



# **AGENDA**

## **REGULAR MEETING**

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## **CLAYTON CITY COUNCIL**

\* \* \*

**TUESDAY, October 18, 2016**

**7:00 P.M.**

*Hoyer Hall, Clayton Community Library  
6125 Clayton Road, Clayton, CA 94517*

**Mayor:** Howard Geller  
**Vice Mayor:** Jim Diaz

### **Council Members**

Keith Haydon  
Julie K. Pierce  
David T. Shuey

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's Website at least 72 hours prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at **[www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)**
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

# **\* CITY COUNCIL \***

**October 18, 2016**

1. **CALL TO ORDER AND ROLL CALL** – Mayor Geller.

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Geller.

3. **CONSENT CALENDAR**

*Consent Calendar items are typically routine in nature and are considered for approval by the City Council with one single motion. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Mayor.*

- (a) Approve the minutes of the City Council's regular meeting of October 4, 2016. ([View Here](#))
- (b) Approve the Financial Demands and Obligations of the City. ([View Here](#))
- (c) Approve City Response No. 2 to Civil Grand Jury Report No. 1615, "Truancy and Chronic Absence in Contra Costa County Schools." ([View Here](#))

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Certificates of Recognition to "Do the Right Thing" public school students selected for exemplifying the character trait of "Responsibility" for August and September 2016. ([View Here](#))

5. **REPORTS**

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.
- (e) Other – Introduction of City Council candidates (present at the meeting).

**6. PUBLIC COMMENT ON NON - AGENDA ITEMS**

*Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.*

*Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.*

**7. PUBLIC HEARINGS - None.**

**8. ACTION ITEMS**

- (a) Consider the adoption of an interim Urgency Ordinance No. 469 placing a local moratorium on the operation or establishment of parolee homes and community supervision programs within the city of Clayton. ([View Here](#))  
(Community Development Director)

Staff recommendations: **1)** Receive the staff report; **2)** Receive public comment; **3)** Motion to have the City Clerk read Urgency Ordinance No. 469 by title and number only and waive further reading; and **4)** Following City Clerk's reading, a Motion to approve Urgency Ordinance No. 469 for adoption with the finding the adoption of this ordinance is not subject to the California Environmental Quality Act (CEQA) because CEQA only applies to projects which have the potential for causing a significant effect on the environment and this activity is not considered to be a project and it can be seen with certainty that it will not have a significant effect or physical change to the environment.  
(Requires 4/5ths affirmative vote).

- (b) Consider a request by the Clayton Valley Garden Club for use of City-owned real property at the Keller Ranch House site for a home base where it could grow plants, store supplies, hold propagation and potting parties, and community workshops as a community service in conjunction with its plant sales.  
[\(View Here\)](#)  
(Mayor Geller)

Staff recommendation: Following presentation of the proposal, that Council provide policy direction to staff regarding this land use matter.

- (c) Consider Mayor Geller's request for the City to commence a feasibility study for construction of a second public restroom in the Clayton Town Center area.  
[\(View Here\)](#)  
(Mayor Geller)

Staff recommendation: Following staff presentation and opportunity for public comments, the City Council provide policy direction and funding source guidance to staff regarding this matter.

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.

10. **CLOSED SESSIONS**

- (a) *Government Code Section 54956.8, Conferences with Real Property Negotiator.*

1. Real Property: 264 Stranahan Circle, Clayton, CA (APN 119-620-033).  
Instructions to City Negotiator: City Manager Gary Napper, regarding price and terms of payment.  
Negotiating Party: Libuska Erich, real property owner.

2. Real Property: 6005 Main Street, Clayton, CA (APN: 118-560-010-1).  
Instructions to City Negotiators: City Manager Gary Napper, and Mr. Edward Del Beccaro, Managing Director, Transwestern, regarding price and terms of payment.  
Negotiating Party: Joshua Reed, Director of Real Estate, Pacific Union Land Investors, LLC.

Reports Out From Closed Session: Mayor Geller

11. **ADJOURNMENT**

The next regularly scheduled meeting of the City Council will be Tuesday, November 1, 2016.

# # # # #

**MINUTES**  
OF THE  
REGULAR MEETING  
CLAYTON CITY COUNCIL

Agenda Date: 10-18-2016

Agenda Item: 3a

TUESDAY, October 4, 2016

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 p.m. by Vice Mayor Diaz in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Diaz and Councilmembers Haydon, Pierce and Shuey. Councilmembers absent: Mayor Geller. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, and City Clerk/HR Manager Janet Brown.

2. **PLEDGE OF ALLEGIANCE** – led by Vice Mayor Diaz.

3. **CONSENT CALENDAR**

**It was moved by Councilmember Pierce, seconded by Councilmember Haydon, to approve Consent Calendar as submitted. (Passed; 4-0 vote).**

- (a) Approved the minutes of the regular meeting of September 20, 2016.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved Resolution No. 51-2016 approving the amended City of Clayton's Conflict of Interest Code, pursuant to the Political Reform Act of 1974, adding the position of Police Administrative Clerk.
- (d) Approved the proposed schedule for the ten (10) Saturday "Concerts in The Grove" series in The Grove Park in 2017.
- (e) Approved the First Amendment of an Exclusive Negotiation Agreement (ENA) with Pacific Union Land Investors, LLC, for the preparation of a Disposition and Development Agreement (DDA) leading to the sale/purchase, private development and management of certain City-owned vacant real property in the Clayton Town Center for commercial retail establishments and a senior care facility, generally located at 6005 Main Street (APN 118-560-010-1).

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation declaring October 2016 as "Domestic Violence Awareness Month."

Vice Mayor Diaz invited Carole Temps to share some information about STAND! and receive the City's Proclamation recognizing October as "Domestic Violence Awareness Month". Mrs. Temps provided information regarding Domestic Violence Awareness noting she has been a member of STAND! since 2004 and thanked the City for recognizing the importance of this issue and of STAND!'s work. The Center for Disease Control reports that 1 in 4 woman and 1 in 7 men will experience domestic violence in their lifetime severe enough to send them to the hospital. We all play a role to end the vicious cycle.

Vice Mayor Diaz read the Proclamation and gave it to Mrs. Temps.

## 5. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff –

Mr. Napper reported the water supply retrofit work recently performed on The Grove Park restrooms had a great test this past weekend with Oktoberfest crowds reported by the Chief, with Councilmember Haydon concurring, that Saturday was probably the largest crowd that has ever attended CBCA's Oktoberfest. The park's restrooms appeared to now work very well in accommodating large crowds. Staff is hoping this test is a good harbinger of things; we have figured out the solution caused by high usage during these types of community.

- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Pierce attended meetings of the Contra Costa Transportation Authority, meeting of the Bay Area Economic Institute, meetings of the Metropolitan Transportation Commission, and celebrated the retirement of Ezra Rapport, Executive Director of Association of Bay Area Governments.

Councilmember Shuey indicated "No Report".

Councilmember Haydon attended the East Contra Costa Habitat Conservancy meeting, the inaugural Skip Ipsen Memorial Bocce Ball Tournament, the Clayton Business and Community Association's General Membership meeting, and the 13th Annual Oktoberfest sponsored by the Clayton Business and Community Association.

Vice Mayor Diaz attended the Bay Area Rapid Transit (BART) Fleet for the Future train event, the Costa County Realtors Association reception, a meeting of the League of California Cities East Bay Division, the Travis Credit Union flag raising ceremony in honor of its newest national credit union designation, the inaugural Skip Ipsen Memorial Bocce Ball Tournament, the Clayton Business and Community Association's General Membership meeting, the 13th Annual Oktoberfest sponsored by the Clayton Business and Community Association, and the League of Woman Voters forum on the November 2016 Propositions for voter consideration.

- (e) Other – Introduction of City Council candidates (present at the meeting)

Vice Mayor Diaz noted that during city elections, it is City Council Policy that candidates for City Council are allowed 3 minutes to introduce themselves and share a few remarks at City Council meetings if they are in attendance and wish to do so.

Allen Lampo stated he has lived in Clayton for twenty years, raised two children who attended UC Riverside and UCLA. Mr. Lampo served on the Dana Hill's HOA Board for 10 years, been an announcer for the Dana Hill's swim team, and an assistant Boy Scout Leader for Troop 444. Mr. Lampo stated he has always been in leadership starting back in high school as Student Body President at Los Lomas and Captain of the water polo team; also at Cal Berkeley where he studied chemical engineering and served several times as an officer in his fraternity. Mr. Lampo has been employed with John Hancock, he wrote the financial section articles for the Clayton Pioneer, been General Manager of Big 5 Sporting Goods, and ran multiple restaurants and local night clubs. He feels this latter experience and connections could benefit the Clayton Concert Series. Mr. Lampo stated he loves this little town and would like to do more to support it; he believes that

his hard work and attitude to get things down in a quick organized fashion, ability to organize and work with others, and lead by example will aid Clayton.

Julie Pierce advised she has been a member of the Clayton City Council for a number of years, serving the position of Mayor five times, a member of the Clayton Business and Community Association, since 1995 and has put on the Art and Wine Vendor Breakfast, Co-Chair of the Annual 4<sup>th</sup> of July Parade, helps organize the Concerts in The Grove, serves on the Clayton Historical Society Board as Secretary and co-chairs many of its activities including garden improvements and Christmas chores, actively involved with the planning of the Clayton Community Park, Community Gym, The Grove Park, the Oakhurst Subdivision, and helped write the Town Center Specific Plan. Ms. Pierce also helped raise money for the Clayton Community Library. Further, she serves on the regional intergovernmental level in a variety of capacities and a variety of organizations where she is always looking out for the small town interest of Clayton.

Jim Diaz advised he is seeking re-election with the Clayton City Council having served nearly four years. Mr. Diaz indicated he is a long-time member of over 37 years in Clayton, extremely involved in local issues including when he first joined its Police Department and became a commander for the Reserve Division, retiring from that in 1989. He then went on to the City Planning Commission, became involved with the Clayton Business and Community Association and has worked on a number of events including the Art and Wine Festival handling the entertainment and security portion, the Oktoberfest providing the transportation for the handicapped patrons who have been very happy that such service is provided, and worked on the Concerts in The Grove series. He is looking forward to a very positive campaign seeking re-election and looks forward to the support from the community.

6. **PUBLIC COMMENT ON NON - AGENDA ITEMS** – None.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

(a) Consider the second reading and adoption of proposed Ordinance No. 468 which adjusts the monthly compensation for elected members of the Clayton City Council to become effective December 6, 2016.

City Clerk Janet Brown presented the staff report noting the recommendation is for two separate motions of the City Council: 1. Consider Ordinance No. 468 for Second Reading by title and number only; and 2. A motion to adopt Ordinance No. 468.

Vice Mayor Diaz opened the floor to receive public comment; no public comments were offered.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to have the City Clerk read Ordinance No. 468, by title and number only and waive further reading. (Passed; 4-0 vote).**

The City Clerk read Ordinance No. 468 by title and number only.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to adopt Ordinance No. 468 revising the monthly compensation for city council members by amending the Clayton Municipal Code Section 2.05.010. (Passed; 4-0 vote).**

- (b) City Council discussion to determine the preferred date of its annual joint special meeting with the Board of Trustees of the Mt. Diablo Unified School District from among the Monday dates offered by MDUSD, and identify any potential City-initiated agenda topics.

Councilmember Haydon noted in the past the City Council has scheduled its joint meeting with the Mt. Diablo School District Board in February and referenced that Monday, February 6, 2017 is offered this year. Councilmember Haydon would like to have this date as the first preferred date and the second preferred date as March 6, 2017.

Vice Mayor Diaz opened the matter to receive public comments; no public comments were offered.

Councilmember Haydon also indicated there is a request for possible topics for discussion and he recommended an update or status of the agenda items discussed at the last joint meeting would be a great starting point.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to have the City Clerk contact the Mt. Diablo Unified School District's Board of Trustee's Secretary with the Council's preferred first choice date for the Joint Special Meeting on February 6, 2017 with the second preferred choice date of March 6, 2017. (Passed; 4-0 vote).**

City Manager Napper advised the process from here will be for staff to contact the school district to confirm the meeting date, and then two to four weeks prior to the joint meeting he will agendize a Council item to officially call and set the joint meeting date and approve the proposed agenda items for discussion.

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Vice Mayor Diaz, the City Council adjourned its meeting at 7:26 p.m.

The next regularly scheduled meeting of the City Council will be October 18, 2016.

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Respectfully submitted,

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Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

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Howard Geller, Mayor

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# STAFF REPORT

Approved:   
Gary A. Napper  
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS  
FROM: Kevin Mizuno, FINANCE MANAGER  
DATE: 10/18/16  
SUBJECT: INVOICE SUMMARY

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**RECOMMENDATION:**

Approve the following Invoices:

10/14/2016	Cash Requirements	\$ 259,853.32
10/14/2016	Cash Requirements (additions)	\$ 15,757.00
10/11/2016	ADP Payroll week 41, PPE 10/9/16	\$ 89,061.46

**Total \$364,671.78**

Attachments:

Cash Requirements Report dated 10/14/2016 (5 pages)  
Cash Requirements Report dated 10/14/2016 (1 page)  
ADP payroll report for week 41 (1 page)

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>Ace Sierra Tow</b>								
Ace Sierra Tow	10/18/2016	10/18/2016	53428	Towing service for police car 9/14/16	\$55.00	\$0.00		\$55.00
				<i>Totals for Ace Sierra Tow:</i>	<u>\$55.00</u>	<u>\$0.00</u>		<u>\$55.00</u>
<b>ADP, LLC</b>								
ADP, LLC	10/18/2016	10/18/2016	480830058	Payroll fees PPE 9/25/16	\$152.11	\$0.00		\$152.11
				<i>Totals for ADP, LLC:</i>	<u>\$152.11</u>	<u>\$0.00</u>		<u>\$152.11</u>
<b>Wendy Aghily</b>								
Wendy Aghily	10/18/2016	10/18/2016	081916	Deposit refund for EH 8/19/16	\$500.00	\$0.00		\$500.00
				<i>Totals for Wendy Aghily:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
<b>All City Management Services, Inc.</b>								
All City Management Services, Inc.	10/18/2016	10/18/2016	44994	School crossing guard services 9/11/16-9/24/1	\$509.10	\$0.00		\$509.10
				<i>Totals for All City Management Services, Inc.:</i>	<u>\$509.10</u>	<u>\$0.00</u>		<u>\$509.10</u>
<b>Bay Area News Group East Bay (CCT)</b>								
Bay Area News Group East Bay (CCT)	10/18/2016	10/18/2016	999062	September Legal ad for St. John's	\$407.64	\$0.00		\$407.64
				<i>Totals for Bay Area News Group East Bay (CCT):</i>	<u>\$407.64</u>	<u>\$0.00</u>		<u>\$407.64</u>
<b>Bluerock Pools</b>								
Bluerock Pools	10/18/2016	10/18/2016	CAP0206	Deposit refund for 114 Jeffery Ranch Ct	\$1,880.68	\$0.00		\$1,880.68
Bluerock Pools	10/18/2016	10/18/2016	CAP0206	C&D Refund for 114 Jeffery Ranch Ct	\$2,000.00	\$0.00		\$2,000.00
				<i>Totals for Bluerock Pools:</i>	<u>\$3,880.68</u>	<u>\$0.00</u>		<u>\$3,880.68</u>
<b>Bye Bye Pool</b>								
Bye Bye Pool	10/18/2016	10/18/2016	CAP0210	C&D deposit refund for 21 Petar Ct	\$2,000.00	\$0.00		\$2,000.00
				<i>Totals for Bye Bye Pool:</i>	<u>\$2,000.00</u>	<u>\$0.00</u>		<u>\$2,000.00</u>
<b>CalPERS Retirement</b>								
CalPERS Retirement	10/18/2016	10/18/2016	October UAL	October UAL, Misc & Safety	\$31,062.09	\$0.00		\$31,062.09
CalPERS Retirement	10/18/2016	10/18/2016	10/09/16	Retirement PPE 10/9/16	\$13,566.42	\$0.00		\$13,566.42
				<i>Totals for CalPERS Retirement:</i>	<u>\$44,628.51</u>	<u>\$0.00</u>		<u>\$44,628.51</u>
<b>CCWD</b>								
CCWD	10/18/2016	10/18/2016	D Series	Irrigation 8/5/16-10/6/16	\$30,660.37	\$0.00		\$30,660.37
				<i>Totals for CCWD:</i>	<u>\$30,660.37</u>	<u>\$0.00</u>		<u>\$30,660.37</u>
<b>City of Concord</b>								
City of Concord	10/18/2016	10/18/2016	54324	Printing, Certificate of release, #250	\$69.87	\$0.00		\$69.87
City of Concord	10/18/2016	10/18/2016	54369	Dispatch services for September 2016	\$20,089.50	\$0.00		\$20,089.50
City of Concord	10/18/2016	10/18/2016	50826	February Vehicle maintenance, car #1733	\$2,559.63	\$0.00		\$2,559.63
				<i>Totals for City of Concord:</i>	<u>\$22,719.00</u>	<u>\$0.00</u>		<u>\$22,719.00</u>
<b>Concord Garden Equipment</b>								
Concord Garden Equipment	10/18/2016	10/18/2016	533295	Landscape supplies	\$228.34	\$0.00		\$228.34

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Concord Garden Equipment:</i>					\$228.34	\$0.00		\$228.34
<b>Concord Trailer World &amp; Sport</b>								
Concord Trailer World & Sport	10/18/2016	10/18/2016	779831	Trailer lights	\$28.23	\$0.00		\$28.23
<i>Totals for Concord Trailer World &amp; Sport:</i>					\$28.23	\$0.00		\$28.23
<b>Concord Uniforms</b>								
Concord Uniforms	10/18/2016	10/18/2016	11551	Cadet Uniform	\$181.81	\$0.00		\$181.81
<i>Totals for Concord Uniforms:</i>					\$181.81	\$0.00		\$181.81
<b>Contra Costa County Animal Svcs Dept</b>								
Contra Costa County Animal Svcs Dept	10/18/2016	10/18/2016	ASD M5916	Animal control services 9/30/16-12/31/16	\$16,198.28	\$0.00		\$16,198.28
<i>Totals for Contra Costa County Animal Svcs Dept:</i>					\$16,198.28	\$0.00		\$16,198.28
<b>Contra Costa County Department of Conservation &amp; Development</b>								
Contra Costa County Department of Co	9/30/2016	9/30/2016	Q1-2017	Business license fee July1-September30, 2016	\$142.35	\$0.00		\$142.35
<i>Totals for Contra Costa County Department of Conservation &amp; Development:</i>					\$142.35	\$0.00		\$142.35
<b>Digital Services</b>								
Digital Services	10/18/2016	10/18/2016	10852	Deposit for IT Services	\$3,250.00	\$0.00		\$3,250.00
Digital Services	10/18/2016	10/18/2016	10851	IT Services 8/22/16-9/30/16	\$9,527.25	\$0.00		\$9,527.25
<i>Totals for Digital Services:</i>					\$12,777.25	\$0.00		\$12,777.25
<b>Division of the State Architect</b>								
Division of the State Architect	9/30/2016	9/30/2016	Q1 2017	Business license fees 7/1/16-9/30/16	\$65.70	\$0.00		\$65.70
<i>Totals for Division of the State Architect:</i>					\$65.70	\$0.00		\$65.70
<b>Eagle Business Forms, Inc</b>								
Eagle Business Forms, Inc	10/18/2016	10/18/2016	12406	Parking citation printing, #2,750	\$2,470.39	\$0.00		\$2,470.39
<i>Totals for Eagle Business Forms, Inc:</i>					\$2,470.39	\$0.00		\$2,470.39
<b>Everlast Construction</b>								
Everlast Construction	10/18/2016	10/18/2016	CAP0212	Deposit refund for 222 Stranahan Cir	\$500.00	\$0.00		\$500.00
<i>Totals for Everlast Construction:</i>					\$500.00	\$0.00		\$500.00
<b>Fjellbo &amp; Son Const Inc</b>								
Fjellbo & Son Const Inc	10/18/2016	10/18/2016	CAP0154	C&D Refund for 6054 Clayton View Ln	\$2,000.00	\$0.00		\$2,000.00
<i>Totals for Fjellbo &amp; Son Const Inc:</i>					\$2,000.00	\$0.00		\$2,000.00
<b>Garton Tractor, Inc</b>								
Garton Tractor, Inc	10/18/2016	10/18/2016	WF00421	New Holland E30B Mini Excavator	\$46,242.70	\$0.00		\$46,242.70
<i>Totals for Garton Tractor, Inc:</i>					\$46,242.70	\$0.00		\$46,242.70
<b>Geoconsultants, Inc.</b>								
Geoconsultants, Inc.	10/18/2016	10/18/2016	18834	September well monitoring	\$1,546.50	\$0.00		\$1,546.50
<i>Totals for Geoconsultants, Inc.:</i>					\$1,546.50	\$0.00		\$1,546.50

