Sentences (PC 1170(h))	--	32 %	--
Community Conditions	<u>2007 Rate</u>	<u>2013 Rate</u>	<u>Change</u>
Violent Crime Rate ⁶	524	397	-25 %
Property Crime Rate	3,056	2,666	-13 %
Poverty Rate	13 %	15.9 %	+2.9 %
Unemployment Rate	6.9 %	11.5 %	+4.6 %
Pct of population 18-29 ⁷	17 %	17 %	--

Note: Rates of jail and CDCR incarceration, total incarceration, felons under supervision, and violent and property crimes are expressed as rates per 100,000 of county population. Community conditions are reported for 2013, the most recent annual data available. Percentage changes are calculated using ratios of the most recent to the previous rate. All other rates are percentages. Changes over time for revocation percentages, poverty, and unemployment are calculated by subtracting the earlier from the later rate, following standard reporting conventions for changes in the unemployed percentage of the labor force⁸ or the percentage of the population in poverty.

Felony Supervision Populations: As described above, the classification and management of people under supervision for felony offenses have undergone substantial changes through SB 678 and Public Safety Realignment. New rules and classifications (revocation policies, PRCS, and MS) have not always been counted in the same ways; caseload numbers and traffic into and out of various supervision statuses are reported by local courts, corrections departments, and probation departments to the Judicial Council, the DOJ, and CPOC. Under these circumstances, it is not surprising to find inconsistencies and missing data in aggregate numbers reported in different statewide surveys.

The BSCC's proposed metrics rely on baseline data for 2007 and surveys conducted since 2010 by the Judicial Council, which was tasked with tracking caseloads and revocations under SB 678.

- Caseloads of felons under county supervision were slightly higher in 2014 than in 2007; however, the years since 2010 have seen fluctuations: falling, rising, and then falling again.
- Revocation rates for people placed on felony probation have increased since 2007, primarily due to people on PRCS or MS who returned to custody at much higher rates than felony probationers. Though representing only 13 percent of the felony supervision population on June 30, 2014, people on PRCS and MS accounted for 44 percent of the quarterly revocations.
- Of felons under supervision who were returned to custody in FY2013-14, 60 percent were returned to jail, 40 percent to prison.

Crime Rates: Despite the loose association between correctional policies and crime rates,⁹ a substantial increase in crime rates, especially violent crime, would likely be seen as a policy failure. This has not happened. California's movement toward community-oriented corrections has led to a substantial decline of 40,000 in total bed use from 2007 to June 2014. Despite a brief upward tick in property crime rates in 2012, it appears from 2013 data that both violent and property crimes have continued their long-term decline. With the passage of Proposition 47 in 2014, additional effects on community correctional systems are likely, but as yet unknown.

- California's violent crime rate of 397 per 100,000 is now 36 percent of its 1992 peak (1,104 per 100,000), and has declined 24 percent since 2007.
- California's property crime rate of 2,666 per 100,000 is 40 percent of its previous peak (6,881 in 1980) and has declined by 13 percent since 2007.

Criminological research provides no consensus explanation of changes in crime rates. These observations, therefore, should not be taken as proof that the policy changes described above have been effective. Such assessments are made in the long run. In the short run, we can observe that crime rates have continued to trend downwards.

Diversity Among Counties: Increased responsibility for County-level agencies over sanctions, supervision, and treatment of felony offenders has been met with varying responses that reflect county diversity in policy preferences, as well as local social and

economic circumstances. The statewide patterns described above are not replicated in all communities; it is important, therefore, to understand and address issues and challenges at the county level.

- The statewide total incarceration rate was 567 per 100,000 in 2014, but county rates ranged from 200 to 1,400 per 100,000.
- Split sentence rates ranged from 0 percent to 82 percent.
- In six counties, total incarceration rates dropped by less than 10 percent between 2007 and 2014; in nine counties, drops ranged from 30 to 40 percent. Drops of 20 to 30 percent were the most common.
- Probation caseloads increased in 33 counties and decreased in 25, with the vast majority of changes ranging between -20 percent and +20 percent. In five counties, caseloads increased by more than 50 percent.

Differences among counties reflect their socioeconomic circumstances as well as differences in policies and programs. For example, poverty, unemployment, and crime rates provide important measures of the challenges faced by counties and communities trying to make the best use of resources and safeguard the safety and security of community members.

