

2015 California Probation Summary¹

Adult Probation

Adult probation serves a dual role of rehabilitating offenders, as well as holding them accountable and keeping communities safe. With large policy changes like SB678 and Realignment, county probation departments have grown their roles as well as their uptake of key strategies like risk assessment, graduated rewards and sanctions for violations, and development of evidence based programming.

Adult Supervised Population

As of June 30, 2015, there were 387,059 adults with supervision cases with California’s county probation departments, the majority of whom were on formal probation.² Since the sweeping changes of Realignment legislation in 2011, formal probationers continue to make up over 80 percent of the adult supervised population. On June

| Population (as of June 30) | 2013 | 2014 | 2015 |
|------------------------------|----------------|----------------|----------------|
| Total-All Populations | 395,998 | 419,221 | 387,059 |

30, 2015, 83 percent of adults on supervision were on a formal probation grant, 13 percent were on PRCS, and four percent were on Mandatory Supervision (MS).

The adult supervised population had a 13% decrease between 2014 and 2015. This reduction is attributed primarily to the decrease in formal felony probation cases under supervision due to Proposition 47, where 20,000 felony probation cases were resentenced and either remained on misdemeanor probation or where terminated from probation³. Under Prop 47 in 2015, new cases for eligible crimes are now sentenced as misdemeanors rather than felonies, resulting in fewer felony formal probation sentences.⁴

Who is being supervised?

Adult Supervision is broken into four different types:

- Post release community supervision (PRCS): People under the supervision of probation after release from state prison
- Mandatory supervision (MS): People serving supervision as part of a split sentence for a crime under PC 1170h
- Felony probation: People on a formal grant of probation where the most serious case is a felony

¹ Data used in this report is from the CPOC Annual Survey, a voluntary census of California’s probation department done every July for the previous fiscal year as well as point in time estimates as of June 30.

² CPOC uses a hierarchy of PRCS→Mandatory Supervision→Felony Probation→Misdemeanor Probation to count people with multiple grants of supervision. This is different than other counting rules so may result in slightly different totals than collection under SB678 or Department of Justice.

³ Report on the California Community Corrections Performance Incentives Act of 2009: Findings from the SB 678 Program (2016)

⁴ <http://www.lao.ca.gov/Reports/2016/3352/fiscal-impacts-prop47-021216.pdf>

- Misdemeanor probation: People on a formal grant of probation where the most serious case is a misdemeanor.

Between 2013 and 2014, there was an overall six percent increase in new adult cases, driven largely by a 50 percent increase in new Mandatory Supervision cases during this time period. Following the increase from 2013 to 2014, the number of new adult supervision cases then decreased nine percent from 2014 to 2015, driven largely by a 13 percent decrease in new formal probation cases during this time period. This decrease is due to the impact of Proposition 47 on sentencing, as well as to declining crime rates, as discussed above. The trend in the total supervised population reflects a similar pattern as the new cases trend – a slight overall increase in 2014, driven by an increase in the Mandatory Supervision population, and an overall decrease in 2015, driven by a large reduction in the formal probation population. Over these three years, the PRCS population decreased by four percent, reflecting the expected decline in state prison releases eligible for PRCS.

Formal Probation

| Population (as of June 30) | 2013 | 2014 | 2015 |
|----------------------------|----------------|----------------|----------------|
| Felony | 303,829 | 320,924 | 300,508 |
| Misdemeanors | 41,903 | 33,706 | 36,658 |
| Total-Probation | 345,732 | 354,700 | 338,056 |

Statewide, as of June 30, 2015, probation departments supervised over four times more felony than misdemeanor cases.

Post Release Community Supervision

The PRCS population has remained relatively stable from 2013 to 2015, decreasing by two percent from 2013 to 2015, despite a slight increase in 2014. The combination of full implementation of realignment as well as the

| Population (as of June 30) | 2013 | 2014 | 2015 |
|----------------------------|---------------|---------------|---------------|
| Total-PRCS | 39,057 | 40,778 | 39,905 |

number of second strike releases from prison have caused the PRCS population total remain fairly stable.

Mandatory Supervision Discussion

The total Mandatory Supervision population has grown 45 percent since 2013, from a little more than 8,000 Mandatory Supervision cases being supervised in 2013 to almost 12,000 in 2015. The sharpest growth in Mandatory Supervision cases occurred in 2014, when the population increased 41 percent in that year alone. The overall increase in Mandatory Supervision cases reflects counties' growing awareness of the efficacy of split sentencing and its value in ensuring that offenders receive services and supervision upon reentry into the community from a jail sentence. In fact, many of the state's counties used splint sentencing less than 20% of the time. However, changes in legislation have now created the "presumption" of a sentence being split which will likely raise the percent in counties with lower rates before 2015. The increase in split sentences will allow

| Population (as of June 30) | 2013 | 2014 | 2015 |
|------------------------------------|--------------|---------------|---------------|
| Total-Mandatory Supervision | 8,196 | 11,557 | 11,780 |

probation departments to focus resources that assist offenders with successful reentry and facilitate a

seamless transition back into the community while still receiving critical rehabilitative services. This is a proven practice that significantly lowers an individual's likelihood to reoffend.

Juvenile Services and Institutions

Juveniles are referred to the probation department primarily from local law enforcement agencies because they are believed to have committed a criminal offense that falls under Welfare and Institutions Code 602.

Depending on the type of offense, probation must refer the juvenile’s case to the district attorney for the filing of WIC 602 petition or divert the juvenile from a court proceeding. Probation is involved with all youth going through the juvenile delinquency court and by statute is required to be present at all hearings. The primary function of the juvenile delinquency court is to balance the best interest of the minor and public safety.