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>Hammons Supply Company</b>								
Hammons Supply Company	10/18/2016	10/18/2016	95323	CCP Janitorial Supplies	\$138.23	\$0.00		\$138.23
Hammons Supply Company	10/18/2016	10/18/2016	95322	The Grove Janitorial supplies	\$178.62	\$0.00		\$178.62
Hammons Supply Company	10/18/2016	10/18/2016	195321	Library Janitorial supplies	\$265.62	\$0.00		\$265.62
Hammons Supply Company	10/18/2016	10/18/2016	95324	Library Janitorial supplies	\$78.12	\$0.00		\$78.12
				<i>Totals for Hammons Supply Company:</i>	<u>\$660.59</u>	<u>\$0.00</u>		<u>\$660.59</u>
<b>Cindy Jakel-Smith</b>								
Cindy Jakel-Smith	10/18/2016	10/18/2016	1042	Deposit refund for HOP, Love, Cook, Nourish	\$146.77	\$0.00		\$146.77
				<i>Totals for Cindy Jakel-Smith:</i>	<u>\$146.77</u>	<u>\$0.00</u>		<u>\$146.77</u>
<b>Landscape Pest Control Services, Inc</b>								
Landscape Pest Control Services, Inc	10/18/2016	10/18/2016	94450	Gopher service @ Parks, Eagle Peak	\$775.00	\$0.00		\$775.00
				<i>Totals for Landscape Pest Control Services, Inc:</i>	<u>\$775.00</u>	<u>\$0.00</u>		<u>\$775.00</u>
<b>LarryLogic Productions</b>								
LarryLogic Productions	10/18/2016	10/18/2016	1607	City Council Meeting production 10/4/16	\$295.00	\$0.00		\$295.00
				<i>Totals for LarryLogic Productions:</i>	<u>\$295.00</u>	<u>\$0.00</u>		<u>\$295.00</u>
<b>Martell Water Systems, Inc.</b>								
Martell Water Systems, Inc.	10/18/2016	10/18/2016	23546	Storage tanks, booster pump, Install @ The Gr	\$9,484.23	\$0.00		\$9,484.23
Martell Water Systems, Inc.	10/18/2016	10/18/2016	23547	Centri Pro 3AS20 Drive and misc materials	\$897.00	\$0.00		\$897.00
				<i>Totals for Martell Water Systems, Inc.:</i>	<u>\$10,381.23</u>	<u>\$0.00</u>		<u>\$10,381.23</u>
<b>Matrix Association Management</b>								
Matrix Association Management	10/18/2016	10/18/2016	3544	October Management Services for Diablo Est	\$4,375.00	\$0.00		\$4,375.00
				<i>Totals for Matrix Association Management:</i>	<u>\$4,375.00</u>	<u>\$0.00</u>		<u>\$4,375.00</u>
<b>MPA</b>								
MPA	10/18/2016	10/18/2016	B1603-3	Workers' Comp Premium FY 17 Installment #	\$25,369.50	\$0.00		\$25,369.50
MPA	10/18/2016	10/18/2016	October 2016	October Life/LTD Insurance	\$1,727.51	\$0.00		\$1,727.51
				<i>Totals for MPA:</i>	<u>\$27,097.01</u>	<u>\$0.00</u>		<u>\$27,097.01</u>
<b>Neopost (add postage)</b>								
Neopost (add postage)	10/18/2016	10/18/2016	100616	Postage added 10/6/16	\$300.00	\$0.00		\$300.00
Neopost (add postage)	10/18/2016	10/18/2016	101416	Postage added 10/14/16	\$300.00	\$0.00		\$300.00
				<i>Totals for Neopost (add postage):</i>	<u>\$600.00</u>	<u>\$0.00</u>		<u>\$600.00</u>
<b>Neopost Northwest</b>								
Neopost Northwest	10/18/2016	10/18/2016	N6173583	Postage machine lease 11/7/16-12/6/16	\$158.20	\$0.00		\$158.20
				<i>Totals for Neopost Northwest:</i>	<u>\$158.20</u>	<u>\$0.00</u>		<u>\$158.20</u>
<b>Paramount Elevator Corp.</b>								
Paramount Elevator Corp.	10/18/2016	10/18/2016	INV-03696-W2Q0	October-December Elevator Maintenance	\$220.00	\$0.00		\$220.00
				<i>Totals for Paramount Elevator Corp.:</i>	<u>\$220.00</u>	<u>\$0.00</u>		<u>\$220.00</u>
<b>PERMCO, Inc.</b>								

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PERMCO, Inc.	10/18/2016	10/18/2016	10639	General Engineering services 9/24/16-10/7/16	\$3,933.79	\$0.00		\$3,933.79
PERMCO, Inc.	10/18/2016	10/18/2016	10640	Inspection for O&M Annual Compliance	\$244.00	\$0.00		\$244.00
PERMCO, Inc.	10/18/2016	10/18/2016	10641	CAP Inspections 9/24/16-10/7/16	\$435.75	\$0.00		\$435.75
PERMCO, Inc.	10/18/2016	10/18/2016	10642	Split into 2 proj. submit PSE's for peer review	\$5,650.00	\$0.00		\$5,650.00
PERMCO, Inc.	10/18/2016	10/18/2016	10643	Clayton Comm. Church 9/24/16-10/7/16	\$150.00	\$0.00		\$150.00
PERMCO, Inc.	10/18/2016	10/18/2016	10644	Crow Place Observation Report	\$116.75	\$0.00		\$116.75
<i>Totals for PERMCO, Inc.:</i>					<u>\$10,530.29</u>	<u>\$0.00</u>		<u>\$10,530.29</u>
<b>Permit Services</b>								
Permit Services	10/18/2016	10/18/2016	BP150-16	C&D refund for 5953 Cardinet Dr	\$2,000.00	\$0.00		\$2,000.00
<i>Totals for Permit Services:</i>					<u>\$2,000.00</u>	<u>\$0.00</u>		<u>\$2,000.00</u>
<b>Priority Payment Systems (Merchant Bankcard System)</b>								
Priority Payment Systems (Merchant Bar	10/18/2016	10/18/2016	09/30/16	September Bankcard fees	\$73.79	\$0.00		\$73.79
<i>Totals for Priority Payment Systems (Merchant Bankcard System):</i>					<u>\$73.79</u>	<u>\$0.00</u>		<u>\$73.79</u>
<b>Reliable Automotive, LLC</b>								
Reliable Automotive, LLC	10/18/2016	10/18/2016	20590	Vehicle service for 99 Ford F-450	\$3,215.32	\$0.00		\$3,215.32
Reliable Automotive, LLC	10/18/2016	10/18/2016	20640	Vehicle service for 05 Ford Ranger	\$2,229.31	\$0.00		\$2,229.31
<i>Totals for Reliable Automotive, LLC:</i>					<u>\$5,444.63</u>	<u>\$0.00</u>		<u>\$5,444.63</u>
<b>Site One Landscape Supply, LLC</b>								
Site One Landscape Supply, LLC	10/18/2016	10/18/2016	77823139	Repair of Rain Master DX Panel	\$531.66	\$0.00		\$531.66
Site One Landscape Supply, LLC	10/18/2016	10/18/2016	77793080	Irrigation parts	\$265.16	\$0.00		\$265.16
<i>Totals for Site One Landscape Supply, LLC:</i>					<u>\$796.82</u>	<u>\$0.00</u>		<u>\$796.82</u>
<b>Sprint Comm (PD)</b>								
Sprint Comm (PD)	10/18/2016	10/18/2016	703335311-178	Cell service 8/26-9/25/16	\$273.10	\$0.00		\$273.10
<i>Totals for Sprint Comm (PD):</i>					<u>\$273.10</u>	<u>\$0.00</u>		<u>\$273.10</u>
<b>Staples Advantage</b>								
Staples Advantage	10/18/2016	10/18/2016	8041249990	September Office Supplies	\$112.02	\$0.00		\$112.02
<i>Totals for Staples Advantage:</i>					<u>\$112.02</u>	<u>\$0.00</u>		<u>\$112.02</u>
<b>Stericycle Inc</b>								
Stericycle Inc	10/18/2016	10/18/2016	3003581241	October OSHA Collections	\$96.07	\$0.00		\$96.07
<i>Totals for Stericycle Inc:</i>					<u>\$96.07</u>	<u>\$0.00</u>		<u>\$96.07</u>
<b>The Radar Shop</b>								
The Radar Shop	10/18/2016	10/18/2016	8408	Radar, Lidar, Tuning Fork Re-certifications	\$287.00	\$0.00		\$287.00
<i>Totals for The Radar Shop:</i>					<u>\$287.00</u>	<u>\$0.00</u>		<u>\$287.00</u>
<b>Jesus Unpingco</b>								
Jesus Unpingco	10/18/2016	10/18/2016	CAP0200	Deposit refund for 5709 Pine Hollow Rd	\$1,880.68	\$0.00		\$1,880.68
<i>Totals for Jesus Unpingco:</i>					<u>\$1,880.68</u>	<u>\$0.00</u>		<u>\$1,880.68</u>
<b>Kris Van I</b>								

## City of Clayton Cash Requirements Report

<u>Vendor Name</u>	<u>Due Date</u>	<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Balance</u>	<u>Potential Discount</u>	<u>Discount Expires On</u>	<u>Net Amount Due</u>
Kris Van Liew	10/18/2016	10/18/2016	1062	Deposit refund for HOP	\$156.43	\$0.00		\$156.43
				<i>Totals for Kris Van Liew:</i>	<u>\$156.43</u>	<u>\$0.00</u>		<u>\$156.43</u>
<b>Workers.com</b>								
Workers.com	10/18/2016	10/18/2016	116739	Seasonal workers week ending 9/25/16	\$5,567.13	\$0.00		\$5,567.13
				<i>Totals for Workers.com:</i>	<u>\$5,567.13</u>	<u>\$0.00</u>		<u>\$5,567.13</u>
<b>Zee Medical Company</b>								
Zee Medical Company	10/18/2016	10/18/2016	724601045	First Aid cabinet restock, organize	\$32.60	\$0.00		\$32.60
				<i>Totals for Zee Medical Company:</i>	<u>\$32.60</u>	<u>\$0.00</u>		<u>\$32.60</u>
<b>GRAND TOTALS:</b>					<b>\$259,853.32</b>	<b>\$0.00</b>		<b>\$259,853.32</b>

## City of Clayton Cash Requirements Report

<u>Vendor Name</u>	<u>Due Date</u>	<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Balance</u>	<u>Potential Discount</u>	<u>Discount Expires On</u>	<u>Net Amount Due</u>
<b>Best Best &amp; Kreiger LLP</b>								
Best Best & Kreiger LLP	10/18/2016	10/18/2016	781204	September Legal Retainer	\$8,500.00	\$0.00		\$8,500.00
Best Best & Kreiger LLP	10/18/2016	10/18/2016	781205	September Legal Svcs, Pitchess	\$606.51	\$0.00		\$606.51
Best Best & Kreiger LLP	10/18/2016	10/18/2016	781206	September Legal, Affordable Housing	\$6,264.99	\$0.00		\$6,264.99
				<i>Totals for Best Best &amp; Kreiger LLP:</i>	<u>\$15,371.50</u>	<u>\$0.00</u>		<u>\$15,371.50</u>
<b>Western Exterminator</b>								
Western Exterminator	10/18/2016	10/18/2016	4477380	September Pest Control Svcs	\$385.50	\$0.00		\$385.50
				<i>Totals for Western Exterminator:</i>	<u>\$385.50</u>	<u>\$0.00</u>		<u>\$385.50</u>
				<b>GRAND TOTALS:</b>	<b>\$15,757.00</b>	<b>\$0.00</b>		<b>\$15,757.00</b>



Earnings Statement

Employees with Overflow Statement

0 Overflow Statement 1 Total Statement

Tot Cks/Vchrs:000000000035 Tot Docs in all:000000000038

First No. Last No. Total

Checks: ADPCHECK ADPCHECK 00000000005

Vouchers: 00000410001 00000410030 00000000030

Z7L TOTAL DOCUMENT  
CITY OF CLAYTON  
LOCATION 0001

**CHECK STUFFING, RECONCILIATION**

89061.46 GROSS  
62736.81 NET PAY (INCLUDING ALL DEPOSITS)  
10924.35 FEDERAL TAX  
148.91 SOCIAL SECURITY  
1230.69 MEDICARE  
.00 MEDICARE SURTAX  
.00 SUI TAX  
3531.04 STATE TAX  
.00 LOCAL TAX  
69240.12 DEDUCTIONS  
3986.35 NET CHECK

**COMPANY CODE Z7L  
CITY OF CLAYTON  
TOTAL DOCUMENT  
LOCATION 0001**

VERIFY DOCUMENT AUTHENTICITY - COLORED AREA MUST CHANGE IN TONE GRADUALLY AND EVENLY FROM DARK AT TOP TO LIGHTER AT BOTTOM

**NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
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NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
NON-NEGOTIABLE - VOID - NON-NEGOTIABLE**

THE ORIGINAL DOCUMENT HAS AN ARTIFICIAL WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.



Agenda Date: 10-18-2016

Agenda Item: 3c

COMMUNITY  
DEVELOPMENT (925) 673-7340  
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250  
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Court  
HOWARD GELLER, MAYOR  
JIM DIAZ, VICE MAYOR  
KEITH HAYDON, COUNCILMEMBER  
JULIE K. PIERCE, COUNCILMEMBER  
DAVID T. SHUEY, COUNCILMEMBER

# DRAFT

October 19, 2016

VIA U.S. REGULAR MAIL AND  
REQUESTED EMAIL TO: [epant@contracosta.courts.ca.gov](mailto:epant@contracosta.courts.ca.gov)

Michael Simmons, Foreperson  
Civil Grand Jury 2015-16, Contra Costa County  
725 Court Street  
P O Box 431  
Martinez, CA 94553-0091

**Re: City Response No. 2 to Civil Grand Jury Report No. 1615**

Dear Mr. Simmons:

Pursuant to a letter dated June 24, 2016 addressed to members of the Clayton City Council pertaining to Civil Grand Jury Report No. 1615, "Truancy and Chronic Absences in Contra Costa County Schools," our City replied in a timely fashion to the findings and recommendations contained therein. However, on Recommendation No. 17 the City responded it would need further time to analyze the recommendation for a daytime curfew.

At its regular public meeting on October 18<sup>th</sup>, our City Council did further consider this Recommendation and we now provide City Response No. 2 accordingly and within the timeframe allowed by applicable law.

Sincerely,

Howard Geller  
Mayor

Attachment: 1. City Response No. 2 to Civil Grand Jury Report No. 1615 [1 pp.]

cc: Honorable Clayton City Council Members  
Honorable John T. Laettner, Judge of the Superior Court



**CITY OF CLAYTON RESPONSE NO. 2 TO**  
**CIVIL GRAND JURY REPORT NO. 1615**  
**"Truancy and Chronic Absence in Contra Costa County Schools"**  
**2015-16 CONTRA COSTA COUNTY CIVIL GRAND JURY**

The City of Clayton, California provides this additional response ("Response No. 2) to Civil Grand Jury Report No. 1615, "Truancy and Chronic Absence in Contra Costa County Schools", issued by the 2015-16 Civil Grand Jury of Contra Costa County on 22 June 2016. Pursuant to page 26 of the Report, this City was required to further respond to Recommendation No.17, adhering to format guidelines prescribed by the California Penal Code (Section 933.05).

**RECOMMENDATIONS**

17. *The City of Clayton should consider adopting a policy to promulgate, enforce, and promote a daytime curfew.*

**City Final Response**

After further review, it is determined the recommendation will not be implemented because it is not warranted or is not reasonable.

Based on CA Education Code, Sections 48264 and 48265, a peace officer may arrest or assume temporary custody, during school hours, of any minor subject to compulsory full-time education found to be away from his or her house and who is absent from school without valid excuse within the city. With this already established law there is no further need to create additional local law or policy to enforce a daytime curfew.

The majority of truancy issues occur at the high school level. This City does not have a high school in its jurisdiction and the described issue of truancy has not been of any concern at either the middle or elementary public schools.

The City Attorney has reviewed these two sections of the state Education Code and agrees with this analysis and its existing enforceability. There are no new enforcement tools necessary for the City to employ in this regard, and the City will continue to enforce truancy as it is encountered.

# # #

**BRADY BAHORSKI**  
for  
"Doing the Right Thing"  
at  
Mt. Diablo Elementary School  
by exemplifying great "Responsibility"  
August and September 2016

Agenda Date: 10-18-2016

Agenda Item: 4a

**PRESTON MARKS**  
for  
"Doing the Right Thing"  
at  
Mt. Diablo Elementary School  
by exemplifying great "Responsibility"  
August and September 2016

**KELLIE HINTZOGLU**

for

"Doing the Right Thing"

at

Diablo View Middle School

by exemplifying great "Responsibility"

August and September 2016

**TIMMY ONAKOYA**  
for  
"Doing the Right Thing"  
at  
Diablo View Middle School  
by exemplifying great "Responsibility"  
August and September 2016



Agenda Item: 8a

Approved: *[Signature]*

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Gary A. Napper  
City Manager

# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** MINDY GENTRY, COMMUNITY DEVELOPMENT DIRECTOR *MG*

**DATE:** OCTOBER 18, 2016

**SUBJECT:** ADOPTION OF AN URGENCY ORDINANCE PROHIBITING THE ESTABLISHMENT AND OPERATION OF COMMUNITY SUPERVISION PROGRAMS AND PAROLEE HOMES

---

## RECOMMENDATIONS

It is recommended the City Council consider all information provided and submitted, and take and consider all public testimony and, if determined to be appropriate, take the following actions:

- 1a. Motion to have the City Clerk read the Ordinance No. 469 by title and number only and waive further reading; and
- 2b. Following the City Clerk's reading; by motion approve Ordinance No. 469 to prohibit the establishment, construction, and operation of Community Supervision Programs and parolee homes for 45 days. (ZOA-08-16) (**Attachment 1**).

## BACKGROUND/DISCUSSION

On October 1, 2011, the Public Safety Realignment Act (Assembly Bill 109) went into effect transferring responsibility for supervising specified inmates and parolees from the California Department of Correction and Rehabilitation to counties. The Contra Costa County Board of Supervisors adopted the Contra Costa County Realignment Plan on October 4, 2011. The County's Realignment Plan called for the establishment of community programs for employment support and placement services, mentoring and family reunification services, short and long-term housing access, and civil legal services.



Currently, the type of support services being provided by the County's Community Supervision Program, which are provided to parolees and probationers, are not defined in the Clayton Municipal Code. As such some of these services (similar to family counseling) could be characterized as Professional Office, which are permitted by right in the Limited Commercial (LC) District and are allowable on the second story of buildings in the Town Center Specific Plan.

Recently, the City received an inquiry from a County contractor/grantee that is a service provider for the County's Community Supervision Program. The inquiry was regarding the City's regulations for establishing residences for those that have been previously incarcerated. While the intent of the Community Supervision Program is laudable by providing support programs to parolees and probationers to reduce recidivism and assist these individuals in becoming productive members of society, recidivism rates however indicate that these types of services and homes raise the potential for negative impacts to public health, safety, and welfare, particularly if there were a dense concentration of parolee homes or service providers or these uses were to be located near sensitive uses such as parks, schools, or day care centers.

The California Department of Correction and Rehabilitation in its *2015 Outcome Evaluation Report – An Examination of Offenders Released in Fiscal Year 2011-2012 (Attachment 2)* indicates the recidivism rate in Contra Costa County for years one, two and three following release is 43.4 percent, 46.7 percent, and 48.8 percent respectively. These rates raise public safety concerns regarding the operation or establishment of the Community Supervision Program and parolee homes within the City of Clayton without examining their potential impacts.

### **REQUESTED ACTION**

By adoption of a local moratorium via urgency Ordinance, the prohibition for these Community Supervision Program uses and parolee homes would last for 45 days unless extended further, pursuant to California Government Code. The intent is not to permanently ban these uses but rather to allow the City the opportunity to study appropriate locations, concentrations, distances from sensitive uses such as school, parks, and day care facilities, and adopt operational requirements such as hours of operations. This prohibition would not apply to any existing social service provider that may be currently operating within the City; however this moratorium would not allow for an expansion of the use. To staff's knowledge there are no known operators currently within the city limits.

It is foreseen the moratorium will require further time extension by the City Council as it is unlikely staff will complete its analyses and preparation of new draft law to address this matter; plus additional time is necessary for submittal of the proposed ordinance to the Planning Commission for its hearing and recommendation to the City Council.

### **ENVIRONMENTAL**

Adoption of the urgency Ordinance is not subject to California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because this activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, the activity is not subject to CEQA.

### **FISCAL IMPACT**

There is no direct fiscal impact; however there will be staff time associated with the preparation of the ordinance to address the Community Supervision Program and parolee homes.

### **ATTACHMENTS**

1. Ordinance No. 469 [4 pp.]
2. *2015 Outcome Evaluation Report – An Examination of Offenders Released in Fiscal Year 2011-2012* [87 pp.]