- Violent crime rates in 2013 ranged from 139 to 855 per 100,000, with a median rate of 384.
- Poverty rates ranged from 7.6 percent to 26.2 percent, with a median rate of 16.7 percent.

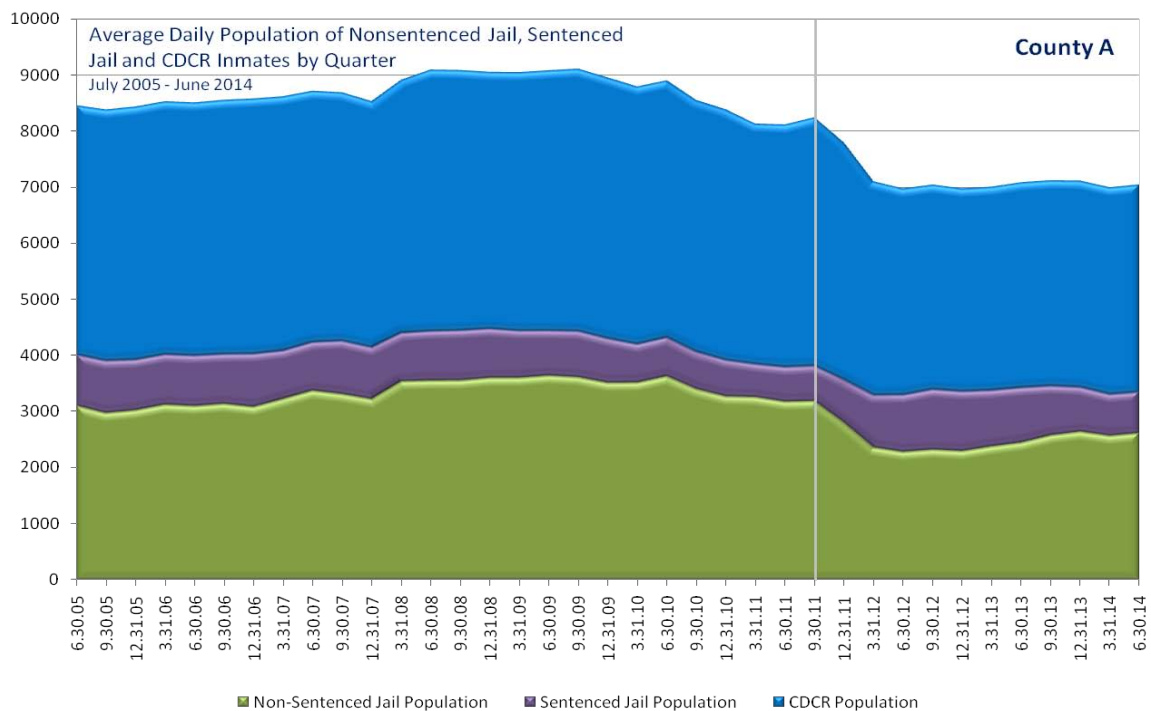
Understanding a county's correctional performance metrics also requires specific information that may be available only to local stakeholders:

- Population densities and distributions of populations along geographic, racial, ethnic, age, and urban-rural lines.
- Available county resources, e.g., opening or closing of jail units; hiring or lay-offs of police officers, court-ordered population caps; and bed-leasing arrangements.
- Features of illicit markets and associations such as street drug supply and demand, distribution systems for stolen autos and parts, and street gang allegiances and rivalries.

There is little agreement among policymakers about how many people should be incarcerated, for how long, and the best uses of punishment and treatment. Furthermore, local knowledge is required to fully interpret community corrections metrics. For these reasons, it would be inappropriate to use differences in metrics to compare the effectiveness of county community correctional systems.

Three Examples: Counties will be able to use the performance metrics, along with knowledge of local conditions, to interpret what is happening in local public safety systems. Here we give examples using metrics from a large (A), a medium (B) and a small (C) county, selected to illustrate the diversity of incarceration patterns and other local conditions. Figures 1 through 3 show trends in levels of incarceration for counties A, B and C among three groups: CDCR prisoners, sentenced offenders in county jails and non-sentenced defendants in county jails. Incarceration trends are shown over a nine-year period, 2005 to 2014. In each case, the BSCC provides further local metrics information that is not on these charts to aid in interpreting the incarceration patterns of each county. These examples are intended to show how policymakers might use the metrics to begin asking questions, informed by data, about how local community corrections systems are functioning.

