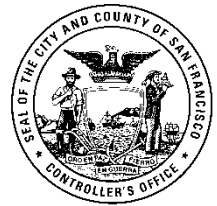


City and County of San Francisco

Office of the Controller – City Services Auditor

City Services Benchmarking Report: Jail Population



February 21, 2013

CONTROLLER'S OFFICE

CITY SERVICES AUDITOR

The City Services Auditor was created within the Controller's Office through an amendment to the City Charter that was approved by voters in November 2003. Under Appendix F to the City Charter, the City Services Auditor has broad authority for:

- Reporting on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and cities.
- Conducting financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operating a whistleblower hotline and website and investigating reports of waste, fraud, and abuse of city resources.
- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

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Purpose

Appendix F, Section 101 of the City and County of San Francisco Charter requires that the City Services Auditor (CSA) monitor the level and effectiveness of services provided by the City and County of San Francisco. Specifically, CSA must assess measures of effectiveness including the quality of service provided, citizen perceptions of quality, and how well a service meets the needs for which it was created. This report, which includes data from 2011 – 2012, provides a benchmarking analysis for jail population. Eight counties were compared. These are San Francisco, Alameda, Fresno, Los Angeles, Sacramento, San Diego, Santa Clara, and San Mateo.

Highlights

- San Francisco has the lowest percentage of misdemeanor offenders (2.2%) and the highest percentage of felony offenders (97.8%) as a percentage of the County's average daily jail population (ADP) compared to other counties included in this report. This is likely driven by San Francisco's well developed use of diversion programs in lieu of incarceration and to a focus on more serious offenses. A small increase in the felony population has been driven by the State's realignment of prisoners and parolees to local jail and probation systems under Assembly Bill (AB) 109.
- San Francisco's incarceration rate is 190 inmates for every 100,000 residents, equal to the average for other counties. San Mateo's incarceration is approximately 30% lower at 134 inmates for every 100,000 residents. Sacramento has a significantly higher incarceration rate of approximately 280 inmates per 100,000 residents.
- San Francisco spends approximately \$63,000 per inmate in its jails, approximately \$13,000 more than the average of other counties. San Mateo and Santa Clara both spend more per inmate than San Francisco, while Los Angeles, San Diego, and Alameda spend less. Sacramento spends approximately \$30,000 per inmate, less than half the spending level in San Francisco.
- The mix of misdemeanor and felony inmates is a driver of the cost differences in the benchmark surveyed counties – San Francisco has a higher percentage of both maximum and medium security inmates (91.5%) than the average of the surveyed counties (77%).
- The percentage of San Francisco's jail population that is not yet sentenced and is awaiting trial is higher than the survey average – 82.5% of inmates in San Francisco versus the 72.9% average for the surveyed jurisdictions.

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Scope of the Report

This report is part of a broad effort by the Controller's Office to conduct benchmarking, performance management, and best practices comparisons of San Francisco's services. For more information, visit the Controller's website at www.sfcontroller.org/index.aspx?page=75

The Jail Population Benchmarking Report is the second in a series of reports to compare San Francisco's services, expenditures and performance levels relative to other counties. This report utilizes publically available data for 2011 from the California Board of State and Community Corrections (www.bscc.ca.gov/programs-and-services/cpp/resources/jail-profile-survey). The report provides data on local county jail facilities as a component of the overall criminal justice system. Data submitted to the California Board of State and Community Corrections are self-reported. This report provides comparative data on the following measures:

- Daily Jail Population
- Cost per Average Daily Jail Population
- Jail Bookings
- Security Classifications – Minimum, Medium, and Maximum
- Offense Classifications – Misdemeanor and Felony

Budget data in the report reflects fiscal year 2012 operating budget figures for eight counties. Budget data was gathered from county finance department websites and reflects approved budgets for Corrections and Detention. The counties were also surveyed to assess the comparability of budget data. There are variations between county corrections and detention budgets, but our survey work indicates that the major categories of costs are comparable including salaries and benefits, facility costs, and prisoner costs such as clothing, food and personal supplies.