# ATTACHMENT 1

## ORDINANCE NO. 469

### AN URGENCY ORDINANCE MAKING FINDINGS AND ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF PAROLEE HOMES AND COMMUNITY SUPERVISION PROGRAMS

#### THE CITY COUNCIL

City of Clayton, California

#### THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY FIND AS FOLLOWS:

**WHEREAS**, Government Code Section 65858 provides that for the purpose of protecting the public safety, health and welfare, a City Council may adopt, without following the procedures otherwise required prior to the adoption of a zoning ordinance, as an urgency measure, an interim ordinance, by a vote of four-fifths (4/5) majority, prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time; and

**WHEREAS**, the City of Clayton ("City") and surrounding communities have seen an increased interest in the establishment of group homes and community supervision programs for parolees and probationers; and

**WHEREAS**, this interest is due, in part, to AB 109 and the increased number of parolees, probationers and others subject to post-release supervision. Specifically, the *2015 Outlook Evaluation Report – An Examination of Offenders Released in Fiscal Year 2010-11 Report* by the California Department of Corrections and Rehabilitation (CDCR), indicates that the statewide recidivism rate of offenders is 44.6 percent with 80 percent of those offenders returning to prison within the first year of release. The CDCR report indicates the percentage of recidivism after one, two, and three-year periods within Contra Costa County are 43.4, 46.7, and 48.8 respectively; and

**WHEREAS**, citizens of the City have expressed significant concerns regarding the impacts that a proliferation of parolee/probationer homes may have on the community, including, but not limited to, impacts on traffic and parking, excessive delivery times and durations, commercial and/or institutional services offered in private residences, more frequent trash collection, daily arrival of staff who live off-site, loss of affordable rental housing, violations of boardinghouse and illegal dwelling unit regulations, obvious business operations, secondhand smoke, and nuisance behaviors such as excessive noise, litter, and loud offensive language; and

**WHEREAS**, the City anticipates receiving requests for the construction, establishment and operation of Community Supervision Programs (as defined below) within the City. However, this use is not defined in the Clayton Municipal Code and applying current commercial zoning regulations may not take into account potential impacts of Community

Supervision Programs on the surrounding community such as loitering and increased calls for service and particularly impacts on sensitive uses such as schools and parks; and

**WHEREAS**, the City has commenced a study of appropriate regulations for these uses, but additional planning and research are necessary before the City can adopt any permanent regulation; and

**WHEREAS**, any parolee/probationer homes or community supervision programs established prior to the adoption of comprehensive regulations may do so in areas that would be inconsistent with surrounding uses and would be immediately detrimental to the public peace, health, safety, and welfare; and

**WHEREAS**, should those uses be allowed to proceed, such uses could conflict with, and defeat the purpose of, the proposal to study and adopt new regulations regarding these uses.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES ORDAIN AS FOLLOWS:**

**Section 1.** **Recitals and Findings.** The above recitals are true and correct and are hereby incorporated into this Ordinance.

**Section 2.** **Moratorium.** In accordance with the authority granted to the City Council of Clayton under Government Code Section 65858, from and after the date of this Ordinance, no use permit, variance, building permit, business license or other applicable entitlement for use or expansion of an existing use shall be approved or issued by the City for the establishment or operation of a Parolee Home or Community Supervision Program for a period of forty-five (45) days. For purposes of this ordinance, Parolee Home shall be defined as "any residential or commercial building, structure, unit or use, whether owned and/or operated by an individual or for-profit or non-profit entity, which houses between two or more parolees, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given and/or paid by the parolee and/or any individual or public/private entity on behalf of the parolee. Parolee Home shall not mean any state-licensed residential care facility."

For purposes herein, Community Supervision Program shall be defined as "any facility, building, structure or location, where an organization, whether private, public, institutions of education, not for-profit, or for-profit, provide re-entry services, excepting housing, to previously incarcerated persons or persons who are attending programs in-lieu of incarceration including, but not limited to: employment support and placement services, peer and mentoring services, and resource centers. Included in this definition are services provided to Parolees."

Parolee shall include probationer, and shall mean any of the following: "(1) an individual convicted of a federal crime, sentenced to a United States Federal Prison, and received conditional and revocable release in the community under the supervision of a Federal parole officer; (2) an individual who is serving a period of supervised community custody, as defined in Penal Code Section 3000, following a term of imprisonment in a State prison, and is

under the jurisdiction of the California Department of Correction, Parole and Community Services Division; (3) a person convicted of a felony who has received a suspension of the imposition or execution of a sentence and an order of conditional and revocable release in the community under the supervision of a probation officer; and (4) an adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional revocable release in the community under the supervision of a Youth Authority parole officer. As used herein, the term parolee includes parolees, probationers, and/or persons released to post-release community supervision under the "Post-release Community Supervision Act of 2011" (Penal Code Section 3450 et seq.) as amended or amended in the future."

**Section 3. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstances, is held to be unconstitutional or to be otherwise invalid by any court competent jurisdiction, such invalidity shall not affect other provisions or clauses of this Ordinance or application thereof which can be implemented without the invalid provisions, clause, or application, and to this end such provisions and clauses of the Ordinance are declared to be severable.

**Section 4. CEQA.** The City Council finds, under CEQA Guidelines section 15061(b)(3), that this Ordinance is exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Contra Costa in accordance with the CEQA Guidelines.

**Section 5. Effective Date and Publication.** This Ordinance shall become effective immediately upon adoption if adopted by at least a four-fifths vote of the City Council and shall be in effect for 45 days from the date of adoption unless extended by the City Council as provided for in the Government Code. This Ordinance shall be published or posted as required by law.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton, California at a regular public meeting thereof held on the 18<sup>th</sup> day of October, 2016, by the following four-fifths vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

\_\_\_\_\_  
Howard Geller, Mayor

ATTEST

\_\_\_\_\_  
Janet Brown, City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

\_\_\_\_\_  
Malathy Subramanian, City Attorney

\_\_\_\_\_  
Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly adopted and passed at a regular meeting of the City Council held on October 18, 2016.

\_\_\_\_\_  
Janet Brown, City Clerk



**California Department of  
Corrections and Rehabilitation**

**2015 Outcome Evaluation Report**  
**An Examination of Offenders Released in**  
**Fiscal Year 2010-11**

**Office of Research**  
**August 2016**

You can obtain reports by contacting the Department of Corrections and Rehabilitation at the following address:

California Department of Corrections and Rehabilitation  
Office of Research, Research and Evaluation Branch  
1515 S Street, Suite 221N  
Sacramento, California 95811  
916.323.2919

Or

On the internet at:

[http://www.cdcr.ca.gov/adult\\_research\\_branch/](http://www.cdcr.ca.gov/adult_research_branch/)

**CDCR Office of Research**

**"Providing quality research, data analysis and evaluation to implement evidence-based programs and practices, strengthen policy, inform management decisions and ensure accountability."**



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**OFFICE OF THE SECRETARY**

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Dear Colleagues:

The mission of the California Department of Corrections and Rehabilitation (CDCR) is to protect the public by safely and securely supervising adult and juvenile offenders, providing effective rehabilitation and treatment, and integrating offenders successfully into the community. Consistent with this purpose, we hold ourselves accountable for data-driven policies informed by the latest research on what works in corrections and rehabilitation.

As a part of this commitment, I am pleased to present the sixth in a series of annual reports on the outcomes of offenders released from CDCR correctional institutions. This report features measures of recidivism, which we can use to track improvement and compare our performance with that of other states that are similarly situated.

This report is a tangible result of our commitment to transparency and accountability. My hope is that this information will provide new insights to policy-makers and correctional stakeholders that will be useful in moving the State forward with regard to efforts that increase public safety through the reduction of recidivism.

Sincerely,

A handwritten signature in black ink, appearing to read "SCOTT KERNAN". The signature is stylized with a large, sweeping flourish that extends across the width of the page.

SCOTT KERNAN  
Secretary

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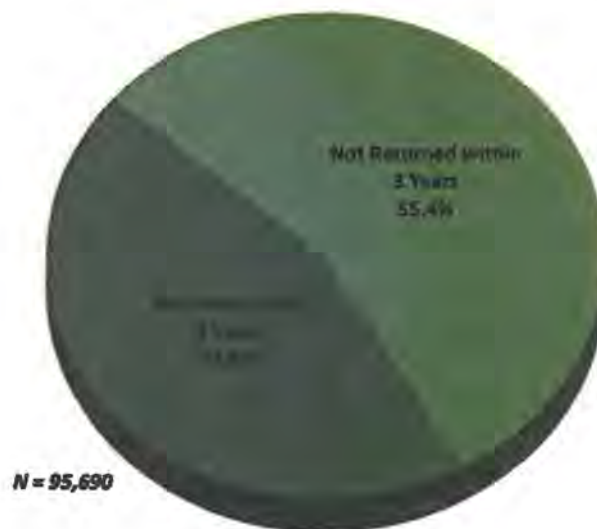
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## Executive Summary

Between July 1, 2010 and June 30, 2011 (Fiscal Year 2010-11), 95,690 offenders were released from a California Department of Corrections and Rehabilitation (CDCR) adult institution and tracked for three years following the date of their release. The three-year return-to-prison rate for the 95,690 offenders who comprise the Fiscal Year 2010-11 release cohort is 44.6 percent, which is a 9.7 percentage point decrease from the Fiscal Year 2009-10 rate of 54.3 percent. Fiscal Year 2010-11 marks the fifth consecutive year the three-year return-to-prison rate has declined and is the most substantial decrease to-date. As shown in Figure A, Fiscal Year 2010-11 also marks the first cohort of offenders where more offenders did not return to prison during the three-year follow-up period (55.4 percent or 53,029 offenders) than returned to State prison (44.6 percent or 42,661 offenders).

*Figure A. Three-Year Outcomes for Offenders Released from State Prison in Fiscal Year 2010-11*

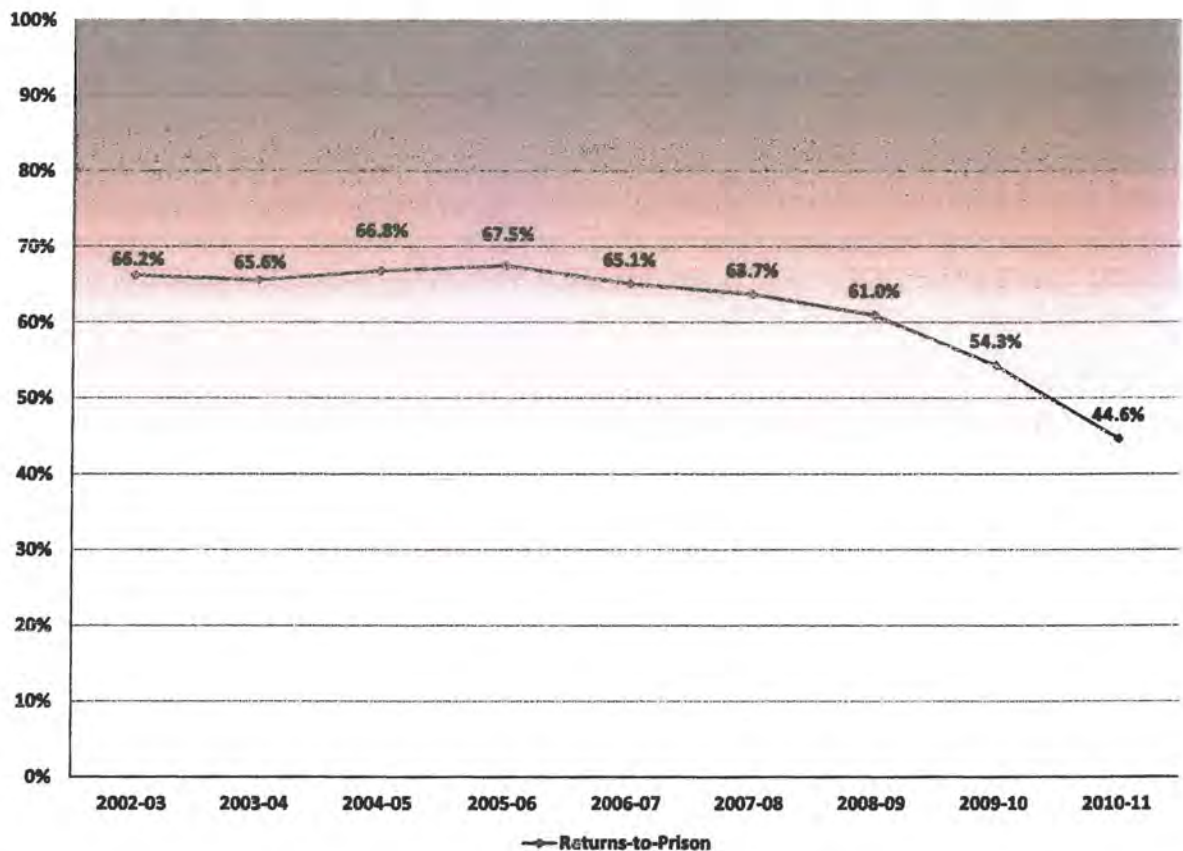


As shown in Figure B, the three-year return-to-prison rate decreased by 6.7 percentage points between Fiscal Years 2008-09 and 2009-10, followed by a drastic decline between Fiscal Years 2009-10 and 2010-11 (9.7 percentage points). Some of the decrease in the three-year return-to-prison rate is attributed to the implementation of the Public Safety Realignment Act (Realignment) in October 2011. Although each of the offenders in the Fiscal Year 2010-11 cohort were released pre-Realignment, Realignment was in effect for varying amounts of time during each offender's three-year follow-up period, contributing to a decline in the number of offenders returning for parole violations, which decreased by 7.6 percentage points between the Fiscal Year 2009-10 and 2010-11 release cohorts (37.9 percent and 30.3 percent of the total releases in each cohort, respectively), and accounted for some of the decrease in the three-year return-to-prison rate.

Impacts of Realignment were also observed in other types of return categories: returns for property crimes decreased 1.5 percentage points between Fiscal Years 2009-10 and 2010-11 (6.2 percent and 4.7 percent of the release cohorts, respectively) and returns for drug crimes decreased 1.1 percentage

points (4.5 percent and 3.4 percent of the release cohorts, respectively). Crimes against persons, which tend to be more serious and/or violent, increased slightly (0.4 of a percentage point) from 3.6 percent of the release cohort in Fiscal Year 2009-10 to 4 percent of the release cohort in Fiscal Year 2010-11. Realignment's impact on the number of offenders returning for parole violations and property and drug crimes is largely expected, as many parole violators and non-serious, non-violent, and non-sex registrant offenders now serve their sentences in county jail, rather than State prison. In future years, the number of offenders returning for property and drug crimes is expected to decline further due to the impacts of Proposition 47, which was passed in November 2014 and mandates a misdemeanor sentence, instead of a felony for some property and drug offenses.<sup>1</sup>

*Figure B. Three-Year Return-to-Prison Rate for Offenders Released in Fiscal Year 2002-03 through Fiscal Year 2010-11*



In addition to returns to prison, Appendix A examines arrests and convictions at one-, two-, and three-year intervals. With the implementation of Realignment and subsequent decreases in returns to prison for parole violations, a potentially offsetting increase in arrests and convictions was anticipated by some criminal justice experts. As shown in Appendix A, a slight increase in both arrests and convictions was observed following the immediate implementation of Realignment, however, the initial uptick in the one-year arrest and conviction rate was followed by a more substantial decrease. A further examination

<sup>1</sup> The Safe Neighborhoods and Schools Act full text version: [https://oag.ca.gov/system/files/initiatives/pdfs/130060%20\(130060%20\(Neighborhood%20and%20School%20Funding\)\).pdf](https://oag.ca.gov/system/files/initiatives/pdfs/130060%20(130060%20(Neighborhood%20and%20School%20Funding)).pdf)

of arrests and convictions among the Fiscal Year 2009-10 and Fiscal Year 2010-11 release cohorts (Appendix B) shows little change in the number of offenders arrested or convicted during the three-year follow-up period for drug crimes, property crimes, and crimes against persons. Although a longer follow-up period is needed to examine the full impact of Realignment, preliminary findings show that decreases in parole violations and the three-year return-to-prison rate have not been offset by a spike in arrests and convictions.

Similar to other cohorts examined by the CDCR, most offenders in the Fiscal Year 2010-11 release cohort returned to State prison within the first year of their release. Of the 42,661 offenders who returned to prison during the three-year follow-up period, 33 percent (14,093 offenders) returned within the first three months of their release and over half (58.8 percent or 25,085 offenders) returned within the first six months of their release. After one year of follow-up, 81.6 percent (34,810 offenders) of the 42,661 offenders who returned to prison during the three-year follow-up period, had returned.

The three-year return-to-prison rate for the 37,568 re-releases, offenders released after a parole violation, is substantially higher (60.9 percent or 22,884 offenders) than the 58,122 first releases, offenders released for the first time on their current term (34 percent or 19,777 offenders). Offenders with a serious offense also returned to State prison at a higher rate than other offenders; offenders with a serious offense had a three-year return-to-prison rate of 48.4 percent (6,418 offenders), violent offenders had a rate of 38.4 percent (4,091 offenders), and offenders without a serious or violent offense had a rate of 44.8 percent (32,152 offenders).

While a large portion of the release cohort was paroled to Los Angeles County (26 percent of the cohort or 24,904 offenders), Los Angeles County has one of the lowest three-year return-to-prison rates (32.3 percent) among all California counties. Los Angeles County also has the lowest rate among the top 12 counties with the largest number of CDCR releases. Three-year return-to-prison rates for each of California's counties are provided in Appendix D of this report.

An examination of the three-year return-to-prison rate based on offender demographics shows younger offenders return to State prison at higher rates than older offenders. In general, as the age of the offender increases, their likelihood of completing the three-year follow-up period without returning to prison also increases. Offenders ages 18 – 19 returned to prison at the highest rate (59.1 percent or 440 offenders) of all age groups, while offenders 60 and over returned to State prison at the lowest rate (31.1 percent or 573 offenders) of all age groups, a difference of 28 percentage points.

The Bureau of Justice Statistics (BJS) estimates that 69.2 percent of offenders in state prisons regularly used drugs prior to their incarceration and 56 percent used drugs in the month before committing their offense.<sup>2</sup> According to BJS, 53 percent of offenders in state prisons in the United States are estimated to meet the criteria for drug dependence or abuse, but only 15 percent of those offenders were reported to participate in drug treatment programs with a trained professional.<sup>3</sup> Empirical research shows that

<sup>2</sup> U.S. Department of Justice, Bureau of Justice Statistics "Special Report: Drug Use and Dependence, State and Federal Prisoners, 2004". p. 2, <http://www.bjs.gov/content/pub/pdf/dudsf04.pdf>

<sup>3</sup> U.S. Department of Justice, Bureau of Justice Statistics "Special Report: Drug Use and Dependence, State and Federal Prisoners, 2004". p. 1 and p. 9, <http://www.bjs.gov/content/pub/pdf/dudsf04.pdf>



participation in substance use treatment is associated with lower rates of future drug use and reoffending, demonstrating the importance of both in-prison substance abuse treatment and post-release aftercare.

The CDCR offenders who received in-prison substance abuse treatment (SAT) and/or aftercare demonstrate positive outcomes when compared to offenders who do not receive in-prison SAT or aftercare. Offenders who received in-prison SAT and completed aftercare (919 offenders) returned to State prison at a rate of 15.3 percent (or 141 offenders), while offenders who did not receive any form of in-prison SAT or aftercare (81,743 offenders) returned to prison at a rate of 46.5 percent (or 38,030 offenders), slightly above (1.9 percentage points) the overall three-year return-to-prison rate of 44.6 percent. The 31.2 percentage point difference between the two groups of offenders is one of the most remarkable differences observed in this report and suggests participation in SAT and completion of aftercare has a positive effect on the outcomes of offenders. As shown in the following sections of this report, offenders who received some form of in-prison SAT or aftercare, consistently returned to prison at lower rates (15.3 percent for offenders who participate in SAT and complete aftercare and 34.4 percent for offenders who participate in SAT and receive some aftercare) than the overall three-year return-to-prison rate of 44.6 percent and at a substantially lower rate than offenders who do not receive any form of in-prison SAT or aftercare (46.5 percent).

To enable comparison of reoffending rates among CDCR offenders over time, one-, two-, and three-year arrest, conviction, and return-to-prison rates are provided in Appendix A of this report. Appendix C contains the three-year return-to-prison rate by offender demographics and characteristics for the Fiscal Year 2009-10 and Fiscal Year 2010-11 release cohorts and finally, Appendix D contains the three-year return-to-prison rate by county of parole. The CDCR will continue to update and report arrest, conviction, and return-to-prison data with the goal of spurring discussion around the best possible ways to reduce returns to prison and better protect public safety.

## Key Findings

### Three-Year Return-to-Prison Rate

- Between July 1, 2010 and June 30, 2011 (Fiscal Year 2010-11), 95,690 offenders were released from California's State prisons. Of these offenders, 42,661 offenders returned to State prison within three years of their release for a three-year return-to-prison rate of 44.6 percent.
- The Fiscal Year 2010-11 rate (44.6 percent) is a 9.7 percentage point decrease from the Fiscal Year 2009-10 rate of 54.3 percent.
- Fiscal Year 2010-11 marks the fifth year in a row the three-year return-to-prison rate has decreased and also marks the most substantial decrease over the last five fiscal years.

### Type of Return and the Impact of Realignment

- Although all of the 95,690 offenders released in Fiscal Year 2010-11 were released pre-Realignment, Realignment was in effect for varying amounts of time during an offender's three-year follow-up period depending on their date of release.
- Some of the 9.7 percentage point decrease in the three-year return-to-prison rate between Fiscal Years 2009-10 and 2010-11 is attributed to a decrease in parole violations, which decreased 7.6 percentage points between Fiscal Years 2009-10 and 2010-11 (37.9 percent and 30.3 percent of the release cohorts, respectively).
- Returns for property crimes decreased 1.5 percentage points between Fiscal Years 2009-10 and 2010-11 (6.2 percent and 4.7 percent of the release cohorts, respectively) and returns for drug crimes decreased 1.1 percentage points (4.5 percent and 3.4 percent of the release cohorts, respectively). Crimes against persons, which tend to be more serious and/or violent, increased slightly (0.4 of a percentage point) from 3.6 percent of the release cohort in Fiscal Year 2009-10 to 4 percent of the release cohort in Fiscal Year 2010-11.
- As Realignment is in effect for longer amounts of time during each offender's follow-up period and as offenders continue to be released post-Realignment, the number of returns for parole violations is expected to decrease with future cohorts studied by the CDCR. With the passage of Proposition 47 in November 2014, continued decreases in drug and property crimes are also expected in future cohorts examined by the CDCR.