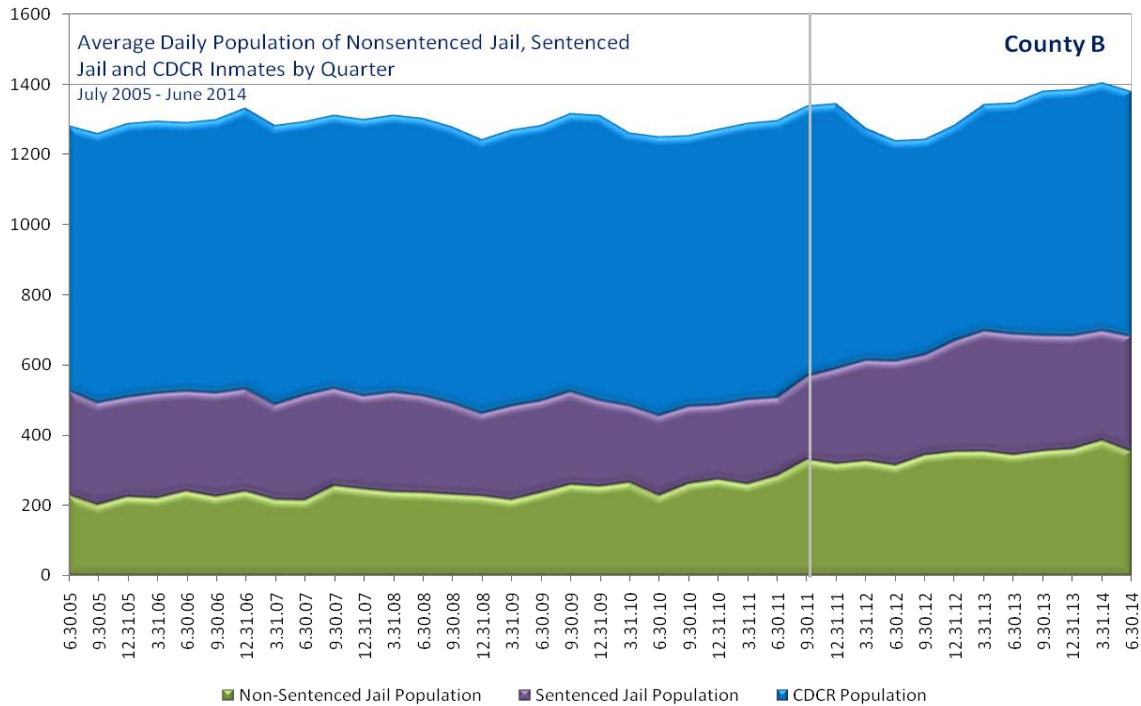
Figure 1: County A



Over the 2005 to 2013 period covered by the crime statistics assembled for this report, Large County A has had rates of violent crime that are more than twice as high as the state average. Yet there have been substantial changes in these and other relevant public safety statistics:

- Violent crime decreased by 13 percent since 2007, to 741 incidents per 100,000 population from 852 per 100,000;
- The county jail population has declined despite an influx of PC 1170(h) felons; and
- Split sentences are ordered 34 percent of the time, which is close to the statewide average of 32 percent. The decline in the jail population, therefore, is likely due to other factors besides sentencing.

Figure 2: County B



In Medium County B (Figure 2), total incarceration rates were somewhat below the statewide average in 2014. Figure 2 shows that changes in County B incarceration numbers differ greatly from the statewide picture: there has been a substantial rise in jail populations since 2007, led by increases in non-sentenced inmates and, to a lesser degree, sentenced offenders. Thus, County B’s total numbers of people incarcerated locally has grown while its CDCR populations shrank.

In terms of other metrics, the poverty rate is slightly below the statewide average, as is unemployment. These observations could be used to frame a discussion among stakeholders familiar with the particular policies and factors at work in this county.