There are many policy changes impacting California's criminal justice system that will be interesting to follow in the upcoming years. In response to the Supreme Court mandate to reduce California jail populations by May 2013¹, California instituted Assembly Bill (AB) 109, the Public Safety Realignment Act. As a result, California now sends many lower-level felony offenders and parole violators to local custody instead of to state prison. Since realignment began on October 1, 2011, the total in-custody state prison population has decreased by 12 percent, from 161,000 to 141,000 inmates at the end of February 2012².

The eight counties included in this report are: San Francisco, Alameda, Fresno, Los Angeles, Sacramento, San Diego, Santa Clara, and San Mateo. Counties were primarily selected based on their proximity to the Bay Area. Los Angeles and San Diego counties were selected because they represent the two largest counties in California by population. County characteristics such as size, density and population profiles differ and likely account for some variations in jail systems. Please see Page 15 of this report for areas of future research and benchmarking.

¹ <http://ceb.com/lawalerts/Criminal-Justice-Realignment.asp>

² http://www.ppic.org/main/publication_show.asp?i=702, California Department of Corrections and Rehabilitation data, 1990–2011; Census Bureau data, 2010.

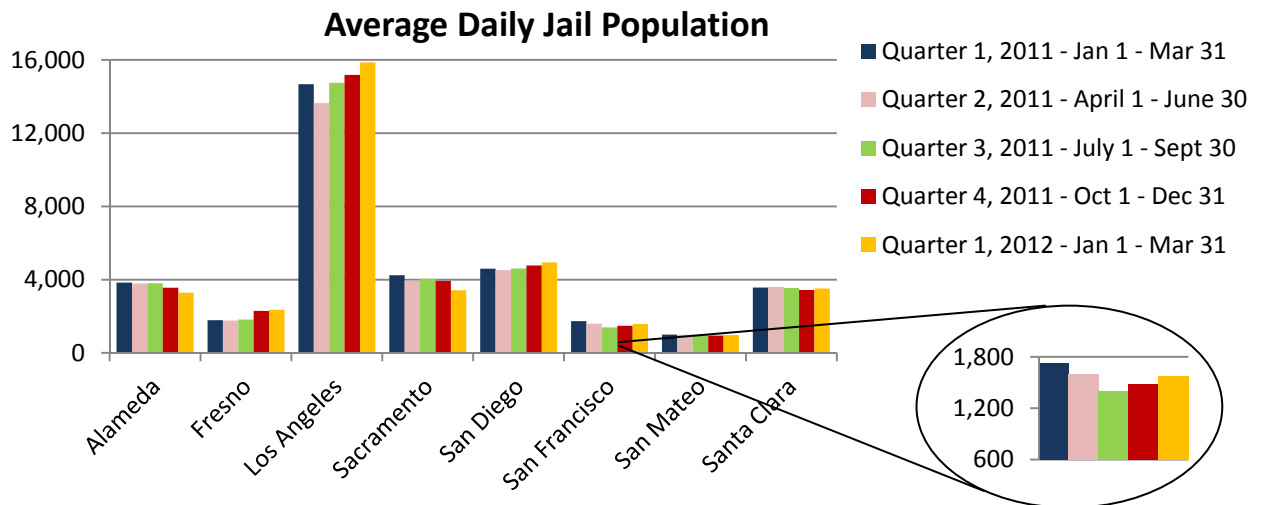
Findings

A. Jail Population and Incarceration Rates

The United States has the highest documented incarceration rates in the world. According to the Bureau of Justice Statistics, 2,266,800 adults were incarcerated in the U.S. at year-end 2010, about 0.7% of adults in the U.S. resident population³.