## Offender Outcomes by Offender Demographics

- Male offenders comprised over 90 percent of the release cohort (90.5 percent or 86,571 offenders) and their three-year return-to-prison rate (46.4 percent) is 19.3 percentage points higher than female offenders (27.1 percent), who comprised 9.5 percent (9,119 female offenders) of the release cohort.
- Younger offenders returned to prison at higher rates than older offenders. Offenders ages 18 – 19 (0.8 percent of the release cohort or 744 offenders) returned to prison at the highest rate (59.1 percent) of any age group and offenders 60 and over (1.9 percent of the release cohort or 1,844 offenders) returned to prison at the lowest rate (31.1 percent) of any age group.
- Nearly 80 percent of the release cohort was released to 12 California counties. Los Angeles County had the largest number of releases (26 percent of the release cohort or 24,904 offenders) and had the lowest three-year return-to-prison rate (32.3 percent) among the 12 counties with the largest number of releases.

## Offender Outcomes by Offender Characteristics

- Offenders committed for property crimes (33.2 percent of the release cohort or 31,756 offenders) have the highest three-year return-to-prison rate (47.4 percent) of any commitment offense category, while offenders committed for drug crimes (25.5 percent of the release cohort or 24,445 offenders) have the lowest rate (40 percent) of any commitment offense category.
- Although the majority of offenders released (86.1 percent of the release cohort or 82,392 offenders) served a determinate sentence, offenders sentenced to an indeterminate sentence (lifers), who comprised less than one percent of the release cohort (398 offenders), have a substantially lower return-to-prison rate (6.3 percent) than those serving a determinate sentence (43.6 percent).
- Of the 392 lifers released by the Board of Parole Hearings (BPH), 0.8 percent returned to prison with a new term.
- The 8,989 offenders (9.4 percent of the release cohort) required to register as sex offenders (sex registrants) have a higher three-year return-to-prison rate (56.1 percent) than non-sex registrants (43.4 percent). Over 90 percent (4,579 returns) of the total returns to prison for sex registrants (5,041 returns) were for parole violations (90.8 percent).
- Offenders committed for an offense that was serious (13.9 percent of the release cohort or 13,268 offenders) returned to prison at a higher rate (48.4 percent), than offenders without a serious or violent offense (75 percent of the release cohort or 71,769 offenders) with a rate of 44.8 percent. Offenders committed for a violent offense (11.1 percent of the release cohort or 10,653 offenders) returned to prison at a rate of 38.4 percent.

- Offenders with a California Static Risk Score (CSRA) score of high (54.7 percent of the release cohort or 52,331 offenders) returned to prison at a higher rate (55.9 percent), than offenders with a score of moderate (26.2 percent of the release cohort or 25,108 offenders) with a rate of 35.9 percent, and offenders with a score of low (18.2 percent of the release cohort or 17,421 offenders) with a rate of 23.6 percent.
- For the second year in a row, offenders who received in-prison substance abuse treatment and completed aftercare (919 offenders), returned to prison at a substantially lower rate (15.3 percent) than the 81,743 offenders who did not receive substance abuse treatment (46.5 percent). Three-year return-to-prison rates show that offenders who receive in-prison substance abuse treatment and some form of aftercare consistently have lower rates of return than offenders who do not receive substance abuse treatment.

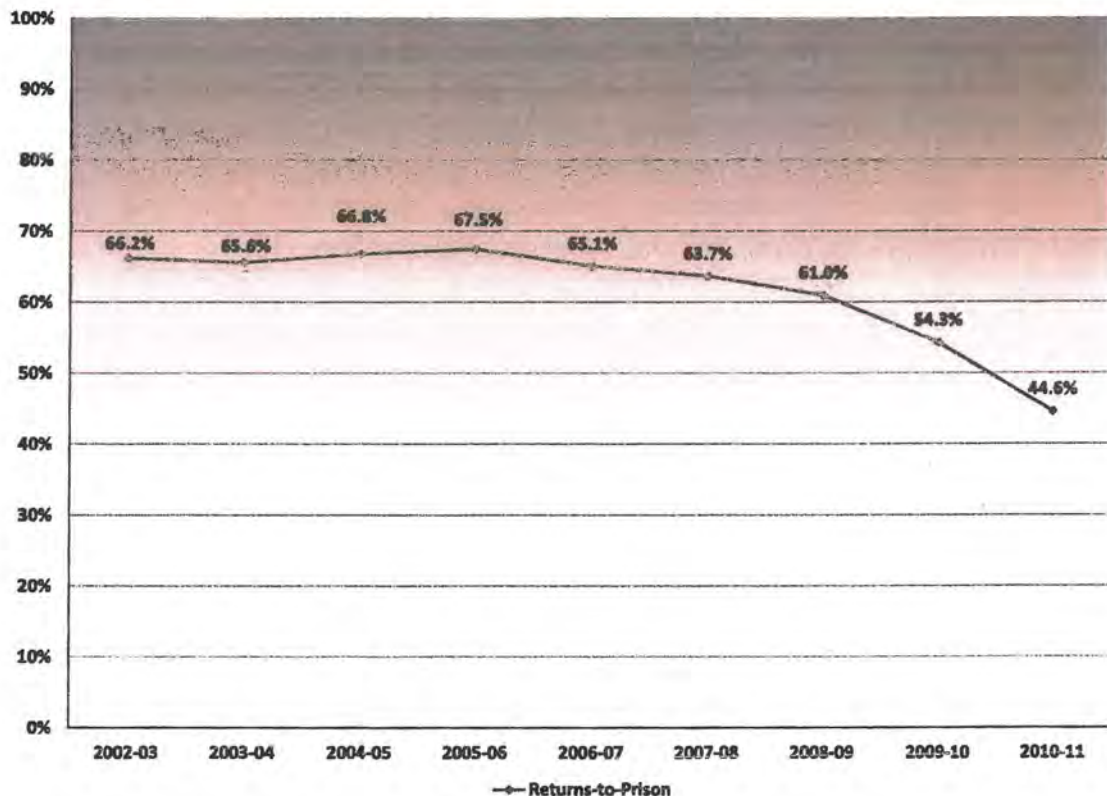
# California Department of Corrections and Rehabilitation 2015 Outcome Evaluation Report

## 1 Introduction

The California Department of Corrections and Rehabilitation (CDCR) presents the 2015 Outcome Evaluation Report, our sixth report in an annual series, which examines the return-to-prison rate of offenders released from California adult institutions during a given fiscal year. This year's report presents the three-year return-to-prison rate for the 95,690 offenders released from CDCR adult institutions between July 1, 2010 and June 30, 2011 (Fiscal Year 2010-11), in addition to arrest and conviction data. This report also provides return-to-prison rates by offender demographics (e.g. age, gender) and characteristics (e.g. commitment offense category, sentence type) to CDCR executives, lawmakers, and other correctional stakeholders with an interest in reoffending behavior and reducing recidivism among California's offender population.

The three-year return-to-prison rate for the 95,690 offenders released in Fiscal Year 2010-11 is 44.6 percent, a 9.7 percentage point decrease from the Fiscal Year 2009-10 rate of 54.3 percent. As shown in Figure A, the three-year return-to-prison rate has trended downward since the Fiscal Year 2005-06 release cohort, with the most substantial decreases occurring between Fiscal Years 2008-09 and 2009-10 (6.7 percentage points) and Fiscal Years 2009-10 and 2010-11 (9.7 percentage points).

*Figure A. Three-Year Return-to-Prison Rates for Offenders Released in Fiscal Year 2002-03 through Fiscal Year 2010-11*

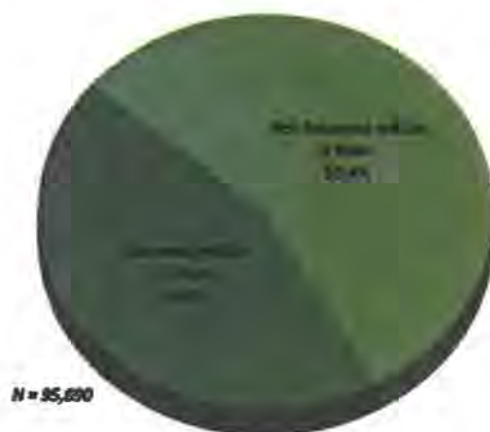


For the first time since the CDCR began reporting the rate in Fiscal Year 2002-03, more offenders did not return to prison during the three-year follow-up period (55.4 percent of the release cohort or 53,029 offenders) than returned to State prison (44.6 percent of the release cohort or 42,661 offenders). The substantial decreases in the three-year return-to-prison rates over the last two fiscal years are largely attributed to Assembly Bill (AB) 109, California's Public Safety Realignment Act (Realignment), which requires most non-serious, non-violent, and non-sex registrant offenders be sentenced to county jail, rather than State prison. Realignment also changed the parole revocation process so that only offenders previously sentenced to a life-term can be revoked to prison and all other parole revocations are served in county jails. Returns to State prison for parole violations decreased 7.6 percentage points between Fiscal Year 2009-10 (37.9 percent of the release cohort) and Fiscal Year 2010-11 (30.3 percent of the release cohort), contributing to the decrease in the three-year return-to-prison rate of 44.6 percent.

Impacts of Realignment were also observed in other types of return categories: returns for property crimes decreased 1.5 percentage points between Fiscal Years 2009-10 and 2010-11 (6.2 percent and 4.7 percent of the release cohorts, respectively) and returns for drug crimes decreased 1.1 percentage points (4.5 percent and 3.4 percent of the release cohorts, respectively). Crimes against persons, which tend to be more serious and violent, increased slightly (0.4 of a percentage point) from 3.6 percent of the release cohort in Fiscal Year 2009-10 to 4 percent of the release cohort in Fiscal Year 2010-11. As intended by Realignment, decreases in parole violations and slight decreases in drug crimes and property crimes are expected, as many parole violators and non-serious, non-violent, and non-sex registrant offenders will serve their sentences in county jail, rather than State prison. Slight increases in crimes against persons may be observed as more serious and violent offenders are sentenced to and returned to State prison. The impact of Realignment on the types of returns to State prison are discussed in greater detail in the following sections of this report.

All of the offenders in the Fiscal Year 2010-11 cohort were released pre-Realignment and depending on their date of release, Realignment was in effect for varying amounts of time during the offenders' three-year follow-up period. Although the majority of the Fiscal Year 2011-12 cohort will be released post-Realignment, the Fiscal Year 2012-13 release cohort will be the first cohort where all offenders are released post-Realignment and a full three-year follow-up period will occur. At this time, the CDCR will be able to fully examine the impact of Realignment on CDCR offenders.

*Figure B. Three-Year Outcomes for Offenders Released from State Prison in Fiscal Year 2010-11*



## 2 Evaluation Design

### 2.1 Return-to-Prison Definition

The Board of State and Community Corrections (BSCC) defines recidivism as “conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction”. The BSCC definition allows for other measures of recidivism, including supplemental measures. Supplemental measures of recidivism may include new arrests, returns to custody, criminal filings, or supervision violations. While arrest and conviction data are provided in the appendices of this report, the CDCR continues to use a supplemental measure, the three-year return-to-prison rate, as its primary measure of recidivism.

The three-year return-to-prison rate is defined as follows:

“An individual convicted of a felony<sup>4</sup> and incarcerated in a CDCR adult institution who was released to parole, discharged after being paroled, or directly discharged during Fiscal Year (FY) 2010-11 and subsequently returned to State prison<sup>5</sup> within three years of their release date.”

The return-to-prison rate is calculated using the ratio of the number of offenders in the release cohort who returned to prison during the follow-up period, to the total number of offenders in the release cohort, multiplied by 100.

$$\text{Return-to-Prison Rate} = \frac{\text{Number Returned}}{\text{Release Cohort}} \times 100$$

Appendix A of this report provides supplemental recidivism rates using arrest and conviction data, in addition to returns to prison. Three-year rates for each of these supplemental measures are available for FY 2002-03 through 2010-11. One-year and two-year rates are available for FY 2011-12 and one-year rates for FY 2012-13.

### 2.2 Methods

This report provides return-to-prison rates at one-, two-, and three-year intervals for the 95,690 offenders released from CDCR’s Division of Adult Institutions (DAI) between July 1, 2010 and June 30, 2011 (FY 2010-11). The release cohort includes; 1) Offenders who were directly discharged from CDCR; 2) Offenders who were released to parole for the first time on their current term; and 3) Offenders who were released to parole on their current term prior to FY 2010-11, returned to prison on this term, and were then re-released during FY 2010-11. Rates of return are further examined according to offender demographics (e.g. gender, age, race/ethnicity) and offender characteristics (e.g. commitment offense, sentence type).

<sup>4</sup> Due to reporting limitations, civil addicts are excluded.

<sup>5</sup> This may include individuals who returned to prison pending revocation, but whose cases are “continued on parole” or dismissed.

### 2.3 Data Sources

Data were extracted from the CDCR Strategic Offender Management System (SOMS), CDCR's system of record, to identify offenders released between July 1, 2010 and June 30, 2011 and to determine which released offenders returned to State prison during the three-year follow-up period.

Arrest and conviction data, included in the appendices of this report, were obtained from the Department of Justice (DOJ) Criminal Justice Information System (CJIS) and the California Law Enforcement Telecommunications System (CLETS).

### 2.4 Data Limitations

Data quality is important with all analyses performed by the CDCR's Office of Research. The intent of this report is to provide summary (aggregate) information, rather than individual information. The aggregate data are strong when a large number of records (releases) are available for analysis, but are less robust as subgroups are influenced by nuances associated with each case. Therefore, caution should be exercised when interpreting results associated with fewer records. Return-to-prison rates are only presented for offender releases (i.e. denominators) that are equal to or greater than 30.

Return-to-prison rates are fixed at three years, meaning the follow-up period is considered complete and no further analyses are performed. Arrests and conviction data presented in the appendices of this report may see slight fluctuations, particularly as the one-year and two-year rates are updated in subsequent reporting years. These data are routinely updated in accordance with criminal justice system processing. As data become available, subsequent reports will be updated.

The CDCR transitioned to SOMS in 2013 from CDCR's legacy system of record Offender Based Information Systems (OBIS), which included the integration of paper files into one automated system. As a result, CDCR data are more reliable and reporting is more comprehensive. As with any data system, data entry issues may cause data quality issues. The CDCR has implemented remedy processes and business rules to enhance the data contained within SOMS.



### 3 Description of FY 2010-11 Release Cohort

Between July 1, 2010 and June 30, 2011, 95,690 offenders were released from CDCR adult institutions. Of these offenders, 58,122 offenders (60.7 percent) were first releases and 37,568 offenders (39.3 percent) were re-releases. A first release refers to the first release on the current term for offenders with a new admission or offenders who returned for a parole violation with a new term. Any subsequent release on the same (current) term is a re-release. The following sections provide demographics and characteristics of the 95,690 offenders released during FY 2010-11 and comprise the 2015 Outcome Evaluation cohort.

#### 3.1 Offender Demographics

##### Gender

Of the 95,690 offenders released in FY 2010-11, 86,571 offenders were male (90.5 percent) and 9,119 offenders were female (9.5 percent).

##### Age at Release

Offenders ages 25 – 29 comprised the largest number of releases (19.4 percent or 18,550 offenders) in FY 2010-11, followed by offenders ages 30 – 34 (17.1 percent or 16,401 offenders) and offenders ages 35 – 39 (13.1 percent or 12,528 offenders). Offenders ages 18 – 19 comprised the smallest number of releases (0.8 percent or 744 offenders), followed by offenders ages 60 and over (1.9 percent or 1,844 offenders). Nearly 90 percent of the releases (87 percent) were between the ages of 20 to 49.

##### Race/Ethnicity

Nearly 40 percent of the FY 2010-11 release cohort (38.9 percent or 37,190 offenders) were Hispanic/Latino, followed by White (29.6 percent or 28,323 offenders), and Black/African American (26.4 percent or 25,238 offenders). Over 3 percent (3.1 percent or 3,008 offenders) belonged to the other race/ethnicity category, 1.1 percent (1,063 offenders) were American Indian/Alaskan Native, and 0.9 percent (868 offenders) were Asian/Pacific Islander.

##### County of Parole

Twenty-six percent (24,904 offenders) of the FY 2010-11 cohort were released to Los Angeles County, followed by San Bernardino County (8.4 percent or 8,018 offenders), and Orange County (7.1 percent or 6,804 offenders). Nearly 80 percent (79.6 percent or 76,215 offenders) were released to the 12 counties presented in Table 1, 19.2 percent (18,367 offenders) were released to all other California counties, and 1.2 percent (1,108 offenders) were directly discharged.

Table 1. Demographics of Offenders Released in Fiscal Year 2010-11

Demographics	Number	Percent
<b>Total</b>	95,690	100.0%
<b>Release Type</b>		
First Release	58,122	60.7%
Re-Release	37,568	39.3%
<b>Gender</b>		
Male	86,571	90.5%
Female	9,119	9.5%
<b>Age at Release</b>		
18 - 19	744	0.8%
20 - 24	12,666	13.2%
25 - 29	18,550	19.4%
30 - 34	16,401	17.1%
35 - 39	12,528	13.1%
40 - 44	12,390	12.9%
45 - 49	10,716	11.2%
50 - 54	6,865	7.2%
55 - 59	2,986	3.1%
60 and over	1,844	1.9%
<b>Race/Ethnicity</b>		
Hispanic/Latino	37,190	38.9%
White	28,323	29.6%
Black/African American	25,238	26.4%
American Indian/Alaskan Native	1,063	1.1%
Asian/Pacific Islander	868	0.9%
Other	3,008	3.1%
<b>County of Parole</b>		
Los Angeles County	24,904	26.0%
San Bernardino County	8,018	8.4%
Orange County	6,804	7.1%
San Diego County	6,431	6.7%
Riverside County	6,201	6.5%
Sacramento County	5,698	6.0%
Alameda County	4,022	4.2%
Fresno County	3,699	3.9%
Kern County	3,681	3.8%
San Joaquin County	2,363	2.5%
Santa Clara County	2,776	2.9%
Stanislaus County	1,618	1.7%
All Others	19,475	20.4%
None (Direct Discharge)	1,108	1.2%

## 3.2 Offender Characteristics

### Commitment Offense

Nearly a third (33.2 percent or 31,756 offenders) of the FY 2010-11 release cohort were committed for property crimes, followed by crimes against persons (30 percent or 28,732 offenders), and drug crimes (25.5 percent or 24,445 offenders). Over 10 percent (11.2 percent or 10,757 offenders) were committed for other crimes.

### Sentence Type

The majority of offenders released (86.1 percent or 82,392 offenders) served a determinate sentence. An additional 13.5 percent (12,900 offenders) served a determinate sentence as second strikers. A small portion of the release cohort (0.4 percent or 398 offenders) served an indeterminate sentence (lifers).

### Sex Registration Requirement

Less than 10 percent of the release cohort (9.4 percent or 8,989 offenders) were required to register as sex offenders. Over 90 percent (90.6 percent or 86,701 offenders) did not have a sex registration requirement.

### Serious/Violent Offenders

The majority of offenders released (75 percent or 71,769 offenders) do not have a serious or violent offense, 13.9 percent (13,268 offenders) had a serious offense, and 11.1 percent (10,653 offenders) had a violent offense.

### Mental Health Status

Most offenders (82.2 percent or 78,705 offenders) did not have a mental health designation. Of those with a mental health designation, 15 percent (14,385 offenders) were assigned to the Correctional Clinical Case Management System, and 2.5 percent (2,422 offenders) were assigned to the Enhanced Outpatient Program. Less than one percent of offenders were assigned to a Mental Health Crisis Bed (119 offenders) or the Department of Mental Health (59 offenders).

### CSRA Risk Score

The majority of offenders (54.7 percent or 52,331 offenders) had a California Static Risk Score (CSRA) score of high, followed by 26.2 percent (25,108 offenders) with a score of moderate, and 18.2 percent (17,421 offenders) with a score of low. Less than one percent of the release cohort (0.9 percent or 830 offenders) did not have a CSRA score.

### Length of Stay

Of the 95,690 offenders released, 43.9 percent (42,018 offenders) had a length of stay of six months or less, 26.7 percent (25,592 offenders) had a stay of 7 – 12 months, and 9.5 percent (9,056 offenders) had a stay of 13 – 18 months. The number of offenders in each length of stay category decreases (with the exception of 5 – 10 years) as the length of stay increases. Less than one percent (0.5 percent or 474 offenders) had a length of stay of 15 years or longer.

### Prior Returns to Custody

Of the total offenders released, 60.7 percent (58,057 offenders) did not have a prior return to custody on their current term, prior to release. Over 16 percent (16.1 percent or 15,431 offenders) had one prior return to custody on their current term, followed by 8.4 percent (7,997 offenders) with two prior returns on their current term. In general, the number of offenders decreases as the number of prior returns to custody increases.

### Number of CDCR Stays Ever

Of the 95,690 offenders released, 27.6 percent (26,426 offenders) had one stay at a CDCR institution, followed by 13.4 percent (12,837 offenders) with two stays at a CDCR institution, and 9.6 percent (9,182 offenders) with three stays. The number of offenders in each category decreases as the number of stays increases, with the exception of 15 or more stays (6.6 percent or 6,338 offenders).

