



CRIMINAL JUSTICE SYSTEM ISSUES AND REFORMS

Public Safety and Justice Agency
Board of Supervisors Meeting; Workshop
September 14, 2022

Eric Jones, Deputy County Executive

Overview

- 2018 Adult Correctional System Review Committee and Consultant were concluded; recommended alternatives to incarceration
- 2018 Criminal Justice **Cabinet's** (CJC) Mental Health Workgroup was established
- 2019-2022 CJC Mental Health Workgroup integrated the Data Driven Recovery Project (**DDRP**)/**O'Connell** technical assistance and collaborative innovation activities to enhance diversion and reduce use of jail for people with significant behavioral health needs
- 2019 Sacramento County joined Stepping-up Initiative to reduce people with serious mental illness in jails. Developed Sequential Intercept Model (SIM) to better identify and address behavioral health needs for people going through the local criminal justice system
 - Services at every available step ("**contact point**") and attempts for diversion

Overview (cont.)

- Mays Consent Decree final approval in Federal Court on January 8, 2020; **County's** obligation to implement remedial plan focusing on:
 1. Segregation/Restrictive Housing
 2. Americans with Disability Act (ADA) Compliance
 3. Suicide Prevention
 4. Disciplinary Measures for Inmates with Mental Health or Intellectual Disabilities
 5. Mental Health Care
 6. Medical Care
- Added **Sheriff's** Office, Correctional Health, and Contracted Mental Health Staff by Fiscal Year:
 - 20/21: 54
 - 21/22: 53
 - 22/23: 86
- County has been within partial compliance in all areas; least progress regards ADA Compliance due to facility space (BSCC rated capacity is 2,380 at Main Jail and 1,625 at RCCC)

Status

- 2020 - The Carey Group Report Recommended Approaches to Safely Reduce Jail Population
 - Systematic/data-driven approach to criminal justice planning
 - Prioritize research-informed pretrial strategies for court compliance and addressing identified needs with risk-based screening
 - Expand programs that tie participation to risk and needs (**Sheriff's Jail Alternatives, Collaborative Court, Probation ADRC, and Jail Reentry Programs**)
 - Apply a countywide framework to increase community based support services and resources based on identified correctional population needs
- County is making progress
 - Improving countywide data systems and metrics
 - Jail Management System (ATIMS)
 - Integrated Justice Information System (IJIS)
 - Social Health Information Exchange (SHIE)
 - Data Driven Recovery Project (DDRP)
 - Recidivism definitions and other metrics
 - Public Defender and Probation Pretrial Program Expansions
 - Collaborative Court and Jail reentry Programs

Status (cont.)

- 2021 Community Correction Partnership Advisory Board input
- 2021-2022 Establishment of the Sacramento County Public Safety and Justice Agency (PSJA) to better coordinate criminal justice and social service systems and public feedback; PSJA Advisory Committee
- 2022 Community Review Commission – **Sheriff’s** Office Oversight Board
 - Obtaining community input into topics to examine
 - Will work with Inspector General
- 2022 Nacht and Lewis Main Jail Improvement Report
 - Analysis indicates to meet needs, the jail's capacity must be reduced to 1,357 beds from its rated capacity of 2,397 – a loss of 1,040 beds or nearly 44%
 - Substantial compliance with all consent decree requirements is not possible within the Main Jail; confirmed through peer review report

Recommendations/Compliance

2022 DDRP/Kevin O'Connell Report Recommendations:

- Reducing Jail Bookings through expanded deflection, augmented behavioral health crisis response, and expanded use of cite and release in the field
 - Reducing Length of Stay in custody through expanded Mental Health Diversion and Treatment Court, expanded pretrial custody alternatives, expanded capacity in Probation and Public Defender pretrial programs, and expanded sentencing alternatives
 - Reducing Returns to Custody through expansion of risk/need, responsive treatment, targeted programming, and coordination of assessment/screenings
 - These three areas could reduce approx. 600 ADP (1,000 reduction needed)
- Partial Compliance:
 - Reduced lengths of stay with procedural changes and program expansions (e.g., Pre-trial and Collaborative Courts Programs)
 - Will require all County law enforcement departments (Sheriff and Police) to do more field cites/releases

Recommendations/Compliance

Kevin O'Connell Report:

6 themes impacting the jail population and opportunities

1. Felony crime make up most of the Jail ADP

- 95% of the jail ADP have underlying **felony** charges
- Felonies stay 56 days on average

2. Pretrial Detention Drives the Jail Population

- 75% of ADP is unsentenced
- Growing number of people found incompetent to stand trial

3. Most jail admissions result in short stays

- 20% of releases stay less than 1 day,
- 55% released in less than 3 days

4. Stark Racial Disparities Persist

- 60% of the jail are people of color
- 25+ different agencies book people into jail across the county

5. Mental Health Conditions are a large factor in the jail

- 15% are in acute levels of care, 35% in Outpatient levels of care
- 50% of jail entries for MH clients are related to warrants or supervision violations

6. Readmission is a key driver of the jail population

- 60% return to jail within 2 years
- 80% of the jail population are recidivists

Themes of Criminal Justice System Reports, Issues and Reforms

Reduce Adult
Jail Population



Reduce
Recidivism /
Returns to
Custody



Increase
Diversion &
Deflection



Increase
Services



Progress has been made, but more work is needed, as color coded in the next slides

Reduce Adult Jail Population



Probation Dept. use of Public Safety Assessment Tools to get people from jail to pretrial monitoring

Probation Dept. implemented Adult Supervision Model via reorganizing caseload management in 2018



Protocol adjustments to adjust bail amounts at arraignment

Collaboration by DA, Public Defender, and Court

Bail reductions increased by nearly 50%



Probation Dept. implemented dynamic Risk/Need Assessment Supervision Model and probation term limits under AB1950 in 2021



Expansion of Alternative Services: Probation and Public Defender Pre-trial Programs and Collaborative Courts



Federal Inmate Contract reduction at Main Jail (Letter 061522) by 09/15/22 to reduce Federal inmates from 300 to a 100 cap)

200 fewer Adult Daily Population (ADP) at Main Jail

Reduce Adult Jail Population (cont.)