Juvenile Probation Population

As of June 2015, there were approximately 44,000 youth at varying levels of the county probation system, down from 53,000 in 2013, or a decrease of 34 percent. The success of juvenile justice reforms has given juvenile institutions some much needed breathing room in treatment options for youth. Particularly since the profile of the average youth in custody has dramatically changed to kids with the most serious behavioral, substance abuse and mental health issues. This lower number of kids in custody has opened the opportunity for probation to much better treat and address the issues often at the root cause of these juveniles’ criminogenic behavior

with greater success.

| Population (as of June 30, 2015) | 2013 | 2014 | 2015 |
|----------------------------------|---------------|---------------|---------------|
| Total-All Populations | 52,838 | 49,873 | 43,652 |

Over ten years, the juvenile population is down over 50% from 80,000 in 2007. Reflecting the overall population trend, the annual total of all types of juvenile probation referrals has also decreased since 2013 reflecting the decline in the juvenile arrest rate.

All juvenile probation referrals decreased by 25 percent from 2013 to 2015, with each type of referral experiencing the same proportional decrease. The decline in juvenile referrals reflects an ongoing decrease in crime rates and juvenile arrests, which have fallen 54 percent from 2006 to 2015. This dramatic decline has been a direct result of the evidence-informed strategies in juvenile justice that probation departments began implementing over a decade ago. The systematic changes have resulted in a transformation of juvenile arrest rates, recidivism and juvenile crime.

Supervision Types

Of the youth on probation, the majority are under court ordered supervision, with the rest under varying types of informal supervision. These types can be grouped as:

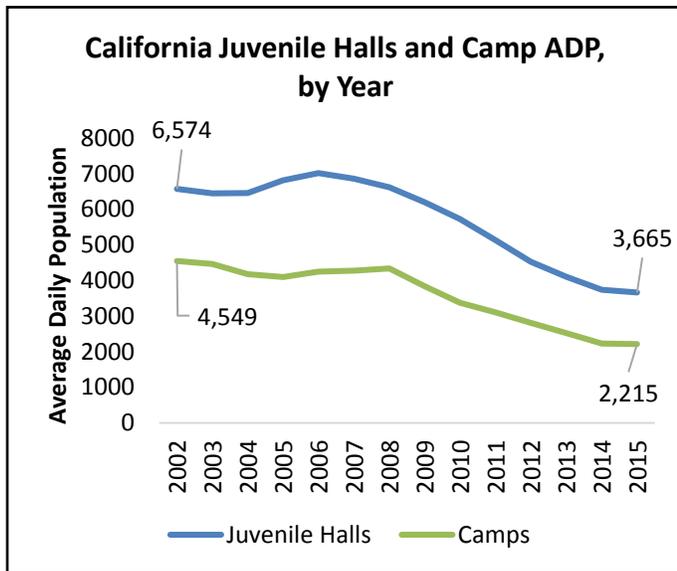
- *Wardship / Court Ordered Supervision under W&I 602 or 601*
 - *W&I 725(b) wardship probation;*
- *Non-wardship / Court Ordered Supervision under W&I 602 or 601*
 - *W&I 790- Deferred entry of judgement;*
 - *W&I 654.2- Court places minor on informal probation (probation without wardship or voluntary probation);*
 - *W&I 725(a)- 6 months non-wardship probation;*
- *Non-Court Order Supervision*
 - *W&I 654 diversion*
 - *Other*
 - *W&I 450- Non-minor dependent or adults that qualify to get foster care reimbursement;*

Wards under W&I 602 for felony and misdemeanor offenses have consistently been the largest proportion of those on juvenile supervision. On June 30, 2015, there were 31,232 wards under W&I 602 on formal probation, representing 71 percent of all supervised youth.

Juvenile Institutions

Consistent with the declining population numbers across all probation populations, the average daily population in juvenile facilities and the number of new juvenile hall bookings have also decreased. The number of bookings into juvenile hall has decreased 9 percent in one year, from 53,305 in 2014 to 48,597 in 2015, reflecting the increased use of evidence based programs in many counties and use of prevention, diversion, and alternatives for juvenile offenders as well as the decrease in juvenile arrests.

As of June 30, 2015, the state held a total of 5,894 youth in juvenile halls, facilities, and camps. With 3,665 held in juvenile halls, the state's juvenile halls were at 59 percent of their combined capacity in 2015, down from 65 percent of its capacity a year before. Similarly, juvenile camps, which held 2,215 on June 30, 2015, were at 59 percent of capacity compared to 70 percent a year prior.



Despite the decline in the number of juveniles supervised by probation departments, the number of juveniles that are receiving psychotropic medication and that have open juvenile mental health cases have both remained steady. Therefore, over time the proportion of the juvenile institutional population that is receiving mental health services in custody has increased. This mirrors a similar trend in the state's adult jail and prison population and carries important implications for counties. Probation departments must monitor this trend and explore how to meet the increasing mental health needs of those they

supervise and house in custody. While probation departments have seen great success in the practices and programs implemented to reduce juvenile recidivism, crime and arrest rates, the youth remaining in custody have severe needs. The intensive medical care, substance abuse treatment and serious mental health needs render this population very high need in order to properly diagnose and treat their sources of criminogenic behavior.

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Conclusion

The 2015 California Probation Summary highlights the monumental success in California juvenile justice and the positive impact implementing evidence informed practices and programs can have on recidivism and public safety. There is a great opportunity in California to have the same impact in the adult criminal justice system. Ear marked resources to implement evidence informed rehabilitative strategies for adult offenders provides opportunity to mirror the success these programs have had in juvenile justice. In order for California to see similar results, it is imperative the state invests in the systematic change it did for juvenile justice in the adult system.