Table 2. Characteristics of Offenders Released in Fiscal Year 2010-11

Characteristics	Number	Percent
<b>Commitment Offense Category</b>		
Property Crimes	31,756	33.2%
Crimes Against Persons	28,732	30.0%
Drug Crimes	24,445	25.5%
Other Crimes	10,757	11.2%
<b>Sentence Type</b>		
Determinate Sentencing Law	82,392	86.1%
Second Strikers (Determinate Sentencing Law)	12,900	13.5%
Lifers (Indeterminate Sentencing Law)	398	0.4%
<b>Sex Registration Requirement</b>		
No	86,701	90.6%
Yes	8,989	9.4%
<b>Serious and/or Violent Offenders</b>		
Serious	13,268	13.9%
Violent	10,653	11.1%
Non-Serious/Non-Violent	71,769	75.0%
<b>Mental Health Status</b>		
Correctional Clinical Case Management System	14,385	15.0%
Enhanced Outpatient Program	2,422	2.5%
Department of Mental Health	59	0.1%
Mental Health Crisis Bed	119	0.1%
None/No Mental Health Code	78,705	82.2%
<b>CSRA Risk Score</b>		
Low	17,421	18.2%
Moderate	25,108	26.2%
High	52,331	54.7%
N/A	830	0.9%
<b>Length of Stay</b>		
Less than 6 Months	42,018	43.9%
7 - 12 months	25,592	26.7%
13 - 18 months	9,056	9.5%
19 - 24 months	5,579	5.8%
2 - 3 years	5,350	5.6%
3 - 4 years	2,567	2.7%
4 - 5 years	1,583	1.7%
5 - 10 years	2,552	2.7%
10 - 15 years	919	1.0%
15 + years	474	0.5%

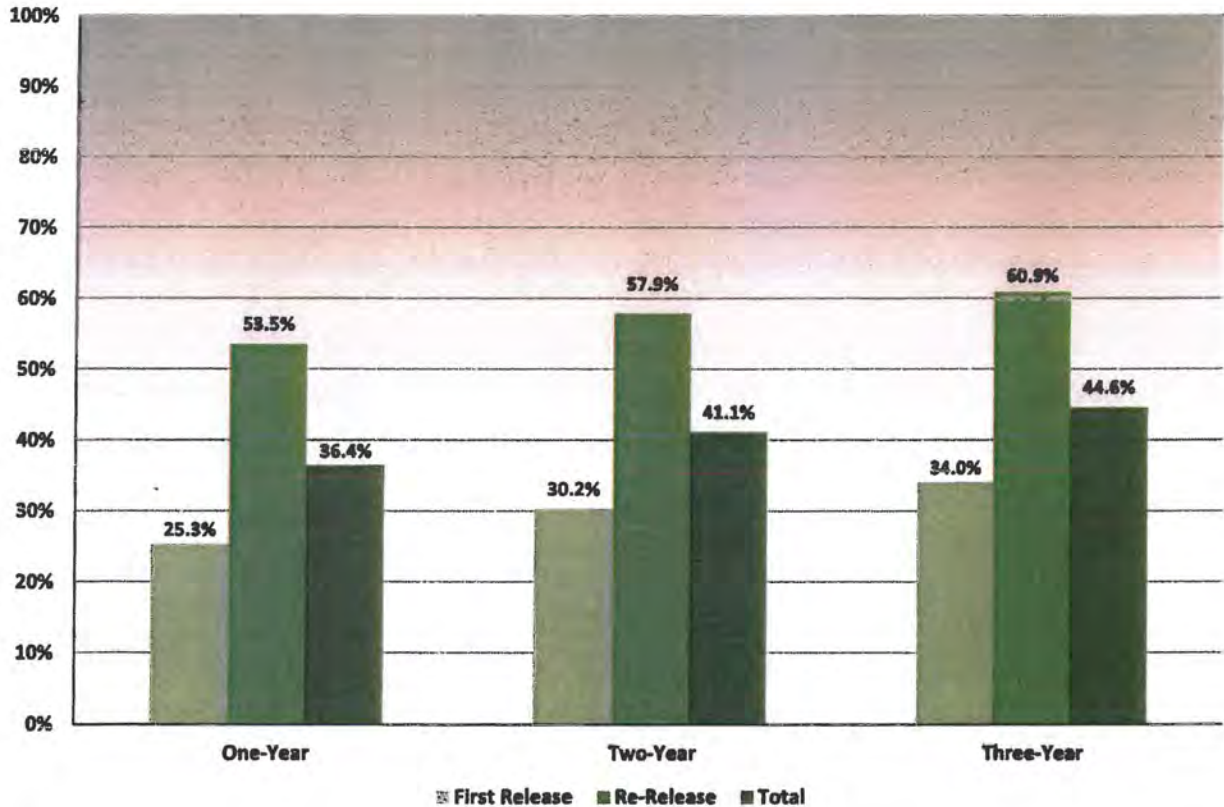
Table 2. Characteristics of Offenders Released in FY 2010-11 (continued)

Characteristics	Number	Percent
<b>Prior Returns to Custody</b>		
0	58,057	60.7%
1	15,431	16.1%
2	7,997	8.4%
3	5,116	5.3%
4	3,412	3.6%
5	2,230	2.3%
6	1,380	1.4%
7	889	0.9%
8	538	0.6%
9	265	0.3%
10+	375	0.4%
<b>Number of CDCR Stays Ever</b>		
1	26,426	27.6%
2	12,837	13.4%
3	9,182	9.6%
4	7,658	8.0%
5	6,376	6.7%
6	5,303	5.5%
7	4,432	4.6%
8	3,734	3.9%
9	3,188	3.3%
10	2,826	3.0%
11	2,296	2.4%
12	2,072	2.2%
13	1,613	1.7%
14	1,409	1.5%
15 +	6,338	6.6%

## 4 Three-Year Return-to-Prison Rate

### 4.1 Overall Return-to-Prison Rates for the FY 2010-11 Release Cohort

Figure 1. Return-to-Prison Rates for First Releases, Re-Releases, and the Total FY 2010-11 Release Cohort



The three-year return-to-prison rate for the 95,690 offenders released in FY 2010-11 is 44.6 percent. The largest number of offenders were returned within the first year following their release from State prison (34,810 offenders or 36.4 percent). In the second year of follow-up, an additional 4,521 offenders returned to State prison for a total of 39,331 offenders or 41.1 percent of the release cohort. In the third and final year of follow-up, an additional 3,330 offenders returned to State prison for a total of 42,661 offenders and a three-year return-to-prison rate of 44.6 percent.

As shown in the above figure and below table, re-releases return to State prison at substantially higher rates than first releases. Of the 37,568 re-releases, 60.9 percent returned to State prison within three years of their release. Of the 58,122 first releases, 34 percent returned to State prison within three years of their release. This pattern is consistent with other release cohorts examined by the CDCR. The three-year return-to-prison rate for the FY 2009-10 release cohort was 69 percent for re-releases and 44.1 percent for first releases (Appendix C).

Table 3. Return-to-Prison Rates for First-Releases, Re-Releases, and the Total FY 2010-11 Release Cohort

Release Type	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
First Release	58,122	14,702	25.3%	17,575	30.2%	19,777	34.0%
Re-Release	37,568	20,108	53.5%	21,756	57.9%	22,884	60.9%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>



## 4.2 Time to Return

Figure 2. Three-Year Quarterly and Cumulative Rate of Return for the 42,661 Offenders Returning to Prison during the Three-Year Follow-Up Period

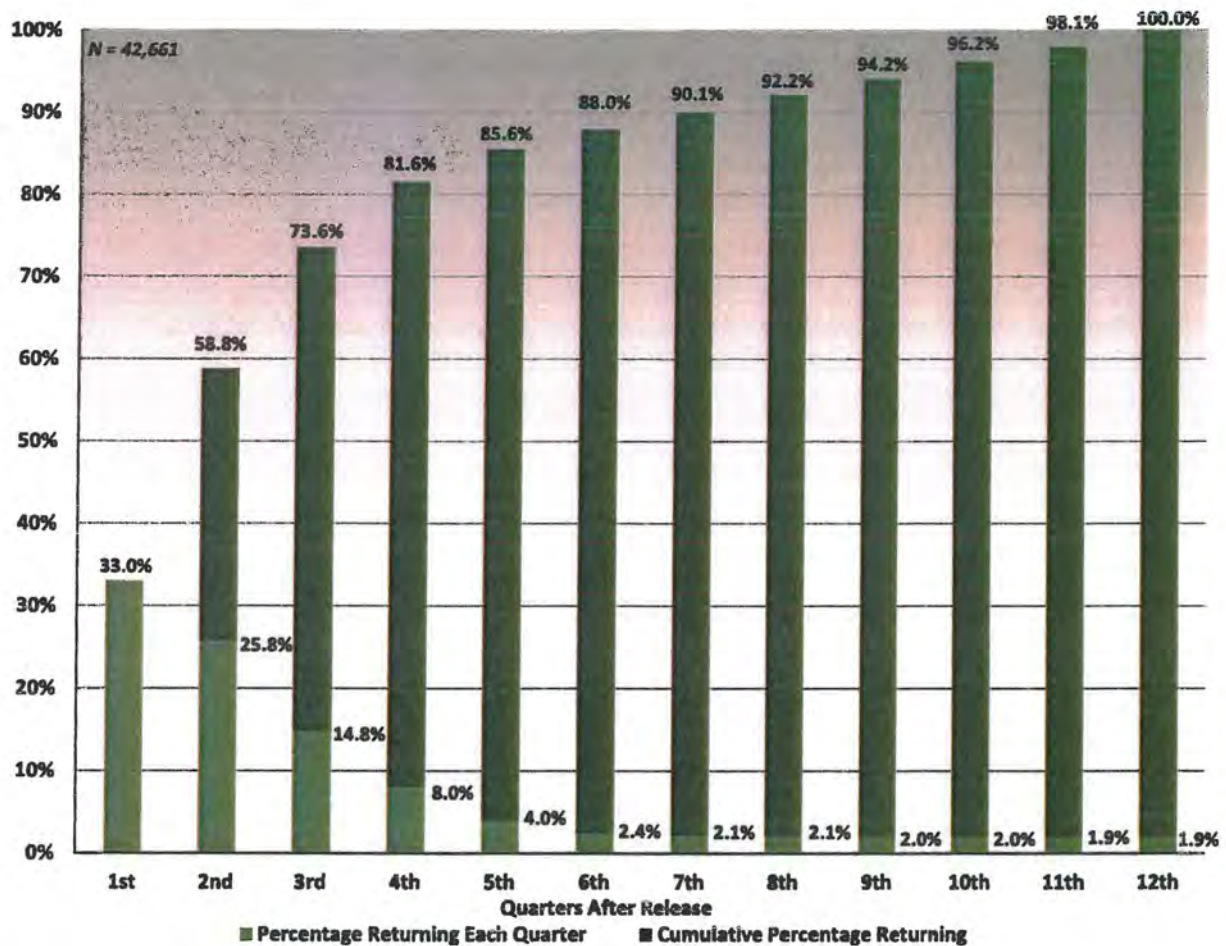


Figure 2 and Table 4 show the percentage of offenders who returned to prison during each quarter (three month period) over the three-year follow-up period, as well as the cumulative percentage of offenders who returned to prison each quarter over the three-year follow-up period. In order to examine how long offenders are in the community before recidivating, only the 42,661 offenders who returned to prison are represented in this section. The 12<sup>th</sup> quarter represents the final, cumulative results (i.e. 100 percent) of the 42,661 offenders that returned to prison.

Of the 42,661 offenders who returned to prison during the three-year follow-up period, nearly a third (33 percent) returned to prison during the first quarter following their release. Following the first quarter, the percentage of offenders returned during any subsequent quarter decreases. Over half (58.8 percent) of those who returned to prison were returned after being in the community for six or fewer months. Together, 81.6 percent of the offenders who returned to prison during the three-year follow-up period were returned within 12 months of release. Very few offenders (less than 2 percent of those returned) were returned during the final two quarters of the three-year follow-up period. These results

are consistent with other release cohorts examined by the Department; the majority of offenders who return to State prison are returned within the first year of their release.

*Table 4. Three-Year Quarterly and Cumulative Rate of Return for the 42,661 Offenders Returning to Prison during the Three-Year Follow-Up Period*

Quarters After Release	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th
Percentage Returning	33.0%	25.8%	14.8%	8.0%	4.0%	2.4%	2.1%	2.1%	2.0%	2.0%	1.9%	1.9%
Cumulative Percentage	33.0%	58.8%	73.6%	81.6%	85.6%	88.0%	90.1%	92.2%	94.2%	96.2%	98.1%	100.0%

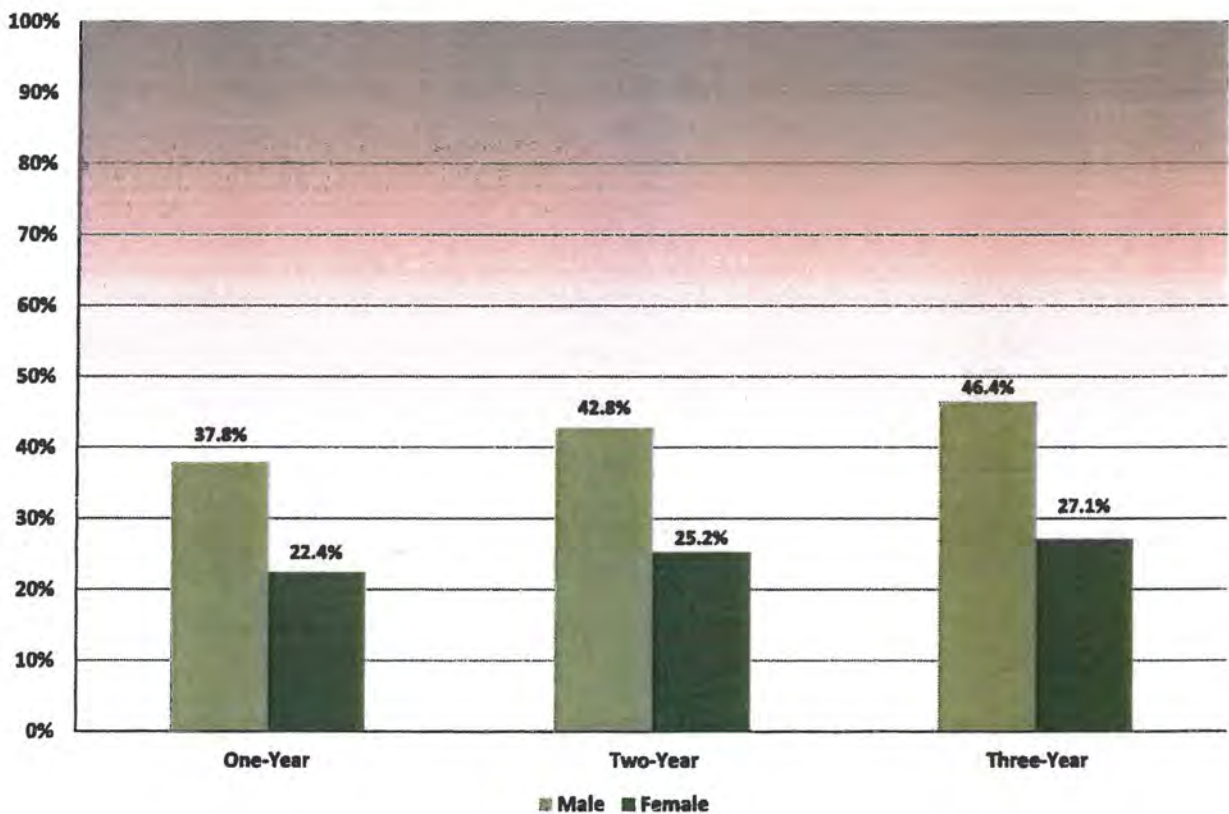
## 5 Return-to-Prison Rates by Offender Demographics and Characteristics

The following section presents one-year, two-year, and three-year return-to-prison rates for the 95,690 offenders released during FY 2010-11, by offender demographics (e.g. gender, age, race/ethnicity) and offender characteristics (e.g. release type, commitment offense category, mental health designation). Appendix C provides a comparison of the three-year return-to-prison rate by offender demographics and characteristics for the FY 2009-10 and the FY 2010-11 release cohorts.

### 5.1 Return-to-Prison Rates by Offender Demographics

#### 5.1.1 Gender

Figure 3. Return-to-Prison Rates by Gender



Of the 95,690 offenders released in FY 2010-11, the vast majority (86,571 offenders or 90.5 percent) were male and 9,119 offenders (9.5 percent) were female. Male offenders returned to State prison at a substantially higher rate after three years of follow-up than female offenders (46.4 percent and 27.1 percent, respectively). As shown in the above figure and below table, the three-year return-to-prison rate for male offenders is 19.3 percentage points higher than the rate of female offenders.

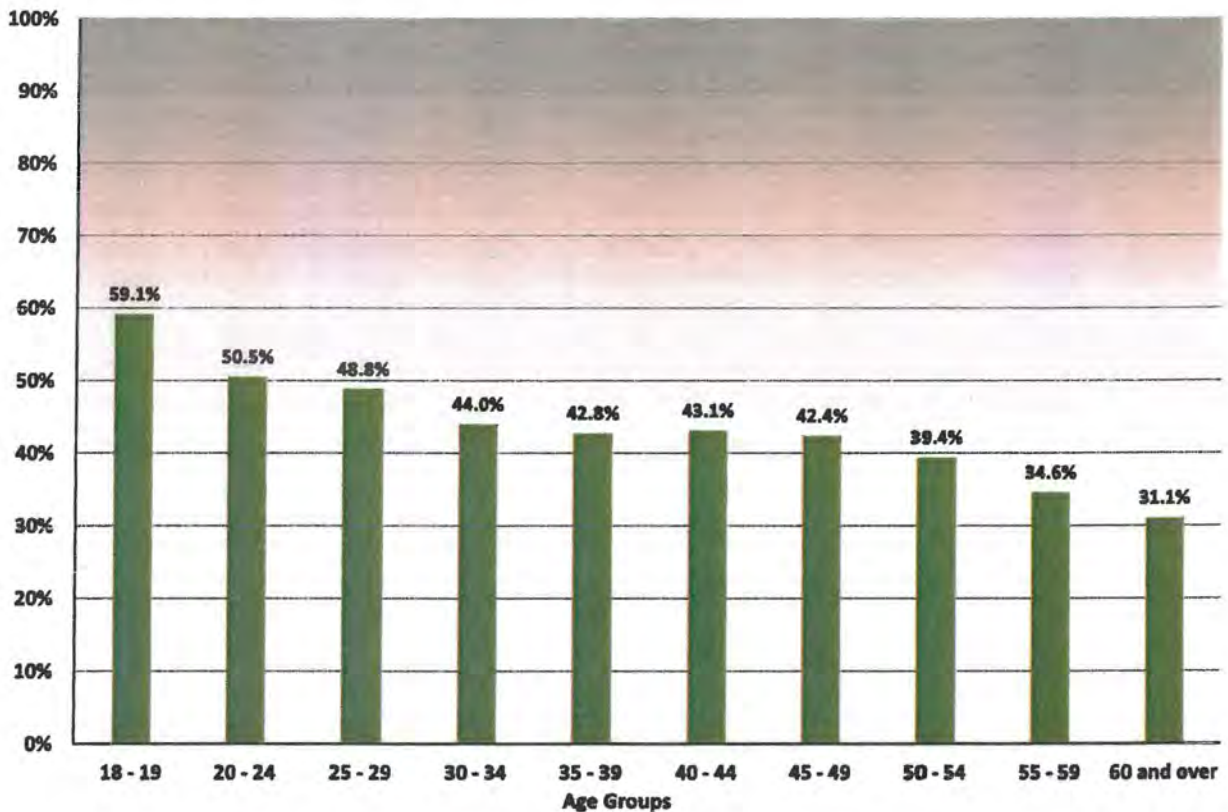
Both male and female offenders experienced a decline in their three-year return-to-prison rate between FY 2009-10 and FY 2010-11. As shown in Appendix C, the three-year return-to-prison rate decreased by 9.9 percentage points for male offenders between FY 2009-10 and FY 2010-11 (56.3 percent and 46.4 percent, respectively) and for female offenders, the three-year return-to-prison rate decreased by 10.3 percentage points (37.4 percent and 27.1 percent, respectively) between FY 2009-10 and FY 2010-11.

*Table 5. Return-to-Prison Rates by Gender*

Gender	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Male	86,571	32,766	37.8%	37,029	42.8%	40,193	46.4%
Female	9,119	2,044	22.4%	2,302	25.2%	2,468	27.1%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.1.2 Age at Release

Figure 4. Three-Year Return-to-Prison Rate by Age at Release



Similar to other release cohorts observed by the CDCR, younger offenders (ages 18 – 24) returned to prison at higher rates than other age groups. While offenders ages 18 – 19 comprised a small portion of the release cohort (744 offenders or 0.8 percent), their three-year return-to-prison rate (59.1 percent) is higher than any other age group. Offenders ages 20 – 24 had a three-year return-to-prison rate of 50.5 percent and offenders ages 25 – 29 had a three-year return-to-prison rate of 48.8 percent. The return-to-prison rate continues to decrease as the age of the offender increases, with the exception of offenders ages 40 – 44, when the rate increases by 0.3 of a percentage point. Offenders ages 60 and over had the lowest return-to-prison rate among all age groups at 31.1 percent (or 573 offenders).