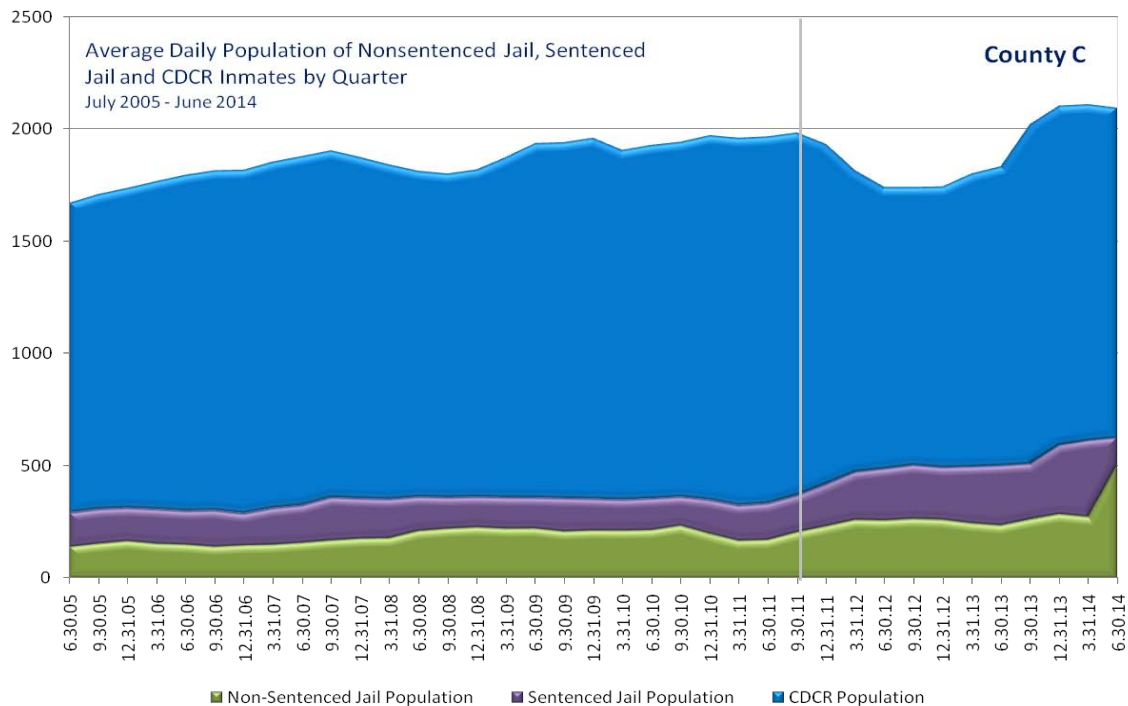
Local factors to consider include unemployment rates lower than the statewide average, and the percentage of people in poverty is also slightly lower than the statewide average. Other local factors that could impact the system:

- Property crimes rates have been stable since 2007, but violent crime rates declined 25 percent before climbing sharply in 2012 and 2013;
- Jail populations have increased 30 percent since 2007, and
- The felony proportion of the jail population increased to 77 percent from 63 percent since 2007.

A local analysis would include consideration that people arrested for violent offenses are likely to spend more time in jail awaiting trial on non-sentenced status. But the rapid increase in violent crime, by itself, does not explain why sentenced populations should

rise. People convicted of the offenses counted in violent crime rates are sentenced to prison, not jail. This is where local knowledge plays a necessary role. A more specific jail population analysis might help explain the patterns displayed in County B's metrics; the county could review how people being arrested and detained in 2014 differ from those incarcerated in 2007.

Figure 3: County C



County C (Figure 3) shows rising incarceration levels from 2005 to 2014, with a temporary decline in CDCR numbers after Public Safety Realignment, followed by a rapid increase in total incarceration numbers.

Local factors to consider:

- Property crimes rates reflect the statewide average and have been stable since 2007, but violent crime rates have risen dramatically since then;
- The county's incarceration rate is more than twice the state rate; and
- 94 percent of the county's inmates are detained on felony charges.

County C has average unemployment rates but very high poverty rates, which have not changed much since 2007. County C also hosts state prison facilities that account for some of its beds because CDCR inmates who commit crimes in prison are held in the local jail for disposition. Given relatively stable, though high, levels of socioeconomic stress, it is not clear what explains the rapid increase in violent crime and incarceration since 2007. Specific analysis of the types of crimes for which people are arrested and detained in County and how they have changed since 2007 would help us to understand these observations. Information provided by local law enforcement,