Average Daily Jail Population (ADP) is a measure of jail usage calculated by adding the number of inmates in jail each day for one year and dividing by the number of days in the year. ADP is a “snapshot” measure with a standard methodology. Repeated snapshots can provide information on jail population trends and changes over time.

The chart below shows ADP by county for five quarters in 2011 - 2012.



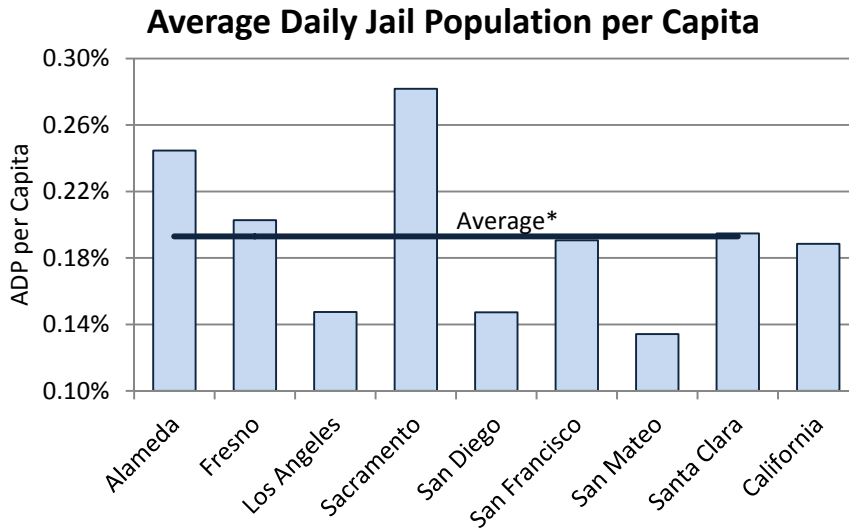
- San Francisco’s ADP increased in both Quarter 4, 2011 and Quarter 1, 2012 after decreasing the previous two quarters. San Francisco had the largest ADP percentage increase (7 percent) between Quarter 4, 2011 and Quarter 1, 2012.
- Between late 2011 and early 2012, there was a slight increase in ADP across most counties with the exception of Alameda and Sacramento. This is likely a consequence of AB109, which began in October 2011 and sends more lower-level offenders and parolees to local custody instead of to state prison.

³ Correctional Population in the United States, 2010. *Correctional Population in the United States, 2011*. Bureau of Justice Statistics. <http://bjs.ojp.usdoj.gov/content/pub/pdf/cpus10.pdf>. Retrieved 10 February 2012.

Average Daily Jail Population Per Capita

The following graph shows the ADP per capita for each county; the daily average percentage of the county's population that is in jail. For example, the ADP for San Francisco represents 0.19 percent of San Francisco's entire population.

The chart below shows an ADP comparison of the county jurisdictions on a per capita basis.



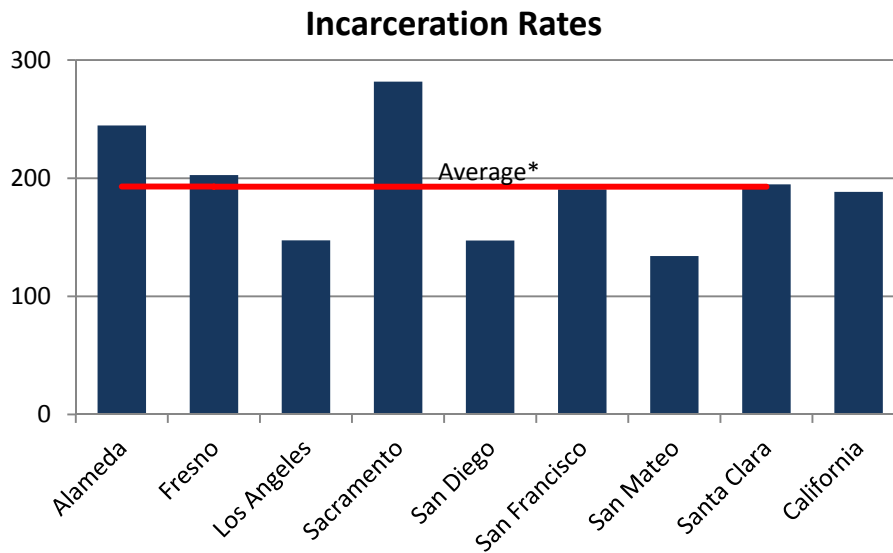
*Average is for selected jurisdictions only and does not include the California per capita figure