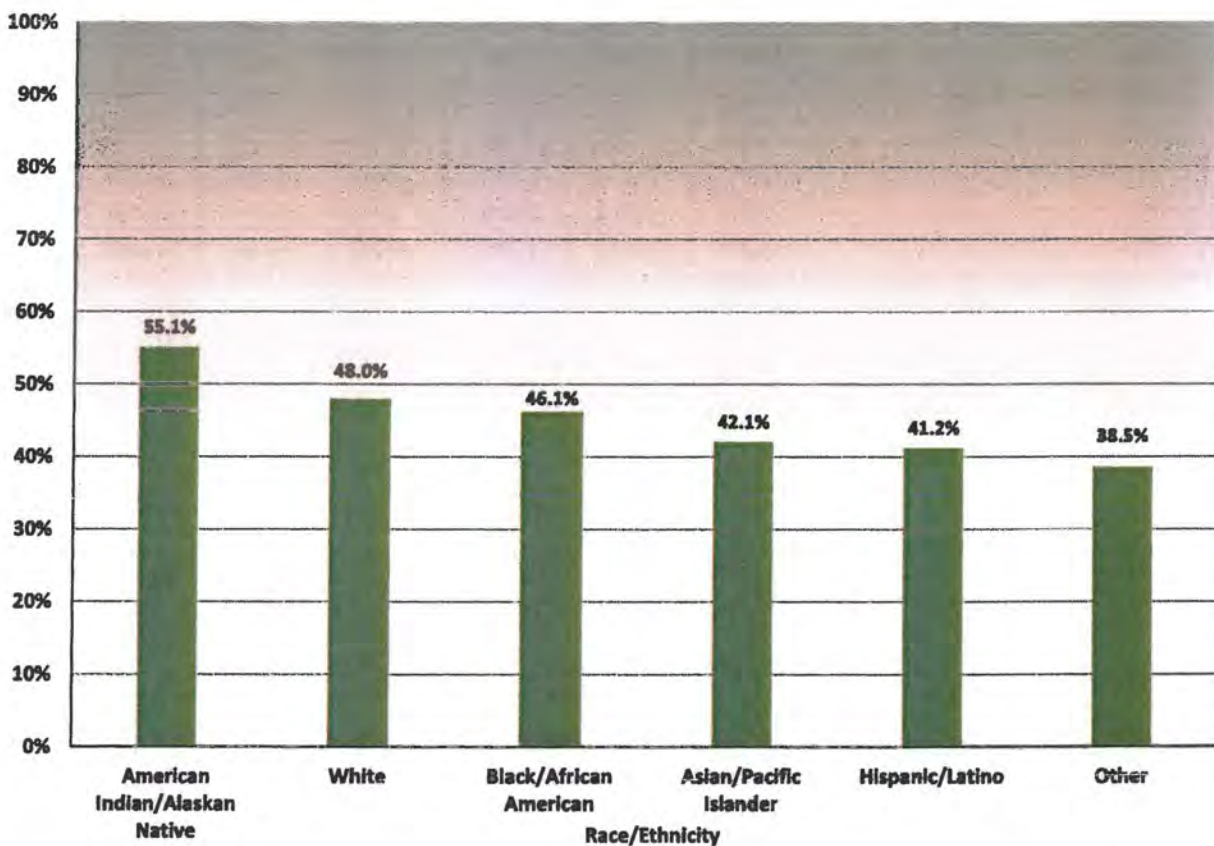
When compared to the FY 2009-10 release cohort, each age group saw a decline in the three-year return-to-prison rate. Offenders ages 20 – 24 saw the largest decrease in the three-year return-to-prison rate (10.8 percentage points) among any age group between FY 2009-10 and FY 2010-11 (61.3 percent and 50.5 percent, respectively). The smallest decrease (7 percentage points) in the three-year return-to-prison rate was observed in offenders ages 60 and over (38.1 percent and 31.1 percent, respectively) between FY 2009-10 and FY 2010-11 (Appendix C).

Table 6. Return-to-Prison Rates by Age at Release

Age Groups	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
18 - 19	744	336	45.2%	401	53.9%	440	59.1%
20 - 24	12,666	5,044	39.8%	5,841	46.1%	6,400	50.5%
25 - 29	18,550	7,304	39.4%	8,315	44.8%	9,052	48.8%
30 - 34	16,401	5,764	35.1%	6,616	40.3%	7,217	44.0%
35 - 39	12,528	4,429	35.4%	4,931	39.4%	5,357	42.8%
40 - 44	12,390	4,467	36.1%	4,967	40.1%	5,342	43.1%
45 - 49	10,716	3,802	35.5%	4,237	39.5%	4,543	42.4%
50 - 54	6,865	2,291	33.4%	2,524	36.8%	2,705	39.4%
55 - 59	2,986	867	29.0%	955	32.0%	1,032	34.6%
60 and over	1,844	506	27.4%	544	29.5%	573	31.1%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

### 5.1.3 Race/Ethnicity

Figure 5. Return-to-Prison Rates by Race/Ethnicity



The above figure and below table show return-to-prison rates by race/ethnicity. Although American Indian/Alaskan Native offenders comprised a small number of releases (1,063 offenders or 1.1 percent of the release cohort) their three-year return-to-prison rate is the highest (55.1 percent) among all race/ethnicity categories. The rate for American Indian/Alaskan Native offenders (55.1 percent) was followed by White offenders (48 percent), Black/African American offenders (46.1 percent), Asian or Pacific Islander offenders (42.1 percent), and Hispanic offenders (41.2 percent). The three-year return-to-prison rate for other offenders was 38.5 percent.

The three-year return-to-prison rate decreased for each race/ethnicity category between FY 2009-10 and FY 2010-11. Black/African American offenders saw the largest decrease at 12.3 percentage points (58.5 percent and 46.1 percent, respectively) and Asian/Pacific Islander offenders saw the smallest decrease at 3.9 percentage points (46 percent and 42.1 percent, respectively) between FY 2009-10 and FY 2010-11 (Appendix C).

Table 7. Return-to-Prison Rates by Race/Ethnicity

Race/Ethnicity	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
American Indian/Alaskan Native	1,063	495	46.6%	552	51.9%	586	55.1%
White	28,323	11,535	40.7%	12,728	44.9%	13,586	48.0%
Black/African American	25,238	9,370	37.1%	10,693	42.4%	11,644	46.1%
Asian/Pacific Islander	868	293	33.8%	327	37.7%	365	42.1%
Hispanic/Latino	37,190	12,115	32.6%	13,956	37.5%	15,321	41.2%
Other	3,008	1,002	33.3%	1,075	35.7%	1,159	38.5%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>



## 5.1.4 County of Parole

Figure 6. Return-to-Prison Rates by County of Parole

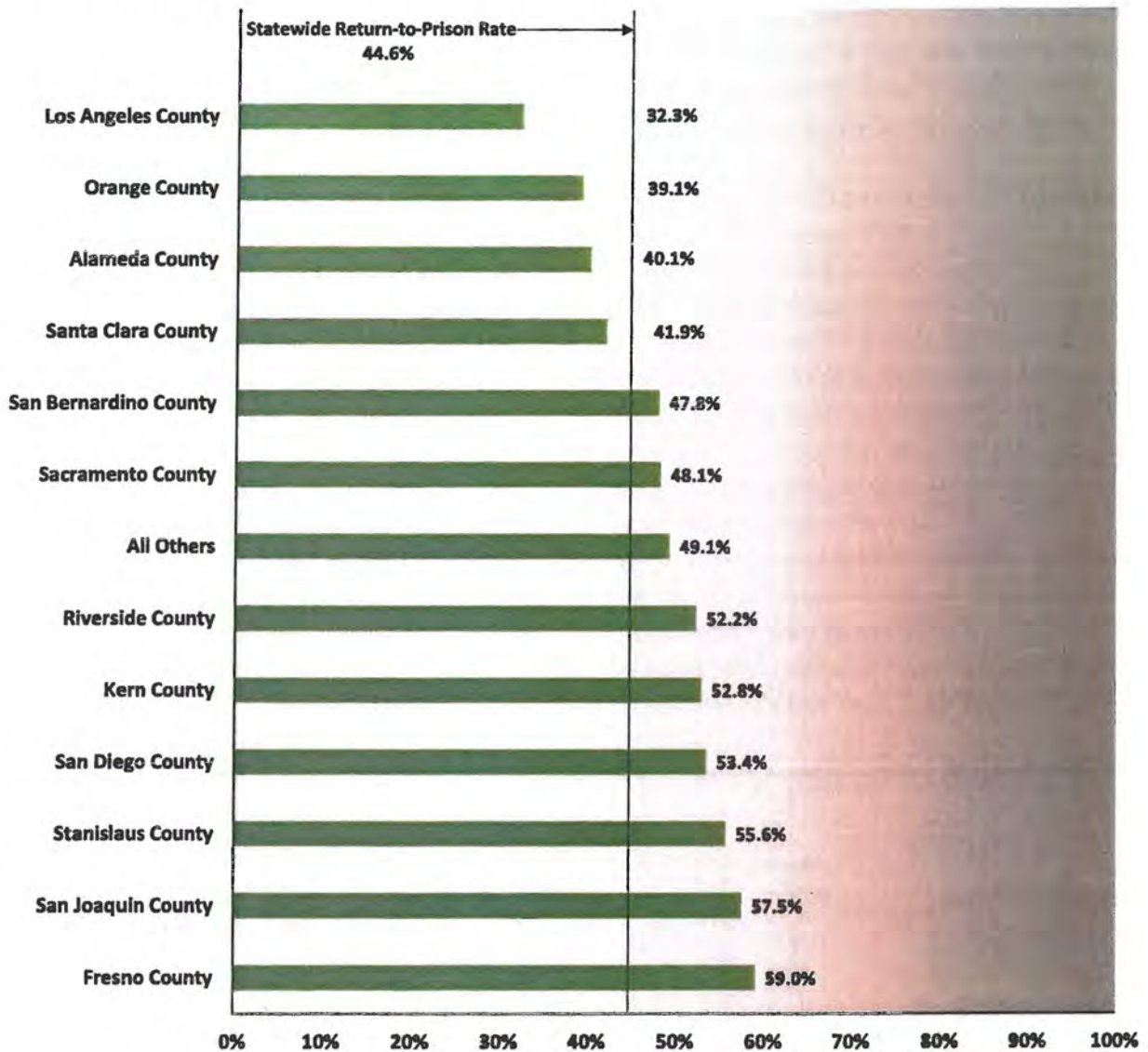


Figure 6 and Table 8 show return-to-prison rates for the 12 counties with the largest number of releases. Together, these 12 counties account for nearly 80 percent (79.6 percent or 76,215 offenders) of the offenders released in FY 2010-11. Approximately 20 percent (20.4 percent) were released to the remaining 46 California counties (all others) or were directly discharged. Three-year return-to-prison data for all other counties are presented in Appendix D of this report.

Los Angeles County had the largest number of releases (24,904 offenders) in FY 2010-11, accounting for 26 percent of the total releases. Los Angeles County also has the lowest three-year return-to-prison rate (32.3 percent) among the top 12 counties with the largest number of releases, followed by Orange County (39.1 percent), and Alameda County (40.1 percent). Among the top 12 counties with the largest

number of releases, Fresno County has the highest return-to-prison rate (59 percent) among the top 12 counties, followed by San Joaquin County (57.5 percent), and Stanislaus County at (55.6 percent).

The number of offenders released to Los Angeles County (24,904 offenders or 20.4 percent of the release cohort) and the low three-year return-to-prison rate (32.3 percent) are factors which drive the overall three-year return-to-prison rate downward. When Los Angeles County is excluded from the examination, the State's three-year return-to-prison rate is 48.9 percent or 4.3 percentage points higher than the State's actual three-year return-to-prison rate of 44.6 percent.

Between FY 2009-10 and FY 2010-11 each of the top 12 counties with the largest number of releases saw a decrease in the three-year return-to-prison rate. Santa Clara County saw the largest decrease (13.1 percentage points), followed by San Bernardino County (12 percentage points), and Alameda County (11.5 percentage points). Orange County had the smallest decrease among the top 12 counties (5.6 percentage points), followed by Sacramento (5.7 percentage points), and Fresno (7.4 percentage points). A comparison of the three-year return-to-prison rate between the two fiscal years for each county is provided in Appendix C of this report.

The above data should be interpreted with caution because offenders may leave the county to which they were paroled, or offenders may be returned to prison in a county other than their county of parole. When an offender returns to prison in a county other than their county of parole, the return is still counted in the county to which they were paroled. Additionally, a small number of offenders (1,108 offenders or 1.2 percent of the release cohort) were directly discharged from State prison and have a low three-year return-to-prison rate (22.3 percent). One-year, two-year, and three-year return-to-prison rates for direct discharges and all California counties may be found in Appendix D of this report.

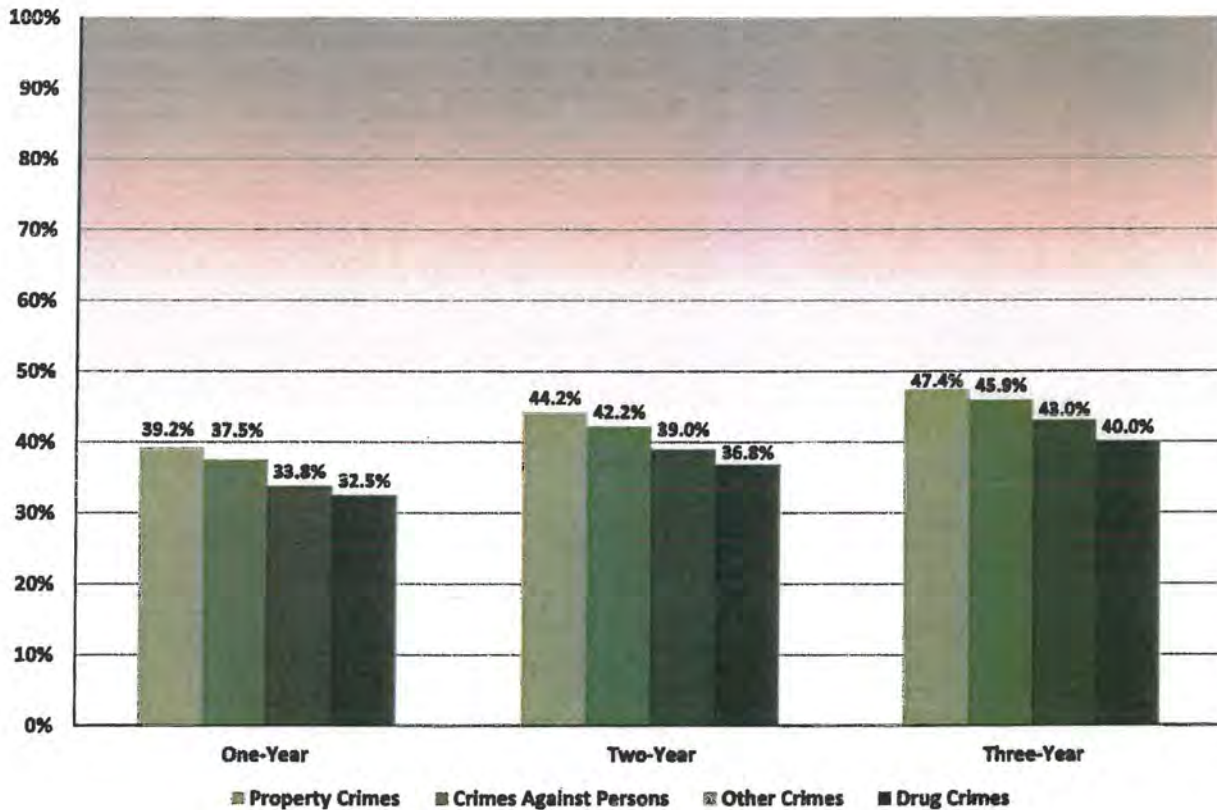
*Table 8. Return-to-Prison Rates by County of Parole*

County of Parole	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Fresno County	3,699	1,958	52.9%	2,086	56.4%	2,184	59.0%
San Joaquin County	2,363	1,191	50.4%	1,280	54.2%	1,358	57.5%
Stanislaus County	1,618	778	48.1%	846	52.3%	900	55.6%
San Diego County	6,431	2,956	46.0%	3,240	50.4%	3,434	53.4%
Kern County	3,681	1,620	44.0%	1,805	49.0%	1,944	52.8%
Riverside County	6,201	2,721	43.9%	2,997	48.3%	3,237	52.2%
Sacramento County	5,698	2,388	41.9%	2,584	45.3%	2,739	48.1%
San Bernardino County	8,018	3,123	38.9%	3,548	44.3%	3,836	47.8%
Santa Clara County	2,776	977	35.2%	1,093	39.4%	1,164	41.9%
Alameda County	4,022	1,448	36.0%	1,549	38.5%	1,612	40.1%
Orange County	6,804	2,253	33.1%	2,498	36.7%	2,658	39.1%
Los Angeles County	24,904	5,229	21.0%	6,807	27.3%	8,032	32.3%
All Others	19,475	8,168	41.9%	8,998	46.2%	9,563	49.1%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2 Return-to-Prison Rates by Offender Characteristics

### 5.2.1 Commitment Offense Category

Figure 7. Return-to-Prison Rates by Commitment Offense Category



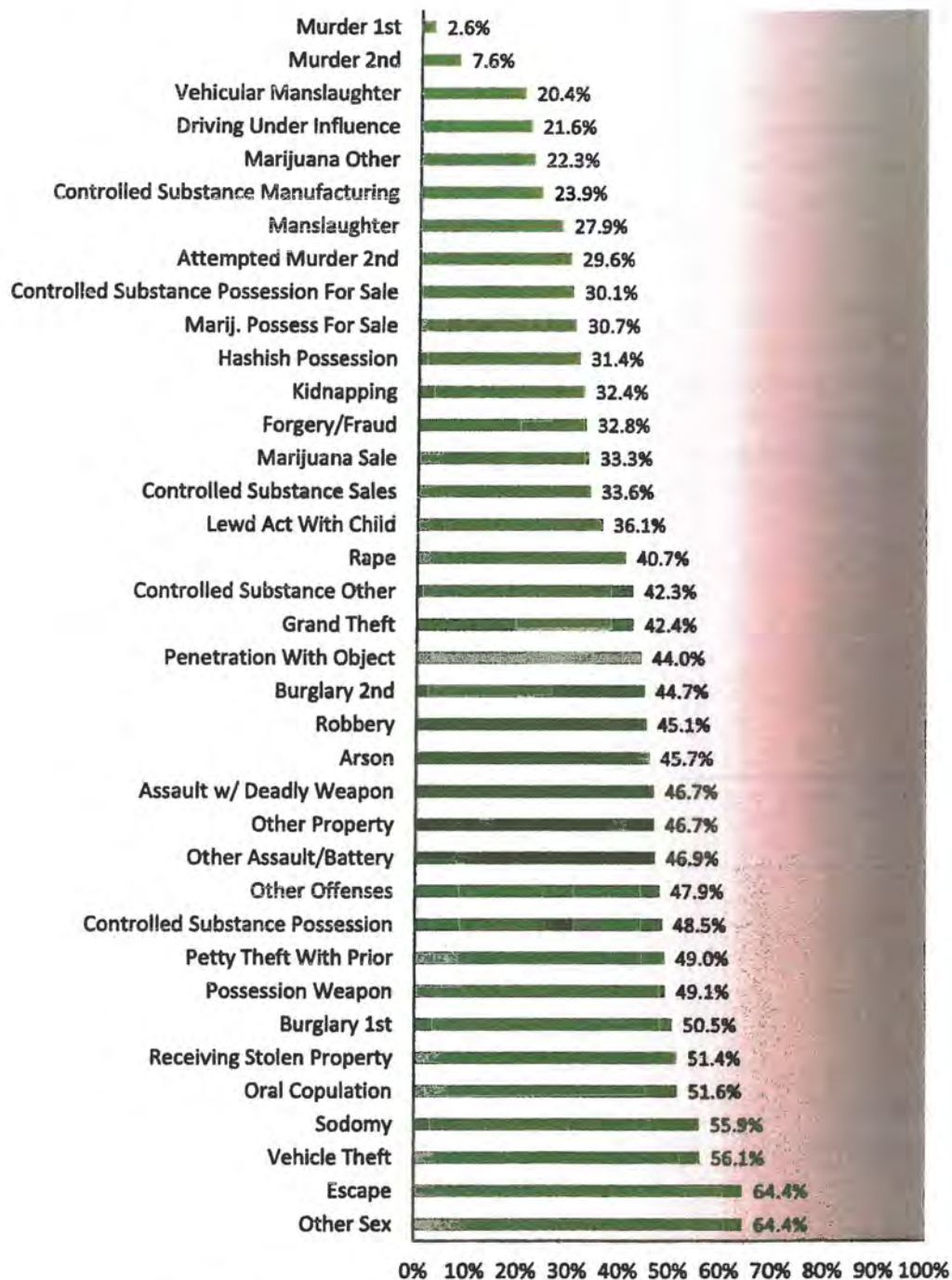
The above figure and below table show the three-year return-to-prison rate by the offense an offender was committed to prison for (commitment offense category). Offenders committed for property crimes have the highest three-year return-to-prison rate of all commitment offense categories at 47.4 percent, followed by crimes against persons (45.9 percent), other crimes (43 percent), and drug crimes (40 percent). Offenders committing property crimes and crimes against persons comprise the largest number of releases (31,756 offenders and 28,732 offenders, respectively), followed by drug crimes (24,445 offenders), and other crimes (10,757 offenders).

The three-year return-to-prison rate decreased for each commitment offense category between FY 2009-10 and FY 2010-11 (Appendix C). Property crimes saw the largest decrease (10.7 percentage points), between the two fiscal years (58.1 percent and 47.4 percent, respectively). Between FY 2009-10 and FY 2010-11, crimes against persons decreased by 9.5 percentage points (55.5 percent and 45.9 percent, respectively), as did drug crimes (49.5 percent and 40 percent, respectively). Between the two fiscal years, other crimes decreased by 9.3 percentage points (52.4 percent and 43 percent, respectively).