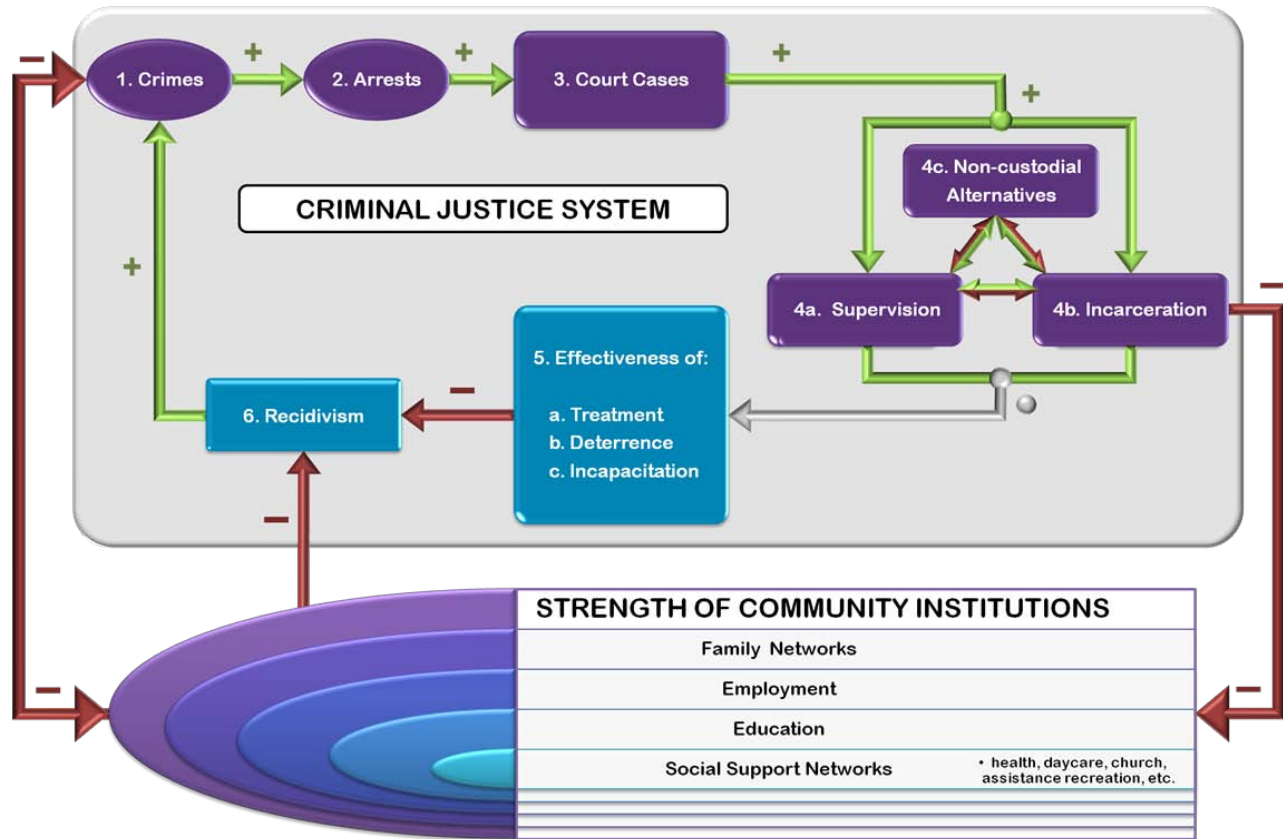
correctional and social service stakeholders would be required to assess the specific factors associated with increased violent crime and incarceration, as well as the role of resource and policy factors in the County's efforts to find solutions.

As Illustrated above, local knowledge is required to fully interpret community corrections metrics. County-by-county performance metrics will be made available on the BSCC's website in March 2015.

