

**INTRADEPARTMENTAL CORRESPONDENCE**

August 9, 2013  
8.4

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** REALIGNMENT GRANT

**RECOMMENDED ACTIONS**

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached Fact Sheet containing a comprehensive analysis of Assembly Bill 109 costs to the Public Safety Committee.

**DISCUSSION**

At the request of the Public Safety Committee, this is the analysis of Assembly Bill 109 costs, including Los Angeles Police Department personnel and equipment.

Should you have any questions, please contact Captain Anne Clark, Commanding Officer, Gang and Narcotics Division, at (213) 833-3700.

Respectfully,



CHARLIE BECK  
Chief of Police

Attachment

## FACT SHEET

### REALIGNMENT GRANT

July 31, 2013

#### BACKGROUND

In early 2011, the United States Supreme Court, in response to a lawsuit citing overcrowding and poor health care within California's prison system, ordered the California Department of Corrections and Rehabilitation (CDCR) to reduce its prison population by 32,000 inmates by 2013. The Governor and State Legislature responded with the Public Safety Realignment Act-Assembly Bill 109. The Assembly Bill was signed into law on April 4, 2011.

The Public Safety Realignment Act altered the criminal justice system by changing felony sentencing, shifting housing for low-level offenders from state prison to county jails and transferring supervision of designated parolees from CDCR to local county agencies. This legislation took effect on October 1, 2011.

Assembly Bill 109 mandates that after October 1, 2011, individuals newly convicted of a non-serious, non-violent or non-sex (referred to as N3) felony offense will serve their sentences in county jail rather than state prison. Although a companion law (Assembly Bill 116) to the Public Safety Realignment Act allows judges the option of splitting N3 sentencing between county jail and mandatory probation, most do not have any post-release supervision requirements.

Assembly Bill 109 allowed state prison inmates, who were serving a current sentence based on a felony conviction of a non-serious, non-violent or non-sex offense crime to be released into Post Release Community Supervision (PRCS) by a designated county agency. These convicted felons, referred to as Post Release Supervised Persons (PSPs), are now supervised by the County Probation Department instead of CDCR's Division of Adult Parole. However, State Parole continues to supervise current serious or violent felons, 3<sup>rd</sup> strike offenders, high-risk sex offenders and mentally ill offenders.

PSPs that violate the terms of their release may be sent to county jail for up to 180 days or, depending on the severity of the offense, may be subject to lesser sanctions such as:

- Increased level of supervision or required treatment
- Community service
- Electronic monitoring
- Flash incarceration (1-10 days in county jail)
- Revocation (11-180 days in county jail)

PSPs that do not violate the terms of their supervision may be discharged from PRCS after six months. If they have no violations resulting in a return to custody after 12 months, they must be discharged. The maximum term of supervision is three years.

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In addition, a substantial percentage of the PSPs who are identified as transient are living on the streets within the Los Angeles Police Department's jurisdiction. As a result, the Los Angeles Police Department (LAPD) has committed significant resources toward the establishment of Parole Compliance Units (PCUs) throughout the City to conduct address verifications, compliance checks and to apprehend absconders.

PCUs were established in each of the 21 geographic Areas throughout the City of Los Angeles. Each PCU consists of a minimum of four police officers and one supervisor. However, Area Commanding Officers have the discretion to increase the size of the PCU depending on the number of PSPs residing in their Area or for other operational reasons.

The Department also designated an individual in each of the four Operations-Bureaus to coordinate PCU activities, including:

- Monitor and assess the operations of PCUs within their concerned bureau;
- Provide feedback to the Bureau and Area Commanding Officers on overall PCU performance, as well as any audit and inspection findings;
- Liaison with other Bureaus and Gang and Narcotics Division (GND) regarding Bureau and City-wide activities, training, and required technical support.

In addition to the 21 Area PCUs, the Department also created a Parolee at Large (PAL) Unit within the Fugitive Warrant Section at Gang and Narcotics Division (GND). The PAL Unit is responsible for a variety of field enforcement and administrative duties, including:

- Locating and arresting absconders and PALs or PSPs who have committed new crimes or violated the terms of their supervision, within or outside the City of Los Angeles;
- Extradition of any qualified PSP or PAL arrested outside the City or State;
- Provide investigative support to Area PCU personnel;
- Coordinate City-wide PSP or Parolee operations and activities;
- Attend various working group and legal meetings related to AB 109, including the Los Angeles Countywide Criminal Justice Coordination Committee and other related public safety meetings.
- Liaison with CDCR, Los Angeles county Department of Probation (LACDP), Los Angeles County Sheriff's Department (LASD), LAPD Command Staff, Geographic Bureaus, PCUs and outside law enforcement agencies.

### **PCU/PAL Unit Costs**

Since October 2011, the Department has assigned approximately 160-170 employees per month, to support AB 109 enforcement duties throughout the City. This number is not expected to change significantly during Fiscal Year (FY) 2013/2014. A review of the Department's staffing and deployment levels as of July 1, 2013, revealed there were 167 sworn and 1 civilian employee assigned to support AB 109 enforcement duties.

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Based upon these staffing levels, the estimated salary and equipment costs for FY 2013/2014 will be \$18,189,040.00. This cost amount does not include the City's applied Cost Allocation Percentage (CAP), which is applied to sworn personnel at a rate of 129.82 percent, per year. If the CAP is applied, it would significantly increase the overall estimated cost per employee in FY 2013/2014.

#### Recidivism-PSPs

The total number of PSPs supervised within Los Angeles County, including both active and terminated cases, as of May 31, 2013, was 17,011. The total number of these PSPs who were supervised within the City of Los Angeles was 5,396 (32%).

The total number of PSPs who have been arrested by LAPD was 3,075. The total number of PSP arrests by LAPD, including PSPs who have been arrested more than once, was 5,905. The estimated PSP recidivism rate within the City of Los Angeles was 57 percent.

A review of the types of arrests for PSPs within the City during the month of May 2013 revealed that there were a total of 506 PSP arrests. The types of violations were as follows:

- 154 (30%) arrests were for violations of conditions of supervision; flash incarcerations.
- 150 (30%) arrests were for California Penal Code violations.
- 129 (25%) arrests were for Health and Safety Code (narcotics-related) violations.
- 50 (10%) arrests were for absconder warrants.
- 18 (4%) arrests were for Vehicle Code violations.
- 5 (1%) arrests were for other types of violations, including Municipal, Welfare and Institution and Business and Professions Code violations.

#### Forecast

Recent court decisions have ordered the State of California to reduce its prison population to 137.5 percent of capacity by 2014. To achieve this demand, the State will have to cut its inmate population by nearly 10,000 more inmates. It is likely this reduction will be achieved by releasing a significant amount of these inmates under current prison realignment practices established under AB 109. Considering Los Angeles County is the most populated county within the State, it can be expected that approximately one third of these newly released inmates will be supervised within Los Angeles County, and subsequently, the City of Los Angeles.

Prepared by:  
Gang and Narcotics Division