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The Impact of Realignment on Property Crime: Perspectives of Chiefs of Police

A Dissertation by

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Brandman University

Irvine, California

School of Education

Submitted in partial fulfillment of the requirements for the degree of

Doctor of Education in Organizational Leadership

April 2015

Committee in charge:

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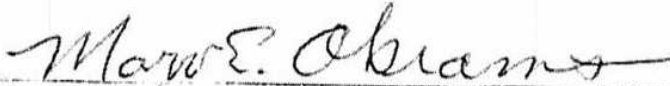
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Doctor of Education in Organizational Leadership

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April 2015

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## ACKNOWLEDGEMENTS

Gratitude comes easily if when one takes a step back, far enough away to see the beginning even if the end is not completely in focus. Such a perspective lends itself to the humbling appraisal that no one accomplishes a worthy goal alone.

I'm grateful for all at Brandman University's School of Education; the leadership, faculty, and support staff, in creating a program that provided tools in the toolbox for the questing tradesperson. Central to my educational experience has been Dr. Cheryl Marie Osborne-Hansberger (CMO), cohort mentor, friend, and whip-cracker without peer. Thank goodness for the CMO's of the world; so expert at herding Type A's, and probably cats as well.

I met Dr. Marv Abrams at our inaugural immersion where students shared possible dissertation topics with faculty. After I voiced an inexperienced idea to study public safety realignment, he looked over his glasses at me and said, "You're gonna need a survey". Many things have changed since Labor Day 2012, but two things did not. For one thing, this study had a survey. Second, Marv Abrams cut me no slack.

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just glance at each other, separated by 25 years but in the same boat somehow.

I have been honored to serve the City of Fountain Valley for 27 years as a member of the police department. What a privilege to work alongside people who understand and value their critical role in a free society. I would not have become a successful student without first becoming a servant.

I am profoundly grateful for my family. My mother came to the United States from Mexico because she wanted a better life for her family. She became a naturalized citizen in her 70's so she could vote in a general election, despite 40 years of procrastination and fierce loyalty to her mother county. She taught me hard work and tenacity by her singular example.

To my wife, Tammy, son, Seth, and daughter, Abby: thanks for all the hours, energy, attention, and everything else you gave up so I could finish. Your love was what did it. I thank a kind and benevolent Heavenly Father for you and your patience with me and this endeavor.

Finally, a thought for crime victims, past, present and future. Crime victims know what it is to experience a sense of loss and personal violation. Certainly we must study, debate, and explore every possible way to improve our system of justice. All of us, no matter our calling, bear some responsibility to nudge this great American experiment to greater equality under the law. But sometimes the only thing that can keep the wolves at bay is a thin blue line of women and men who are prepared to protect and defend. Count me in.

## ABSTRACT

### The Impact of Realignment on Property Crime: Perspectives of Chiefs of Police

by Daniel S. Llorens

Realignment, instituted in October 2011, was California's latest effort at prison reform by realigning responsibility for prisoners labeled nonviolent, non-serious, and non sex-related from the state to counties. Many of these offenders were in state prison upon conviction of property crime offenses. Realignment had a net decarcerative effect on offenders. Simultaneously, California cities' officer staffing levels shrunk during the great recession. To determine what impact realignment may have had on property crime in small California cities, and to identify effective response strategies, property crime and officer staffing data was analyzed and a survey administered to the chiefs of those cities.

Fifty-six California cities with a population of between 25,000 and 50,000 and their own police departments were studied. This study analyzed data for the full year before and after realignment's implementation, 2010 compared to 2012. Analysis of these data indicated an overall trend of increase in property crimes reported to the police, and a significant decrease in officer staffing pre-and post-implementation. Many of the 36 chiefs who responded to the survey identified realignment as the primary factor in the increase of property crime, closely followed by overcrowding in their local or county jail. Of the response strategies offered in the survey, most chiefs said they had made progress on increasing partnerships with allied law enforcement agencies. Finally, a majority of the chiefs identified increasing partnerships with allied agencies the most effective strategy followed by the creation or reorienting specialized units to respond to the issue of realigned offenders.



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## CHAPTER I: INTRODUCTION

The Federal Government reported that 1,570,400 persons were imprisoned at the end of 2012, a staggering number comparable to the population of Philadelphia, PA and larger than the populations of 12 states, according to the US Census Bureau (DOF, 2014). Despite a recent trend downward in national prison population, (128,000 fewer admissions to prison compared to 2009), 18 states and the Federal Bureau of Prisons had more prisoners incarcerated than their reported capacity (Carson & Golinelli, 2013). While the US population grew by almost 25 million persons from 2002 to 2012, a 9% increase, crime reported to the police and the Federal Bureau of Investigation (FBI) dropped 14% in the same decade (FBI, 2012). Despite these data, evidence suggests Americans believed crime is increasing nationally, even as they generally believed crime in their communities is under control (Dugan, 2013).

In response to spiraling increases in crime beginning in the 1970s, California lawmakers responded with a get-tough approach and embarked on an ambitious program of building prisons. Since the 1960s, punitive approaches resulting in longer sentences have received the get-tough appellation, as differentiated from “soft” approaches more focused on treatment and rehabilitation (Skoler, 1971). Get-tough initiatives led to rising rates of incarceration, and California’s prison population rapidly outpaced prison capacities. Until 1977 California afforded judges significant leeway in sentencing decisions through indeterminate sentencing (Ducart, 2013). After the law was changed to a determinate sentencing model, inmate numbers in the state skyrocketed from 20,000 in 1977 to 160,000 in 2011(Ducart, 2013). As the number of inmates became increasingly unmanageable, California’s overcrowded prison population signaled a system incapable of providing basic services to inmates (Grattet & Hayes, 2013).

As a result, men and women sentenced to prison in California petitioned the courts for relief in response to insufficient medical and psychological care. The seminal cases on point were brought by two defendants, Ralph Coleman and Marciano Plata, who successfully argued California's overcrowded prisons made even minimal medical and psychological care impossible, thus violating the 8th Amendment to the U.S. Constitution proscribing cruel and unusual punishment (Coleman, 2009 & Plata, 2007). The courts joined the two cases as a class action and mandated California move expeditiously to reduce overcrowding by establishing a population ceiling by certain dates (Plata, 2007). The courts were silent on just how that lower threshold was to be met.

These court decisions forced California to investigate alternatives to conventional prison sentencing and housing in order to comply with the court's order to reduce prison population. In response to these legal setbacks wherein the state was a defendant, the California legislature passed, and Governor Edmund G. Brown Jr. signed Assembly Bills 109 and 117 into law in April 2011. These laws, generally referred to collectively as AB 109 or realignment, took effect October 1, 2011. AB 109 reassigned responsibility for the state's nonviolent, non-serious, and non sex-related offenders to counties in place of the traditional state correctional model. Persons convicted of non-serious, non-violent, or non-sexual felonies were realigned to county authorities to serve their time and receive post-release supervision (AB 109, 2011). Among felonies that previously could have merited a stint in state prison but were now considered non-serious, non-violent, or non-sexual were those such as narcotics possession, narcotics possession for sale, and property crimes such as vehicle theft, fraud and burglary (AB 109, 2011).

Proponents argued public safety would improve since offenders would be supervised and treated at the county level, where they would presumably receive more

responsive services. Efficiencies would emerge as nonviolent prisoners were realigned leaving behind only the most violent. In summary, AB 109 was designed to create efficiencies through reduced recidivism (Petersilia & Lin, 2012).

Realigned offenders currently in California state prisons were transferred to local jails, to be supervised and treated through county departments of probation and health, and from late 2011 onward, future convicts would serve their time locally. The rapid implementation of this law, from April to October of 2011, resulted in county probation and health departments, among others, not fully prepared for the onslaught of realigned offenders (Petersilia & Lin, 2012). Once prisoners were realigned from the state to the counties, overpopulation issues migrated from prisons to county jails. This caused sheriffs to release realigned offenders and other inmates sooner than anticipated, in what Rappaport (2013, p.210) called a “shell game”. An example of this is the Los Angeles County Jail system, where realigned offenders were regularly sentenced to a year in jail for crimes that would have previously been eligible for state prison, with some inmates being sentenced to terms between 5 and 40 years (Rappaport, 2013).

Municipal law enforcement agencies were not initially given resources to respond to realigned offenders. Petersilia, et al, 2013, found AB 109 funds were given to counties, not cities, and most often allocated to probation departments, sheriff’s departments, health departments, public defenders or local nonprofits, not local police departments. According to Jett & Hancock (2013), it is possible a county centric focus was based on the realization counties would bear the burden of rehabilitation, housing, as well as establishing evidence-based practices in treating offenders (Vitiello, 2013).

Not wasting time, at least 32 of California’s 58 counties began \$2 billion worth of jail building or expansion across the state (Rappaport, 2013). Data gathered by Stanford



University's Criminal Justice Center strongly suggested jail overpopulation was becoming an emerging problem for California (Lawrence, 2013). The Center documented an 11% increase in local jail populations in the 12-month period after realignment's implementation, and early release of prisoners had increased statewide by 56%. Ironically, but indicative of the unsettling nature of realignment for county corrections, many of these jails were already under court decree to reduce overcrowding (Lawrence, 2013). Although realignment was not designed to be an early release program, a natural displacement of offenders from jail to the community was the net effect, given the resultant jail overcrowding. Offenders transferred from state prisons to county jails and offenders now sentenced to county jails caused some sheriffs to liberalize their release policies for other jail inmates.

Additional research on recent prison reform was needed to determine how realignment has impacted public safety in California communities, and what strategies could be employed by local law enforcement agencies to mitigate negative consequences. Spencer and Petersilia (2013) were the first to inquire how realignment affects communities, and importantly, crime victims. Additional research may determine what impact realignment has had on property crime in California communities, and how realignment has affected municipal police agencies, especially those with modest or shrinking resources.

## **Background**

### **National Crime Trends**

Inmates became residents of state institutions following a conviction for a felony offense. These incidents were usually brought to the attention of the police by a victim or witness, which ultimately resulted in an arrest, conviction, and a term in prison. Tracking

crime incidents has been the responsibility of the police and has proven valuable in judging the effectiveness of anti-crime strategies and the level crime in a community, relative to others.

National crime trends vary greatly from region to region, and care must be taken when attempting to draw conclusions from data gathered from so diverse a nation. Cities, for example, tend to have higher crime rates than suburbs, particularly as the discussion relates to violent crime, and all such populated tend to be more prone to crime than more rural areas (Jargowsky & Park, 2009). The annual Uniform Crime Report aggregated by the FBI explicitly warned against “comparing statistical data of individual reporting units from cities, metropolitan areas, states, or colleges or universities solely on the basis of their population coverage” (FBI, 2012, National Summary). According to the National Research Council’s exhaustive 2008 report on crime in the United States, the country overall saw significant decreases in robberies and murders after the subsidence of the crack cocaine epidemic of the 1980s. The report identified decreases in property crimes such as burglary and auto theft, to which the authors attributed a possible increase in sanctions for those crimes. More recently, the FBI reported that for 2012, violent crime incidents rose .7% from 2011, but property crime incidents dropped .9 %, which was the tenth consecutive year property crimes have diminished nationally (FBI, 2012). As for the rates of crime, or incidents per 100,000 inhabitants in a given year, the rate of crime has dropped almost 50% in the last twenty years (FBI, 2012).

### **California Crime Trends**

California’s crime rates were also lower than a decade ago. In 2002, the rate of violent crime in the state was 594 incidents reported per 100,000 inhabitants, or 28% higher than in 2012 (FBI, 2012). In 2002, the property crime rate was 17% higher than in

2012 (FBI, 2012). In 2012, California had a violent crime rate of 423 incidents per 100,000 inhabitants, 3.5% higher than the State of New York and Texas, and a property crime rate of 2,759 per 100,000, also higher than New York but lower than Texas (FBI, 2012). California's 2012 rates of violent crime were also much higher in cities than in rural areas by 11%, and 15% higher property crime rates in cities compared to rural areas (FBI, 2012).

### **Three Strikes and You're Out**

Evidence of California's get-tough response to crime or the perception of crime was embodied in "three strikes and you're out," as habitual offender legislation is commonly called. The existence of three strikes laws, in place in 25 of the 50 states by 2005, drew significant public attention (Chen, 2008). Identifying a nexus to California's issues with overcrowding, Chen (2008) found California's implementation of three strikes was stricter than other states and more enthusiastically utilized, resulting in 87,500 offenders being sentenced under the law, including 7,500 who received a life sentences from 1994-2005. Chen (2008) concluded three strikes laws deterred crime through incapacitation but also significantly contributed to California's prison overpopulation problem.

### **Prison Overcrowding**

Research suggested that over the past few decades California's policy makers have struggled with balancing issues of overcrowding, sentencing reform, outpatient treatment, resource allocation, and public safety concerns. Overcrowding in America's correctional institutions had a long history and many proximate causes. Nearly 20 years ago research demonstrated the futility of a get-tough on crime approach which succeeded in filling local jails but resulted in unintended consequences, such as increased litigation

and facilities made more dangerous for inmates and staff (Kinkade, 1995). Loury (2007) stated that over-reliance on punitive responses to crime implicate racial disparity in sentencing and disproportionately reflect one's rank in the social hierarchy. Other research confirmed disparate racial impacts from get-tough laws such mandatory sentencing or anti-gun laws imprisoning higher numbers of poor African-American men compared to poor white men (Schlesinger, 2008). Recent trends included reform through sentencing changes, including California's realignment efforts, and have reduced American prison population for the last three consecutive years (Cadora, 2014).

### **California's Broken System**

In 1965, Governor Edmund G. "Pat" Brown signed the Probation Subsidy Act. Enacted to alleviate overcrowding by favoring treatment and programming over incarceration, the law reduced prison populations but significant increases in crime led to public resentment against the law (Rushford, 2012). A backlash against prisoner releases from 1966 to 1970 led to get-tough reforms and significant spikes in prison populations between 1986 and 2006 (Grattet & Hayes, 2013; Rushford, 2012). Highly publicized criminal acts such as the kidnap and murder of 12-year old Polly Klass by career criminal Richard Allen Davis in 1993 led directly to California's three strikes law in 1994 (Rushford, 2012). Many writers agreed the passage of California's three strikes law was the modern apex of a get-tough posture in the state (Caulkins, 2001; Kieso, 2005; Walsh, 2007) and that the preeminence of crime control over other correctional models followed suit nationwide (Austin, et al, 1999).

Thus, the stage was set. In California, get-tough on crime responses preceded overpopulation which predictably resulted in litigation. To highlight the breadth of the overpopulation issue in the context of three strikes, Pontell and Welsh (1994) found

instances where orders from judges to reduce population were simply ignored by local authorities. A series of California governors failed to energize the public and the legislature to enact significant reforms and head off the conflict between California and the courts.

Governor Arnold Schwarzenegger came into office with an agenda to address California's correctional problems with reforms designed to tackle overpopulation and the rising costs of traditional sentencing, housing and treatment models. In 2007, after political pressure from corrections officer unions and others derailed what would have been a predecessor to realignment in 2005, the prestigious Little Hoover Commission warned prophetically:

California's prisons are out of space and running out of time... The Governor and Legislature must find the political will to move past rhetoric and address ways to solve the prison population crisis and make good on promises to improve public safety. "Tough on Crime" sentencing laws have to be judged by outcomes and matched with fiscal responsibility. To ensure public safety, reforms will have to jettison posturing to make room for smart on crime policies. (Little Hoover Commission, 2007, p.1)

Warnings went unheeded, and by the end of 2007 over 170,000 men and women were held in California state prisons (Schlanger, 2012). Apart from the causes of California's overcrowded correctional institutions, the collective voices of litigants would soon be heard at the highest levels of American jurisprudence.

### ***Coleman and Plata Decisions***

Ralph Coleman was an inmate in California's state prison system that filed suit in 1990 alleging non-existent care for his mental health issues (Coleman, 1995). As

*Coleman* painstakingly made its way through the courts, another inmate, Marciano Plata, sued California for inadequate medical care (Plata, 2007). Eventually, these cases were joined and presented to a panel of three federal judges, who in 2009 ordered California prison authorities to reduce the state's prison population to 137% of capacity (Plata, 2007). One of those federal judges, Thelton Henderson, was blunt in his condemnation, “[I]t is an uncontested fact that, on average, an inmate in one of California’s prisons needlessly dies every six to seven days due to constitutional deficiencies in the [California Department of Corrections and Rehabilitation’s] medical delivery system” (Plata, 2007, p.1372).

The state appealed to a divided United States Supreme Court, which upheld the three-judge panel’s decision, and ordered California to comply with the panel’s order. Justice Anthony Kennedy, writing for the 5-4 majority, acknowledged what had become apparent to a long line of jurists; California’s lack of medical and psychological care for inmates, resulting primarily from overpopulation, placed the state in direct contravention to the United States Constitution. In response to the minority opinion, which called the majority decision reckless, Justice Kennedy, writing for the majority, admitted “The release of prisoners in large numbers—assuming the State finds no other way to comply with the order—is a matter of undoubted, grave concern” (Brown vs. Plata, 2011, p.1921).

### **Assembly Bill 109**

The California legislature’s contemplation of what later became AB 109 actually predated the Supreme Court’s decision, and was signed into law by Gov. Edmund G. Brown Jr. in April 2011 (Schlanger, 2012). Offenders previously and from that time forward convicted of non-serious, nonviolent, and non-sexual-related crimes or “non-

non-nons” would serve their time in local county jails instead of state prison. Offenders convicted of such non-non-non offenses would now be supervised by a county probation department and subject to early release from supervision if they remained free of subsequent violations. Revocation of probation of probation violations would also be handled at the local level and offenders would serve local jail time (Schlanger, 2012). Schlanger concluded that the shift of offenders from state prison to local jails “has the potential to be decarcerative because it shifts prisoners from low-discretion state custody to high-discretion county custody” (p.191). The discretion referred to was with respect to a county sheriff or probation officer. According to the California Department of Corrections and Rehabilitation, in the year following AB 109 implementation, from October 2011 to October 2012, California prison population decreased by 23,000, but jail population only grew by 6,000 persons (CDCR, 2013). This meant a significant number of offenders were thus out of custody, or displaced. The CDCR also documented the displacement effect on local jails; by June 2013, 35 counties reported releasing inmates because of overcrowding, and, “to a modest degree, convicted felons sentenced to jail and parolees serving time in jail for technical violations were displacing pretrial detainees as well as sentenced inmates serving time for misdemeanor offenses” (CDCR, 2013, p.4). The transfer of state’s prison overcrowding issues onto county jails, or what Schlanger called the “hydra threat” (2012, p. 210), were being raised by other writers regarding the efficacy and timing of realignment. For example, King (2012) notes realignment did not sufficiently fund drug treatment, the primary reason many offenders faced incarceration. In addition, a study concluded in late 2013 by Stanford University’s Criminal Justice Center sought to draw out the impact of realignment from across the broad spectrum of the state’s criminal justice practitioners. During the course of this study Petersilia (2013)

found police and sheriff's departments were among the most negatively impacted. Petersilia (2013) quoted one stakeholder who called adjusting to realignment was like "drinking from a fire hose" and concluded, "our interviews elicited a portrait of counties struggling, often heroically, to carry out an initiative that was poorly planned and imposed upon them almost overnight, giving them little time to prepare" (p.7). Other issues being faced by community corrections professionals include increased health care costs as older inmates who were being housed for longer periods of time (Vitiello, 2013) and the overall increase of stress and violence for inmates and staff in local jail facilities (Lynch, 2013).

### **Crime Rates and Police Staffing**

In a possible correlation with previously mentioned increases in American prison population in the 1990s, McCarty, Ren, & Zhao (2009) highlighted the 7% increase in police officers nationwide in the 1990s and how an increase in crime led to increased law enforcement expenditures. Chief among these expenditures at the national level was the Violent Crime Control and Law Enforcement Act of 1994, which allocated \$10 billion for prison construction and subsidized the hiring of up to 100,000 new police officers nationwide (USDOJ Fact Sheet, 1994). Whether such significant increases in police officers across the nation negatively or positively impacted crime is a matter of debate. Kleck & Barnes (2010) recognized scholarly support for the general deterrence hypothesis; more officers might deter criminal acts, but this theory was not proved empirically. They also cast doubt on the incapacitative effect of more officers making more arrests, which lead to less crime; but provided no data to support this assumption. Clear & Frost (2014) acknowledge the functional benefit of incapacitation as it relates to reductions in some crimes, but applauded the end of the "punishment imperative", or the



mass incarceration of Americans (p.15). As if to underline the theoretical disparity further, Ball (2011), in his study of prison sentencing and crime rates noted the vast differences in how each of California's 58 counties sentenced persons to state prison. Ball (2011) pointed out that in the decade before realignment, those counties who sent the most inmates to prison had the lowest violent crime rates.