- Sacramento has the highest ADP per capita (0.28%), while San Mateo has the lowest (0.13%).
- San Francisco's ADP per capita (0.19%) is comparable to the averages of the other counties and to the California statewide average.
- San Francisco's ADP equals 190 inmates for every 100,000 residents, at the average for other jurisdictions. San Mateo's ADP is approximately 30% lower at 130 inmates for every 100,000 residents.
- Of the counties compared, Los Angeles and San Diego have the largest populations and are nearly five percent below the average ADP per capita across counties and for California.

An alternative view of ADP is the number of people in jail/prison per 100,000 residents, a calculation often referred to as the incarceration rate. The incarceration rate for the United States is approximately 730 inmates per 100,000 residents⁴. The United States' incarceration rate is made up of inmates housed in federal, state, and local jail facilities. Local jail facilities make up a major portion of the overall United States incarceration rate.

⁴ International Centre for Prison Studies. (n.d.). World Prison Brief, United States of America. Retrieved October 24, 2012, from [prisonstudies.org](http://www.prisonstudies.org): http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=190

The breakdown of ADP per 100,000 residents provides perspective into the incarceration rates for each county compared to the selected jurisdictions average and against the California average for local jails. The chart below shows incarceration rates.



*Average is for selected jurisdictions only and does not include the California figure

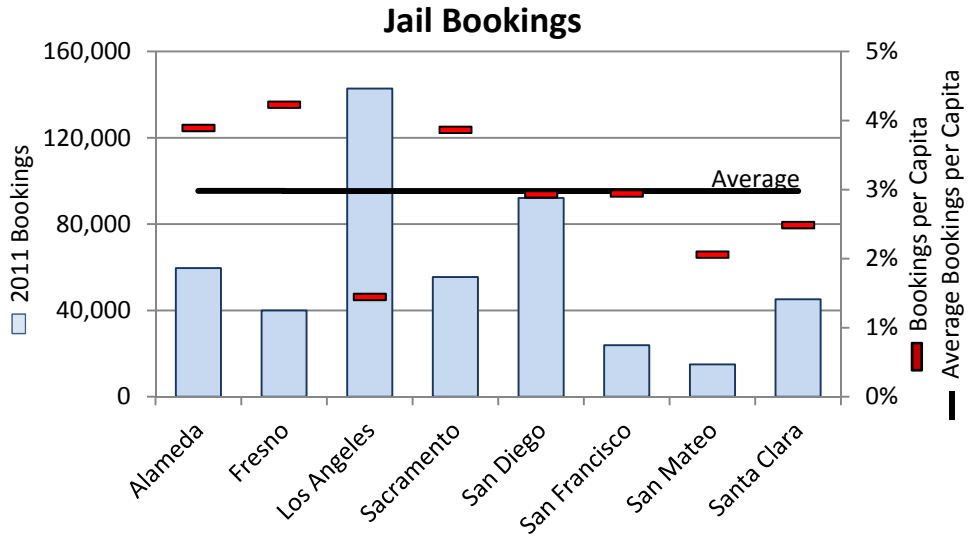
- San Francisco’s incarceration rate equals 190 inmates for every 100,000 residents, at the average for other counties. San Mateo’s incarceration rate is approximately 30% lower at 134 inmates for every 100,000 residents.
- Sacramento has the highest incarceration rate (282) and Alameda the second highest (245).
- San Mateo has the lowest overall population and the lowest incarceration rate (134).



