

## AB 1050 ESC Summary of Progress

- January 30, 2014 initial meeting
  - Discussed AB 1050 Charge
  
- March 5, 2014
  - Reviewed AB 1050 bill analysis from the Assembly and the Senate ;
  - Reviewed definitions from the California Department of Corrections and Rehabilitation (CDCR), Chief Probation Officers of California (CPOC), California State Sheriffs Association (CSSA) and the Los Angeles Countywide Criminal Justice Coordination Committee;
  - CDCR presented on recidivism and how they measure it; and
  - Reviewed Sentencing Project material that compiled references to 99 recidivism studies conducted nationally between 1995 and 2009.
  
- April 16, 2014
  - Edward Latessa, PhD, from the University of Cincinnati presented on key issues to consider when defining recidivism, common measure and the importance of each measure;
  - ESC discussion topics included data reliability, what is feasible to ask of locals, technical violations, arrests vs. conviction, automated wrap sheets specifically what is included and missing in wrap sheets (e.g. disposition court data), plea bargaining, variances in local split sentencing, the impact on locals if asked to report on arrests vs. convictions and crafting a definition that allows for comparisons;
  - ESC considered a handout from Edward Latessa, PhD; and
  - Created 1st draft definition.
  
- May 21, 2014
  - ESC picks up discussion on draft definition;
  - Points raised included: some counties use technical violations as a cost effective alternative to filing a new charge; convictions are cleaner and easier to measure but undercount recidivism activity; what is serious vs. a minor technical violation and who decides; does including technical violations in a definition under report or over report the number of recidivist acts; who is responsible for capturing conviction data; how to account for data reporting inconsistencies and responding to comparisons of a pre- realignment recidivism definition to a 2014 definition;
  - Through dialogue 2nd draft definition is created; and
  - ESC is informed definition will go out for public comment and findings will be presented.

- June 2014
  - Public comment held in Fresno, Los Angeles and San Francisco county
  
- August 13, 2014
  - Public comment feedback shared with ESC. Common feedback included:
    - Definition is narrow;
    - Definition does not go far enough, it does not show the total picture of realignment and whether California has been successful;
    - The language on measurement should not be guidance—it should be included in the definition and not left to the discretion of those collecting data;
    - Definition will underreport recidivism;
    - Definition should be expanded from conviction to include arrests and return to custody;
    - Definition does not capture certain criminal conduct. New convictions would not include violations of supervision even if the offender was returned to custody
    - Qualifying events should be captured in the definition (e.g. new arrests, revocations, etc.).If a qualifying event is considered as part of the definition, determine what a qualifying event is and when it becomes a qualifying event;
    - Every return to custody affects the police, sheriffs, jails, courts, prosecution, defense, probation and parole and should be taken into account;
    - Current definition is too different from what was used pre-realignment and will misrepresent the recidivism rate;
    - The current definition does not count a population in county jails that were counted when they were in prison;
    - CDCR historically measures recidivism on three factors. Conviction, arrests and return to custody;
    - Measurement should occur at 1, 3 and 5 year intervals;
    - It can take multiple years for a conviction to be handed down (e.g. certain gang cases). Under the current definition if the conviction did not occur within three years the individual would not be counted as a recidivist;
    - Differentiate crimes committed such as felony versus misdemeanor and separate out crimes of violence, property and drug offenses to support better overall analysis; and
    - Distinguish between minor (e.g. arriving late) and major (domestic violence) technical violations.
  - Reviewed alternate definitions provided via public comment;
  - Department of Justice presented a draft recidivism definition; and
    - Crafted 3rd draft definition in response to public comment.
  
- September 24 2014
  - Crafted 4th definition. ESC votes and approves new definition.