As for current trends in law enforcement staffing, Wilson & Heinonen were among many who acknowledged police personnel challenges were complicated by "an economic downturn, increasing attrition, a decreasing pool of qualified candidates, fewer resources, and expanding officer responsibilities" (2011, p.278). Gascon & Foglesong (2010) also concluded that a steady increase in demands for police services and the exponentially more complex nature of modern law enforcement complicate the debate as to whether more police make communities safer. To add to the complexity by acknowledging the inevitable political dimension, Stucky (2005), argued a city's political leaders were attuned to the public's perceptions of safety, which in turn affect that agency's law enforcement response to crime.

Resource reductions made by cities due to the current recession contravenes the precepts of rational public choice theory, that citizens will appropriately resource law enforcement to combat real or perceived increases in crime (McCarty, et al, 2009). In contravention to this theory and due to reduced tax revenues, governmental budgets have been slashed nationwide, with concomitant reductions in police staffing; about 12,000 officers laid off in 2011 and 30,000 sworn positions simply left unfilled (Wilson & Weiss, 2012). One recent study which analyzed 24 police agencies, 15 from California, rendered the following opinion regarding the impact of the recession, "It appears that when cities or counties reduce the number of sworn police officers as a result of bad

economic conditions or other factors, the crime rate tends to increase” (Guffey, Larson & Kelso, 2010, p.39). According to the FBI’s latest Uniform Crime Report that also tracks police strength nationwide, from 2008 to 2012 California’s sworn officer staffing dropped 5.2% or about 3,700 officers (2012).

Realignment’s legislative language authorized \$4.4 billion to counties through 2016-2017, but Petersilia & Lin (2012) acknowledged this money is funneled through counties and not directly to cities or municipal law enforcement. AB 109 permitted each of California’s 58 counties to craft individual realignment spending priorities at the county level. These spending plans have been diverse; some counties spending as high as 70% or as low as 5% of their funding on local law enforcement (Petersilia & Lin, 2009). Ducart (2013, p.503) recognized the same issue with realignment’s county-centric formula, calling attention to, “the non-uniformity that it creates amongst the counties. Some C[ommunity] C[orrection] P[artnership]s use Realignment's financial incentives by funding jail development, while others are trying to integrate further community-based sentencing options.”

### **Statement of the Research Problem**

Lofstrom and Rafael (2013) estimated about 18,000 individuals who would normally be locked up in state prison have made their way into local communities. Their investigation also indicated a possible correlation between the implementation of realignment and a subsequent increase in property crimes among California’s most populous counties (Lofstrom & Rafael, 2013). California’s first report which sought to track almost 59,000 offenders as they left the prison system to community corrections did not reassure; the state found recidivism rates pre- and post-realignment were about equal (CDCR, 2013).

Little is known about how smaller municipal entities, bereft of the resources of their larger sister agencies, withstood the initial impact, if any, of realignment. California cities with populations of 25,000 to 50,000 and their own municipal police departments in particular had the potential to be affected. Such police departments expect their officers to be generalists; the resources for specialized units to track and impede repeat offenders were likely not available. Such agencies possibly felt the effects of the current recession, and its accompanying reduction of resources normally allocated for law enforcement. Further investigation is needed to determine if and to what extent realignment impacted smaller communities, and whether a reduction of sworn officers, if it occurred, affected their ability to deal with realignment. During the time period contemplated by this study, realignment, the recession, police staffing, and jail overcrowding may have been variables that impacted property crime. Without input directly from the chiefs, to what extent property crime has been influenced by these variables would remain unknown. Understanding the speed and effectiveness of response strategies such as agency collaboration, alternative funding, specialized units, and other non-traditional partnering would be critical, especially in the context of a groundbreaking prison reform initiative such as realignment. Since realignment is a novel approach in California, information on how effectively and how quickly chiefs responded would remain unknown.

### **Purpose Statement**

The primary purpose of this descriptive correlational study was to identify policy initiatives that could lead to more effective law enforcement against challenges presented by prison realignment for small California cities. The second purpose of this study was to determine the relationship, if any, between sworn officer staffing and property crimes

reported to the police from 2010 to 2012. The third purpose of the study was to determine the significance of the impact of realignment, sworn officer staffing, the recession, and jail overcrowding on property crime as perceived by police chiefs. Finally, it was the purpose to identify the progress and effectiveness of specific strategies in response to realignment; increased law enforcement partnerships, seeking alternative funding, altering staffing models, and engaging non-law enforcement stakeholders as perceived by police chiefs.

### **Research Questions**

This paper proposes to answer the following questions regarding California cities with populations between 25,000 and 50,000 that have their own police departments:

- 1) To what extent is there a difference in property crimes in 2010 and 2012?
- 2) To what extent is there a difference in sworn police officer staffing in 2010 and 2012?
- 3) To what extent is there a correlation between changes in sworn officer staffing and changes in property crime for 2010 and 2012?
- 4) To what extent were the following factors significant with respect to property crime within the jurisdictions from 2010-2012?
  - a. AB 109 Public Safety Realignment
  - b. The current economic recession
  - c. The police department's sworn officer staffing levels
  - d. County or local jail overcrowding
- 5) To what extent do chiefs perceive that progress has been made in the following strategies responding to realignment?
  - a. Increase partnerships with allied law enforcement agencies

- b. Seek alternative funding solutions such as grants
  - c. Create specialized units or reorient existing specialized units or assignments
  - d. Engage non-law enforcement partners to impact or serve realigned probationers
- 6) How effective do chiefs perceive the following strategies are in response to realignment?
- a. Increase partnerships with allied law enforcement agencies
  - b. Seek alternative funding solutions such as grants
  - c. Create specialized units or reorient existing specialized units or assignments
  - d. Engage non-law enforcement partners to impact or serve realigned probationers

### **Significance of the Problem**

The movement of inmates from the custody of the state to local communities has the potential to affect public safety. With about 23,000 prisoners realigned since October 2011 and thousands more displaced from local jails, scholars have only recently begun exploring outcomes, and much of the focus has been on recidivism, not crime impact (Schlanger, 2012). Sizable numbers of offenders released from incarceration well before their sentences were to end may well stress police staffing beyond the point of being able to protect against property crimes. This may in turn place additional financial burdens on municipalities as they struggle to provide adequate police services.

Accordingly, the significance of the problem is one of public policy and public safety.

California's version of realignment, or the reduction of prison eligible crimes and the transfer to local authorities for responsibility of offender housing, supervision and treatment, is unprecedented in the country if for no other reason than its scale. This study

seeks to add to information available to policy makers about the impact on property crimes of reducing the offenses that merit prison and realigning offenders to local communities, especially whose police departments were understaffed. Finally, this study seeks to inform on the effectiveness and tempo of strategies those chiefs may have contemplated in response to realignment.

### **Theoretical and Operational Definitions**

**Board of State and Community Corrections (BSCC).** A 13-person board established by law with some members appointed by the governor and the legislature and are chartered to make evidence-based, best practice recommendations informing state and local correctional policy.

**California Department of Corrections and Rehabilitation (CDCR).** This department is responsible for the housing, care, and post-release supervision of the state's convicted felons. Previously known as the California Department of Corrections (CDC).

**County Corrections Partnership (CCP).** A working group established previous to, but later expanded by, AB 109, consisting of a county's chief probation officer, district attorney, a chief of police, the public defender, health director, presiding judge, and county supervisor. It has been empowered by AB 109 to set funding priorities for monies received from the state.

**Decarceration.** Strategies, policies, or laws that have the cumulative effect of moving persons from the custodial environment to those out of custody (Gartner, et al, 2011).

**Determinate sentencing.** The current law in California for serious crimes: upon conviction, an offender is sentenced to a fixed term of which a significant percentage must be served before parole is contemplated, if at all.

**Deterrence theory.** First developed 250 years ago, this theory holds that criminals

adjust their behavior depending on the severity, celerity, and certainty of punishment: the more efficiently and certainly society employs swift punishment appropriate to the crime, the better to deter that activity (Apel, 2013).

**Felony.** Specific intent crimes such as murder, rape, arson, vehicle theft or burglary, whose conviction is punishable by death, or imprisonment in the county jail or state prison.

**Incapacitation theory.** Crime is prevented when offenders are incarcerated because their inability to victimize others is assured; determining how much crime is prevented is the subject of some debate (Zimring & Hawkins, 1995).

**Indeterminate sentencing.** In California, until 1977, most offenders convicted of criminal acts were given sentences with broad ranges, allowing for an inmate to meet the low range and subsequently seek parole assuming good behavior.

**Misdemeanor.** Crimes such as drunk driving, theft of less than \$900, or prostitution whose conviction is punishable by a fine or imprisonment in the county jail for not more than one year or both.

**Non-non-non.** As outlined by AB 109, convicted felons eligible for realignment with a most recent conviction for a non-violent, non-sexual, non-serious crime.

**Parole.** State level supervised release. A defined period of time, usually three years, after the service in the state prison. The state can stipulate terms of behavior, reduced constitutional protections against government searches and seizures, and subject to sanctions by the parole board upon an evidence-based hearing.

**Post release community supervision (PRCS).** Under realignment, county probation departments take over supervision of inmates considered “non-non-nons”, and supervise their adherence to probation terms, treatment, and service delivery. This was previously

the job of state Department of Correction parole officers.

**Probation.** County level supervised release. Formal probation is of a defined duration, can stipulate terms of behavior, usually includes reduced constitutional protections against government searches and seizures, and is subject to revocation by the court or by a probation officer upon showing of cause.

**Property Crime.** A crime event reported to the police wherein the victim suffers some loss of monetary value such as vehicle theft, burglary, embezzlement, or fraud.

**Rational public choice theory.** Resource allocations made by public policy makers is akin to the relationship of supply and demand; the citizenry will resource public safety appropriately when faced with the need for protection against crime (McCarty, et al, 2009).

**Realignment (AB 109, or Public Safety Realignment).** California's most recent attempt to reform state and community corrections by realigning non-violent state prisoners to county jails and re-classifying certain felonies as ineligible for state prison. Signed into law by Governor Edmund G. Brown Jr. along with companion bill AB 117 and effective October 1, 2011, later amended by AB 118, AB 116, and AB 17, regarding technical changes and funding structure (Fazzi, 2013).

**Split Sentencing.** A sentencing formulation introduced by realignment dividing custody time between terms in the county jail followed supervision by the county for low level offenses. This process allows judges to give inmate an early opportunity to interact with probation and access post-release services (Pennypacker & Thompson, 2013).

**Sworn Police Officer.** A police department employee certified by the California Commission on Police Officer Standards and Training as having met the requirements of a police officer through a combination of experience and training, and sworn by a duly



constituted authority to make arrests per Penal Code §832. Sworn officers are distinguished from professional staff such as dispatchers, cadets, or police service officers. Others, such as California Highway Patrol officers and county sheriff's deputies are sworn officers per Penal Code § 832, but are not the focus of this study.

**Three strikes law.** Modern iteration of habitual offender laws designed to punish persons convicted of three or more felony convictions. California's 1994 version required persons convicted of a two serious felonies or "strikes" to serve at least 80% of their sentence before eligibility for parole, and persons convicted of a third serious felony to serve a term of not less than 25 years to life.

**Uniform Crime Report (UCR).** Annual report issued by the Federal Bureau of Investigation containing aggregated data of among other thing, crimes reported to the nation's law enforcement agencies.

**Violent Crime.** Crime event reported to the police resulting in the murder, rape, or significant bodily injury perpetrated on a victim; sometimes referred to as crimes against persons.

### **Delimitations**

Delimiting factors or variables are those that narrow the way in which findings can be generalized (McMillan & Schumacher, 2010). The present study is delimited by the unique nature and scope of realignment, therefore, this study is delimited to police departments in California cities with populations between 25,000 to 50,000. Findings cannot be generalized outside California because no other state or territory has contemplated such a significant realignment from state to community corrections. The population and sample also delimits further extrapolation because only cities with populations between 25,000 to 50,000 were being studied. Smaller or larger cities would

have different economic and demographic makeups significantly limiting the value of any findings. The cities in the population and sample were served by their own police departments, not the county sheriff, usually the largest law enforcement in a county, thus delimiting findings that highlight limited resources. This study seeks insight as to the impact of crimes against property, not violent crimes, which were categorized differently, have much longer jail or prison terms attached, and often arise from something other than a personal gain motive. Finally, this study seeks information from police chiefs representing their police departments. Executives of agencies within a county such as chief probation officers, sheriffs, prosecutors or public defenders would have different responsibilities and insights.

### **Organization of the Study**

The remainder of the study is organized into four chapters, a bibliography, and appendixes. Chapter II presents the historical overview of crime in the United States and California, reporting methods, trends towards get tough policies, the resultant overcrowding in California prisons, the implementation of realignment and its impact on state and local authorities and jurisdictions. Chapter III explains the research design and methodology of the study. This chapter includes an explanation of the population, sample and data gathering procedures as well as the procedures used to analyze the collected data. Chapter IV presents, analyzes and provides a discussion of the findings of the study. Chapter V contains the summary, findings, conclusions, recommendations for actions and further research.

Thus, we see that national and state get-tough legislation drove increasing levels of incarceration resulting in overcrowding, leading to demands for reforms. Since at least 2008, the recession has negatively impacted municipalities resulting in reduced law

enforcement staffing. Overcrowding in California led to a series of court decisions mandating the state immediately reduce its prison population. In response, AB 109 and AB 117 were passed in 2011, resulting in reduced prison population and transferal of the corrective and supervisory burden for these inmates to county and local authorities. This process, known as realignment, has had an overall decarcerative effect at the local level. By transferring overcrowding issues from the state prisons to county jails, local authorities sought to strike a balance between public safety and the prospect of overcrowded jails. How effectively this balance has been struck, in conjunction with efforts by local police departments facing personnel cuts, required further inquiry and analysis. The following chapter explored in greater depth the existing literature regarding the provenance and root causes for national and state prison overcrowding. Drivers of a get-tough approach to criminal behavior through sentencing were explored along with the consequences of this approach. The chapter reviewed findings from writers regarding the scope and effect of overcrowding in California prisons and the path that eventually led to court-ordered reform. A review of the nation's efforts to quantify and classify crime was included since it foundational to the analysis of crime in the United States, including issues with underreporting of crime by certain populations. The chapter explored the effect of the recession on local municipalities, and the overall reduction in police staffing. The scholarly debate on to what degree police staffing levels help deter crime was presented as well as the parallel debate on the value of incapacitation of criminals through imprisonment. The path that led to realignment via the courts was outlined, as well as the reform that it spawned, namely, realignment. How realignment has been implemented, including the allotment of resources and current data of the impact to local stakeholder was included.

## CHAPTER II: REVIEW OF THE LITERATURE

According to California's Little Hoover Commission, at the height of its overcapacity, the state housed 173,000 inmates in 33 prisons designed to accommodate half that amount (Little Hoover Commission, 2007). AB 109 came about as a result of overcrowding in California's state prisons and the resultant substandard healthcare provided to the state's inmates. AB 109 reclassified certain felonies so persons thus convicted would serve time in community correctional facilities as opposed to state prisons, and be supervised and treated locally rather than by state authorities.

The goal of AB 109 was to strike a new path in corrections reform that would simultaneously reduce California's prison population to constitutional levels, reduce state costs by shifting the burden of supervision of thousands of inmates to the state's 58 counties, and reduce recidivism through improved programmatic efficiencies created by local control. Simultaneously, many California municipalities were feeling the impact of the great recession, with the net effect of the stagnation or loss of sworn police officer positions.

The following is a review of the literature on issues foundational to the purpose of the study, such as national and state get-tough approaches to crime that led in part to overcrowding and AB 109. This chapter will also review the literature on the impact of the current recession on cities, police staffing relational to crime control efforts, policing strategies, and the impact of prison reform on stakeholders.

### **Review of the Literature**

#### **Get-tough Approach**

**Popular and political pressure.** The "knee jerk" reaction to heinous crimes by policy makers has often led to get-tough approaches and more stringent penalties to a

wider variety of criminal acts (D'Elia, 2010). In California, the murder by Richard Alan Harris of Polly Klaas elevated the demand for get-tough approaches such as three strikes into the highest level of California politics (Zimring, et al, 2001). Cullen, Fisher & Applegate (2000) found that public perception of crime and punishment tended to be more repressive and less rational when the intricacies of the justice system were least understood. Chambliss (2001, p.9) spoke for many reform-minded writers, "There is, in short, a huge chasm between the reality of crime, the public's perception of it, and the information being disseminated to the public by law enforcement agencies, the media, and politicians." Zimring (et al, 2001, p.155) agreed, although they acknowledge the "nasty mood' in the nation regarding control of crime was properly attributable to frustrations about skyrocketing crime rates. Get-tough approaches invariably led to higher incarceration rates, leading some to question the fairness of higher rates of incarceration, and incarceration itself as a crime prevention tool (Nagin, 2013).

**Three strikes and you're out.** By the beginning of the 20<sup>th</sup> century, some states like Georgia already had laws designed to punish habitual offenders (Schultz, 2000). In the early 20<sup>th</sup> century California and others passed similar laws that survived constitutional challenges, but by 1980 only three states still had habitual offender laws on the books (Schultz, 2000). Early in the 1990s there was a significant movement nationally toward a crime control approach, and California was no different. California's was in part driven by the public's perceptions for the need to address crime and career criminals (Zimring, et al, 2001). Public perceptions about crime and highly publicized criminal acts in California by repeat offenders led to the modern iteration of the habitual offender law popularly called 'three strikes and you're out' (Ardaiz, 2000). At the national level, Schultz (2000) found three strikes laws helped add to prison

overcrowding, disproportionately impacted minorities, and failed to have a substantive impact on violent crime. In contrast, a study of Florida's habitual offender law's impact on crime rate did establish a relationship with harsher sentences and slight decreases in rape, robbery, larceny and vehicle theft (Kovandzic, 2001). Examining the law's impact in California just a few years after implementation, Shinbein (1996) and Vitello (1997) criticized inefficiencies and disparities brought about by three strikes, including its failure as a crime control measure. Contrasted against Shinbein and Vitello were the findings of Ardaiz (2000), who examined a larger period of time and additional crime data and concluded three strikes could be credited with averting thousands of violent crimes through incapacitation of habitual criminals. Ardaiz (2000) held that incarcerated offenders were incapable of victimizing people outside the walls of their institution. Finally, as if to strike a balance with two extremes, was a comprehensive 10 year review of California counties most and least likely to send three strikers to prison found only modest crime rate reductions for the stricter counties (Brown & Jolivette, 2005).

More recent studies cast doubt on the law's ability to keep communities safe, and address issues of disparate treatment and proportional punishment (Heyer, 2012). This criticism was based on the law's focus on the offense and not the offender, a shortcoming Heyer (2012) decries as ironic since three strikes was billed a way to punish offenders otherwise immune from correctional efforts.

**Three strikes and overcrowding.** As pertaining to overcrowding, many writers identify three strikes as a contributor to California's prison overpopulation problem (Chen, 2008; Schultz, 2000; Heyer, 2012). In addition, Walsh (2007) articulated an unintended consequence of the three strikes law that impacted local stakeholders: the displacement effect in local jails when three strikes candidates remained incarcerated

while misdemeanants were released in greater numbers.

In terms of legal challenges to three strikes, the Supreme Court's decision in *Ewing* noted that a majority of felons released from prison recidivate within three years even as they upheld three strike's constitutionality (*Ewing*, 2003). Since 1994, California voters have amended three strikes, eliminating, among others, simple drug possession as a catalyst for a life term and re-defining serious felonies that qualify under the act (Walsh, 2007).