Notes

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- 1 Proposition 36 (2000) allowed probation in lieu of incarceration for non-violent drug possession offenses; Proposition 36 (2012) revised penalties under “Three Strikes,” allowing some third-strikers to petition for release from prison; SB 678 (2009) established incentives to reduce the use of prison for probation violators; Public Safety Realignment (AB 109, 2011) transferred responsibility to counties for non-non-non felons, as described above, among many other provisions; and Proposition 47 (2014) reduced a number of felonies to misdemeanors.
 - 2 *Recidivism* is the most basic measure of outcomes for individuals in correctional systems. This measure, however, requires individual-level data collected through specific studies of defined populations and programs. Despite the importance of recidivism, therefore, statistics are neither readily available nor generally applicable throughout community corrections for the broad range of people who pass in and out of the system.
 - 3 Carson, E. Ann and Golinelli, Daniela. 2013. *Prisoners in 2013—Advance Counts*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
 - 4 Incarceration and crime rates are measured per 100,000 residents; poverty rates represent percentages of the total population, derived from the 2007 and 2013 estimates from the 5-year American Community Survey (ACS) conducted by the Census Bureau. Population estimates provided by the Department of Finance are derived from the same source.
 - 5 For probation supervision, annual averages from 2007 are compared with 2014 data from the post-SB 678 quarterly survey conducted by Judicial Council (adding the quarterly revocations, averaging the quarterly census figures). Baseline Judicial Council data for the year 2007 are reported for the EOQ 6/30/2007. Judicial Council data on MS and PRCS populations were collected, by means of a revised online instrument, beginning in July, 2013. These new supervision classifications had been established under Public Safety Realignment as of October 2011. For the intervening period, 10/2011 through 6/2013, data will be retrieved through a separate retroactive survey, the results of which are not yet available. Individuals on multiple supervision statuses at the same time are classified according to the following hierarchy: 1. Probation; 2. MS; 3. PRCS.
 - 6 Crime rates refer to FBI Part I Index offenses: homicide, rape, assault, robbery (violent); burglary, auto theft, larceny theft (property); and arson.
 - 7 The percentage of population aged 18-29 and truancy rates were linked to crime rates in the Department of Finance January 15, 2015 SB 105 report.
 - 8 Unemployment rates, from ACS, represent the percentage of the civilian labor force out of work; the civilian labor force is composed of people over the age of 16 and excludes institutional populations, armed forces, and people who are not actively seeking work.
 - 9 Travis, Western, and Redburn, eds, 2014. *The Growth of Incarceration in the United States: Causes and Consequences*. Washington, DC: National Academies Press.

APPENDIX I: FUNCTIONAL MODEL OF A COMMUNITY CORRECTIONS SYSTEM



- + Direct Relationship:** Increases in one factor expected to produce increases in the other; decreases to produce decreases
- Inverse Relationship:** Increases in one factor expected to produce decreases in the other; decreases to produce increases
- Gray Arrow:** No functional relationship may be presumed between activity levels and effectiveness rates

Treatment	Reducing likelihood of criminal behavior by enabling offenders to acquire new attitudes, skills, and resources
Deterrence	Reducing likelihood of criminal behavior by inducing fear of punishment in community members generally (general deterrence) or by inducing fear of repeated punishment in those who have been punished (specific deterrence)
Incapacitation	Reducing likelihood of criminal behavior by keeping offenders locked up and off the street
Recidivism	New criminal offenses committed by people who have been punished for previous ones

Interpreting the Functional Model

Reported crimes, arrests, and court proceedings (stages 1-3) function as inputs to the correctional system through a series of legally-governed interactions among multiple agencies, including prosecution, defense, courts, probation, jails, and social service providers. Correctional system results are displayed by numbers of people detained, sanctioned, supervised, and treated, as well as individual-level outcomes such as recidivism. BSCC's proposed community corrections metrics include both inputs and results. The model exhibits functional relationships that obtain, other things being equal:

- Though not all crimes result in arrests, an increase in criminal activity will generate increases in arrests;
- An increase in arrests will generate increased court cases and admissions to jail, prison, supervision, or alternative sanctions, and
- To the extent that offenders are incapacitated, deterred, or otherwise directed away from breaking the law, the amount of crime will decrease.

The model requires the caveat, other things being equal, because activity levels in each sector depend on other factors that vary according to local conditions:

- Arrests are a function of policing as well as criminal activity: for example, increased crime may not generate increased arrests if budget constraints have caused substantial lay-offs of police officers.
- Because jail ADP depends on lengths of stay as well as bookings, increases in arrests, court cases, and bookings may not be reflected in ADP if lengths of stay decrease; by the same token, longer stays will increase ADP even if bookings don't increase.

The community context must be taken into account because not all sanctioned offenders recidivate, new offenders enter the system at varying rates in different neighborhoods, and levels of incarceration are strongly associated with socioeconomic features of communities in which criminal justice operates. These relationships are represented as negative feedback loops: crime is lower in neighborhoods with stronger community institutions, but crime itself weakens community institutions by increasing fear and degrading the security of homes, schools, businesses, parks, and public spaces. Furthermore, although protecting community security by removing dangerous people from the streets constitutes a primary rationale for incarceration, there is a substantial body of evidence that high levels of incarceration weaken community institutions.¹⁰

¹⁰ Travis and Western, 2014, *supra* n. 12.