*Table 9. Return-to-Prison Rates by Commitment Offense Category*

Commitment Offense Category	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Property Crimes	31,756	12,455	39.2%	14,030	44.2%	15,048	47.4%
Crimes Against Persons	28,732	10,782	37.5%	12,126	42.2%	13,196	45.9%
Other Crimes	10,757	3,632	33.8%	4,191	39.0%	4,630	43.0%
Drug Crimes	24,445	7,941	32.5%	8,984	36.8%	9,787	40.0%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.2 Commitment Offense

Figure 8. Three-Year Return-to-Prison Rate by Commitment Offense<sup>6</sup>

<sup>6</sup> "Marijuana Other" offenses include planting, cultivating, harvesting, or possessing marijuana; hiring, employing, using a minor in the unlawful transportation, sale, or peddling of marijuana to another minor, furnishing, giving, and/or offering marijuana to a minor. "CS Other" offenses include possession of a controlled substance in prison; soliciting, encouraging, inducing a minor to furnish, sell, offer a controlled substance; agreeing, consenting, offering to sell, furnish, and/or transport a CS. "Other Offenses" include false imprisonment, accessory, and/or malicious harassment. "Other Sex Offenses" including failing to register as a sex offender, unlawful sex with a minor, and/or indecent exposure.

As shown in Figure 8, the three-year return-to-prison rate varies substantially when examined by commitment offense. Offenders with a commitment offense of escape and other sex offenses returned to prison at the highest rates after three years of follow-up (each at 64.4 percent), followed by vehicle theft (56.1 percent or 2,475 offenders), and sodomy (55.9 percent or 19 offenders). Rates for offenders required to register as sex offenders (sex registrants) are provided later in this report.

Offenders with a commitment offense of first degree murder returned to prison at the lowest rate among all commitment offenses after three years of follow-up (2.6 percent or two offenders), followed by second degree murder (7.6 percent or 20 offenders), vehicular manslaughter (20.4 percent or 45 offenders), and driving under the influence (21.6 percent or 485 offenders). Return-to-prison rates were not calculated for categories with fewer than 30 releases.

Between FY 2009-10 and FY 2010-11, the three-year return-to-prison rate decreased across all commitment offense groups, with the exception of two; escape increased by 2.9 percentage points (from 61.5 percent to 64.4 percent) and vehicular manslaughter increased by 1.3 percentage points (from 19.1 percent to 20.4 percent). The largest decrease in the three-year return-to-prison rate was for hashish possession, which decreased 24.5 percentage points (from 55.9 percent to 31.4 percent) between FY 2009-10 and FY 2010-11 (Appendix C).

Table 10. Return-to-Prison Rates by Commitment Offense

Offense	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Escape	45	25	55.6%	27	60.0%	29	64.4%
Other Sex	2,736	1,648	60.2%	1,712	62.6%	1,763	64.4%
Vehicle Theft	4,413	2,107	47.7%	2,357	53.4%	2,475	56.1%
Sodomy	34	17	50.0%	18	52.9%	19	55.9%
Oral Copulation	215	103	47.9%	107	49.8%	111	51.6%
Receiving Stolen Property	4,344	1,910	44.0%	2,111	48.6%	2,234	51.4%
Burglary 1st	3,345	1,229	36.7%	1,497	44.8%	1,690	50.5%
Possession Weapon	5,183	2,012	38.8%	2,318	44.7%	2,546	49.1%
Petty Theft With Prior	4,672	1,957	41.9%	2,155	46.1%	2,289	49.0%
CS Possession	12,439	4,999	40.2%	5,570	44.8%	6,032	48.5%
Other Offenses	3,075	1,188	38.6%	1,354	44.0%	1,474	47.9%
Other Assault/Battery	9,060	3,458	38.2%	3,902	43.1%	4,253	46.9%
Other Property	1,282	483	37.7%	550	42.9%	599	46.7%
Assault w/ Deadly Weapon	6,469	2,437	37.7%	2,770	42.8%	3,018	46.7%
Arson	210	83	39.5%	88	41.9%	96	45.7%
Robbery	5,847	1,902	32.5%	2,299	39.3%	2,635	45.1%
Burglary 2nd	7,943	2,936	37.0%	3,307	41.6%	3,548	44.7%
Penetration With Object	100	43	43.0%	43	43.0%	44	44.0%
Grand Theft	3,393	1,206	35.5%	1,342	39.6%	1,438	42.4%
CS Other	478	164	34.3%	186	38.9%	202	42.3%
Rape	432	161	37.3%	171	39.6%	176	40.7%
Lewd Act With Child	2,272	765	33.7%	796	35.0%	820	36.1%
CS Sales	2,337	621	26.6%	720	30.8%	786	33.6%
Marijuana Sale	384	102	26.6%	115	29.9%	128	33.3%
Forgery/Fraud	2,364	627	26.5%	711	30.1%	775	32.8%
Kidnapping	173	37	21.4%	50	28.9%	56	32.4%
Hashish Possession	70	17	24.3%	20	28.6%	22	31.4%
Marij. Possess For Sale	1,061	259	24.4%	300	28.3%	326	30.7%
CS Possession For Sale	7,412	1,735	23.4%	2,022	27.3%	2,230	30.1%
Attempted Murder 2nd	335	74	22.1%	86	25.7%	99	29.6%
Manslaughter	473	97	20.5%	115	24.3%	132	27.9%
CS Manufacturing	134	24	17.9%	29	21.6%	32	23.9%
Marijuana Other	130	20	15.4%	22	16.9%	29	22.3%
Driving Under Influence	2,244	324	14.4%	404	18.0%	485	21.6%
Vehicular Manslaughter	221	28	12.7%	37	16.7%	45	20.4%
Attempted Murder 1st	25	3	N/A	3	N/A	3	N/A
Murder 2nd	264	8	3.0%	15	5.7%	20	7.6%
Murder 1st	76	1	1.3%	2	2.6%	2	2.6%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

### 5.2.3 Sentence Type

Figure 9. Return-to-Prison Rates by Sentence Type

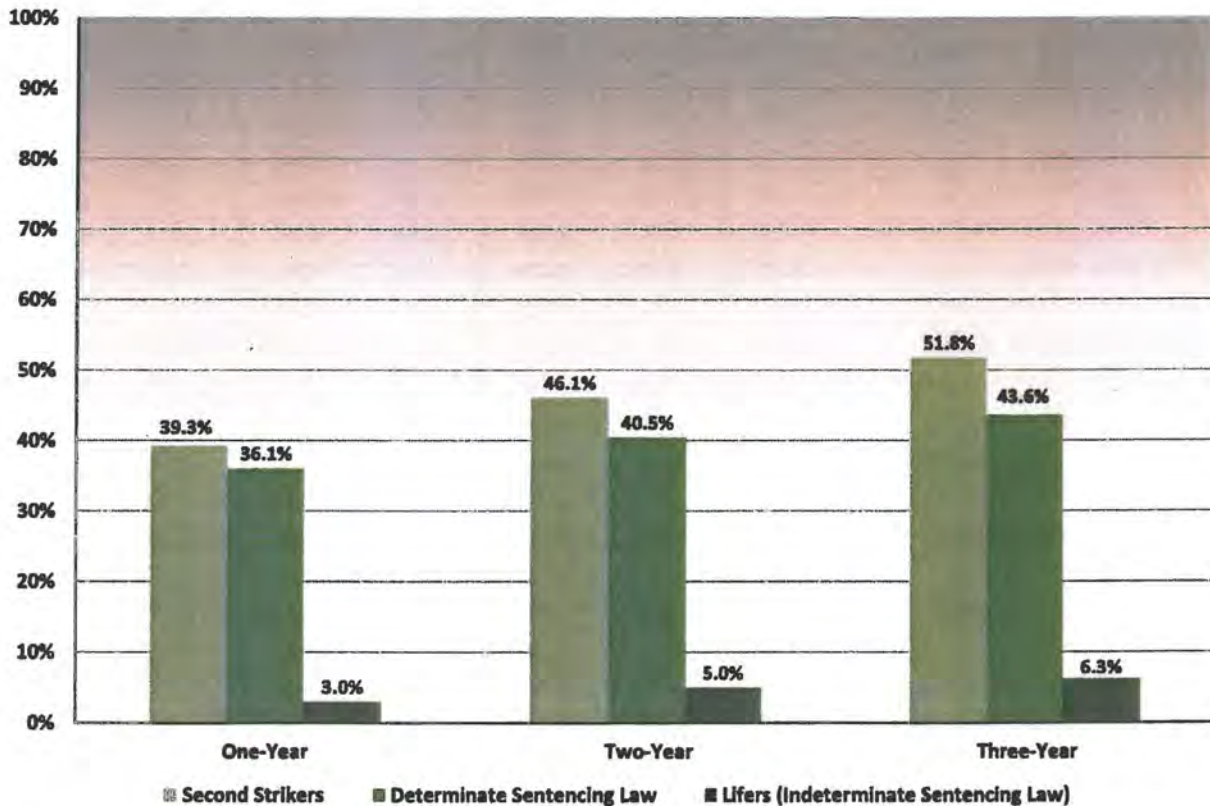


Figure 9 and Table 11 show return-to-prison rates by sentence type. Prior to this report, sentence type was categorized by offenders sentenced under Determinate Sentencing Law (DSL) and Indeterminate Sentencing Law (ISL). The majority of offenders sentenced in California serve a determinate term (a specified sentence length) and are released once they have served their sentence. Generally, offenders sentenced to an indeterminate term (lifers) are released only after the Board of Parole Hearings (BPH) has found them suitable for parole or the court orders their release. The above figure and below table show the number of offenders who served an indeterminate term, a determinate term, and the number of offenders that served a determinate term as second strikers.

Second strikers serving a determinate sentence returned to State prison after three years of follow-up at the highest rate (51.8 percent) of any sentence type. Second strikers comprised 13.5 percent of the release cohort (12,900 offenders). Other offenders who served a determinate sentence comprised 86.1 percent of the release cohort (82,392 offenders) and had a three-year return-to-prison rate of 43.6 percent. Lifers serving an indeterminate sentence comprised less than one percent of the release cohort (398 offenders) and had a three-year return-to-prison rate of 6.3 percent.

Each sentence type saw a decline in the three-year return-to-prison rate between FY 2009-10 and FY 2010-11 (Appendix C). Offenders serving a determinate term saw the largest decrease at 9.9 percentage points between FY 2009-10 and FY 2010-11 (53.5 percent and 43.6 percent, respectively), followed by



second strikers at 8.9 percentage points (60.7 percent and 51.8 percent, respectively) and lifers at 3.1 percentage points (9.4 percent and 6.3 percent, respectively).

*Table 11. Return-to-Prison Rates by Sentence Type*

Sentence Type	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Second Strikers (Determinate Sentencing Law)	12,900	5,072	39.3%	5,950	46.1%	6,681	51.8%
Determinate Sentencing Law	82,392	29,726	36.1%	33,361	40.5%	35,955	43.6%
Lifers (Indeterminate Sentencing Law)	398	12	3.0%	20	5.0%	25	6.3%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

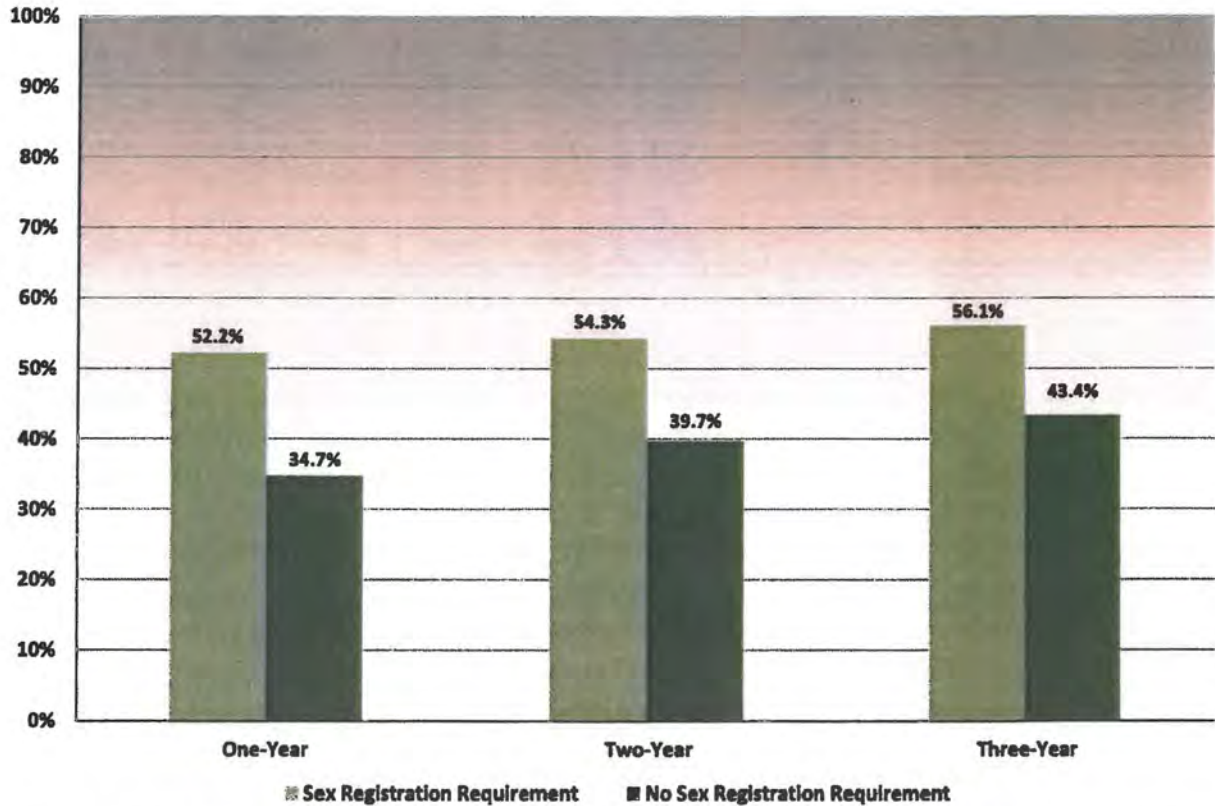
Offenders serving an indeterminate term may be released when the BPH has found them suitable for parole or after the court orders their release. Table 12 shows the number of lifers released by the BPH and by court order. Of the 398 offenders who served an indeterminate term and were released in FY 2010-11, six offenders were released due to a court order and 392 were released by BPH. All six of the offenders released due to a court order returned to prison for a parole violation within three years of their release. Of the 392 offenders released by the BPH, three offenders were returned with a new term, and 16 offenders were returned for a parole violation. Together, 19 offenders or 4.8 percent of the offenders released by the BPH returned to State prison in the three years following their release.

*Table 12. Number Returned by Sentence Type and Release Type*

Reason for Release	Number Released	Returned with a New Term		Parole Violation Return		Total Number of Returns	
		Number	Percent	Number	Percent	Number	Percent
Court Ordered	6	0	0.0%	6	100.0%	6	100.0%
Board of Parole Hearings (BPH)	392	3	0.8%	16	4.1%	19	4.8%
<b>Total</b>	<b>398</b>	<b>3</b>	<b>0.8%</b>	<b>22</b>	<b>5.5%</b>	<b>25</b>	<b>6.3%</b>

### 5.2.4 Sex Registrants

Figure 10. Return-to-Prison Rates by Sex Registration Requirement



The above figure and below table show the return-to-prison rates for offenders required to register as sex offenders (sex registrants). The three-year return-to-prison rate is 12.7 percentage points higher for sex registrants (56.1 percent) than non-sex registrants (43.4 percent). Between FY 2009-10 and FY 2010-11, the three-year return-to-prison rate for sex registrants decreased by 9.1 percentage points (65.2 percent and 56.1 percent, respectively) and the rate for non-sex registrants decreased by 10 percentage points (53.4 percent and 43.4 percent, respectively) as shown in Appendix C of this report.

Table 13. Return-to-Prison Rates by Sex Registration Flag

Sex Registration Requirement	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Yes	8,989	4,694	52.2%	4,881	54.3%	5,041	56.1%
No	86,701	30,116	34.7%	34,450	39.7%	37,620	43.4%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

### 5.2.5 Recombitment Offense for Sex Registrants

Figure 11. Recombitment Offense for Sex Registrants

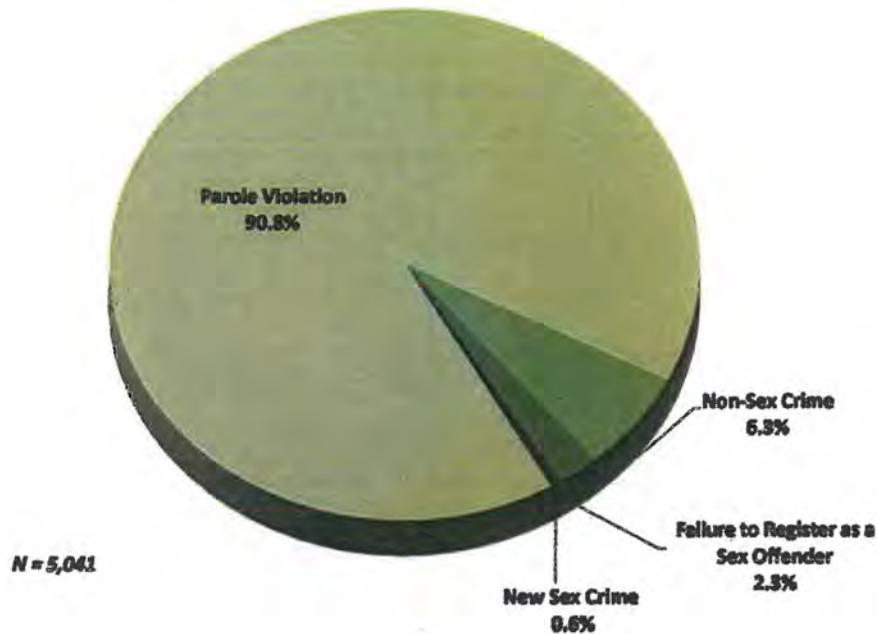


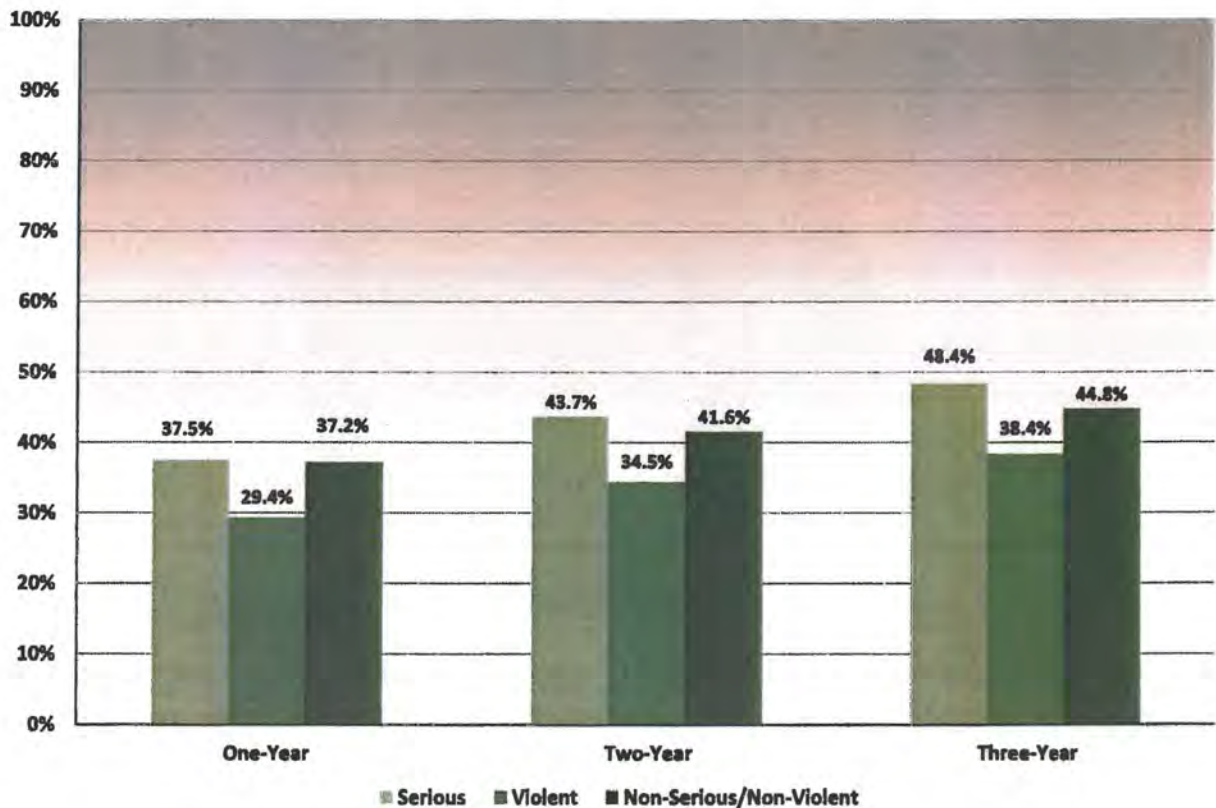
Figure 11 and Table 14 show the recommitment offense for the 5,041 sex registrants that returned to prison during the three-year follow-up period. Of the 5,041 sex registrants, the majority (4,579 offenders or 90.8 percent) returned for a parole violation, followed by 316 offenders (6.3 percent) with a new non-sex crime, and 115 offenders (2.3 percent) for failing to register as a sex offender. Thirty-one offenders (0.6 percent) were returned for a new sex crime.

Table 14. Recombitment Offense for Sex Registrants

Reason for Return-to-Prison	Returned	
	Number	Percent
Parole Violation	4,579	90.8%
New Non-Sex Crime	316	6.3%
Failure to Register as a Sex Offender	115	2.3%
New Sex Crime	31	0.6%
<b>Total</b>	<b>5,041</b>	<b>100.0%</b>

## 5.2.6 Serious and Violent Offenses

Figure 12. Return-to-Prison Rates for Offenders with a Serious or Violent Offense



The above figure and below table show return-to-prison rates for offenders with a serious offense or violent offense, and offenders with a non-serious and non-violent offense. In previous reports, serious and violent offenses were grouped together, rather than treated separately.