**Other get-tough sentencing laws.** Few judicial actions have had such long-term effects on the make up the nature of this generation's correctional population than mandatory and determinate prison sentencing (D'Elia, 2010). The philosophy of mandatory prison sentences, or the attaching of specific and often lengthy sentences to specific offenses, grew in popularity at the federal and state level as judicial stakeholders ramped up their efforts on the war against drugs (Subramanian & Delaney 2014). In California, the transition away from indeterminate sentencing eclipsed 60 years of previous juris prudence (Fazzi, 2013). Despite concerns over the efficacy and fairness of mandatory sentences (Tonry, 2009), the adoption of mandatory sentencing for federal drug convictions in 1986 and the aforementioned three strikes law in California was not substantially reformed until this decade. The United States Sentencing Commission was critical of mandatory sentencing's impact on prison populations, and Congress made significant structural changes regarding mandatory sentences to the country's drug laws in 2010 (Subramanian & Delaney 2014).

1994 also saw California undertake an amendment to the Welfare and Institutions Code to allow prosecutors authority try juveniles as adults, thereby facilitating their transfer from juvenile authorities to the state prison (WIC 707, 1994). In 2000,

California voters overwhelmingly passed Proposition 21, which increased sentences for juvenile offenders and adults related to gang crimes and other serious felonies (Taylor, 2002). These and other get-tough approaches were often the result of a popular wave of concern over public safety.

Policy makers drove California's sentencing laws and guidelines towards a crime control posture in other ways. Governor Ronald Reagan signed California's first version of a "use a gun, go to prison law" in 1969, a sentencing enhancing law later modified and given a new moniker, "use a gun and you're done" (PC §12022.53, 2014). The current law mandates a term of 10-20 years for the use of a firearm during the commission of certain felonies such a murder, rape, and robbery. During Governor Edmund G. Brown Jr's first term he signed California's first determinate sentencing law, declaring that California's penal system was in place to punish offenders (Dansky, 2008). The law established specific sentence structures for state courts, leaving indeterminate sentencing only for crimes such as murder (Dansky, 2008). Under the progressive political landscape of the time this law should kept sentences on the lower end of the spectrum. As Sacramento's political outlook changed, however, legislators passed laws lengthening sentences, in many cases reducing the discretion of state judges (Dansky, 2008). Finally, in 1988 California voters approved Proposition 80, an 817 million dollar bond designed to build prisons, jails, and youth detention facilities (Gilmore, 2007).

With the necessary legal and grey bar infrastructure in place, California was poised to lead the nation in placing its denizens in prison at rates previously unknown within the borders of the United States (Males, et al, 2006).



## **Racial and Economic Disparities**

The fact that American prisons were racially skewed against people of color and the disadvantaged is a matter of record, but determining why was more complex. Pettit & Western, 2004, determined a male African-American high school dropout born in the late 60's had a 60% chance of being imprisoned, possibly related to declining urban wages, the culture of jail inevitability, and the crack epidemic. Sutton (2013) examined 12 of California's most populous counties and found that African-Americans faced much longer prison sentences as compared to similarly situated white persons. Examining the impact of harsh sentence structures, Schlesinger (2011) hypothesized that a disproportionate number of crimes committed by people of color had mandatory sentence attachments, constituting a kind of colorblind racism.

As a way to highlight the disparity of such sentencing philosophies on urbanized people of color, Schlesinger noted nearly 5% of all African-American men were incarcerated either in prison or jail (2011). In California, Noll (2012) added dimension to the complexity of the issue by dissecting the impact of the CDCR's policy of segregating prisoners along racial lines. While the Supreme Court ruled the practice of separating the races in prison constitutionally valid if narrowly defined, Noll argued the necessity for racial segregation spoke to racial imbalances that permeate the nation's largest correctional system (2012).

## **Crime Reported in the United States**

### **Crime Reporting and Statistics**

**The Uniform Crime Report.** Criminal acts normally come to the attention of the police when victims or witnesses contact them. Once information is gathered and police take a crime report, it is classified in one of several categories. The close of the calendar

year signals to the thousands of law enforcement agencies in the country to forward data on reported crimes to the FBI for aggregation and analysis (Nolan, et al, 2011; FBI, 2012). This expansive accumulation of data is later disseminated publically as the Uniform Crime Report (UCR). Collected since the 1920's, UCR data is considered generally reliable, although concerns have been raised regarding errors in classification based on human error, especially regarding property crimes (Nolan, et al, 2011; FBI, 2012). Recognizing the varied and volatile nature of crime and crime reporting, federal authorities warn against using national crime data to rank the effectiveness of disparate police agencies or crime control strategies (FBI, 2012).

**The National Crime Victimization Survey.** The other well-established method to measure crime nationally has been the National Crime Victimization Survey (NCVS), an instrument administered by the Census Bureau asking participants to report if they have recently been victims of crime (Lauritsen, et al, 2014). Previous research has indicated a wide disparity in reports of victimization, as captured by the NCVS (O'Brien, 1996), and those reported to the police as captured in the UCR, although that gap appears to be narrowing (Catalano, 2006). Cantor and Lynch (2000) were satisfied the national survey and UCR data tend to complement each other's findings and discrepancies were less problematic. More of concern to researchers is bias in reporting, wherein serious crimes were much more likely to be reported than less serious crimes, leading to these lesser crimes being understated in reports such as the UCR (Levitt, 1998). Most researchers will account for this bias when they examine reported crime data.

**Crime reporting validity.** Questions may properly be raised about the accuracy and validity of data about which so many policy decisions were made and scholarly inferences drawn. The quality and quantity of the public's relationship with their local

law enforcement agency was a significant variable in how often victims report crime to the police (Levitt, 1998). Avdija and Giever were among several researchers who found correlations between gender, socio-economic status, and race and reporting crime to the police (2012). Property crime in particular was more likely to be reported when the socio-economic level of the victim was higher (Avdija & Giever, 2012). Goudriaan (2006) argued in addition to socio-economic reasons, perceptions of police effectiveness and the nature of the victim's neighborhood influence the frequency of reporting of crime to the police. In contrast, Davis and Henderson (2003) found racial, ethnic, and socio-economic factors were not as impactful as how connected and empowered victims within their communities.

**Social status, crime and crime reporting.** Merton's (1938) foundational exploration on the causes of crime in the United States posited that such activity could be traced in part to an inexorable desire among Americans to improve their economic lot in life. Merton (1938) also identified pressure upon those less affluent as they struggled to make economic headway; especially if society burdened them in ways the affluent were not. Chambliss (2001) found a correlation between the lack of wealth and incarceration levels as well as disparities related to race and gender; the poor and persons of color were more likely to end up in prison.

In the wake of the great recession that began seven years ago, it is illuminating to examine literature that accounts for the economic variables as they relate to crime since 2007. Writers on this subject have been challenged by the counter-intuitive nature of this great recession (Rosenfeld, 2013). While researchers have often looked to bellwether indicators such as high unemployment or foreclosure rates that tended to auger in crime increases, Rosenfeld (2103) found crimes such as robbery or burglary fell significantly

during the current recession. Rosenfeld did find a relationship between wage levels and violence, especially among those 18-24 in age; persons in that age group whose wage levels were low, tended to be more likely to commit crimes of violence. Wolff, et al, (2014) found no relationship between the substantial foreclosure rates that marked the current recession and crime rates. Lauritsen, et al (2014), agreed little evidence for linkage between economic hardships resulting from the recent recession and significant increases in reported crime existed.

**Crime classifications.** The US Department of Justice defines eight crimes to be of greatest concern to policy makers, communities and researchers as Part 1 crimes; murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson (BJS, 2009). According to Douglas, et al, 2013, crimes may be characterized by their likely outcome such as murder, rape, and robbery; or the monetary, non-violent intent of the offender such as theft, fraud, and burglary. The former group was popularly known as property crimes.

As the present study seeks insight on realignment's possible impact on property crimes, Becker's (1968) historical yet impactful proposition that criminals often weigh the chances of punishment against the potential for financial gain is still relevant. Davis' (2006) economic model of crime expanded on the variables of loot and arrest probability by adding the importance of the agent's crime environment: the more attractive the neighborhood to operate the more likely the theft. Thus the focus on property crime in this study as thousands of inmates convicted of property crimes offenses were realigned to community corrections.

## **Traditional Corrections**

### **Incapacitation**

Before realignment, California's pervasive correctional philosophy was incapacitation (Bhati, 2007; Duker & Malsch, 2012). The theory of incapacitation holds that appropriately sentenced offenders cannot commit crimes within the public sphere while they were locked up in prison or jail, thereby positively impacting public safety (Zimring & Hawkins, 1995; Males, et al, 2006). While the effectiveness or even constitutionality of incapacitative policies has been questioned, it is clear the state's focus on arrests and convictions resulted in more arrests and convictions (Bhati, 2007). Wilson (2007), commented on the shortsightedness of incapacitation compared to rehabilitation, branded incapacitation incapable of "changing anything about people except where they are" (p.14). Also, Rose and Clear (1998) pointed to the seemingly endless cycle of incarceration in some communities as destabilizing to families and social order groups which likely increased criminal behavior, not reduced it. Finally, Johnson and Rafael (2012) found a 30% drop in the crime reduction capabilities of incarceration in the period between 1978-1990 compared to 1991-2004, showing a reduction in incapacitation's effectiveness.

California has been particularly effective in locking people up as compared to the other 49 states. While the country's incarceration rate increased 250% from 1980 to 2010, California incarceration rate increased 365% for the same period (Sourcebook, 2010). As further evidence of this, Table 1 contains the abbreviated findings of Males, Macallair, and Corcoran (2006), outlining arrests and imprisonment rates for youth and adults in California since 1970, in five-year increments. Table 1 contains clear evidence

crime control policies in the last three decades in California have resulted in more persons arrested and imprisoned.

Table 1

*California Youth and Adult Rates of Arrest for Violent Crime and Imprisonment Rates, per 100,000 Population by Age, in Five-Year Increments*

Year	Youth (ages 10-17)		Adult (ages 18-69)	
	Violent crime arrest rate	Imprisonment rate	Violent crime arrest rate	Imprisonment rate
1970	310.6	194.5	324.4	161.1
1975	551.0	142.9	396.5	116.1
1980	555.6	169.9	435.8	137.3
1985	394.8	213.7	379.9	275.9
1990	641.9	251.6	651.6	473.8
1995	596.2	263.5	645.1	642.6
2000	408.6	179.7	513.3	713.4
2005		71.2		674.6

It appeared get-tough sentencing laws, as well as prison building, were dependable precursors to higher incarceration rates. Judging efficacy of get-tough measures is harder to articulate, since many states enjoyed historic reductions in crime from 1993-2004, as shown in Table 2, adapted from Walsh's comprehensive *Three Strikes Laws* (2007). Walsh's (2007) illustration depicts significant drops in violent and property crime during three strikes' years of influence, but New York enjoyed the highest percentage drop in crime without the benefit of a California version of three strikes.

Table 2

*Crime rates of most populous states. The rates are expressed as number of crimes per 100,000 people. The government excludes the murder and non-negligent homicides that occurred as a result of the events of September 11, 2001.*

	California		Florida		New York		Texas	
	Violent	Property	Violent	Property	Violent	Property	Violent	Property
1993	1,078	5,379	1,206	7,415	1,074	4,478	762	5,677
2004	552	3,419	711	4,180	442	2,199	541	4,494
Percent Reduction	49	36	41	44	59	51	29	21

Liedka, et al, (2006) rhetorically summarized the contrasting theories on the efficacy of incapacitation this way; does the massive increase of incapacitation through incarceration that began in the late 1980s covary with the drop in crime in the decades that followed? Bhati (2007) examined offender tracking data from California to estimate each offender locked up in his mid-twenties prevented 24 crimes if imprisoned over a decade. In contrast, Chambliss (2001), Zimring and Hawkins (1995) were among those who discounted the value of incapacitation, while Marvell and Moody (1996), Levitt (2004), were just as adamant in identifying a clear correlation between incapacitation and public safety. Liedka, et al, (2006) argued their findings demonstrate the benefit of a synthesis of opposing literature on this issue. They conceded the nation’s prison building and prison filling proclivity had the desired effect of reducing crime, but were also convinced the saturation point of “declining marginal returns” has been reached (Liedka, et al, 2006, p.272). Lofstrom and Rafael (2013) concurred diminishing returns reduce the preventative benefit of incapacitation, but convincingly set the stage for monetarily quantifying the removal of criminals from society through incarceration. Using previous

extrapolations as well as their own findings, they estimated each realigned inmate in custody prevents 2.1 property crimes per year, on average (Lofstrom & Rafael, 2013). Acknowledging the public policy implications of arguing a cost benefit analysis of correctional strategies is attainable; Lofstrom and Rafael (2013) questioned what threshold of crime stakeholders were willing to tolerate.

### **California Prison and Jail Overcrowding**

Many studies have tracked the steady increase in prison overcrowding as it mirrored crime control rhetoric and policies of the 70's and 80's. Schlanger (2013) pointed to a get-tough philosophy following increased crime rates of the 1970's as a proximate cause to state prison overcrowding. At the end of the current millennium, California had a more populous prison system than the populations in Germany, England, France or the United Kingdom (Zimring, et al, 2001). Salins and Simpson (2013) also pointed to California's parole system, unique in the United States, in which inmates were regularly sent back to prison for technical violations, that in 2007 accounted for over half of inmates entering prison. Like other prison systems, California had additional concerns caring for a rapidly aging population that complicated and added expense to prison operations (Simon, 2013). Noll (2012) accounted for the substantial challenges in housing a population constantly in the midst of racially fueled gang warfare, forcing correctional staff to devise new ways to classify inmates so enemies were kept at distance, including racial segregation.

California state prisons have instituted maximum-security facilities within the prisons to house inmates deemed to be a danger to other inmates and staff. Overcrowding in the state's correctional facilities exacerbated the scale and nature of violence in prison. Apart from a lack of adequate medical and mental health care, the



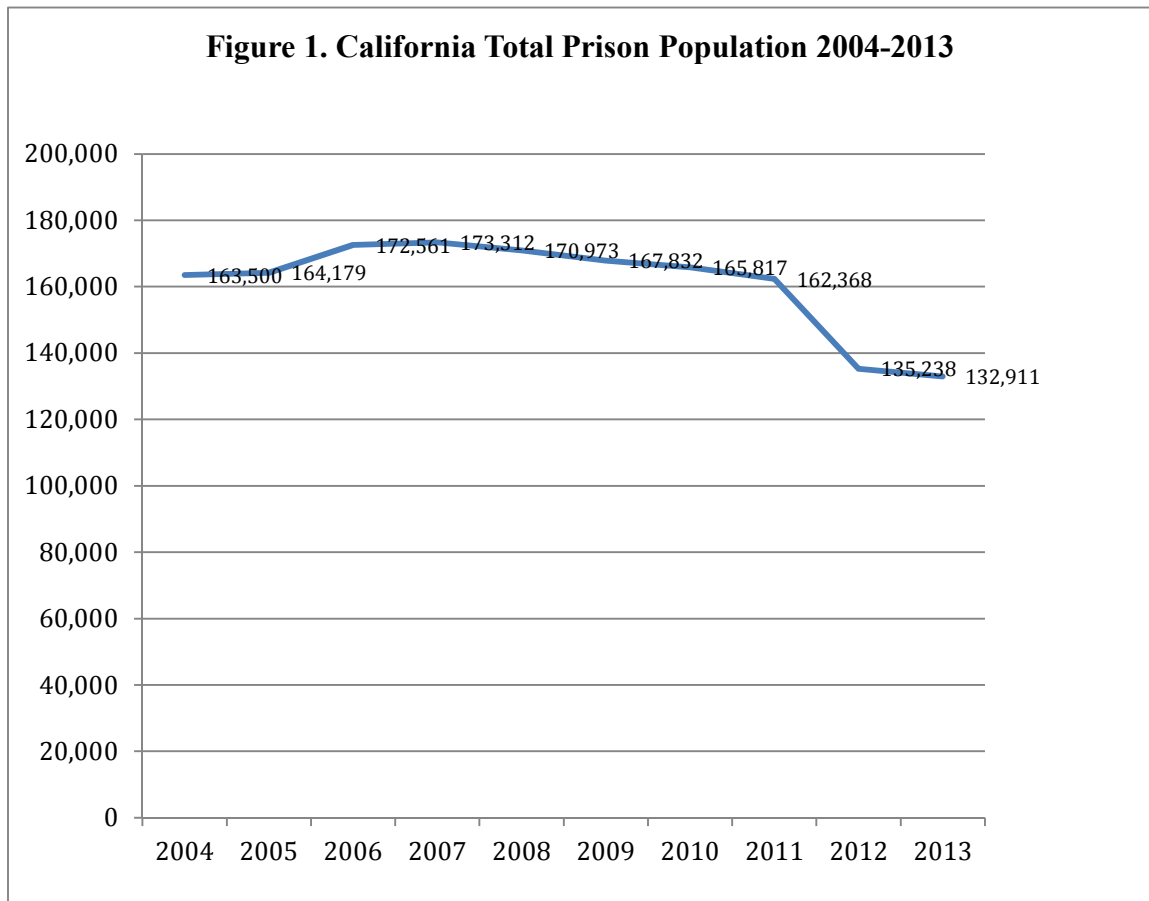
sheer number of inmates placed an inordinate amount of stress on corrections officers, as evidenced by inmate on inmate assaults and assaults on staff (Rappaport & Dansky, 2010). Haney (2003) established that inmates housed in these secure but isolated facilities developed a wide array of psychological dysfunctions, adding to the stress of inmates and for staff. Awareness of overcrowding as a precursor to dangerous conditions for staff was present as early as 2006 (Specter, 2010). The Little Hoover Commission (2007) reported that between 2003 and 2006, 1,700 claims were filed by CDCR staff following assaults by inmates.

As California's prison population levels were engendering an emergency proclamation from Governor Schwarzenegger, he acknowledged in late 2006 that prison overcrowding was causing overcrowding in county jails (Schwarzenegger, 2006). The Governor's proclamation noted over 200,000 prisoners avoided incarceration or were let out early, and 20 of 58 county jails were already laboring under court-mandated population caps (Schwarzenegger, 2006). Previous to realignment, judges were also required to send some inmates to state facilities because of sentencing requirements, but also because of the dearth of community correction and treatment alternatives (Little Hoover Commission, 2007).

**Impact of local sentencing.** Ball (2012) argued that counties have only recently begun to bear the weight of their own sentencing decisions. Since counties empanel the juries, elect the judges and prosecutors, and appoint probation and police chiefs, they had the freedom to get-tough at the state's expense regardless of the impact on the state as a whole (Ball, 2012). In arguing for a data-driven approach to violent crime sentencing, Ball believed a distinction between "crime-justified incarceration and policy-driven

incarceration” was required to assure effective use of resources while maintaining public safety (Ball, 2012, p.1001).

The following figure shows California state prison populations from 2003-2013 as gathered by the Department of Corrections and Rehabilitation (CDCR). The figure illustrates the height of population at 173, 312 in 2007 to its decade low of 135, 238. The CDCR also projects modest increases for 2014 and 2015 to 137,935.



*Figure 1. The total prison population within state facilities as captured by the California Department of Corrections and Rehabilitation. Numbers are for 2003-2013. Adapted from “Institutional Population Trends, Actual and Projected” retrieved from [http://www.cdcr.ca.gov/Adult\\_Research\\_Branch/Research\\_Documents/Spring-2014-Population-Projections-Publication\\_06092014.pdf](http://www.cdcr.ca.gov/Adult_Research_Branch/Research_Documents/Spring-2014-Population-Projections-Publication_06092014.pdf)*

Near the height of overpopulation, drug and property crime offenses accounted for 37% of offenders housed in prison, or over 62,000 inmates (Little Hoover Commission, 2007). This dynamic would later become a key focus of realignment's tenet that non-violent, non-serious offender serve their time in community corrections.

**Impact on county jails.** In California, each of the 58 counties has an elected sheriff, the official in the county responsible for maintaining a county jail. As county sheriffs faced an increase in inmates in their jails, many responded by affording early releases to their charges. Hill, et al, (2013) examined the trends in most California jail bookings for the BSCC and their findings reveal the impact of realigning the care of inmates from state to county facilities. In the nearly two years since implementation, the average daily population of jails in the study increased from 72,285 in October 2011 to 82,705 in September of 2013 (Hill, et al, 2013). Since realignment was designed to transfer the care of inmates sentenced for low level felonies as well as the advent of split sentencing, this was expected. A majority of this difference not surprisingly, were sentenced inmates; by a ratio of nearly six to one (Hill, et al, 2013). Their data also indicated misdemeanants were being released early, supported by findings showing a 15% and 68% increase in non-sentenced and sentenced inmate early releases due to lack of housing capacity (Hill, et al, 2013). Fortunately, Hill, et al, (2013) found that assaults on jail staff saw significant decreased in assaults since realignment's implementation.

