



REPORT TO COUNCIL

City of Sacramento

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STAFF
SEPTEMBER 20, 2005

Honorable Mayor and
Members of the City Council

Subject: Parole and Probation Update

Location/Council District: Citywide

Recommendation:

This is an information report regarding: 1) statistical data relating to parolees and probationers, and 2) current actions taken by the Police Department as it relates to parolees.

Contact: Ted Mandalla, Captain, 433-0701; Michael Carrasco, Sergeant, 264-8264

Presenter: Ted Mandalla, Captain

Department: Police

Division: Metro

Organization No: 2111

Summary:

The Sacramento Police Department (SPD) and the California Department of Corrections (CDC) - Parole and Community Services Division (State Parole) entered into a partnership in January 2001 to address the following issues: parolee-related crimes, recidivism rate, and to identify parole violators. The SPD and the Sacramento County Probation Department (SCPD) have a long history of working together in the supervision of adult and juvenile offenders granted probation. This report is to update Council on current events as they relate to probation and parole issues.

Committee/Commission Action: None

Background Information:

The SPD's Street Gang Enforcement Team (SGET) was created in April 2005 to address the growing threat of gang violence in the City and neighboring communities. A large number of gang members in our County are on either probation or parole. Due to the traditional, transitory nature of gang members, SPD has joined with other law enforcement agencies to help combat increasing gang problems. The following agencies are involved in the Street Gang Enforcement Team: SPD, SCPD, ATF – Sacramento Office, and State Parole.

As of July 15, 2005, the SGET has made a significant impact on crime in the City as the Team focused its resources on specific individuals responsible for street terrorism and criminal acts of violence. The Team also concentrates its resources on known locations where street gang members congregate.

FEL ARRESTS	MISD ARRESTS	GANG VALIDATIONS	STREET CHECKS	WEAPONS SEIZED	PAROLEES ARRESTED
271	58	122	431	34	98

The "Gang Validations" field and "Street Checks" field indicates the number of contacts the SGET is making in the field, 7 days a week. Additionally, 98 of the 271 "Felony Arrests" were parolees.

In 2001, the SPD and the State Parole formed a partnership to address parolee-related crimes. Sacramento has approximately 4151 parolees living within the City limits. The majority of these individuals will re-offend and/or do not follow their predetermined parole conditions. Since many of the parolees are street and/or prison gang members or associates, it is imperative that law enforcement and State Parole work together to investigate and monitor parolee activities in Sacramento County.

As of July 5, 2005, there are approximately 2724 parolees in the City limits and an additional 322 parolees who are considered Parolees at Large (PAL). There are approximately 86 High Control PALs out of the total 322 PALs. Parolees Returned to Custody (PRTC) and Parolees Pending Review by the Board (PENDREV) are in-custody parolees who have not been adjudicated by the Board of Prison Terms; however, they are still counted as parolees in each respective parole office. Parolee counts are taken from the 7 state parole offices throughout the County.

PAROLEE	PAL	PRTC	PENDREV	ESTIMATED TOTAL PAROLE POPULATION
2724	322	369	736	4151

The total number of parolees arrested by the SPD for all of 2004 and for January to June 2005 is reflected in the graph below.

2004 Jan - June	2004 July - Dec	2005 Jan - June	2005 July - Dec
908	818	788	N/A

The decline in arrests of parolees can be partially attributed to changing parole policies and practices that determine what will happen to a parolee in the field who has violated a condition of his parole. Whereas the agent may have authorized a parole hold in the past, the parolee now can be asked to report to his agent the next day in order to evaluate the need for remedial sanctions/community based treatment.

The CDC reported on July 6, 2005 that Region 1, which includes Sacramento County, reported the highest Parole Violation Returns (PVR), which consists of all parolees who are sent back to prison after a Board of Prison Terms Hearing, in the State at 67.2%. By comparison, the Los Angeles Area (Region 3) has a 17.9 % PVR.

REGION 1 Sac / Central Valley Bakersfield to Oregon	Region 2 Bay Area, Central and Northern Coast	Region 3 LA County and Vicinity	Region 4 San Diego, San Bernardino, Desert
67.2 %	61.1%	17.9%	52.3%

In January 2005, the SPD looked at the total number of homeless parolees living in Sacramento County using the addresses listed below. The actual number is difficult to identify at any given time due to the transitory nature of homeless parolees. However, using the parolees' Address of Record (AOR), as reported to their parole agents, we were able to identify the following information.

[1] Salvation Army	[2] Union Gospel Mission	[3] VOA	[4] Cal Expo Overflow	[5] Homeless, Transient, TBA, Self, City, or Zip Code as address	[6] ESACTU	[7] Homeless, Transient, no city identified by parole office	TOTAL
40	28	9	4	68	4	123	276

With the exception of ESACTU (Enhanced Substance Abuse and Care Treatment Unit) in Folsom, all homeless services identified in the query were in the City.