B. Jail Bookings

In criminal law, booking refers to the process by which the police department registers and enters charges against a person believed to have violated the law. The process of booking typically includes recording of the inmate's personal information and description, photograph (also known as mug shot), fingerprinting, and a Department of Justice records check⁵.

In the chart below, average monthly bookings were calculated by adding together the number of inmates booked each month for a year and dividing by the number of months in the year.



- San Francisco's bookings per capita (2.94%) was nearly the same as (or slightly lower than) the selected counties average (2.98%).
- San Mateo had the lowest number of monthly bookings (1,251). San Francisco had the second lowest (1,993).
- While Los Angeles with the largest population had the highest number of monthly bookings (11,905), its percent of bookings per capita was by far the lowest (1.45%).



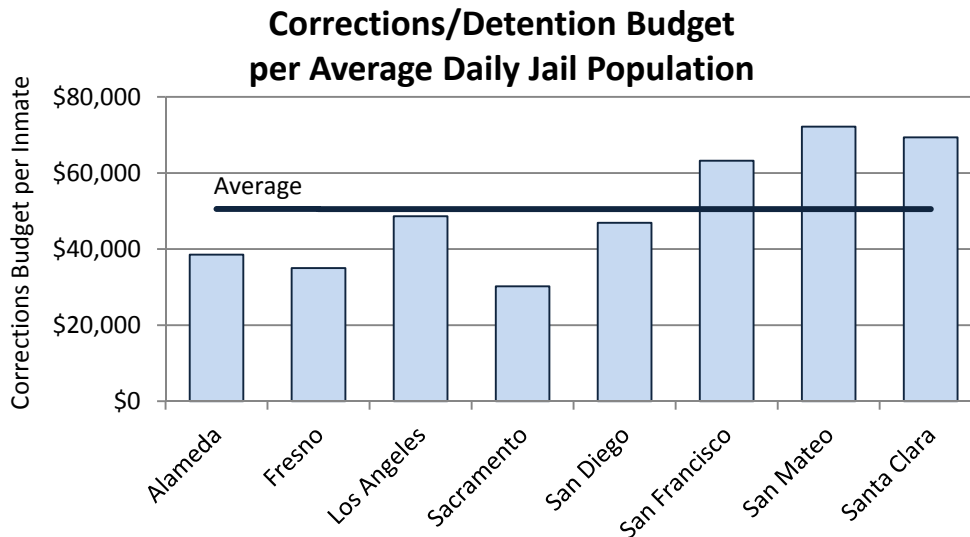
⁵ "Booking Law and Legal Definition", USLegal.com, <http://definitions.uslegal.com/b/booking/>, Retrieved September 18, 2012.

C. Corrections/Detention Budget

While the definition of “corrections” and “detention” varies by county, in general these include all funds required to operate jail facilities, general administrative costs as well as administrative costs for booking and classifying inmates, and costs associated with inmate programs such as academic workshops and training.

In 2007, the United States spent around \$74 billion on corrections, averaging about \$30,600 per inmate⁶. In 2009, California spent an average of \$47,102 a year to incarcerate an inmate in state prison. From 2001 to 2009, the average annual cost increased by about \$19,500 per inmate⁷.

Budget data in the chart below is based on the eight counties’ approved budgets for fiscal year 2012⁸ and was collected from either the Department of Corrections or the Sheriff’s Department, the department responsible for operating county jails. Budget data are based on overall Correction/Detention budgets for the counties and are generally comparable however differences do exist depending on the divisions and programs carried out in county jails. Jail health is not included in the selected counties’ budget data.