As this study transitions from corrections to policing, it is instructive to note Nagin's (2013) summary of the interplay of some of these critical criminal justices forces. Alluding to the role of effective policing, Nagin believed the certainty of being caught was more a deterrent than the punishment itself (2013). Also implicating the effectiveness of policing strategies was Nagin's argument that law enforcement deters

crime by convincing criminals they will likely be caught, an idea that sets the stage for an examination of the literature on police resourcing and tactics.

### **Forces Influencing Police Staffing**

#### **Impact of the Great Recession on California Municipalities**

The national recession which began in 2007 has ushered in what Kiewiet and McCubbins called the “New Fiscal Ice Age,” where “a given level of state and local tax revenue purchases a considerably lower level of current services” (2014, p.106).

Leachman, et al, also reported on the trend by the federal government to slough off funding for social programs that now had to borne by states and local authorities (2011).

The recession has contributed to the loss of local tax revenue, directly impacting the money municipalities use to pay for services, at the same time money from their state capitols and Washington has been significantly reduced (Pew, 2012). This same study found California state and local governments reduced over 100,000 public sector positions since 2007. Indeed, California has been labeled the “fountainhead” of the recession, with its immense nationwide influence and over 1 million jobs lost between 2007 and 2009 (Bardham & Walker, 2011).

Many California cities, struggling to recover from the recession, were dealt an equally debilitating blow with the dissolution of the Redevelopment Agency (RDA) by Governor Brown in 2012 (Davidson & Ward, 2014). California cities were forced to pay billions back to the state, laying off thousands of employees previously compensated at least in part through RDA proceeds (Davidson & Ward, 2014).

Another area impacting city budgets was employee benefits. Most California cities with municipal police departments partnered with the California Public Employee Retirement System (CALPERS) to pay for post-employment retirement benefits.

CALPERS payments were calculated based actuarial methodologies and the investment policy of the CAPERS Board of Directors. Due to the recession and changes in investment assumptions by CALPERS, cities' payments into the system have greatly increased, from slightly less than \$500 million annually in 2000 to \$7 billion in 2010 (Kilgour, 2011). In response to these and other fiscal pressures, many government agencies have reverted to austerity measures, a "hollowing out" process that dramatically reduced personnel and services to the public (Warner & Clifton, 2014, p.46).

Specifically addressing how policing has been impacted by recessionary forces, the Federal Office of Community Oriented Policing's expansive 2011 report documented the steady rise of sworn police in the US until 2008 and the drastic reductions in succeeding years, including about 10,000 officers laid off nationally.

### **Size of the Police Force**

If uniformed police officers are easily recognizable, their individual and collective value in their communities as crime fighters (deterrence) were grounds for some debate. Chief among these was the size of the force, but also of concern was their heavy footprint on a cities' budget and the effectiveness of the strategies they employ. D'Alessio and Stolzenberg (1998) helpfully outlined three competing theories in this area where the role and size of a police force has an impact; deterrence, crime-punishment, and incapacitation. Incapacitation having been addressed above, deterrence refers to the ability of the police to deter criminal activity, and crime-punishment suggest criminals may avoid criminality if effective punishment was assured (Becker, 1968; D'Alessio & Stolzenberg, 1998). Influences driving the size of a police department's sworn workforce has not been abundantly studied, especially as it relates to smaller cities. Examining the reason for the size of police forces in larger American cities has led writers to

hypothesize the size of police forces were driven by a “social-control phenomenon” engineered to control minority groups (Sharp, 2006, p.305; Garland, 2001). Sharp’s (2006) analysis named variables affecting the size of the force such as legacy staffing issues, the financial health of a city, and social control needs following civil disturbances.

As to how effectively police fulfill their role as crime fighters, Marvell and Moody (1996) contributed significantly to the understanding of how police staffing impact crime. They effectively synthesized arguments for and against the theories of causality: does crime impact the police or do police impact crime (Marvell & Moody, 1996)? They examined 36 studies and found strong evidence more police did not always reduce crime but that but higher crime resulted in more police (Marvell & Moody, 1996). Analyzing 20 years of UCR data and police staffing ending in 1992 for 49 states and over 50 cities, estimated police staffing levels do have a significant impact on most urban crimes (Marvell & Moody, 1996). More recently, doubts have arisen about the efficacy of attributing crime drops to specific policing strategies, couched as they were within a broader sociological construct including, among other variables, race and economics (Blumstein and Wallman, 2006).

Levitt (2004) also argued increasing police officers was one of four factors responsible for historic crime reductions of the 1990’s, along with the increased rate of incarceration (incapacitation), the shrinking crack epidemic and the increased abortion rate. Interestingly, in the same study, Levitt discounted widely used policing strategy initiatives such as COMPSTAT as having a positive effect on crime rates. Eck and Maguire’s (2006) reviewed similar data and questioned the ability to measure police force size and crime rates since both sometimes increase simultaneously, effectively mirroring each other. Chalfin (2013) used 50 years of crime data and police force sizes

of 252 cities to quantify police effectiveness thusly: a dollar spent on hiring a police officer resulted in \$1.60 savings in cost of reduced victimization. Levitt (1998) estimated one officer added to the force accounts for five additional crimes reported to the police annually.

**Police funding.** Critical to the current analysis of police staffing was acknowledging the impact of President Bill Clinton and the 103<sup>rd</sup> Congress' foray into law enforcement hiring, the Violent Crime Control and Law Enforcement Act of 1994. A major goal of this bill was the hiring of 100,000 new officers nationwide through competitive grants (USGPO, 1993). Some 65,000 were hired by 2005 (Evans and Owens, 2007). Zhao and Thurman (2004) identified a reduction in crime thanks to grant-funded hires in cities with populations larger than 10,000. Worrall and Kovandzic (2010) examined data from 1990-2001 and found a correlation between the addition of federally funded officers and a reduction in serious crimes in larger US cities. Evans and Owens (2007) also saw drops in burglaries, vehicle thefts, robberies, and assaults in the years following the hiring of federally subsidized officers. In contrast, Mulhausen (2001) held that particularly as to violent crime, there was not a statistically measurable effect after the federal government subsidizing hiring of local law enforcement officers.

**Police staffing.** The net effect on crime by this national hiring incentive aside, most local law enforcement agencies were impacted by issues closer to home when staffing issues were examined. Wilson and Weiss (2014) studied the staffing practices of 20 police agencies nationwide, including some under duress from the current recession and analyzed the strengths and weaknesses of methods employed such as per-capita, minimum staffing, and workload-based methods. While acknowledging the challenges of staffing related to recruitment and retention, they concluded that some police agencies

lack an evidence-based method to determine appropriate staffing levels (Wilson & Weiss, 2014). In terms of trends in California, the cumulative statistics on staffing provided by the state’s agencies to the attorney general were instructive.

Data in Table 3 was from the state’s attorney general’s Criminal Justice Statistics Center (CJSC) website and shows the difference in staffing for four major categories of California sworn law enforcement from 2007, at the outset of the recession, and 2012, the latest year for which figures were available (CJSC, 2014). The total law enforcement number includes prosecutors, defense attorneys, their investigators and non-sworn professional staff and was provided for reference in the final row.

Table 3

*A total of all sworn and non-sworn law enforcement staffing from 2007-2012, as reported to the attorney general*

Category	2007	2012	Percentage Change
Municipal Police	55,941	51,376	-8.16
Sheriff’s Deputies	51,021	51,384	.71
Highway Patrol	7,469	7,418	-.66
Probation Officers	9,891	13,110	31.34
Total Law Enforcement	155,503	149,353	-3.95

Finally, although the weight science gives to increasing the number of officers as a crime reduction force has been examined, research into the loss of officer positions has not been examined as fully. The Rand Corporation examined the cost attributed to subtracting police and found robust evidence that the loss of officers, in this case 12% of



Toledo, Ohio's contingent in 2009, extrapolated to 32 million in losses and 428 additional crimes in one year (Heaton, 2010).

**Effectiveness of policing strategies.** The ability of police forces to prevent crime or arrest violators were often the product of the strategies implemented to that end. An early but influential examination of policing strategies comes from Wilson and Boland (1978) who emphatically support the notion that aggressive policing can reduce crime and victimization. Wilson and his colleague Kelling (1982) first coined the term "broken windows" to describe neglected neighborhoods becoming crime havens, and presumably whose fortunes could be altered by intervention, especially but not exclusively involving law enforcement. Evidence shows directed police activity has an effect on crime in the area being targeted, expressed as either "displacement" or "diffusion" (Weisburd & Telep, 2014). Displacement refers to crime simply being pushed elsewhere, not an altogether positive result, or the more desirable diffusion as crime was reduced as police focus on hot spots (Weisburd & Telep, 2014). Further evidence that the mere presence of officers had positive outcomes was presented by Di Tella, & Schargrodsky (2004), who documented decreases in auto theft, among other crimes, when officers flooded neighborhoods in which there were synagogues following an anti-Semitic terror attack in Argentina in 1994.

How well police deter crime was difficult to gauge, with some writers holding that a robust police presence deters crime, while others believed this presence only displaces crime. Even when displacement occurs, Telep and Weisburd (2012) believed this was not necessarily negative, since some criminal activity was focused on a particular place because of its value to the criminal; displacement may mean elimination. A more aggressive police force targeting known problem areas may lead to arrests and

lower crime, but may lead to charges of racial profiling and its accompanying loss of trust and litigation directed at perceived rights violations (Withrow & Dailey, 2012).

Arrests were one way to measure work done by police, and these data often correlate with the number of officers in service. Table 4 captures arrests statewide for misdemeanor and felony offences from 2007 to 2012, the latest year these data were available to the attorney general (CJSC, 2014). This table suggests there were nearly 300,000 fewer arrests made in 2012 than in 2007.

Table 4

*Felony and misdemeanor arrests made throughout the state of California as reported to the attorney general from 2007-2012.*

Year	2007	2008	2009	2010	2011	2012
Misdemeanor	992,588	1,010,038	970,221	918,279	825,455	792,297
Felony	523,276	499,628	466,441	448,552	419,914	429,807

### **California Prison Reform**

As prison reform did not solely originate with AB 109, the following is a partial list of reform drivers that set the stage for realignment and its progeny.

#### **Little Hoover Commission**

Created early in the 1960s through legislative fiat, the Little Hoover Commission has served as a bipartisan oversight of various governmental efforts including prison reform (D’Elia, 2010). The Commission’s 2007 warning to California policy makers about reforming the state’s correctional system was illustrative of the complicated process that led to AB 109. At that time the Commission partnered with the Stanford Law Center to address the looming issue of prison overcrowding. The report’s title

served to alert readers as to the Commission's findings without going past the title page: "Solving California's Corrections Crisis: Time is Running Out." The report issued by the Commission (2007), replete with words like, "crisis", "disaster", and "tailspin" (p.ii), was not made in a vacuum. Predating the Commission's report by four months Governor Schwarzenegger (2006) issued a formal state of emergency related to overcrowding, convening the legislature in emergency session. The governor's declarations outlined the state's deficiencies and ordered the CDCR to, among other items, investigate outsourcing living space for current inmates and transferring inmates outside the state (Schwarzenegger, 2006).

The Commission's efforts not only listed deficiencies but proposed solutions, challenging Governor Schwarzenegger and the legislature that "to ensure public safety, reforms will have to jettison posturing to make room for smart on crime policies" (Little Hoover Commission, 2007, cover letter). As it turns out, the impetus to substantially reform California's prison system was left to the courts, and reform addressing the Commission's findings did not come until late 2011.

Impacting overcrowding directly was the sentencing structure then in place, which according to the Commission (2007) forced judges to sentence certain inmates to the least cost effective method available to them-state prison. In 2007 dollars, this meant each inmate housed by the state cost \$37,000 annually (Little Hoover Commission, 2007). The Commission's findings were broadly summarized as follows:

1. Implement a comprehensive strategy to reduce prison overcrowding and improve public safety
2. Implement evidence-based policies to reduce overcrowding and hold offenders accountable for improving themselves

3. Establish a sentencing commission to guide the state's criminal justice sentencing policies to enhance public safety

Thus the Commission (2007) foreshadowed the essence of realignment by directly addressing the transfer of responsibility from the state to counties:

The state should reallocate resources to assist communities in expanding community-based punishment options for offenders who violate the terms of post-release supervision. Working with communities, the state should reallocate resources to establish a continuum of alternatives to prison, including electronic monitoring, day reporting centers, drug treatment, jail time and other community-based sanctions. (p.v)

**A dissenting voice.** The Commission's call for reform was not unanimous; a member of the state assembly, Audra Strickland, pointed out that the incapacitative nature of California's existing system could be at least partially credited with lowering crime rates, and criticized the Commission for defining effectiveness on recidivism rates, not public safety (Little Hoover Commission, 2007).

**More recent Commission findings.** In late 2011, just before implementation of realignment, the Commission sent a letter to Governor Brown urging the transfer of responsibility for inmates to community corrections be properly resourced to avoid potential public safety concerns. The Commission pointed out that leaving community correction alternatives unfunded or subject to the vagaries of annual budget fights could endanger the public and offenders as well, since realignment funding was not constitutionally protected like school funding (Little Hoover Commission, 2011).

As late as 2013, the Commission asked the Governor and legislature to revisit funding infrastructure of realignment, since financial oversight and reporting were not

part of the law and the efficacy of the 2 billion already spent was not known (Little Hoover Commission, 2013).

### **SB 18 Non Revocable Parole**

In 2010, the California Senate passed and Governor Schwarzenegger signed Senate Bill 18, reforming the state's parole rules. Prior to SB 18, an inmate out on parole in California could be found in technical violation of parole for such things as leaving their home county without permission, associating with known felons, or testing positive for drugs (Special Report, 2011). These violations brought to the attention of the Parole Board could result in a new prison term of up to six months for violation of parole (Special Report, 2011). SB 18 changed this status quo. In addition, SB 18 tasked the CDCR with evaluating parolees through the use of a validated risk assessment tool, and those inmates found to be at low risk were designated Non Revocable Parolees (NRP). A NRP parolee could not be reinterred in the state prison solely for a technical violation of their parole terms, like leaving his/her home county, and was not under traditional supervision. An NRP inmate could only return to state prison upon a conviction for a new felony offense (CDCR, 2014). Unfortunately, mistakes in assessing and assigning risk led to inmates being released that the state later deemed dangerous, and hundreds of inmates were recalled into custody (Special Report, 2011). The state inspector general's report on the matter (Special Report, 2011) advised between 1,000 and 2,000 inmates were released from custody under SB 18 who should not have been.

### **Efficacy of Prison and Corrections Reform Efforts**

Realignment was not the first time California has enacted a program to subsidize communities to take over responsibility in supervising convicted felons. In 1965, California adopted the Probation Subsidy Act, which paid counties to supervise inmates

locally instead of being housed by the state, resulting in a 30% reduction of inmate population and the closure of eight prisons (Warren, 2009; Rashford, 2012). When the Act became the target of those who thought inmates prematurely released from prison constituted a public safety threat, funding from the state was eliminated, county probation departments became dependent on irregular local funding, and more inmates found their way back to state facilities (Warren, 2009). A lack of realistic funding coupled with displaced prisoners doomed the Act, since sheriffs connected these two aspects with an increase in crime (Misczynski, 2011).

By 1995, the United States surpassed other Western industrialized countries as having the highest rates of incarceration per capita (Chambliss, 2001). Zimring and Hawkins (1991) opined that California counties enjoyed a “free lunch” at the expense of the state; local juries, prosecutors, and probation officials arresting, convicting and sentencing inmates to state prison for crimes committed locally. Their findings suggested since counties elected sheriffs, prosecutors, and judges, and impaneled juries that reflected the values of the community, conservative get-tough counties unfairly burdened the rest of the state (Zimring & Hawkins, 1991). Ball (2012), built on this theory and analyzed the disparity within two similarly situated California counties, Riverside and Alameda. Ball (2012) argued that these two counties convicted and sentenced inmates at vastly disparate rates to the state prison system, Riverside more so than Alameda. Ball (2012) used these two counties because of their consistent track record of either a progressive or conservative constituency. Since Riverside was tougher on crime, and sent many more inmates to the state facilities than Alameda, Riverside enjoyed a greater share of the benefits of the state penal system than its sister county (Ball, 2012).

In terms of cost efficiency, the net effect of housing a prisoner in a California prison grew from \$37,000 annually in 2007 (Little Hoover Commission) to \$48,500 annually in 2012, or compared to the national average of \$26,000, a difference of 87% (Heyer, 2012). Prisoners with special needs due to health complications and those over the age of 55 were even more expensive, even with the 2 billion dollars spent annually on inmate health care (Heyer, 2012).

### **SB 678 and SB x318**

State Senate bills 678 and x318 were efforts to reform probation and parole programs, respectively. SB 678 was designed to monetarily incentivize probation departments and place offenders in programs with strong evidence of successfully reducing recidivism (Warren, 2009). SB x318 passed as court challenges the state's status quo reached its apex, required state parole to use a validated risk assessment to identify inmates risk to re-offend (Petersilia, 2009). Similar to Non Revocable Parole, inmates deemed low risk would face no active supervision or be subject to technical violation and a return trip to state custody (Petersilia, 2009).

### ***Coleman, Plata and the Courts***

**Coleman.** In 1990, Ralph Coleman, an inmate in Pelican Bay State Prison suffering mental health issues, claimed he was unable to receive appropriate and timely treatment. Coleman sued the state in district court, alleging he and other similarly afflicted inmates were denied proper care and eventually prevailed in 1995 (*Coleman, 1995*). The court's findings on *Coleman* did not address the issue of overcrowding, but Coleman prevailed on a claim of "insufficiency of service" (*Coleman, 1995, p. 1307*). The court was swayed by pervasive evidence of state neglect; the one and only doctor assigned to Coleman's prison could not tell the court how many prisoners were under his

care (*Coleman*, 1995). The court imposed a special master to oversee ordered remedies, but 12 years later the situation had reached crisis levels (Flynn, 2013).

**Plata.** In response to the threat of reformers challenging the government on overcrowding issues, Congress passed the Prison Litigation Reform Act of 1996 (PLRA). The Act made it harder for plaintiffs challenging prison conditions nationwide as it removed the ability of a single federal judge to mandate prison population reductions in favor of a three-judge panel (Schlanger, 2013). Despite this uphill battle an inmate named Marciano Plata brought a suit against the state in 2001, alleging California's corrections establishment was incapable of providing even basic medical treatment to inmates (*Plata*, 2005). By 2007, the class action suits brought by Coleman and Plata were joined and were heard together by a three-judge panel of 9<sup>th</sup> Circuit Court judges (Flynn, 2013).

Despite the difficulties PLRA placed on plaintiffs like Coleman and Plata, once empaneled, the judges reviewing conditions in California pulled no punches in declaring the state's ability to provide appropriate medical services to prisoners as "broken beyond repair" (*Plata*, 2005, p.1). Judge Thelton Henderson, in particular, noted the CDCR was incapable of reducing prison populations to acceptable levels independently, a condition which demanded direct intervention by the courts into an activity properly overseen by the executive branch (*Plata*, 2005). The panel worked through an appointed receiver to establish the actual percentage the state would be allowed to house over its capacity. One court appointed receiver, Robert Sillen, reported to the panel and the Little Hoover Commission that the CDCR's inability to accomplish this task was partially a product of the dysfunctional culture within the CDCR as well as the state Departments of Finance and Human Resources (2006).



**The three-judge panel.** The central point decided by the three-judge panel was the percentage of overpopulation that California could maintain while not violating the Eighth Amendment. That number was set at 137.5% over capacity, or 110,000 inmates, to be accomplished by mid-2013 (Pennypacker & Thompson, 2013). Since California had tens of thousands of inmates over the 137.5% envisioned by the courts, the state had to find ways to reduce its population forthwith. The panel’s blueprint to reduce population was challenged by the state before the U.S. Supreme Court, which upheld the panel’s decision in late 2010; the final nail on the coffin for the status quo (Flynn, 2013).