State Parole has a state-wide policy addressing the total number of parolees allowed to transfer into Sacramento County. The majority of parolees released are paroled to their County of Last Commitment [COLC] where they committed their controlling offence and where they have a legal residence. However, many parolees are paroled to the county where they committed their controlling offence, which is not always the same as their County of Last Legal Residence [COLLR]. Those parolees can petition for a transfer into the Parole Unit having jurisdiction over their legal residence.

Currently, the net imports as a percent of parolees living in their County of Last Commitment is 5% plus or minus according to State Parole officials. When the percent of parolees imported into Sacramento County exceeds the number of exports by a percentage of 5%, the State Parole District administrator has the authority to "close the county". However, exceptions are made to the 5% policy for "special service needs" or other extraordinary circumstances and are determined on a "case by case" basis. As of June 1st, 2005, the net import number for parolees transferred into Sacramento County was 5.2%.

The SPD and State Parole are continually monitoring and evaluating the partnership in order to successfully meet the objectives of each agency. The following points have been agreed upon by both agencies:

- The Parole Intervention Team is now working under the umbrella of the SGET. The Team's resources, personnel, and efforts are still directed towards the apprehension of PALs and the investigation of parolees involved in criminal and/or gang activity.

- SPD and State Parole will have regular monthly meetings, locally and regionally.
- Increase in communications between SPD's Special Investigations Division and State Parole's Special Services Unit, with regards to the release of gang members from state prison.
- CDC Attorney, Chuck D'Arcy, will look into the recent case, Valdivia vs. Schwarzenegger that challenged the constitutionality of parole revocation procedures conducted by the Board of Prison Terms. Specifically, Valdivia states that parolees shall have state-appointed counsel to represent them at the revocation hearings. Of concern is the lack of representation on behalf of the state (law enforcement officers) at the administrative hearings that could be detrimental to the state's interest.
- State Parole will assign a parole agent to the William J. Kinney Police Facility and the Joseph E. Rooney Police Facility. Currently, both agencies are working out the logistics for personnel and space.
- Address of Record: new state parole program where local law enforcement will be given names of pre-release parolees 210 days prior to release.
- SPD and State Parole will work on a website to identify a list of Most Wanted Parolees locally.
- Quarterly meetings between State Parole Directors/Assistants and Chief Albert Nájera and the Deputy Chiefs.
- Closely monitor the Parolee Import / Export Summary each month to insure the City/County is not exceeding their fair share of parolees from outside the County.
- Closely monitor the Department of Correction's "Notice of Release" and "Parolee Movement Reports" for parolees anticipated release into the City.

The SPD and the SCPD have worked together over the years to form productive partnerships in the City with a primary goal of public safety. The Probation Gang Unit works closely with SPD's Gang Unit and the SGET in an effort to investigate probationers suspected of violating their predetermined conditions of probation and/or being involved in criminal activity. Probation manages several types of probationers in our community, who require different levels of supervision. The attachment identifies the approximate number of probationers living in the City based on their address reported to Probation.

SCPD also accepts transfers into the Sacramento County by way of "Courtesy Supervision Cases" from other counties and by way of an existing Interstate Compact agreement with other states. SCPD will generally not deny a probation transfer into our County. Currently, there are approximately 1254 probationers transferred into Sacramento County and approximately 160 transferred out of Sacramento County. SCPD and other state counties agree that it is better to accept the probationer for supervision as opposed to the probationer moving into the county without approval

since many of the probationers will not be under intensive or high risk supervision. Most of the transferred probationers are from neighboring counties.

Financial Considerations: N/A

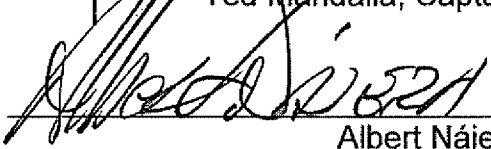
Environmental Considerations: N/A

Policy Considerations:


This report meets one of the objectives identified by the Mayor and City Council in the City's Strategic Plan.

Emerging Small Business Development (ESBD): N/A

Respectfully Submitted by: 
Ted Mandalla, Captain

Approved by: 
Albert Nájera
Chief of Police

Recommendation Approved:


ROBERT P. THOMAS
City Manager

Ref: COP 8-2

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ATTACHMENT 1**Probationers in the City by Zip Code**

	Formal	Informal	Juvenile	Unknown	Total
95814	426	312	44	212	994
95815	229	178	162	180	749
95816	48	45	9	32	134
95817	135	118	87	142	482
95818	74	48	62	66	250
95819	9	11	8	13	41
95820	283	254	255	225	1017
95822	238	157	219	197	811
95823	366	246	377	343	1332
95824	204	127	192	161	684
95826	130	65	90	115	400
95831	60	36	58	66	220
95832	80	42	89	57	268
95833	122	83	126	123	454
95834	48	20	40	61	169
95835	19	3	30	21	73
95838	298	232	231	278	1039
TOTAL					9117