- San Mateo, Santa Clara and San Francisco spend more than the eight county average on Corrections/Detention per ADP.
- Sacramento has the highest ADP per capita, but spends the least on Corrections/Detention per ADP with a total budget of \$30,219 per ADP. In comparison, San Francisco spends more than double that amount, spending \$63,229 per ADP.
- Fresno has the lowest overall gross budget (\$67 million) for Corrections/Detention. San Francisco has a budget over \$97 million with a significantly lower ADP than Fresno (19% lower).

⁶ Direct expenditures by criminal justice function, 1982-2001. U.S. Bureau of Justice Statistics. <http://bjs.ojp.usdoj.gov/content/glance/tables/exptyptab.cfm>. Retrieved 29 May 2012.

⁷ California Criminal Justice FAQ: How much does it cost to incarcerate an inmate? California Legislative Analyst’s Office (www.lao.ca.gov/laoapp/laomenus/sections/crim_justice/6_cj_inmatecost.aspx?catid=3)

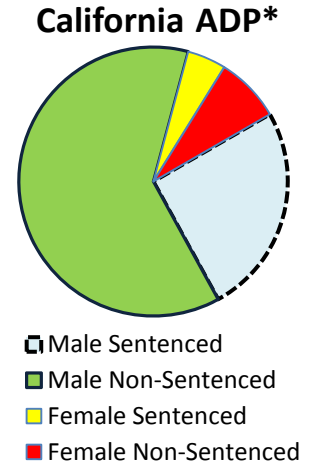
⁸ Due to limitations of available data, Fresno budget information was based on the FY2013 approved budget.

D. Sentenced and Non-Sentenced Inmates

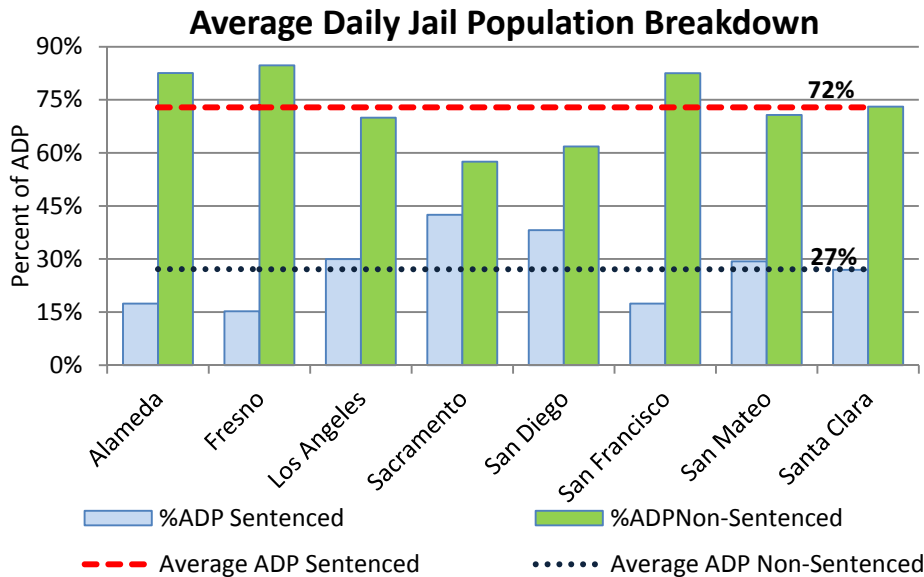
For each county, inmates fall into two categories. “Sentenced” represents inmates that have been convicted of a crime and are serving a court-determined sentence. “Non-Sentenced”, represents who have not yet been sentenced and are being held in the jail facility while they await trial.

The chart at the right shows the male and female sentenced and non-sentenced portions of the ADP for all county jail facilities in California. Overall, the jail population statewide is 87.5 percent male and 12.5 percent female.

The chart below shows the ADP breakdown by county of sentenced versus non-sentenced inmates.