Table 5, adapted from a report from California’s Legislative Analyst Office (Taylor, 2012), shows the population numbers that should have existed within CDCR for the state to comply with the order of the three-judge panel.

Table 5

*Estimated Inmate Population Reductions to Meet Federal Court Ruling.*

Court Imposed Deadline	Design Capacity Limit	Population Limit	Population Limit
December 27, 2011	167.0%	133,000	11,000
June 27, 2012	155.0	123,000	10,000
December 27, 2012	147.0	117,000	6,000
June 27, 2013	137.5	110,000	7,000
Two Year Total			34,000

*Relative to the pre-realignment September 28, 2011 population of 144,138 inmates.*

By July 2013, thanks in large measure to realignment, the state had reached a recent low point in population, but still over the court-ordered maximum, and numbers of inmates actually started to creep up (Pennypacker & Thompson, 2013).

### **AB 109 Legislation and Implementation**

The California legislature passed AB 109 in the spring and it became effective October 1, 2011. Despite the inexorable movement towards reform outlined above, realignment was championed by a single political party and moved expeditiously through the legislature without the benefit of traditional hearings (Rushford, 2012). The following is a review of the literature revolving its implementation and impact among justice stakeholders.

**Components of realignment.** Realignment was designed to shift the responsibility for certain convicted felons to the state's 58 counties. Fazzi (2013) outlined the components of the law that impacted county sheriff and probation departments:

1. Counties exercise complete control over "low-level" felons: non-violent, non-serious, and non-sexual, and who also has no prior convictions for any serious, violent, or sexual crime
2. Counties supervise "mid-level" felons upon release from prison: not low-level but whose commitment offense is neither serious nor violent is a "mid-level" felon.
3. Counties incarcerate "high-level" felons who violate their parole conditions: a felon whose commitment offense is a serious or violent felony or a third strike offense, or who is a high-risk sex offender or possesses a mental disorder, and found to have violated parole terms.

With these three categories of felons being made the responsibility of the counties, funding to pay for jail space, training, treatment, and supervision became a matter of high consequence to county officials (Pennypacker & Thompson, 2013).

**AB 109 funding mechanism.** Funding for realignment was to substantively come from a small portion of the sales tax and vehicle license fees; to be forwarded directly the 58 counties to assist them in paying for infrastructure, personnel, and programs (Misczynski, 2011). This funding stream was clearly insufficient, and further funding would require impetus from the governor and approval by the legislature, thus making it a potential annual political football to be negotiated by those actors (Misczynski, 2011). Unlike funding for schools, there was no constitutionally protected funding stream for realignment (Little Hoover Commission, 2011). More recently, passage of Proposition 30 by the voters has stabilized taxes rates which in turn secured a portion of realignment's future funding (Flynn, 2013). Counties received \$450 million, \$850 million, and 1 billion in the first three fiscal years of implementation, respectively (Flynn, 2013). On the state's side of the ledger, realignment constituted immense savings; with reductions in inmates housed and supervised, California was projected to save an estimated 1.7 billion in fiscal 2014-2015 (Taylor, 2012).

Counties used the little-known Community Corrections Partnerships (CCPs), formed under AB 678, consisting of seven executive members: the chief probation officer as chair, the sheriff, the district attorney, the public defender, the presiding judge of the superior court, one representative from either the department of social services or mental health, and a single police chief (BSCC, 2014). In essence, the CCPs served as the policy making and budget approving body for each of the 58 counties as to realignment monies. Deciding what priorities would be addressed became the first focus, precisely as

realignment intended: empowering officials at the lowest level of government and closest to the needs of the community. The result of a survey of CCPs by the BSCC at Table 6 was illustrative of priorities in the early stages of realignment implementation (BSCC, 2014).

Table 6

Results of a BSCC 2013 survey of each CCP to rank the local priority areas for FY 2011-12, 2012-13 and 2013-14, items ranked 1-9, most important being 1.

Fiscal Year 2011-2012	Fiscal Year 2012-2013	Fiscal Year 2013-2014
1. Staffing	1. Staffing	1. Staffing
2. Health	2. Health	2. Health
3. Risk Assessment	3. Day Reporting	3. Day Reporting
4. Staff Training	4. Data	4. Data
5. GPS	5. Risk Assessment (tie)	5. Risk Assessment
6. Day Reporting	5. Staff Training (tie)	6. GPS
7. Data	7. GPS	7. Staff Training
8. Law Enforcement	8. Medical	8. Medical
9. Medical	9. Law Enforcement	9. Law Enforcement

**Recidivism.** Defining and exploring recidivism was key to the measurement of realignment’s success or shortcomings. Merely defining recidivism was complicated by the varied definitions within the literature (Jancic, 1998), and sensitivity among stakeholders with the advent the realignment (Tafoya, et al, 2014). Beck (2001) explained recidivism was also defined differently based on organizational needs or roles that can vary between diverse but related stakeholders such the police and drug treatment professionals. In California, with its unique parole model in place previous to realignment, reform efforts to reduce the staggering effect of unchecked recidivism took the form of the Preventing Parolee Crime Program. Under this program, early results showed some promise, Zhang, (et al, 2006) finding that engaged participants were at

reduced risk of incarceration. To illustrate the difficulty in addressing underlying causes of recidivism an analysis of therapeutic communities within prison just three years later by same researcher found no difference in reducing re-incarceration (Zhang, et al, 2009). Realigned probationers showed a reduced proclivity to recidivate (Pennypacker & Thompson, 2013), but also a third of these inmates had active warrants for violation of their probation terms. Despite these challenges, Petersilia (2011) acknowledged some people belong in prison, but wrote convincingly that penal policy should not add to the problem by ignoring rehabilitative efforts that show solid evidence of lasting success.

CDCR defined recidivism “by tracking arrests, convictions, and returns to State prison”, but primarily by returns to state prison, since this was the foci of the correctional mission (CDCRa, 2013, p.iv). Even before realignment, CDCR documented a reduction in three-year recidivism rates from a high of 67.5% in 2005-2006 to 61% in 2008-2009 (CDCRa, 2013). As alluded to earlier, stakeholders such as California’s Bureau of State Community Corrections (BSCC) and the state’s current Attorney General Kamala Harris’ definition of recidivism was at odds on an important point. The BSCC’s definition focused on a new conviction within three years of release from prison, while General Harris holds a new arrest and filing of charges defined recidivism (BSCC, 2014a; Harris, 2014). The difference was significant since recidivism was a primary metric to determine an inmate’s ability to reintegrate into society, and an arrest did not always result in a conviction (Weisburg, 2014). Another difference was recidivism’s more stringent definition could color how the effectiveness of realignment was judged.

**Effects on justice system stakeholders.** Salins and Simpson (2013) pointed to the likelihood that realignment had only shifted California’s overcrowding from prison to county jails, a view echoed by the Little Hoover Commission (2013). The net impact of

realignment by mid-2012 was that 207,000 felons within the state of California still be fall under the traditional correctional model in housing and parole due to the violent or serious nature of their offenses, and some 46,000 would be housed and supervised locally (Males and Buchen, 2013). Many of state's 480 jails were small facilities within police departments, and with one-third of counties already under court orders to fix overcrowding, new inmates would most certainly lead to early releases (Fazzi, 2013). County probation departments, overwhelmed with their new responsibilities, "lack the necessary information to make the best service and sanctioning decisions", in part due to their information gathering and sharing limitations (Tafoya, et al, 2013, p.19).

**Impact of realignment.** Two studies that emerged in early 2013 analyzed 2012 crime data for 67 California cities, the first full year subsequent to realignment's implementation. Scheidegger (2013) made the connection between realignment and the state's increases in crime, which he labeled "California crime spike, particularly in the face the national crime trends. The nation violent crime rate rose 1.2% and California cities rose 2.9%, and as for property crime, the nation enjoyed a .8% drop while California cities rose 9.7% (Scheidegger, 2013).

Males and Buchen (2013) acknowledged the increase of crime in 2012 and focused on the counties as well as cities, at least in terms of realignment prisoners that resided in those counties. By analyzing the state's 21 most populous counties and the percentage of realigned offenders they housed, they argued counties with a higher percentage of realigned offenders should have reported higher increases in violent crime. The ten high-realignment counties managed 22.5% of their offenders locally while the 11 low-realignment counties managed 15.5% of their offenders locally. While both groups reported increases in crime, the ten high realignment counties actually had lower violent

and property crime rates than the 11 low realignment counties (Males & Buchen, 2013). These findings led the writers to believe realignment could not be blamed for an increase in crime, although neither study examined smaller, poorer jurisdictions.

Lofstrom and Raphael (2013) of the Public Policy Institute of California (PPIC) stated unequivocally that robust evidence existed that realignment had an impact in the 7.5% statewide increase in property crime, but were unconvinced the 18,000 additional felons on California streets moved the dial on violent crime. They also compared the 7.5% increase in property crime to the national drop in property crime as strong evidence realignment played a part (Lofstrom & Rafael, 2013). They reasoned since realigned inmates and others displaced by realigned inmates were designated as such because of their propensity to commit low-level or property crime, an increase in these crimes could be anticipated. In stark contrast, Males and Goldstein (2014) found no conclusive evidence of a connection between crime and post-realignment California, and specifically discounted findings by the PPIC of a causal connection between realignment and property crimes such as motor vehicle theft. Males and Goldstein maintained that if realignment was connected to an increase in crime, those counties with a higher percentage of realigned prisoners in their midst would see greater increases; something their study did not support (Males & Goldstein, 2014).

**Other outcomes.** Split sentencing, one of realignment's most unique aspects, was found to be unevenly distributed in the counties in early examination (Pennypacker & Thompson, 2013). As an example, Stanislaus County assigned 86% of its inmates to split sentences, while Los Angeles County sentenced only 6% of its inmates to jail and supervision, leading Pennypacker and Thompson (2013) to believe some inmates were missing out on opportunities to receive help from post-release programming. Another

unintended consequence of realignment; the drop in population of the state run fire camps, low level inmates enlisted to help suppress fires were reduced, forced the state to hire federal firefighters at a much higher cost (Taylor, 2012).

### **Conclusions**

The literature examined above has provided evidence that California's embrace of an incapacitative approach to crime to include three strikes resulted in increasing rates of incarceration not supported by the resources for housing and managing 170,000 inmates. These levels of incarceration without sufficient supporting infrastructure of housing, medical, and psychological care resulted in deficiencies that reached crisis levels. The status quo proved unacceptable by the courts who were asked to square existing conditions in California's prisons with constitutional proscriptions against cruel and unusual punishment. There was scholarly debate about the value of deterrence compared with incapacitation.

The literature has outlined the extant methods by which the government accounts for crime reported to the police and the challenges of accurately documenting criminality in a given community, given socio-economic differences and relationships with police. The challenges faced by California's municipalities with the onset of the great recession have been documented as well as their impact on government's primary function, that of maintaining public safety. Police sworn staffing has been showed to have been reduced along with other services by cash strapped municipalities. The efficacy of police in deterring crime has also been addressed, the literature being contradictory as to whether additional police reduces criminal activity. Some writers found that police and crime rose independently but simultaneously, making it difficult to quantify the value of adding police. Other writers quantified the value of each added officer's presence, as well as the



cost of a realigned prisoner's freedom. Gascon & Foglesong (2010) struck a middle ground by acknowledging the greater burdens placed on police than in generations past, and that either crediting or ignoring the value of added police was risky in a fundamentally complex environment.

Emerging information regarding the impact of California's response to its overcrowding crisis known as realignment was examined. Not surprisingly, contradictory findings regarding the impact of tens of thousands of inmates flooding California jails and perhaps returning prematurely to California communities made it difficult to determine whether in the short-term, realignment has succeeded in maintaining public safety as its primary goal. The state prisons were at their lowest levels of population in decades but still overcrowded, recidivism rates were lower, but property crime rates grew in the first full year after realignment.

The literature showed that realignment has accomplished one of its main objectives; shifting the burden of some 30,000 inmates to community corrections. Rappaport's "shell game" (2013, p. 210), and Schlanger's "hydra threat" (2012, p.191) were attempts to describe the impacts of realignment on local communities and their law enforcement professionals. County sheriff and probation departments were immediately impacted upon implementation, in some cases resulting in jails releasing uninvolved occupants early to make room for realigned prisoners (Lawrence, 2013). The overcrowding and accompanying early release of realigned and other inmates who would otherwise be in jail became the burden first for sheriffs, then probation departments, but ultimately for local law enforcement. Probation departments have grown in size, scope, and responsibility, but have struggled to find their footing in this new world of community corrections.

A critical piece of the reform puzzle, funding, was found to be almost non-existent in regards to local law enforcement. The state allocated money to counties, and counties delegated to Community Corrections Partnerships the responsibility of setting priorities and fund initiatives. CCPs focused almost exclusively on building infrastructure for probation and sheriff departments; usually in the form of program creation for probation and expanding occupancy in county jails. With one vote on the CCP, a lone police chief could hardly dictate to remaining members, all representing county services. Meanwhile, local police agencies have shed thousands sworn officer positions as a result of the recession and reduced city revenue.

Most of the literature addressed the possible covariance between increases in police staffing and crime rates were limited to large cities. Most of this literature also focused exclusively on whether increases in police officer staffing result in lower crime. There was very little known about the impact of police staffing in smaller, sometimes rural communities, and a paucity of data exists on property crime when a police force was reduced. Realignment was still in its infancy, therefore nonexistent was information as to the judgment of sitting police chiefs as to how crime rates have been affected by the recession, realignment, jail overcrowding, and the aforementioned officer staffing. Similarly, there was no information about how effective the chiefs would rate strategies most likely to have been employed in response to realignment.

It was anticipated that in gathering the targeted data, additional knowledge would be gained regarding any possible impact realignment has had on smaller California communities and what strategies employed by local law enforcement have the most strategic value. Therefore, the purpose of the study, to determine the impact of realignment on property crimes in smaller California cities that were likely under-

resourced, and the response of police chiefs to these phenomena was judged relevant based on a gap in the literature.

The following chapter contains the methodology utilized in order to obtain the data sought by the research questions of this study. Specifically, Chapter III outlines the research design and instrumentation intended to obtain and analyze the extant historical data and non-parametric survey data. The survey designed by the author was presented in its entirety, along with input from a panel of experts enlisted to assure the survey's ability to capture intended data. The following chapter also contains the study's data collection and the three statistical tests to be used to analyze findings. Finally, the chapter contains the study's limitations.

## CHAPTER III: METHODOLOGY

### **Overview**

This chapter described the methods and procedures that were used to determine what impact, if any, realignment has had on property crimes reported to the police in small California cities, defined by this study as municipalities of 25,000 to 50,000 residents with their own police departments. To help identify policies that could lead to more effective law enforcement in this environment, a survey was sent to police chiefs represented in the population to obtain their expert opinions on the realignment's impact on property crime in their jurisdictions, and the speed and efficacy of response strategies.

### **Purpose Statement**

The primary purpose of this descriptive correlational study was to identify policy initiatives that could lead to more effective law enforcement against challenges presented by prison realignment for small California cities. The second purpose of this study was to determine the relationship, if any, between sworn officer staffing and property crimes reported to the police from 2010 to 2012. The third purpose of the study was to determine the significance of the impact of realignment, sworn officer staffing, the recession, and jail overcrowding on property crime as perceived by police chiefs. Finally, it was the purpose to identify the progress and effectiveness of specific strategies in response to realignment; increased law enforcement partnerships, seeking alternative funding, altering staffing models, and engaging non-law enforcement stakeholders as perceived by police chiefs.

### **Research Questions**

This paper proposes to answer the following questions regarding California cities with populations between 25,000 and 50,000 that have their own police departments:

- 1) To what extent is there a difference in property crimes in 2010 and 2012?
- 2) To what extent is there a difference in sworn police officer staffing in 2010 and 2012?
- 3) To what extent is there a correlation between changes in sworn officer staffing and changes in property crime for 2010 and 2012?
- 4) To what extent were the following factors significant with respect to property crime within the jurisdictions from 2010-2012?
  - a. AB 109 Public Safety Realignment
  - b. The current economic recession
  - c. The police department's sworn officer staffing levels
  - d. County or local jail overcrowding
- 5) To what extent do chiefs perceive that progress has been made in the following strategies responding to realignment?
  - a. Increase partnerships with allied law enforcement agencies
  - b. Seek alternative funding solutions such as grants
  - c. Create specialized units or reorient existing specialized units or assignments
  - d. Engage non-law enforcement partners to impact or serve realigned probationers
- 6) How effective do chiefs perceive the following strategies are in response to realignment?
  - a. Increase partnerships with allied law enforcement agencies
  - b. Seek alternative funding solutions such as grants
  - c. Create specialized units or reorient existing specialized units or assignments
  - d. Engage non-law enforcement partners to impact or serve realigned

probationers

### **Research Design**

This study was a descriptive correlational study supported by archival data as well as new data obtained from experts in the field via a survey. As for the archival data, a quantitative approach was indicated because of the well-established units of measurement for property crime in communities via the Uniform Crime Report, as well as the number of sworn police personnel (Patten, 2009). These data were objective in nature, and as McMillan and Schumacher (2010, p.489) pointed out, were better “gathered and analyzed numerically”. Patten (2009) also recognized the value of a quantitative approach when attempting to obtain information from participants, in this case police chiefs, who were not available for in-depth interviews.

The proposed survey allowed for a timely snapshot of the opinions of participants, aligned as it with the purpose of the study (McMillan &Schumacher, 2010). The survey was sent to police chiefs in the population via Survey Monkey, and results were analyzed using standard analysis software. Values were attached to the possible survey responses to permit proper analysis later.

Purposive sampling has been defined as processes where subjects were selected for their unique attributes, and not randomly (Bachmann &Schutt, 2013). Chiefs were selected to inform on topic of study because of their unique position of knowledge, perspective and influence over policy (Rubin & Rubin, 2010). These cities were selected primarily because of population size: more than 50,000 increased the likelihood of greater resources at their disposal and thus not subject to the vagaries of recessionary setbacks, and less than 25,000 included many cities policed by the county sheriff, usually the largest and most resourced law enforcement agency in a county.

Participants received an introductory letter from the researcher, informing them of the impending survey that invited them to participate. Chiefs were sent the survey via email with an introductory paragraph identifying the researcher, explaining the purpose of the study and the survey, and an invitation to participate via an embedded hyperlink to the survey's uniform resource locator (URL).

### **Population**

A study's population has been described as the largest similar group from which the study's findings can be generalized (McMillan & Schumacher, 2010). The population of this study was police chiefs of California cities with their own police departments and populations of between 25,000 and 50,000. Data from the 2010 U.S. Census indicates well over 60 California cities have between 25,000 and 50,000 residents, but a review of each city's website show only 56 were policed by their own organic police department, led by a chief of police. These 56 chiefs make up the population for this study.

### **Sample**

McMillan & Schumacher (2010) described a sample in a quantitative study as the number of those participants from whom data was ultimately collected. Since the study was directed at chiefs empowered to dictate the tempo and content of policies, strategies and their implementation, the study's population was the chiefs of those cities, and the sample consists of the 36 chiefs that responded to the survey outlined below.

### **Instrumentation**

Tafoya, Grattet, and Bird (2014) recognized the need to quantify results from realignment to build on the knowledge of evidence-based practices. They strongly recommended a unified and collaborative approach to data. This study utilized data from two primary sources; archival crime rate and officer staffing data, and information

obtained through the use of the survey. Since no readily available and previously validated surveys existed that captured data sought by this study, one was designed to obtain this information. This survey was vetted by a panel of experts consisting of sitting police chiefs in an effort to address validity.

### **Survey Focus**

The four factors itemized in Survey Question 1 have been identified for contemplation by the participants because of their prominence in the literature already outlined regarding the time period immediately before and immediately after realignment. These factors were realignment, sworn officer staffing, the recession, and jail overcrowding. Participants were asked to rate each of those four factors as to their potential influence on property crimes in their cities. The specific language to be utilized in the survey was listed below.

As well, participants were asked to rate the effectiveness of strategies they may have employed in response to realignment. These strategies were identified due to their prominence as previously administered during other periods of adaptation by law enforcement professionals. The participants were asked to quantify the speed at which these strategies have been implemented, if at all.