- More Jail Alternatives and Reentry programs are needed (Carey Group and **O'Connell** reports)
- Booking Practice Changes needed by all Law Enforcement agencies to book fewer individuals into the Main Jail. There should be an increase of cites/releases in the field or at off-site locations.
- Nacht/Lewis Report
Approximately 1,000 beds must be reduced at Main Jail for consent decree compliance; facility restrictions exist.*
*Any new facility would not add capacity but rather would increase conditions for existing population
- "3W" Project to relocate Acute Psychiatric Unit from 2nd to 3rd floor to increase capacity and free current space for withdrawal management (\$8M - would be interim solution & still not meet MCD compliance).
- Policy revisions for SSO and Correctional Health in correctional facilities; policies are being drafted but cannot reach full compliance based on current facility and staffing restrictions (both SSO and ACH).
- Examples: Out-of-Cell Time, Booking Time, RN intakes; treatment space (medical/mental health) is difficult to non-feasible within the current facility.

Reduce Returns to Custody

- Public Input into Process: BOS, CCP, CCP AB, CJC and workgroups, PHAB, ADAB, ADAB CJ Reform Committee, Mental Health Board, CRC, PSJA AC, etc.
- Expansion of Public **Defender's** Pre-Trial Program identifying/addressing dynamic holistic needs (Public Health approach)
- Probation **Department's** Pre-Trial Program with Risk Assessment Tool
- Mental Health and other diversion grants
- SSO Jail Reentry Programs, Educational & Vocational Programs, AB109 Community Corrections Partnership (CCP) Reentry Programs
- Improving Countywide Data Systems: Jail Mgt. Software (ATIMS), Integrated Justice Information System (IJIS), Social Health Information Exchange (SHIE); Using Metrics and Recidivism Definition (2022); there is still a need for better Countywide data-sharing
- More return-to-custody reduction efforts are needed; partnering with Alliance for Safety and Justice for best practices and public and workshops

Increase Diversion and Deflection

- Jail Reentry Diversion, Treatment and Resource Center (JDRTC) for Mental Health (MHS) and other services 12/21
- Crisis Receiving Behavioral Health and Sobering Center (formerly SURE)
- Court calendar reconfigurations increased the number of cases resolved early in the court process
- Need for additional subacute psychiatric facilities and sobering centers
- Need for additional alternatives to incarceration such as Law Enforcement Deflection Programs for in-field warm hand-offs

Increase Access to Services - Before, During, and After Incarceration

- Adoption of Sequential Intercept Model (SIM) by all CJ partners to address gaps along the continuum of potential contact with various systems
- Increased Collaborative Court and Treatment Options for Mentally Ill Defendants
- Creation of **Sheriff's** Office Compliance Unit and Correctional Health Quality Improvement Team; new classification and discipline processes to reduce isolation housing
- SSO Increased Jail Mental Health Screening; adopted Suicide Prevention Policy in Jail (ACH: complete/ SSO: in-progress); added Suicide Prevention Software for correctional facilities (2022)
- Correctional Health (ACH) implemented new policies regarding provider treatment, nursing procedures, ADA records compliance, and treating mental health
- New Mental Health Urgent Care Clinic beginning 24/7 operations
- Increased ACH Jail Mental Health Screening

Increase Access to Services – Before, During, and After Incarceration (Cont.)

- Creation of Intensive Outpatient Program (IOP) and High-Security female IOP Unit; increased suicide-resistant cell space. Created High-Security Male IOP at RCCC (operational September 09/22).
- Mental Health Crisis responses by Law Enforcement (LE), Increased Mobile Crisis Response Team; new alternatives to LE Response underway: Wellness Crisis Call Center (alternatives to 9-1-1).
- Training of Mays Consent Decree to all SSO and ACH staff (in-progress).
- Release-from-Custody Linkages to Services (Cal-AIM Project: 2023).
- Mental and Behavioral Health Services (MBHS) Continuum and Sacramento County Psychiatric Residential Treatment Facility (SCMHTC) – for IOP, planning for 64 additional sub-acute beds (18-24 months).
- **11 Murphy’s conservatees currently incarcerated** planning to move from jail to an alternate new subacute facility (2022-2023).
- Additional facilities are needed to better treat acute (intensive) and subacute (rehabilitation/recovery) mental health services; Main Jail also has restrictions for proper acute treatment.

Conclusion

- The County has made progress in some areas, but acknowledges more work is needed
- Many programs have been put in place to reduce jail population at the Main Jail, reduce recidivism, increase diversion and increase services to those impacted by the Criminal Justice and Social Services systems
 - Decreased Jail Bed Contracts by Other Agencies
 - Increased Pre-trial and Collaborative Courts Programs
 - Reentry Programs
 - Intensive Outpatient Programs
 - Subacute Facility Planning
- Any new facility or facility renovation(s) would not add incarceration capacity, but rather would improve conditions for existing population