*Only includes ADP from county jail facilities



- San Francisco at 17.4% sentenced has a lower percentage of sentenced inmates than the average (27.1%) of the selected counties. This may be due to a variety of factors including that many cases in San Francisco are sent to non-incarceration diversion programs.
- Fresno at 15.3% has the lowest percentage of sentenced inmates, while Sacramento at 42.5% has the highest of the benchmark counties.
- San Francisco, Fresno and Alameda have the highest percentages of non-sentenced inmates. These three jurisdictions also have the highest percent of their ADP made up of felony inmates.
- Overall, the effect is that most of San Francisco’s jail population is felony-charged and awaiting trial. By the time sentencing occurs, many cases may already have time served.

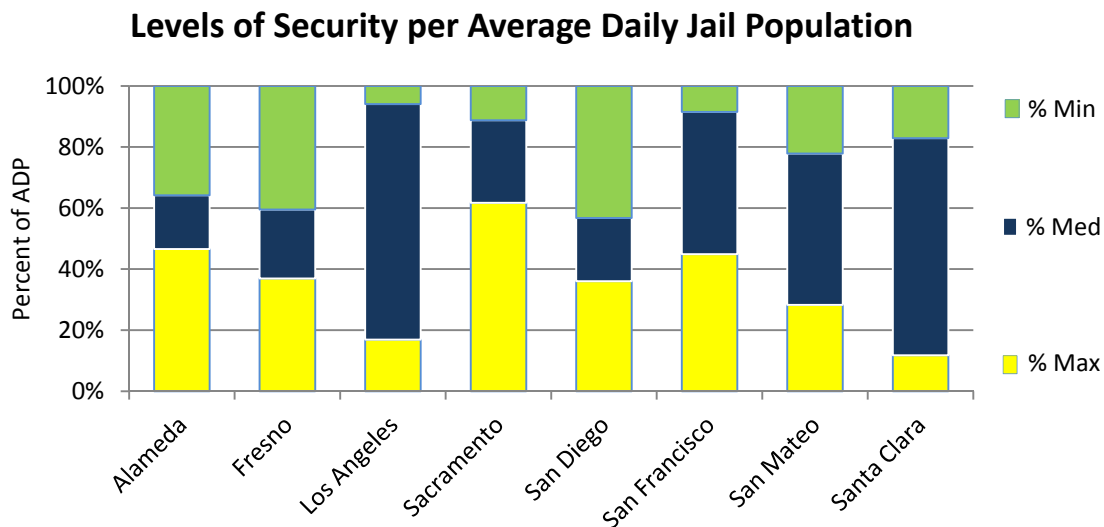
E. Levels of Security

Inmates in the maximum security classification typically display the highest risk to the public, staff, and other inmates. They may pose high escape risks and serious threats to the safe and orderly operation of the jail or have a history of violence in custody. Maximum Security inmates are typically housed separately from the general population and some inmates such as those with mental health issues or violent tendencies sometimes require added housing security.

Inmates in the medium security classification may pose an escape risk or a threat to staff or other inmates, but typically show a willingness to comply with jail rules and regulations. They may have access to increased privileges and/or to job or program opportunities. They are typically housed in the general population quarters.

Inmates in the minimum security classification are not considered a serious risk to the public, other inmates, or facility staff. These inmates may have access to privileges, programs, and work assignments outside their assigned facility. They are housed in the general population quarters⁹.

The chart below shows the percentage of inmates in each security classification.