This survey's design was intended to solicit critical data unique to a city's chief of police. Their opinion of the impact of landmark changes to the correctional landscape, along with descriptive data that did or did not covary with property crime rates in their cities addressed deficiencies outlined in the problem statement of this study. Also, a survey method was selected because of the ability to administer questions where credible data were required from a rather large sample, and was an efficient way to acquire data that can be generalized using regression analysis (McMillan & Schumacher, 2010).



Survey Questions 1, 2, and 3 align with Research Questions 4, 5, and 6 and are found in Appendix A.

**Expert Panel.** To quantify the survey's value to police executives as outlined in the purpose statement and to reinforce validity and reliability, selected members of the Orange County Police Chiefs' and Sheriff's Association were asked to provide feedback on the survey's focus and questions, thereby acting as a panel of experts. The Association meets monthly to coordinate the law enforcement efforts of the three million residents of Orange County. The Association has members who are chiefs of police of cities ranging in size from Anaheim (population 336,000) to La Palma (population 16,000).

**Validity and reliability.** The question of an instrument's content validity revolves around its alignment with the domain it seeks to inform (Waltz, Strickland, & Lenz, 2003), and whether adequate sampling in the instrument addresses the subject under investigation (Wynd, Schmidt, & Schaefer, 2003). Reliability in an instrument was strong when steps have been taken to reduce the chance of random error or a change in circumstances (Bachmann & Schutt, 2013). This panel of nine chiefs comprised of the most experienced and tenured professionals in their respective departments were uniquely qualified to judge the survey's content. Like the population and sample, the panel's members addressed realignment during the same time period as policy makers, and could respond thoughtfully as whether the instrument's findings could be value to a law enforcement executive.

The panel was asked to comment on the survey's focus areas and strategies, and whether knowledge of employment of these strategies could be beneficial in crafting future police response to prison reform that realigns inmates from state to community

corrections.

This effort sought confirmation that the survey questions align with their knowledge and experience in their jurisdictions, and whether information gathered from this survey could shed light on the effectiveness of the identified strategies. Panelists were asked the following questions:

1. I am studying how impactful these four areas were with respect to property crime rates from 2010 to 2012; Public Safety Realignment, the recession, officer staffing levels, and jail overcrowding. In your opinion, how well or how poorly do these four factors correspond with factors impacting property crime rates from 2010 to 2012?

2. I am studying the effectiveness of certain strategies that have been employed in response to Public Safety Realignment, namely; increasing partnerships with allied law enforcement agencies, seeking alternative funding solutions such as grants, creating specialized units or reoriented existing specialized units, and engaging with non-law enforcement partners to impact or serve realigned probationers. How well or how poorly do you believe these strategies illustrate what you may have or did employ in response to realignment?

3. I will soon be asking other chiefs in the state how quickly and how effectively they implemented these strategies. How helpful would this feedback be to you regarding the evaluation of your own response to Public Safety Realignment?

The panel provided feedback and their responses tend to validate the premise of the research questions and the value of the data the study seeks to obtain (See Appendix B). First, as to the impact upon property crime by the variables listed, eight of nine chiefs agreed the variables highly corresponded to property crime trends for that time period. One chief believed the variables somewhat corresponded, and no chiefs believed there

was no correspondence. As to how well the response strategies in the survey reflected their own experience, four chiefs answered these strategies highly corresponded with their own experience, five chiefs said the strategies somewhat corresponded, and no chiefs said the strategies did not correspond. Third, as to whether knowledge of other chiefs' responses to realignment would be helpful to their own evaluative process, five chiefs said this information would be highly helpful, three chiefs said this would be somewhat helpful, and one chief said this would not help at all. Due to the preponderance of responses indicating the survey as designed satisfied the primary purpose of the study, there were no changes made (See Appendix B).

### **Data Collection**

The first three chapters of this study underwent a review by Brandman University's School of Education Quality Review Committee. Once approved by Quality Review (QR), the University's Institutional Review Board (BUIRB) assured the proposed study was in compliance with the University's high standards for integrity and quality, and protecting the rights of the study's participants. Once QR and BUIRB completed their review and formal approval was received, the author began collecting and analyzing data as outlined. Data collection consisted of two phases: archival data collection and collection of survey data.

#### **Archival Data**

**Crime data.** Police departments were required to report to the FBI on their most serious offences reported to the police for each calendar year. The eight most serious offences were called Part 1 Crimes and consist of criminal homicide, forcible rape, robbery, aggravated assault, arson, burglary, larceny, and motor vehicle theft (FBI, 2012). A total number of these offenses were aggregated and reported publically by the FBI

through their online portal. Data was gathered for calendar 2010 (Appendix C) and 2012 (Appendix D). These data were in the public domain.

**Police staffing data.** Each police department reports on the number of its sworn employees in the same report. These data were in the public domain.

**Population data.** Population data for 2010 was from the 2010 US Census. Population data for 2012 was from the California Department of Finance, and consists of a population estimate for each city based on growth models and 2010 US Census data (DOF, 2014). The author collected property crimes reported to the police and sworn officer staffing data on a Word Excel spreadsheet for analytical purposes.

**Survey administration.** The chiefs in the population received an introductory letter from the author outlining the nature and purpose of the study inviting them to participate (See Appendix E). This letter was followed by an informational email also inviting them to participate. This email outlined the author's role as a doctoral candidate, the purpose of the study, and the fact that their participation would be kept confidential. The email contained a URL linking to the Survey Monkey site and the survey itself. Once at the survey site, the chiefs were asked to read a section regarding informed consent, and upon approval could take the survey.

### **Data Analysis**

Three separate tests were used to analyze the data. As to Research Questions 1 and 2, a paired-samples *t*-test were utilized to identify and measure the difference, if any, between property crime reported to the police in the calendar year immediately before (2010) and after (2012) the implementation of realignment. Similarly, a paired-samples *t*-test was used to identify and measure the difference, if any, between sworn officer staffing in the calendar year immediately before (2010) and after (2012) the

implementation of realignment. The paired-samples *t*-test was utilized because it allows the researcher to determine the difference between two means (Patten, 2009), in this case pre and post property crime data and sworn officer staffing for cities in the sample.

For Research Question 3, Spearman's Rank Order Correlation test, characterized a powerful tool not prone to error for non-parametric measurements, was used to determine the relationship, if any, between differences in property crimes reported to the police and police officer staffing (Bishara & Hittner, 2012). The Spearman test was chosen over the more common Pearson product-moment correlation due to the likely small sample size ( $n \approx 40-50$ ).

For Research Questions 4, 5, and 6, using responses to the survey, Friedman's test will be used to identify the relationship between property crime in those cities and four factors previously mentioned, as well as the responses from chiefs as to the speed and effectiveness of response strategies. Use of Friedman's test was indicated because of the non-parametric nature of the results of three or more matched groups (Siegel, 1988). Also, Friedman's test was chosen instead of the more common repeated measures ANOVA test because of the likely small sample and the ordinal nature of the ratings.

### **Limitations**

According to the California Department of Finance, as of 2013 there were 482 incorporated cities within the state (DOF, 2014). Of these, 92 had populations of between 25,000 and 50,000. Of those 92 cities, 56 have their own municipal police departments, while the remainder had contractual relationships with their county sheriff for law enforcement services. Only those 56 cities with their own police departments will be studied.

This study's primary limitation was that it deals exclusively with California's

realignment law, and none of the other 49 states and territories currently have realignment efforts underway in anything close to this state's depth and scale. Second, this study focuses on realignment's impact on property crimes reported to the police, and as such does provide insight on what impact realignment may have had on violent crime. The third limitation was the size of the population and sample; capturing data on California's 56 cities with their own police departments and a population of between 25,000 and 50,000, excludes larger and smaller cities and those policed by their county sheriff. These limitations therefore limit any inferential conclusion or extrapolations that could be made outside the state or in jurisdictions outside of California.

### **Summary**

The methodology described above was designed to facilitate the gathering and analysis of extant, archival data regarding property crime incidents reported to the police and sworn police officer staffing. The survey was designed to elicit responses from police chiefs on primary influencers of property crime in their cities, as well as shedding light on the speed and efficacy of strategic responses to realignment. Together these data should provide information on the impact of realignment as well as police responses to realignment not currently in the literature.

Chapter IV presented the data and analyzed the findings. Chapter IV presented tables containing property crime data and sworn officer staffing reported by the cities for relevant years, correlational tests conducted on these extant data, and presented the findings of the survey administered to the chiefs in the population.

## CHAPTER IV: RESEARCH, DATA COLLECTION, AND FINDINGS

### **Overview**

The previous chapter presented the research methodology proposed in order to gather and analyze data that seek to answer the research questions. The three tests used to analyze the descriptive archival data as well as the survey's development and administration strategy was presented. This chapter will present and analyze findings from the study. The purpose of the study, research questions, methodology, population and sample are summarized. An introduction with tables containing data comprising the descriptive statistics and frequency changes of the population and sample of the study are presented. Data and a statistical analysis are presented for each of the six research questions, with the assistance of an accompanying table for clarity.

### **Purpose Statement**

The primary purpose of this descriptive correlational study was to identify policy initiatives that could lead to more effective law enforcement against challenges presented by prison realignment for small California cities. The second purpose of this study was to determine the relationship, if any, between sworn officer staffing and property crimes reported to the police from 2010 to 2012. The third purpose of the study was to determine the significance of the impact of realignment, sworn officer staffing, the recession, and jail overcrowding on property crime as perceived by police chiefs. Finally, it was the purpose of the study to identify the progress and effectiveness of specific strategies in response to realignment; increased law enforcement partnerships, seeking alternative funding, altering staffing models, and engaging non-law enforcement stakeholders as perceived by police chiefs.

## Research Questions

This paper proposes to answer the following questions regarding California cities with populations between 25,000 and 50,000 that have their own police departments:

- 1) To what extent is there a difference in property crimes in 2010 and 2012?
- 2) To what extent is there a difference in sworn police officer staffing in 2010 and 2012?
- 3) To what extent is there a correlation between changes in sworn officer staffing and changes in property crime for 2010 and 2012?
- 4) To what extent were the following factors significant with respect to property crime within the jurisdictions from 2010-2012?
  - a. AB 109 Public Safety Realignment
  - b. The current economic recession
  - c. The police department's sworn officer staffing levels
  - d. County or local jail overcrowding
- 5) To what extent do chiefs perceive that progress has been made in the following strategies responding to realignment?
  - a. Increase partnerships with allied law enforcement agencies
  - b. Seek alternative funding solutions such as grants
  - c. Create specialized units or reorient existing specialized units or assignments
  - d. Engage non-law enforcement partners to impact or serve realigned probationers
- 6) How effective do chiefs perceive the following strategies are in response to realignment?
  - a. Increase partnerships with allied law enforcement agencies



- b. Seek alternative funding solutions such as grants
- c. Create specialized units or reorient existing specialized units or assignments
- d. Engage non-law enforcement partners to impact or serve realigned probationers

### **Research Methods and Data Collection Procedures**

Data collection consisted of two phases: archival data collection and collection of survey data.

#### **Archival Data**

**Crime data.** Police departments were required to report to the FBI on their most serious offences reported them each year. The eight most serious offences were called Part 1 Crimes and consist of criminal homicide, forcible rape, robbery, aggravated assault, arson, burglary, larceny, and motor vehicle theft (FBI, 2012). A total number of these offenses were aggregated and reported publically by the FBI through their online portal. Data was gathered for calendar 2010 and 2012. These data were in the public domain.

**Police staffing data.** Each police department reported on the number of its sworn employees in the same report. These data were in the public domain.

**Population data.** Population data for 2010 was from the 2010 US Census. Population data for 2012 was from the California Department of Finance, and consists of a population estimate for each city based on growth models and 2010 US Census data (DOF, 2014). The study utilized property crime data as reported to the police, and sworn officer staffing data. For analytical purposes, these data were placed on a Word Excel spreadsheet. These data were in the public domain.

**Survey administration.** The police chiefs in the population were sent an introductory letter from the author outlining the nature and purpose of the study inviting them to participate. This letter was followed by an informational email also inviting them to participate. This email outlined the author's role as a doctoral candidate, the purpose of the study, and the fact that their participation will be anonymous. The email contained a URL linked to Survey Monkey wherein the survey could be accessed. Once at the survey site, the chiefs were asked to read a section regarding informed consent, and upon approval were able to complete the survey (See Appendix F).

### **Data Analysis**

Three separate tests were used to analyze the data. As to Research Questions 1 and 2, a paired-samples *t*-test was utilized to identify and measure the difference, if any, between property crime reported to the police in the calendar year immediately before (2010) and after (2012) the implementation of realignment. Similarly, a paired-samples *t*-test was used to identify and measure the difference, if any, between sworn officer staffing in the calendar year immediately before (2010) and after (2012) the implementation of realignment.

For Research Question 3, Spearman's Rank Order Correlation test was used to determine the relationship, if any, between differences in property crimes reported to the police and police officer staffing.

For Research Questions 4, 5, and 6, Friedman's test was used to identify the relationship between property crime in those cities and four factors previously mentioned, as well as the responses from chiefs as to the speed and effectiveness of response strategies.

## **Population**

The population of this study was police chiefs of California cities with their own police departments and populations of between 25,000 and 50,000. Data from the 2010 U.S. Census indicates well over 60 California cities have between 25,000 and 50,000 residents, but a review of each city's website show that only 56 were policed by their own police department, led by a chief of police.

## **Sample**

Since the study was directed at chiefs who were empowered to dictate the tempo and content of policy response and implementation, the study's population was the chiefs of those cities, and the sample consists of the 36 chiefs of police who responded to the survey.

## **Presentation and Analysis of Data**

Table 7 displays descriptive statistics for population, property crime and numbers of sworn officers for 2010 and 2012. The table also includes change data. Specifically, percentage changes from 2010 to 2012 were that: (a) population increased ( $M = 1.34$ ); (b) raw changes in crimes increased ( $M = 3.60$ ); (c) raw changes in officers decreased ( $M = -5.56$ ); (d) change in crimes per 1,000 increased ( $M = 2.21$ ); and (e) change in officers per 10,000 decreased ( $M = -6.81$ ).

Table 7

*Descriptive Statistics for Selected Data (n = 56)*

	2010		2012		Percent Change	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Population	35,627.73	6,820.57	36,109.82	6,943.65	1.34	1.33
Property Crime Officers	991.50	484.15	1,032.82	540.15	3.60	17.61
Crimes per 1,000 People	46.05	19.77	43.70	18.96	-5.56	-8.78
Officers per 10,000 people	27.64	12.14	28.24	13.41	2.21	17.05
	12.91	4.97	12.06	4.63	-6.81	8.58

Table 8 displays the frequency counts for changes in property crimes and sworn officers. Based on raw crime numbers, 34 of 56 cities (60.7%) had some sort of increase while for raw officer numbers, 47 of 56 cities (83.9%) had a decrease in the number of officers. Using population adjusted data, 57.1% of the cities had increases in their property crime rate while 85.7% experienced a decrease in the number of sworn officers.

Table 8

*Frequency Counts for Changes in Property Crimes and Sworn Officers*

	Decrease		Increase	
	<i>n</i>	%	<i>n</i>	%
Property Crime	22	39.3	34	60.7
Officers	47	83.9	9	16.1
Crimes per 1,000 People	24	42.9	32	57.1
Officers per 10,000 people	48	85.7	8	14.3

*Note.* *n* = 56

### Research Question 1

*Regarding California cities with populations between 25,000 and 50,000 that have their own police departments, to what extent is there a difference in property crimes in 2010 and 2012?*

To answer this question, Table 9 displays the relevant paired *t*-tests. Using raw data, overall property crimes ( $p = .06$ ) tended to be higher in 2012 ( $M = 1,032.82$ ) than in 2010 ( $M = 991.50$ ). However, when property crimes were adjusted for population, no difference was found ( $p = .35$ )

Table 9

*Paired t-tests for Selected Variables Comparing 2010 to 2012*

	2010		2012		<i>t</i>	<i>p</i>
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>		
Population	35,627.73	6,820.57	36,109.82	6,943.65	7.86	.001
Property Crime	991.50	484.15	1,032.82	540.15	1.95	.06
Officers	46.05	19.77	43.70	18.96	4.77	.001
Crimes per 1,000 People	27.64	12.14	28.24	13.41	.94	.35
Officers per 10,000 people	12.91	4.97	12.06	4.63	5.84	.001

*Note. n = 56*

### Research Question 2

*Regarding California cities with populations between 25,000 and 50,000 that have their own police departments, to what extent is there a difference in sworn police officer staffing in 2010 and 2012?*

To answer this question, Table 9 above is used again to display the relevant paired *t*-tests. Number of sworn officers declined both using raw data ( $p = .001$ ) and population adjusted data ( $p = .001$ ).

### Research Question 3

*Regarding California cities with populations between 25,000 and 50,000 that have their own police departments, to what extent is there a correlation between changes in sworn officer staffing and changes in property crime for 2010 and 2012?*

Table 10 displays the relevant Spearman correlations. No significant correlations were found for either the raw change data ( $r_s = .09$ ,  $p = .49$ ) or the population adjusted change data ( $r_s = .08$ ,  $p = .57$ ).

Table 10

*Correlations Comparing Changes in Population, Crimes and Officers (N = 56)*

	Population	Property Crimes	Officers
Raw			
Population	1.0		
Property Crimes	.11	1.0	
Officers	-.01	.09	1.0
Population Adjusted			
Population	1.0		
Property Crimes	.04	1.0	
Officers	-.13	.08	1.0

*Note. n = 56*

### Research Question 4

*To what extent were the following factors significant with respect to property crime within the jurisdictions from 2010-2012?*

- a. AB 109 Public Safety Realignment*
- b. The current economic recession*
- c. The police department's sworn officer staffing levels*
- d. County or local jail overcrowding*

To answer this question, Table 11 displays the ratings for the perceptions of the factors that led to increases in property crimes. These ratings were based on a four-point metric: 1 = Not at all significant to 4 = Highly Significant. A Friedman repeated measures ANOVA test found no significant differences ( $p = .16$ ) among the four ratings. Inspection of the table found the highest factor was item 1a, “AB 109 California’s Public Safety Realignment law ( $M = 2.71$ )” and the lowest rated item was item 1c, “My department’s sworn officer staffing levels ( $M = 2.17$ )”.

Table 11

*Ratings for Perceptions of the Factors that Led to Increases in Property Crime*

	<i>M</i>	<i>SD</i>
AB 109 Public Safety Realignment Law	2.71	0.86
County or local jail overcrowding	2.60	1.01
The current economic recession	2.37	0.84
My department’s sworn officer staffing levels	2.17	1.04

*Note.*  $n = 35$ ; Ratings were based on a 4-point metric: 1 = *Not at all significant* to 4 = *Highly Significant*. Friedman Repeated Measures Test Result:  $\chi^2(3, n = 35) = 5.21$ ,  $p = .16$ .

**Research Question 5**

*To what extent do chiefs perceive that progress has been made in the following strategies responding to realignment?*

- a. Increase partnerships with allied law enforcement agencies*
- b. Seek alternative funding solutions such as grants*
- c. Create specialized units or reorient existing specialized units or assignments*
- d. Engage non-law enforcement partners to impact or serve realigned probationers*

To answer this question, Table 12 displays the ratings for the extent that specific property crime reducing strategies had been implemented. These ratings were based on a

4-point metric: 1 = Not Considered to 4 = Fully Implemented. A Friedman repeated measures ANOVA test found significant differences ( $p = .001$ ) among the four ratings. Inspection of the table found the highest strategy was item 2a, “Increased partnerships with allied law enforcement agencies ( $M = 3.33$ )” and the lowest rated strategy was item 2d, “Engaged with non-law enforcement partners to impact or serve realigned probationers ( $M = 2.06$ )” (Table 12).

Table 12

*Ratings for Extent Property Crime Reducing Strategies had Been Implemented*

	<i>M</i>	<i>SD</i>
Increase partnerships with allied law enforcement agencies	3.33	0.63
Created specialized units or reoriented existing specialized units	2.86	1.17
Sought alternative funding solutions such as grants	2.25	1.02
Engaged with non-law enforcement partners to impact or serve realigned probationers	2.06	1.12

*Note.*  $n = 36$ ; Ratings were based on a 4-point metric: 1 = *Not at all significant* to 4 = *Highly Significant*. Friedman Repeated Measures Test Result:  $\chi^2(3, n = 36) = 26.96, p = .001$ .

**Research Question 6**

*How effective do chiefs perceive the following strategies are in response to realignment?*

- a. Increase partnerships with allied law enforcement agencies*
- b. Seek alternative funding solutions such as grants*
- c. Create specialized units or reorient existing specialized units or assignments*
- d. Engage non-law enforcement partners to impact or serve realigned probationers*



To answer this question, Table 13 displays the ratings for the effectiveness of specific property crime reducing strategies. These ratings were based on a four-point metric: 1 = *Not at all effective* to 4 = *Significantly Effective*. A Friedman repeated measures ANOVA test found significant differences ( $p = .001$ ) among the four ratings. Inspection of the table found the highest strategy was item 3a, “Increased partnerships with allied law enforcement agencies ( $M = 2.85$ )” and the lowest rated strategy was item 3b, “Sought alternative funding solutions such as grants ( $M = 1.76$ )”.

Table 13

*Ratings for Extent Property Crime Reducing Strategies had Been Implemented*

	<i>M</i>	<i>SD</i>
Increase partnerships with allied law enforcement agencies	2.85	0.74
Created specialized units or reoriented existing specialized units	2.66	1.07
Engaged with non-law enforcement partners to impact or serve realigned probationers	1.87	0.76
Sought alternative funding solutions such as grants	1.76	0.79

*Note.*  $n = 36$ ; Ratings were based on a 4-point metric: 1 = *Not at all effective* to 4 = *Significantly effective*. Friedman Repeated Measures Test Result:  $\chi^2(3, n = 31) = 27.69$ ,  $p = .001$ .

**Summary**

The purpose of this study was to identify the possible impact of realignment on property crimes for smaller California cities. This impact could have been influenced by the fewer sworn police officers, crowded jails, and the current economic recession. In addition to descriptive data that would analyze potential strength of differences, the opinion of the police chiefs as to the how property crimes were influenced by these factors, how quickly they responded and how effectively these strategies were in

responding to realignment. It was a purpose of the study to provide police chiefs with data that could help address future reform efforts with a net effect of placing offenders back into the community.

Statistical analysis of the descriptive data indicated an increase in property crimes for 34 of the 56 cities, but this increase was impactful but not statistically significant. The analysis did show a statistically significant decrease in sworn officer staffing for 47 of the 56 cities. Analysis comparing property crimes against sworn officer staffing levels did not identify a correlation between these two variables.

With respect to the survey results, the highest-rated factor which chiefs identified as impacting property crimes in their jurisdictions was realignment, however, there was not a significant difference among the other potential factors that could have led to higher property crime rates in their cities. As to which strategy was implemented faster than the others presented, chiefs reported increasing partnerships with allied agencies was completely or partially implemented at a higher rate than the other strategies contemplated by the survey. Similarly, when asked to rate the effectiveness of the strategies offered, partnering with other law enforcement professionals was most likely to be rated as effective or significantly effective as compared to the other three strategy choices.

In the following chapter, the major findings of the study will be presented in light of the existing literature. Unexpected findings will also be presented. Conclusions made as a result of the study, including implications for further research and recommendations in light of the findings and existing literature, are provided.

## CHAPTER V: FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

The previous chapter outlined the data gathered and whether that data pointed to significant statistical conclusions. This chapter will compare and summarize what was found in the review of the literature, draw conclusions and implications, and then make a series of recommendations.

### **Purpose Statement**

The primary purpose of this descriptive correlational study was to identify policy initiatives that could lead to more effective law enforcement against challenges presented by prison realignment for small California cities. The second purpose of this study was to determine differences and relationships, if any, between sworn officer staffing and property crimes reported to the police from 2010 to 2012. The third purpose of the study was to determine the significance of the impact of realignment, sworn officer staffing, the recession, and jail overcrowding on property crime as perceived by police chiefs. Finally, it was the purpose to identify the progress and effectiveness of specific strategies in response to realignment; increased law enforcement partnerships, seeking alternative funding, altering staffing models, and engaging non-law enforcement stakeholders as perceived by police chiefs.

### **Research Questions**

Regarding California cities with populations between 25,000 and 50,000 that have their own police departments:

- 1) To what extent is there a difference in property crimes in 2010 and 2012?
- 2) To what extent is there a difference in sworn police officer staffing in 2010 and 2012?
- 3) To what extent is there a correlation between changes in sworn officer staffing

and changes in property crime for 2010 and 2012?

4) To what extent were the following factors significant with respect to property crime within the jurisdictions from 2010-2012?

- a. AB 109 Public Safety Realignment
- b. The current economic recession
- c. The police department's sworn officer staffing levels
- d. County or local jail overcrowding

5) To what extent do chiefs perceive that progress has been made in the following strategies responding to realignment?

- a. Increase partnerships with allied law enforcement agencies
- b. Seek alternative funding solutions such as grants
- c. Create specialized units or reorient existing specialized units or assignments
- d. Engage non-law enforcement partners to impact or serve realigned probationers

6) How effective do chiefs perceive the following strategies are in response to realignment?

- a. Increase partnerships with allied law enforcement agencies
- b. Seek alternative funding solutions such as grants
- c. Create specialized units or reorient existing specialized units or assignments
- d. Engage non-law enforcement partners to impact or serve realigned probationers

### **Methodology**

Archival property crime and sworn officer staffing data were collected from the FBI's Uniform Crime Reports. An online survey was designed and administered to the

police chiefs in the population. Three tests were used to analyze the collected data. A paired sampled *t*-test was used to determine the extent of differences in property crime and officer staffing for 2010 and 2012. Spearman's Rank Order Correlation test was used to determine the relationship, if any, between differences in property crimes reported to the police and police officer staffing. Finally, Friedman's test was used to identify the relationship between property crime in those cities and four factors previously mentioned, as well as the responses from chiefs as to the speed and effectiveness of response strategies.

### **Major Findings**

The following will summarize the major findings of this study by research question.

#### **Research Question 1**

*Regarding California cities with populations between 25,000 and 50,000 that have their own police departments, to what extent is there a difference in property crimes in 2010 and 2012?*

The data and subsequent analysis indicates there was a meaningful trend upward of property crimes between the two relevant years. The difference in property crimes between 2010 and 2012, however, was not statistically significant. Of the 56 cities examined, 34 showed an increase in property crimes reported to the police. Importantly, 22 of the cities reported either stable or a great deal fewer property crimes. The disparate nature of these results are especially stark when reviewing Table 7; one city had nearly a 31% decrease in property crimes pre and post implementation while another city suffered a nearly 72% increase in property crimes over the same period.

While some might see these findings as contradictory, the disparate nature of increases and decreases in property crime in the post realignment era is consistent with recent findings which led some writers to discount realignment's impact on crime increases (Males & Buchen, 2013) while others provided evidence California's recent increases in property crime correlated to the addition of 18,000 inmates into the community (Lofstrom & Raphael, 2013). In addition to the 56 cities in the sample, California as a whole had greater increases in property crime than the other 49 states (Scheidigger, 2013; FBI, 2012). Clearly, California led the way in an increase in property crime during this period, but the data is contradictory as to a correlation with the implementation of AB 109.

### **Research Question 2**

*Regarding California cities with populations between 25,000 and 50,000 that have their own police departments, to what extent is there a difference in sworn police officer staffing in 2010 and 2012?*

The study found numbers of sworn police officers serving in the police departments within the population decreased significantly. Only eight departments actually increased their sworn officer staffing during this period, but 48 saw their numbers decline (Table 8). The average department in the study lost about two officers over this three-year span. These findings are consistent with what has occurred statewide, with 3,700 fewer officers policing the streets in California in 2012 compared to 2008 (FBI, 2012), and the overall disproportionate negative impact on local enforcement (Petersilia, 2013).

### **Research Question 3**

*Regarding California cities with populations between 25,000 and 50,000 that have their own police departments, to what extent is there a correlation between changes in sworn officer staffing and changes in property crime for 2010 and 2012?*

This study could not identify a correlation between changes in sworn officer staffing and property crime for the relevant years studied. It is possible that no correlation could be identified in part due to the mixed results related to property crimes in the population during this time period. With almost 40% of the cities in the population showing stable or fewer property crimes, finding a correlation between property crime and officer staffing was not supported.

The literature once again suggests divergent views as to what degree increases in officer staffing lead to lower crimes rates. There is agreement that officer staffing was driven to lower levels due to the recession (Wilson & Heinonen, 2011). In terms of deterrence, most support the idea that more officers might be effective in deterring crime (Levitt, 2004; Guffey, Larson & Kelso, 2010; Ball, 2011; Kleck & Barnes, 2010; Chalfin, 2013; Clear & Frost, 2014), while others believe that more police do not necessarily reduce crime but higher crime almost always leads to additional police (Marvell & Moody, 1996).

### **Research Question 4**

*To what extent were the following factors significant with respect to property crime within the jurisdictions from 2010-2012?*

- a. AB 109 Public Safety Realignment*
- b. The current economic recession*
- c. The police department's sworn officer staffing levels*

*d. County or local jail overcrowding*

This question was designed to learn the chiefs' opinions as to what degree the four factors listed in the survey had an impact on property crime in their jurisdiction. In descending order, those factors judged as either significant or highly significant were as follows: realignment, jail overcrowding, the recession, and officer staffing levels.

Differences among the factors were not statistically significant. Twenty-two of the 36 chiefs completing the survey believed realignment to be a significant or highly significant factor with respect to property crime from 2010-2012. Interestingly, only 14 chiefs held the belief that their sworn officer staffing levels were a significant or highly significant factor related to property crime trends in their jurisdictions for the same time period. This is meaningful given that 84% of the agencies saw their officer levels fall.

Realignment and subsequent jail overcrowding have previously been identified as correlated, as well as the negative effect of displaced on local law enforcement (Schlanger, 2012; Hill, et al, 2013; Lawrence, 2013; Rappaport, 2013). The evidence suggests realignment has negatively impacted stakeholders, especially among highly populated counties (Lofstrom & Rafael, 2013). These findings tend to underpin the concern chiefs had regarding the implementation of realignment and overcrowding in their local jails.

**Research Question 5**

*To what extent do chiefs perceive that progress has been made in the following strategies responding to realignment?*

*a. Increase partnerships with allied law enforcement agencies*

*b. Seek alternative funding solutions such as grants*

*c. Create specialized units or reorient existing specialized units or assignments*



*d. Engage non-law enforcement partners to impact or serve realigned probationers*

Chiefs were given the opportunity to report on four strategies they may have implemented in response to realignment. In descending order of either partially or fully implemented, chiefs reported increasing partnerships allied law enforcement agencies, the creation of specialized units, seeking alternative funding, and non-law enforcement partnering. None of the chiefs reported that he/she had not considered increasing partnerships with allied law enforcement agencies, and 16 chiefs reported that they had not even considered engaging with non-law enforcement partners to impact or serve realigned probationers. These findings point to a significant preference by the chiefs toward the strategy of increasing partnerships with allied law enforcement agencies, and little progress in engaging with non-law-enforcement partners to serve realigned offenders.

Blumenstein and Wallman (2006) cast doubt about the efficacy of specific policing strategies, especially as they relate to reducing crime, since crime is connected to complex societal issues that common policing strategies do not address. The survey's findings suggest chiefs sought to create effective partnerships with like-tasked agencies coalesce with other findings that acknowledge realignment funding initially benefitted county organizations (Petersilia & Lin, 2012; Ducart, 2013).

### **Research Question 6**

*How effective do chiefs perceive the following strategies are in response to realignment?*

*a. Increase partnerships with allied law enforcement agencies*

*b. Seek alternative funding solutions such as grants*

*c. Create specialized units or reorient existing specialized units or assignments*

*d. Engage non-law enforcement partners to impact or serve realigned probationers*

For the final research question, chiefs were asked to rate their effectiveness of these strategies. In keeping with the findings outlined previously, none of the chiefs rated increasing partnerships with allied law enforcement agencies as “not at all effective.” Indeed, 22 of the 34 chiefs rated their efforts to increase these partnerships as either effective or significantly effective. Of the remaining strategies, creating specialized units of officers to respond to realignment was rated either effective or significantly effective by 19 of the chiefs. Only seven chiefs rated seeking alternative funding solutions and engaging with non-law enforcement as either effective or significantly effective.

The proactive nature of the strategies rated most effective by law enforcement leadership is not surprising, a common response by police although proactive or directed policing has produced uneven results (Withrow & Dailey, 2012; Weisburd & Telep, 2014; Wilson & Weiss, 2014). To summarize, according to the study participants, realignment was the most influential factor impacting property crime and increased partnership with allied law enforcement was the most effective strategy selected and most aggressively implemented.

### **Unexpected Findings**

Property crime increases were not universal across the population subsequent to the implementation of realignment; almost 40% of the cities studied saw a decrease in property crime (Table 8). With almost 84% of the cities in the population sustaining a concurrent decrease in officer staffing levels, many of the cities that enjoyed a decrease in property crime also lost police officers over this time period.

The literature has already found evidence officer staffing levels dropped given the virulent nature of the great recession on municipal budgets (Kiewiet & McCubbins, 2014). Faced with statistically significant decreases in officer staffing levels among most of the population, it *was* unexpected to see the weight the chiefs gave to their sworn officer losses. They rated realignment, the recession and jail overcrowding as more influential on property crime than having fewer officers on hand, surprising since most police chiefs face a constant struggle to defend their department's resources, made scarcer since 2008.

### **Conclusions**

The findings of this study lead to the following conclusions:

1. Most of the cities that made up the population of this study saw an increase in Part 1 property crime from 2010 to 2012. While this difference was not statistically significant, in part due to the variance in property crimes population-wide, the fact that so many Californians within the jurisdiction of this study suffered greater property loss during this time period is impactful from a public policy standpoint. Research indicates public policy is often driven by the public's perception of crime, which historically results in get-tough approaches that begin a cycle of prison overcrowding. Policy makers and legislators should take into account a broad range of public safety indicators and evidenced-based practices before making reforms, especially when reforms have the net effect of reversing the incapacitating nature of keeping repeat offenders in custody.
2. A significant number of the cities within the population of this study saw a decrease in sworn officer staffing from 2010 to 2012. Couched amidst a

historic recession, without dedicated funding to respond to realignment, many police departments represented in this study were bereft of whatever incapacitative or deterrent effect these officers could have created. The research supports the idea that recruitment and retention of qualified police officers is both challenging and critical to public safety. Further attrition of police officers in these communities has the potential to reach public safety critical mass as local entities are asked to bear larger burdens in the supervision and treatment of offenders.

3. For this population and this time period, no statistical correlation can be established between property crimes and officer staffing. While this finding is counter-intuitive, other variables not considered in this study could have played a greater role than the variables presented. Other variables, such as the relative number of offenders in those communities or the strength of cooperation between police and probation departments should be explored. Since the data indicates some agencies lost officers while maintaining or reducing property crimes, a comprehensive analysis of strategies is recommended. (See Recommendations for Further Study, below.)
4. Police chiefs strongly believe that realignment had an impact in their jurisdictions. As chiefs, they would not have waited for a statistical significance test before addressing a massive reform effort that placed some part of 18,000 sophisticated offenders in their communities. Since almost 40% of the cities had a decrease in property crime, it is possible strategies referenced in this study or others not contemplated had the effect of diffusing, deterring, or preventing crime within their realm of influence. Apart from the

short-term benefits of zero-tolerance or high enforcement approaches, the data suggests realignment will require law enforcement practitioners to re-examine assumptions and conventional approaches. Additionally, the survey indicated the lack of commitment to non-law enforcement partnerships as a viable response strategy provides fertile ground for future consideration by police chiefs.

5. Although this study does not quantify the actual start date of the realignment response strategies alluded to in the survey, the fact that chiefs promptly teamed with allied agencies to address realignment and were likely to promptly re-task their best trained officers may be relevant to determining why some agencies saw a drop in property crime.

### **Implications for Action**

The analysis and findings of this study echo the clarion call from decades of research and the stanchions of American jurisprudence.

**The pendulum.** Penal policy, consisting of sentencing strictures as well as rehabilitative and reform efforts is not effectively enacted as a result of the popular voice of the people. The criminal justice pendulum in California, like the nation, swings hither and yon from pole to pole, often the result of popular will. Making criminal justice policy by popular demand, subject to political machinations instead of robust, evidence-based public policy fact-finding where sentiment is secondary to practical considerations. A voter's version of reform, ranging from three strikes, which many blame for prison overcrowding, to Proposition 47, is in the proverbial eye of the beholder. Passed by a vote of the people in November 2014 and made effective immediately, Proposition 47 classified downward entire swathes of the penal and health and safety codes. Billed as a

way to keep shoplifters and small-time drug users out of state prison, the law made possession of a controlled substance a misdemeanor, and significantly changed the way property crimes such as burglary and theft were classified. Three strikes heralded as a type of reform as well in its day; a call for justice for innocents like Polly Klaas. Measured against the history of prison reform and get-tough measures, Proposition 47 must seem no less imperfect to the criminologist than three strikes. It therefore appears the need for the voices of experts in the field, armed with evidence-based practices in real world situations, should figure more prominently when contemplating criminal justice legislation.

**The Constitution and prison overcrowding.** The nation's highest courts of law have made it clear; it is against the founding principles of the United States to assume stewardship over convicted criminals and then neglect basic care only the state can provide. The realignment experience has been somewhat unique; the glacial journey of Marciano Plata and Ralph Coleman's bid for basic care became the impetus for the highest court to weigh in on the viability of California's broken prison system. Although the Coleman/Plata cases were almost a generation in the ripening, and prudent voices called on governors, legislators, and constituents to act, little was accomplished and the slow march through the courts became a tsunami of offenders to probation departments, health providers, and county sheriffs and police chiefs at a low point in sworn officer staffing. Relying almost exclusively on get-tough approaches and local jails instead of prisons to lower crime is inefficient and inconsistent with procedural justice. Criminal justice reform should promote public safety through the use of proven programs and disciplines that reduce recidivism by addressing foundational issues such as dysfunctional families and chemical dependency.

**A perfect storm.** The funding mechanisms provided for in AB 109 and sister legislation such as AB 117 were necessarily focused on California's 58 counties. This was done so that those agencies most affected by realignment's mandate, the jails, probation and health departments, and the courts, would have the wherewithal to house and treat the sudden influx of realigned inmates. Unfortunately, this left out municipal law enforcement who serve the majority of the state's residents, 4,565 fewer peace officers on the street in California from 2007 to 2012, and a 19% drop in arrests over the same period (CJSC, 2014). While realignment was not by design a "get out of jail free card" for realigned inmates, the displacement effect of moving realigned inmates into county facilities resulted in crowded jails and required sheriffs to find alternatives to incarceration. Realigned inmates came into a jail's front door and somebody got kicked out the back door to make room. In response, police chiefs did what they have always done. They teamed up and tried to fend off the negative effects of the latest wave of reform. They did not wait for funding, more officers or scholarly deductions to point them in a particular direction. They suited up their varsity players and got busy; so busy that after the initial wave of 38,000 inmates were realigned to counties California's prison population is creeping upward and are hiring more parole officers. It must be said that along the way, police chiefs may have inadvertently entered the fight minus allies possessing valuable experience treating institutionalized offenders, specifically non-law enforcement groups like churches, holistic providers, or experts in other non-traditional methods.

Many law enforcement practitioners might prefer greater attention paid by society to keeping dangerous felons behind bars. Such steps may include restrictions on Superior Court judges deemed to be soft on criminals, and tougher requirements enforced for felons

seeking parole. Greater surveillance of perpetrators by probation departments would be on the list, along with devising guidelines that would not allow public safety to be jeopardized by well-intended state initiatives. Yet, these and other “wish list” items are arguably incompatible with other elements related to the freedoms that most people enjoy. While fully engaging in a holistic effort to reduce prison precursors such as chemical dependency, law enforcement should seek partnerships with non-law enforcement, non-traditional partners such as churches, veterans groups, and education professionals to reduce recidivism.