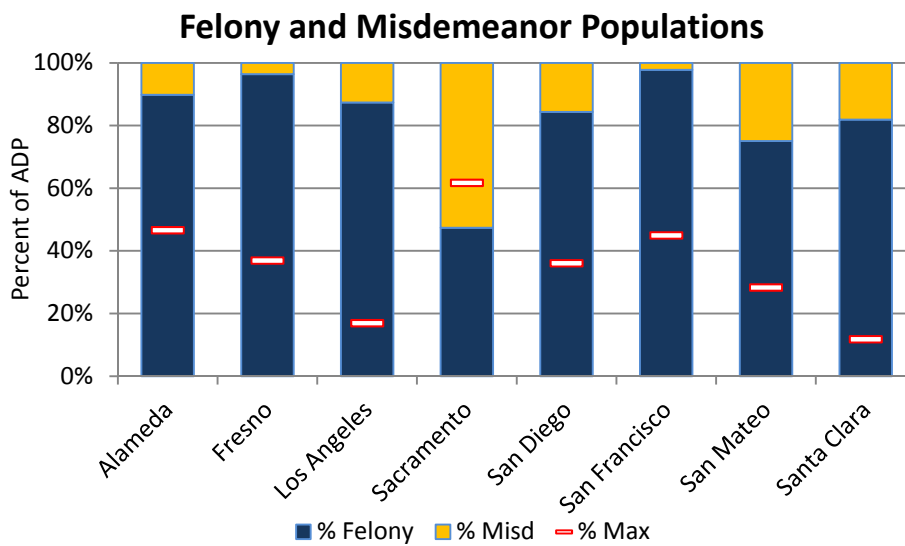
- San Francisco has a higher percentage of both maximum and medium security inmates in total (91.5%) than the average of the selected counties. San Francisco releases low level security inmates quickly and often sends inmates to diversion programs. Also, AB109 has led to a slight increase in the felon population for San Francisco.
- Los Angeles has the lowest percentage of minimum security inmates (5.9%). San Francisco has the second lowest (8.5%).
- Sacramento's primary jail facility was built as a maximum security jail with no medium or minimum security beds. It is now used to process a majority of the non-sentenced population, skewing the figures for their maximum security population.

⁹ Leon County Sheriff's Office, Standard Operating Procedure 450.12, Revised March 6, 2012.
http://www.leoncountieso.com/tools/dms_documents/1676.pdf

F. Felony and Misdemeanor Populations

A misdemeanor is generally defined as a “lesser crime punishable by a fine and/or county jail time for up to one year. Misdemeanors are distinguished from felonies, which are considered to be more serious offenses and can be punished by a state or federal prison term¹⁰.” AB109 redefined felony sentencing practices and shifts responsibility for both supervising and housing certain convicted felons and parolees from the state to the county.¹¹ Therefore, felon populations in county jails are likely to increase.

The following chart shows the percentage of ADP charged with felonies and misdemeanors, as well as the percentage of inmates in maximum security.



- San Francisco has the lowest percentage of misdemeanor offenders (2.2%) and the highest percentage of felony offenders (97.8%) of any surveyed jurisdiction.
- Sacramento has the highest percentage of misdemeanor offenders per ADP.
- In general, San Francisco’s county jail has a higher percentage of inmates in diversion programs in lieu of incarceration and higher release rates. By a large margin, the San Francisco jail population typically consists of individuals awaiting trial who are charged with felonies.

¹⁰“misdemeanor”, Law.com, <http://dictionary.law.com/Default.aspx?selected=1259>, Retrieved September 17, 2012.

¹¹ Prosecutor’s Analysis of the 2011 Criminal Justice Realignment, September 2011. Storten, K., and Rodriguez, R. <http://www.cpoc.org/php/realign/ab109other/CDAAREalignGuide.pdf>

Areas for Future Research and Benchmarking

The measures included in this report are initial indicators of the overall make up of county jail populations and present a starting point for comparison; the data represents a high-level snapshot of county jail populations.

Future benchmarking work could be used to develop a deeper understanding of the comparative operations, costs, and outcomes of these systems. Some of the following relationships that were not included in this initial benchmarking survey are likely to be subjects of future research by the Controller's Office:

- Demographic analysis of the inmate population in various counties;
- The impact of court processing efficiency on county jail populations;
- Comparative staffing mixes in use in various jurisdictions;
- Average length of stay for various offense levels;
- Comparative review of the alternatives to detention used in other jurisdictions;
- Overall success of local programs in reducing recidivism rates;
- Comparative measures of safety and health outcomes for both staff and inmates.