### **Recommendations for Further Research**

1. Since the population consisted of cities of a certain populations with their own police departments, it is not fully known what the property crime trends were for cities outside the resident population range and serviced by the county sheriff. Future studies could examine similar variables among the 58 counties or among larger or smaller cities than represented in this study.
2. Crime is impacted by many variables, and realignment was only one of many forces driving inmate population. Other variables that could have served to increase or decrease crime are not adequately identified or studied. Future studies could analyze variables such as the relative caseload of local probation officers or effectiveness of drug dependency treatment by local health departments.
3. Since some cities apparently managed to maintain or reduce property crime with fewer officers than when realignment began, what strategies or influences factored in that decline are not known. Analyzing the demographics, relative number of displaced or realigned offenders, community partnership level or relative experience of the police chiefs in these cities could be relevant.



4. This study did not distinguish other pertinent but meaningful and well-established community characteristics such as the level of urban development, unemployment levels, education levels, poverty and literacy levels. Recent events in Ferguson, Missouri, among others, point to the importance such factors present to a community. Additional study could reveal to what degree these variables influence public safety among cities most impacted by realignment.
5. Police chiefs could have used any number of innovative or groundbreaking strategies to respond to realignment, but only four were examined. A qualitative study involving these chiefs or other criminal justice stakeholders could yield strategies or innovations not contemplated in the study.
6. Apart from property crime rates, other measures of criminality such as recidivism are being measured in other research, but measuring the relative success of realignment as a public safety initiative is not fully developed. Comparative analysis between rates of recidivism and levels of crime reported to the police could shed light on the interaction between these important measures of public safety effectiveness.

### **Concluding Remarks and Reflections**

Public Safety Realignment, otherwise known as AB 109, was a defensive action to drastically reduce California's state prison population in accordance with a federal mandate. California's response to shift the burden of nonviolent, non-serious, non-sex-related sex offenders from state prison to the counties was implemented on a truncated timeline giving local jurisdictions little time to plan and prepare.

Offenders were placed back into the community, or released outright due to displacement in local jails. Possibly another offender stepped out to freedom, acting vicariously as a realigned stand-in, due to overcrowding that migrated from prisons to

jails. Further, offenders on supervision had a much smaller window to avoid legal entanglements by being subject to search without probable cause for as little as six months.

Despite realignment's shortcomings, it has helped place the state in a firmer financial footing, and brought California much closer to the court's mandate limiting overcrowding to 137% capacity. It has also greatly enhanced cooperation among allied agencies. Some banded together out of survival but nonetheless forged effective partnerships. No study is likely to eradicate crime, and how those who break the law should be treated will always remain controversial. What is important is not that all of the answers are found, but that people of good will continue to ask the questions.

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APPENDIX A

Survey Question #1: Research indicates property crimes increased in some California cities from 2010 to 2012. Regarding property crime in your jurisdiction from 2010 to 2012, to what extent were the following factors significant with respect to increases in property crime?

1) AB 109 California's Public Safety Realignment law

Not at all significant	Slightly significant	Significant	Highly significant
1-----	2-----	3-----	4

2) The current economic recession

Not at all significant	Slightly significant	Significant	Highly significant
1-----	2-----	3-----	4

3) My department's sworn officer staffing levels

Not at all significant	Slightly significant	Significant	Highly significant
1-----	2-----	3-----	4

4) County or local jail overcrowding

Not at all significant	Slightly significant	Significant	Highly significant
1-----	2-----	3-----	4

Survey Question #2: In response to AB 109 California’s Public Safety Realignment law, some police departments enacted certain strategies to address changes brought about by realignment. Please rate the extent that you have or are considering implementing these strategies in response to realignment:

1) Increased partnerships with allied law enforcement agencies

Not considered	Considered not yet begun	Partially implemented	Fully implemented
1-----	2-----	3-----	4-----

2) Sought alternative funding solutions such as grants

Not considered	Considered not yet begun	Partially implemented	Fully implemented
1-----	2-----	3-----	4-----

3) Created specialized units or reoriented existing specialized units

Not considered	Considered not yet begun	Partially implemented	Fully implemented
1-----	2-----	3-----	4-----

4) Engaged with non-law enforcement partners to impact or serve realigned probationers

Not considered	Considered not yet begun	Partially implemented	Fully implemented
1-----	2-----	3-----	4-----



Survey Question #3: In response to AB 109, California’s Public Safety Realignment law, some agencies responded by enacting certain strategies to address changes brought about by realignment. How effective would you rate the following strategies in responding to realignment?

1) Increased partnerships with allied law enforcement agencies

Not at all effective	Somewhat effective	Effective	Significantly effective
1-----	2-----	3-----	4-----

2) Sought alternative funding solutions such as grants

Not at all effective	Somewhat effective	Effective	Significantly effective
1-----	2-----	3-----	4-----

3) Created specialized units or reoriented existing specialized units

Not at all effective	Somewhat effective	Effective	Significantly effective
1-----	2-----	3-----	4-----

4) Engaged with non-law enforcement partners to impact or serve realigned probationers

Not at all effective	Somewhat effective	Effective	Significantly effective
1-----	2-----	3-----	4-----

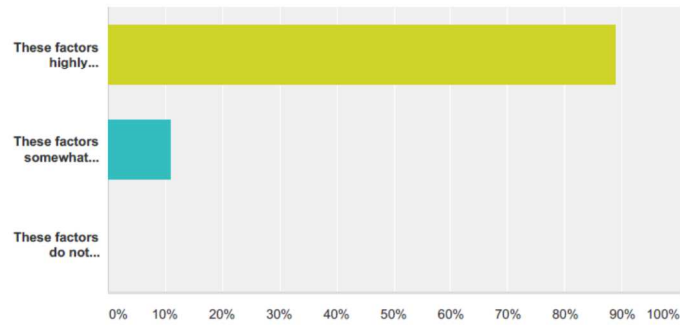
## APPENDIX B

Chief's Survey Feedback

SurveyMonkey

**Q1** I am studying how impactful these four areas were with respect to property crime rates from 2010 to 2012; Public Safety Realignment, the recession, officer staffing levels, and jail overcrowding. In your opinion, how well or how poorly do these four factors correspond with factors impacting property crime rates from 2010 to 2012?

Answered: 9 Skipped: 0



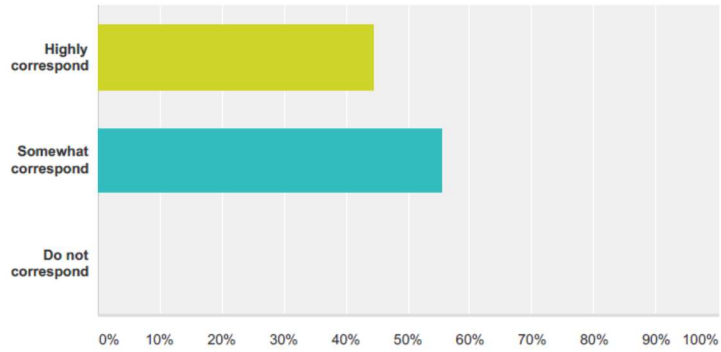
Answer Choices	Responses
These factors highly correspond	88.89% 8
These factors somewhat correspond	11.11% 1
These factors do not correspond	0.00% 0
<b>Total</b>	<b>9</b>

**Q2** I am studying the effectiveness of certain response strategies that have been employed in response to Public Safety Realignment, namely; increasing partnerships with allied law enforcement agencies, seeking alternative funding solutions such as grants, creating specialized units or reoriented existing specialized units, and engaging with non-law enforcement partners to impact or serve realigned probationers. In your

1 / 3

**opinion, how well or how poorly do you believe these strategies correspond with strategies that you may have or did employ in response to realignment?**

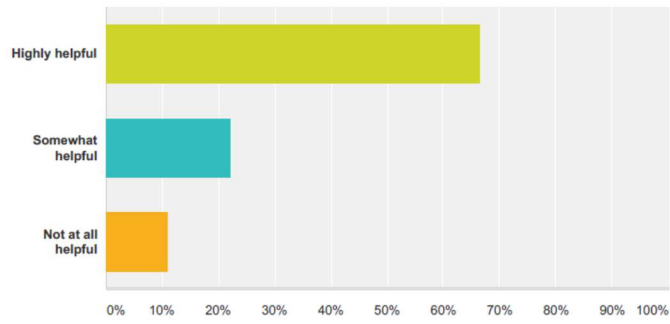
Answered: 9 Skipped: 0



Answer Choices	Responses	Count
Highly correspond	44.44%	4
Somewhat correspond	55.56%	5
Do not correspond	0.00%	0
<b>Total</b>		<b>9</b>

**Q3 I will soon be asking other chiefs in the state how quickly and how effectively they implemented these strategies. How helpful would this feedback be to you regarding the evaluation of your own response to Public Safety Realignment?**

Answered: 9 Skipped: 0



Answer Choices	Responses
Highly helpful	66.67% 6
Somewhat helpful	22.22% 2
Not at all helpful	11.11% 1
<b>Total</b>	<b>9</b>

**Q4 Feel free to share any thoughts you may have on my areas of focus for this study.**

Answered: 1 Skipped: 8

APPENDIX C

City	Population	Property Crime	Sworn Officer Staffing
Atascadero	28,310	620	26
Atwater	28,168	1128	36
Azusa	46,361	1136	59
Banning	29,603	546	33
Beaumont	36,877	781	56
Bell	35,477	601	32
Benicia	26,997	471	36
Beverly Hills	34,109	985	127
Brea	39,282	1471	97
Burlingame	28,806	702	36
Calexico	38,572	1429	40
Campbell	39,349	1451	40
Ceres	45,417	1946	49
Claremont	34,926	877	35
Covina	47,796	1643	55
Culver City	38,883	1638	99
Cypress	47,802	787	56
Danville	42,039	531	31
Desert Hot Springs	25,938	1,380	25
East Palo Alto	28,155	846	37
El Centro	42,598	2408	52
Eureka	27,191	1576	48
Foster City	30,567	416	35
Gilroy	48,821	1555	58
Hollister	34,928	889	25
La Verne	31,063	643	40
Lincoln	42,819	447	31
Lompoc	42,434	932	50
Los Altos	28,976	233	30
Los Banos	35,972	1050	38
Los Gatos	29,413	576	42
Manhattan Beach	35,135	839	65
Martinez	35,824	847	39
Menlo Park	32,026	645	48
Monrovia	36,590	1080	48
Montclair	36,664	1752	50
Monterey	27,810	1183	50
Morgan Hill	37,882	642	36
Newark	42,573	1428	51
Oakley	35,432	483	30
Pacifica	37,234	760	36
Palm Springs	44,552	1973	88

Paradise	26,218	546	24
Paso Robles	29,793	1006	32
Pleasant Hill	33,152	1407	43
Rohnert Park	40,971	836	60
San Bruno	41,114	909	44
San Gabriel	39,718	566	53
San Luis Obispo	45,119	1686	57
San Pablo	29,139	1369	52
Santa Paula	29,321	517	30
Seaside	33,025	592	41
Soledad	25,738	331	21
South Pasadena	25,619	423	35
Suisun City	28,111	665	25
West Sacramento	48,744	1345	67

APPENDIX D

City	Population	Property Crime	Sworn Officer Staffing
Atascadero	28,310	658	26
Atwater	28,168	1,400	30
Azusa	46,361	1,204	60
Banning	29,603	708	27
Beaumont	36,877	1,342	51
Bell	35,477	662	27
Benicia	26,997	390	34
Beverly Hills	34,109	1,081	111
Brea	39,282	1,292	85
Burlingame	28,806	707	36
Calexico	38,572	1,538	38
Campbell	39,349	1,649	44
Ceres	45,417	1,940	52
Claremont	34,926	901	37
Covina	47,796	1,651	56
Culver City	38,883	1,760	101
Cypress	47,802	1,018	55
Danville	42,039	442	30
Desert Hot Springs	25,938	1,157	29
East Palo Alto	28,155	587	33
El Centro	42,598	2,477	50
Eureka	27,191	1,956	50
Foster City	30,567	345	35
Gilroy	48,821	1,788	58
Hollister	34,928	724	22
La Verne	31,063	823	40
Lincoln	42,819	506	19
Lompoc	42,434	1,166	48
Los Altos	28,976	299	30
Los Banos	35,972	1,210	36
Los Gatos	29,413	629	39
Manhattan Beach	35,135	855	59
Martinez	35,824	930	34
Menlo Park	32,026	625	47
Monrovia	36,590	948	46
Montclair	36,664	1,703	50
Monterey	27,810	1,016	46
Morgan Hill	37,882	695	35
Newark	42,573	1,349	51
Oakley	35,432	477	28
Pacifica	37,234	578	33
Palm Springs	44,552	2,232	87
Paradise	28,477	479	21
Paso Robles	28,568	777	27

Pleasant Hill	46,618	1,621	40
Rohnert Park	29,965	770	53
San Bruno	38,851	961	45
San Gabriel	35,607	550	53
San Luis Obispo	26,919	1,971	53
San Pablo	34,291	1,459	50
Santa Paula	40,932	590	28
Seaside	29,106	499	37
Soledad	39,533	284	15
South Pasadena	39,882	443	34
Suisun City	45,854	558	21
West Sacramento	35,300	1,458	65



## APPENDIX E



### CITY OF FOUNTAIN VALLEY

POLICE DEPARTMENT (714) 593-4485 • FAX (714) 593-4453  
10200 SLATER AVENUE • FOUNTAIN VALLEY, CALIFORNIA 92708-4736

Daniel S. Llorens

Chief of Police

John W. Smith, Chief of Police

Smithville Police Department

10101 Main Street

Smithville, CA 92000

Dear Chief Smith,

I currently serve as the Chief in Fountain Valley, and as part of my educational journey I chose to pursue a Doctor of Education degree in Organizational Leadership at Brandman University.

I am researching the impact of AB 109/realignment in California as my dissertation topic; specifically realignment's impact on cities with populations between 25,000 and 50,000 that have their own police departments.

I will be examining Part 1 property crimes and sworn officer staffing for the calendar year immediately preceding the implementation of realignment- 2010, and the first full year after implementation- 2012. While these data are available through the FBI's UCR database, in order to promote my research's value to chiefs like you I will also be surveying what you and 55 other chiefs who serve in like cities think realignment's impact has been, and how effective and timely you may have implemented certain strategies in response.

In a few days you will receive an email from me with a link to a short survey I have created via SurveyMonkey. This survey has been reviewed by other chiefs of police and my dissertation committee in order to promote its validity. **I sincerely hope you will take just a few minutes out of your day to respond; your responses are confidential, of course.**

Once I have completed and defended my dissertation, I commit to make a copy available to you in hopes that it will be of value to you in our common goal to protect and serve.

Feel free to contact me with any questions at (714) 593-4454 or at [dan.llorens@fountainvalley.org](mailto:dan.llorens@fountainvalley.org).

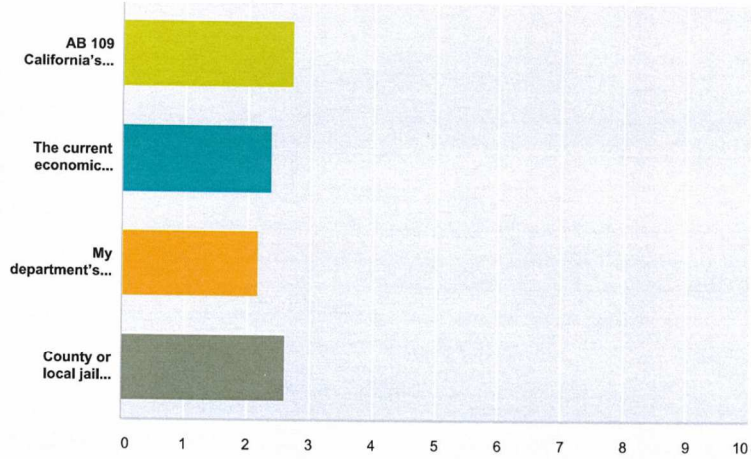
With warm regards,

Daniel S. Llorens, Chief of Police

## APPENDIX F

**Q1 Research indicates property crimes increased in some California cities from 2010 to 2012. Regarding property crime in your jurisdiction from 2010 to 2012, to what extent were the following factors significant with respect to increases in property crime?**

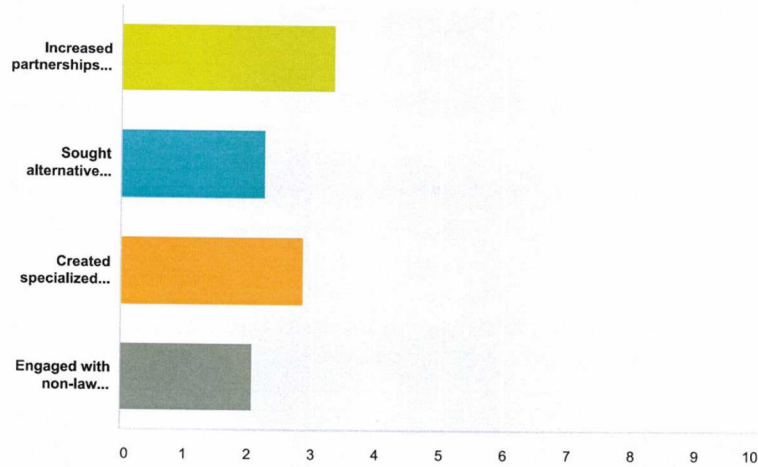
Answered: 35 Skipped: 1



	Not at all significant	Slightly significant	Significant	Highly significant	Total	Weighted Average
AB 109 California's Public Safety Realignment law	8.57% 3	28.57% 10	45.71% 16	17.14% 6	35	2.71
The current economic recession	17.14% 6	34.29% 12	42.86% 15	5.71% 2	35	2.37
My department's sworn officer staffing levels	34.29% 12	25.71% 9	28.57% 10	11.43% 4	35	2.17
County or local jail overcrowding	17.14% 6	25.71% 9	37.14% 13	20.00% 7	35	2.60

**Q2 In response to AB 109 California's Public Safety Realignment law, some police departments enacted certain strategies to address changes brought about by realignment. Please rate the extent that you have or are considering implementing these strategies in response to realignment:**

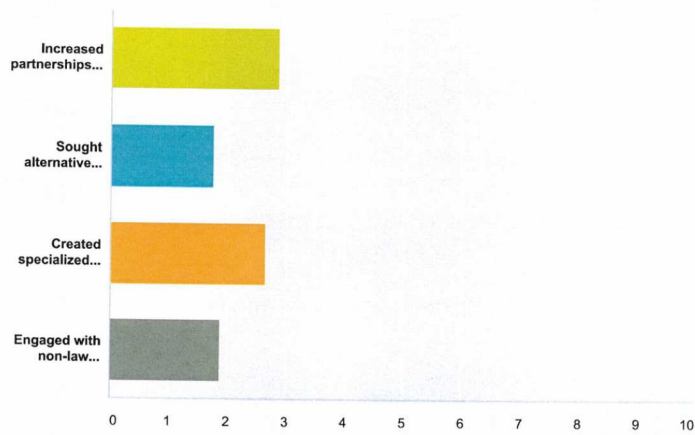
Answered: 36 Skipped: 0



	Not considered	Considered not yet begun	Partially implemented	Fully implemented	Total	Weighted Average
Increased partnerships with allied law enforcement agencies	0.00% 0	8.33% 3	50.00% 18	41.67% 15	36	3.33
Sought alternative funding solutions such as grants	30.56% 11	25.00% 9	33.33% 12	11.11% 4	36	2.25
Created specialized units or reoriented existing specialized units	16.67% 6	25.00% 9	13.89% 5	44.44% 16	36	2.86
Engaged with non-law enforcement partners to impact or serve realigned probationers	44.44% 16	19.44% 7	22.22% 8	13.89% 5	36	2.06

**Q3 In response to AB 109, California's Public Safety Realignment law, some agencies responded by enacting certain strategies to address changes brought about by realignment. How effective would you rate the following strategies in responding to realignment?**

Answered: 34 Skipped: 2



	Not at all effective	Somewhat effective	Effective	Significantly effective	Total	Weighted Average
Increased partnerships with allied law enforcement agencies	0.00% 0	35.29% 12	44.12% 15	20.59% 7	34	2.85
Sought alternative funding solutions such as grants	45.45% 15	33.33% 11	21.21% 7	0.00% 0	33	1.76
Created specialized units or reoriented existing specialized units	18.75% 6	21.88% 7	34.38% 11	25.00% 8	32	2.66
Engaged with non-law enforcement partners to impact or serve realigned probationers	35.48% 11	41.94% 13	22.58% 7	0.00% 0	31	1.87