Of the 95,690 offenders released, the majority released (71,769 offenders) did not have a serious or violent offense, followed by 13,268 offenders with a serious offense, and 10,653 offenders with a violent offense. Offenders whose offense was serious returned to prison after three years of follow-up at a higher rate (48.4 percent) than offenders whose offense was not serious or violent (44.8 percent), and offenders whose offense was violent (38.4 percent).

Between FY 2009-10 and FY 2010-11 the three-year return-to-prison rate decreased among offenders committing each type of offense. The rate for offenders committing a violent offense had the most substantial decrease (10.7 percentage points) between the two fiscal years (49.1 percent and 38.4 percent, respectively). The rate for offenders committing a non-serious/non-violent offense decreased by 9.7 percentage points (54.5 percent and 44.8 percent, respectively) between the two fiscal years and the rate for offenders committing a violent offense decreased by 8.6 percentage points (57 percent and 48.4 percent, respectively) between FY 2009-10 and FY 2010-11 (Appendix C).

Table 15. Return-to-Prison Rates for Offenders with a Serious or Violent Offense

Serious/Violent Offense	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Serious	13,268	4,979	37.5%	5,800	43.7%	6,418	48.4%
Violent	10,653	3,133	29.4%	3,672	34.5%	4,091	38.4%
Non-Serious/Non-Violent	71,769	26,698	37.2%	29,859	41.6%	32,152	44.8%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.7 Mental Health Status

Figure 13. Return-to-Prison Rates by Mental Health Status

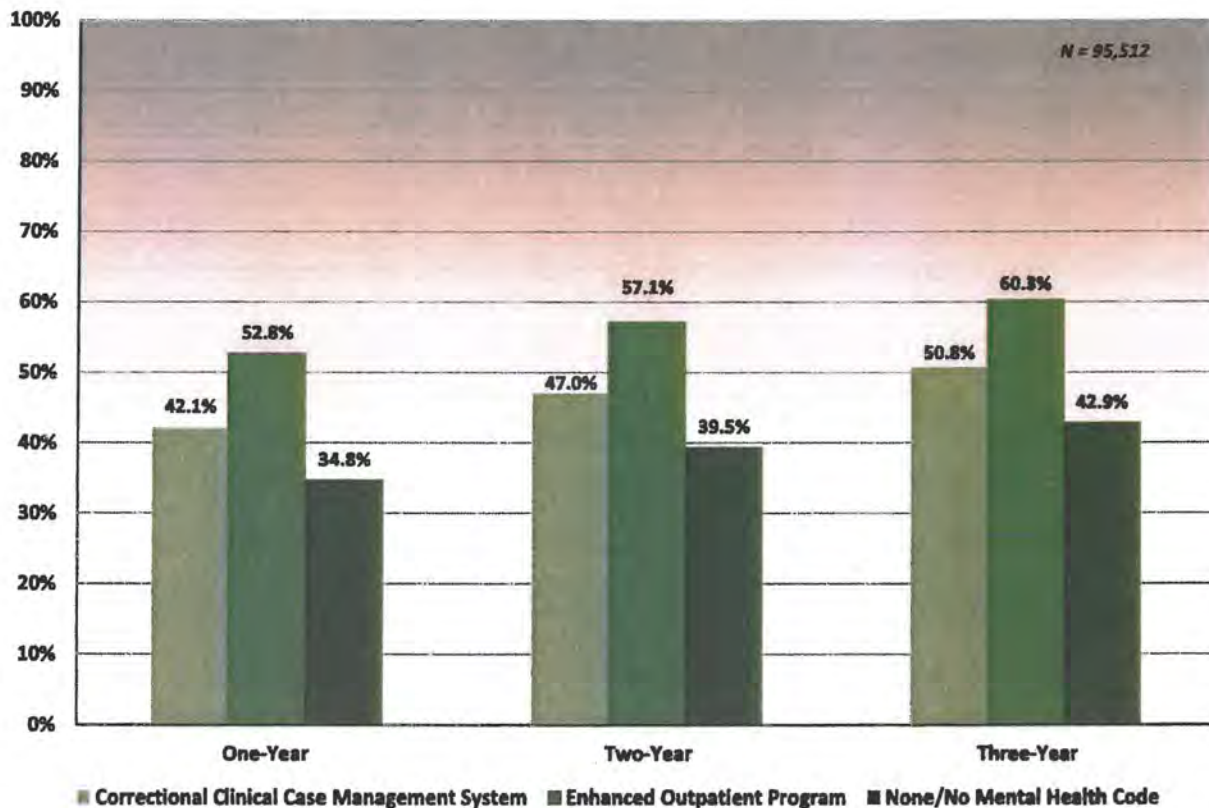


Figure 13 and Table 16 present return-to-prison rates by mental health designation for the three mental health categories with the largest number of releases. The majority of offenders (78,705 offenders or 82.2 percent) did not have a mental health designation and 17.8 percent (16,985 offenders) had a mental health designation. Fifteen percent of the release cohort was assigned to the Correctional Clinical Case Management System (CCCMS), 2.5 percent were assigned to the Enhanced Outpatient Program (EOP), and less than one percent were assigned to a Mental Health Crisis Bed (119 offenders or 0.1 percent) and the Department of State Hospitals (59 offenders or 0.1 percent).

Offenders assigned to the Department of State Hospitals returned to prison at the highest rate (62.7 percent) among all mental health designations after three years of follow-up. Over sixty percent (60.3 percent) of EOP offenders returned to prison, followed by 58 percent of offenders assigned to a Mental Health Crisis Bed, and 50.8 percent of CCCMS offenders. Offenders without a mental health designation returned at a rate of 42.9 percent after three years of follow-up.

As shown in Appendix C, between FY 2009-10 and FY 2010-11, the three-year return-to-prison rate decreased among each mental health category, with the exception of offenders assigned to the Department of State Hospitals because a rate was not calculated for these offenders in FY 2009-10 (only three offenders assigned to the Department of State Hospitals were released). Offenders assigned to a Mental Health Crisis Bed saw the largest decrease (15 percentage points) in the three-year return-to-

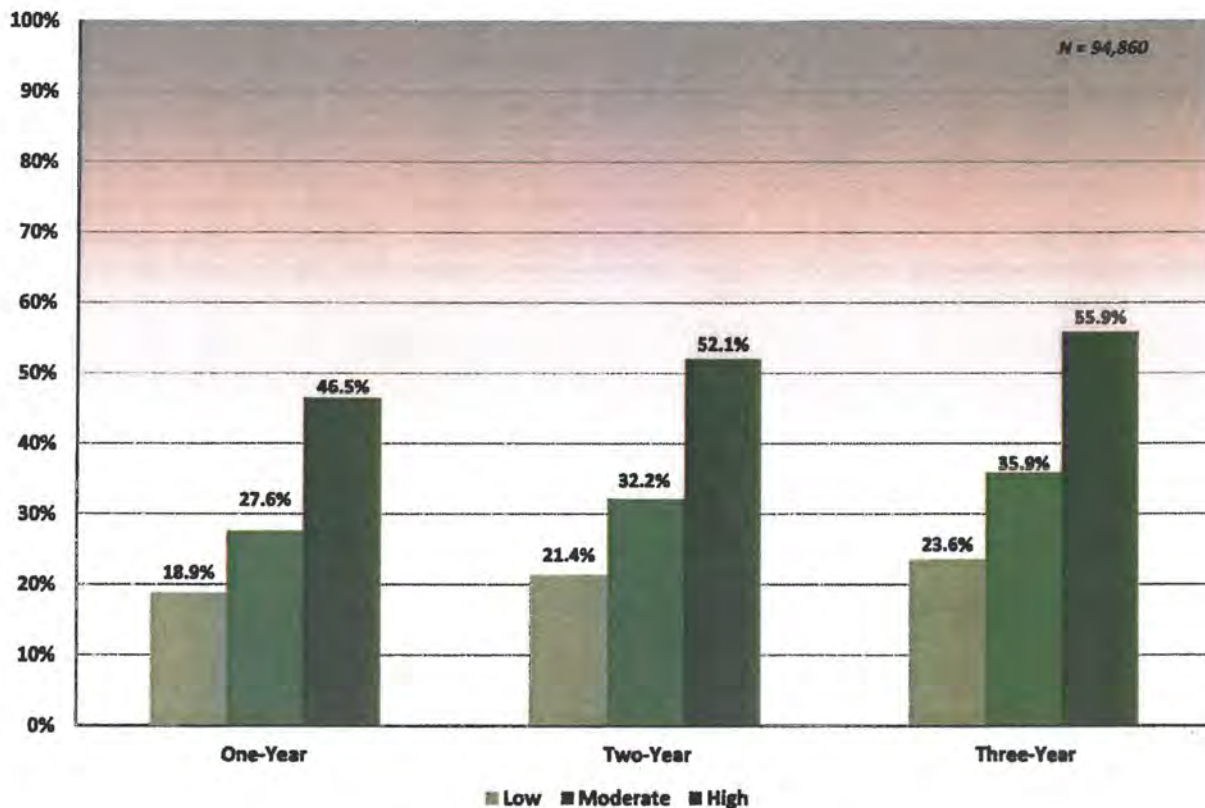
prison rate between FY 2009-10 and FY 2010-11 (73 percent and 58 percent, respectively), followed by EOP offenders with a 9.4 percentage point decrease (69.6 percent and 60.3 percent, respectively), and CCCMS offenders with an 8.6 percentage point decrease (59.3 percent and 50.8 percent, respectively). The three-year return-to-prison rate for offenders without a mental health designation decreased by 9.5 percentage points between the two fiscal years (52.4 percent and 42.9 percent, respectively).

*Table 16. Return-to-Prison Rates by Mental Health Status*

Mental Health Code	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Department of State Hospitals	59	27	45.8%	33	55.9%	37	62.7%
Enhanced Outpatient Program	2,422	1,278	52.8%	1,384	57.1%	1,460	60.3%
Mental Health Crisis Bed	119	59	49.6%	68	57.1%	69	58.0%
Correctional Clinical Case Management System	14,385	6,054	42.1%	6,764	47.0%	7,301	50.8%
None/No Mental Health Code	78,705	27,392	34.8%	31,082	39.5%	33,794	42.9%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.8 Risk of Return to State Prison

Figure 14. Return-to-Prison Rates by Risk of Return



The California Static Risk Assessment (CSRA) is a tool used to calculate an offender's risk of being convicted of a new offense after release from prison. Based on their criminal history and demographics, offenders are designated as having a low, moderate, or high risk of being convicted of a new offense after release. High risk is further delineated into three sub-categories (high drug, high property, and high violence).

Nearly half of the offenders released in FY 2010-11 (54.7 percent or 52,331 offenders) had a CSRA score of high risk, followed by moderate risk (26.2 percent or 25,108 offenders), and low risk (18.2 percent or 17,421 offenders). Less than one percent (0.8 percent or 830 offenders) did not have a CSRA score. The three-year return-to-prison rates for each risk category show the CSRA tool is predictive of reoffending; offenders with a score of high returned to State prison at the highest rate (55.9 percent) among all CSRA categories, followed by moderate risk (35.9 percent), and low risk (23.6 percent). Offenders without a CSRA score returned to prison at a rate of 34.5 percent after three years of follow-up.

Between FY 2009-10 and FY 2010-11, the three-year return-to-prison rate decreased for each CSRA category (Appendix C). High risk decreased by 11.5 percentage points between FY 2009-10 and FY 2010-11 (67.4 percent and 55.9 percent, respectively), moderate risk decreased by 8.8 percentage points (44.7 percent and 35.9 percent, respectively), and low risk decreased by 6.7 percentage points (30.4



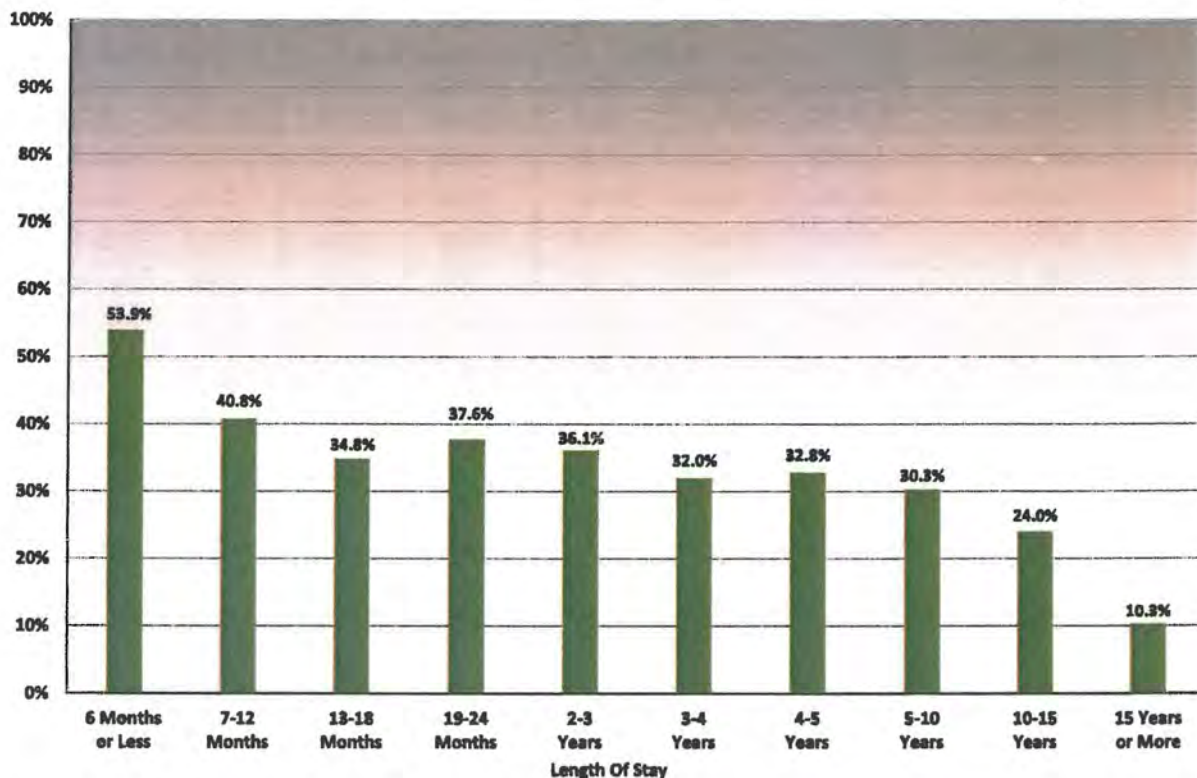
percent and 23.6 percent, respectively). The rate for offenders without a CSRA score decreased by 8.6 percentage points between FY 2009-10 and FY 2010-11 (43.1 percent and 34.5 percent, respectively).

*Table 17. Return-to-Prison Rates by Risk of Return*

CSRA Score	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Low	17,421	3,287	18.9%	3,724	21.4%	4,117	23.6%
Moderate	25,108	6,941	27.6%	8,087	32.2%	9,023	35.9%
High	52,331	24,351	46.5%	27,258	52.1%	29,235	55.9%
N/A	830	231	27.8%	262	31.6%	286	34.5%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.9 Length of Stay

Figure 15. Three-Year Return-to-Prison Rate by Length of Stay



The above figure and below table show offenders' length of stay for their current term. The three-year return-to-prison rate is highest (53.9 percent or 22,653 offenders) for offenders who stayed six months or less. The rate drops 13.1 percentage points for offenders who stay between seven months to a year (40.8 percent or 10,441 offenders). After one year, the rate ranges from 37.6 percent (19 to 24 months) to 10.3 percent for offenders who stay 15 years or longer.

As shown in Appendix C, the three-year return-to-prison rate decreased for each length of stay category between FY 2009-10 and FY 2010-11. The largest decrease between the two fiscal years (14.5 percentage points) was seen for offenders staying between three to four years (46.5 percent and 32 percent, respectively). Although offenders who stay 15 years or longer had the lowest three-year return-to-prison rate (10.3 percent) among all length of stay categories, the decrease between FY 2009-10 and FY 2010-11 was the smallest at 6.8 percentage points.

Table 18. Return-to-Prison Rates by Length of Stay

Length of Stay	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
6 months or less	42,018	19,810	47.1%	21,489	51.1%	22,653	53.9%
7 - 12 months	25,592	8,332	32.6%	9,566	37.4%	10,441	40.8%
13 - 18 months	9,056	2,322	25.6%	2,803	31.0%	3,155	34.8%
19 - 24 months	5,579	1,464	26.2%	1,803	32.3%	2,099	37.6%
2 - 3 years	5,350	1,325	24.8%	1,668	31.2%	1,931	36.1%
3 - 4 years	2,567	539	21.0%	690	26.9%	821	32.0%
4 - 5 years	1,583	344	21.7%	437	27.6%	519	32.8%
5 - 10 years	2,552	507	19.9%	645	25.3%	772	30.3%
10 - 15 years	919	134	14.6%	187	20.3%	221	24.0%
15 years or more	474	33	7.0%	43	9.1%	49	10.3%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.10 Number of Returns to Custody Prior to Release

**Figure 16. Three-Year Return-to-Prison Rate by Number of Returns to Custody on the Current Term Prior to Release**

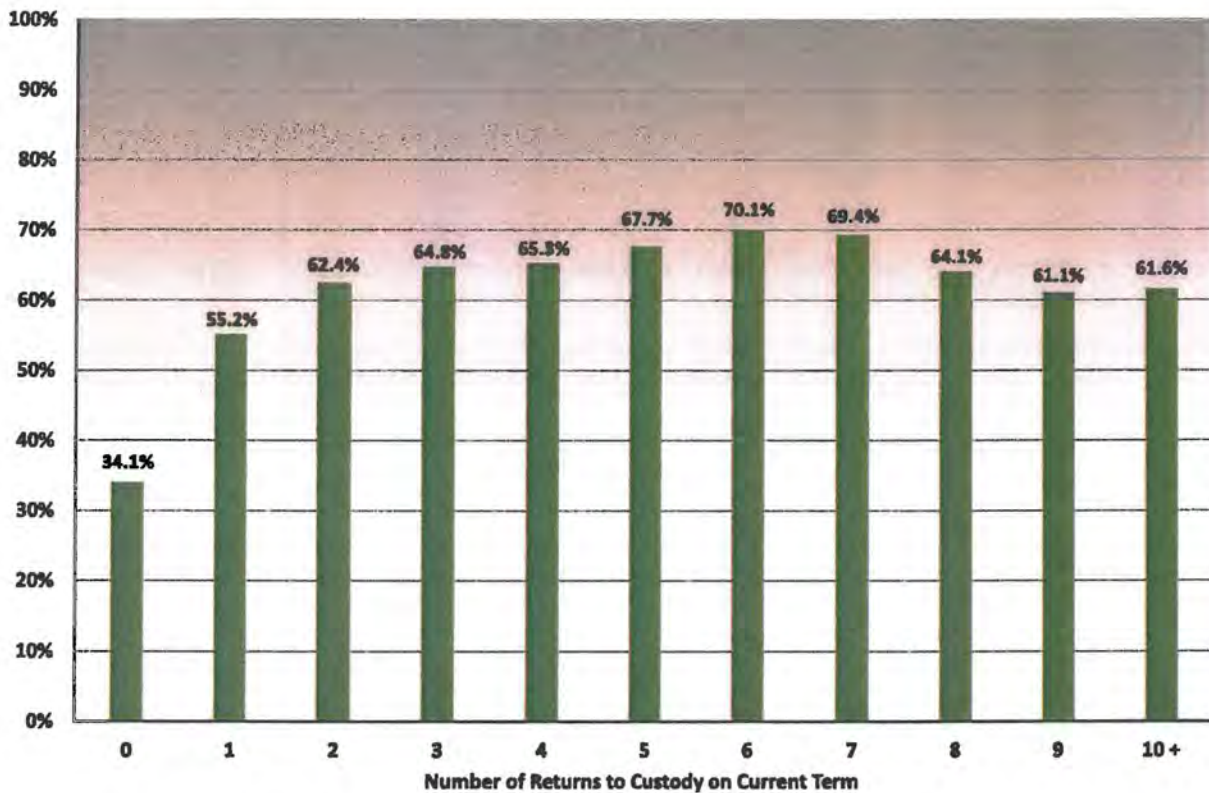


Figure 16 and Table 19 show return-to-prison rates by the number of times an offender returned to a CDCR adult institution on their current term, prior to their release. Offenders with no returns (zero returns), represent offenders released for the first time (i.e. these individuals have no prior returns for their current term). An offender with one return to custody (RTC) was previously released from CDCR on the current term and returned once on their current term.

Offenders without an RTC (zero RTCs) have the lowest three-year return-to-prison rate (34.1 percent or 19,778 offenders) of all RTC categories, followed by offenders with one return (55.2 percent or 8,513 offenders). The increase in the three-year return-to-prison rate between no RTCs and one RTC is substantial; 21.1 percentage points. From this point, the three-year return-to-prison rate is relatively stable and increased slightly with each return to custody, until the seventh return to custody. Offenders with six RTCs return at a rate of 70.1 percent and those with seven RTCs return at a rate of 69.4 percent. The rate decreases until a slight increase is observed between nine RTCs (61.1 percent) and 10 or more RTCs (61.6 percent).

With the exception of seven RTCs (69.4 percent), the three-year return-to-prison rate decreased across all RTC categories between FY 2009-10 and FY 2010-11 (Appendix C). The largest decrease was observed at one RTC (11.3 percentage points) and the smallest decrease was at six or more RTCs (1.6 percentage

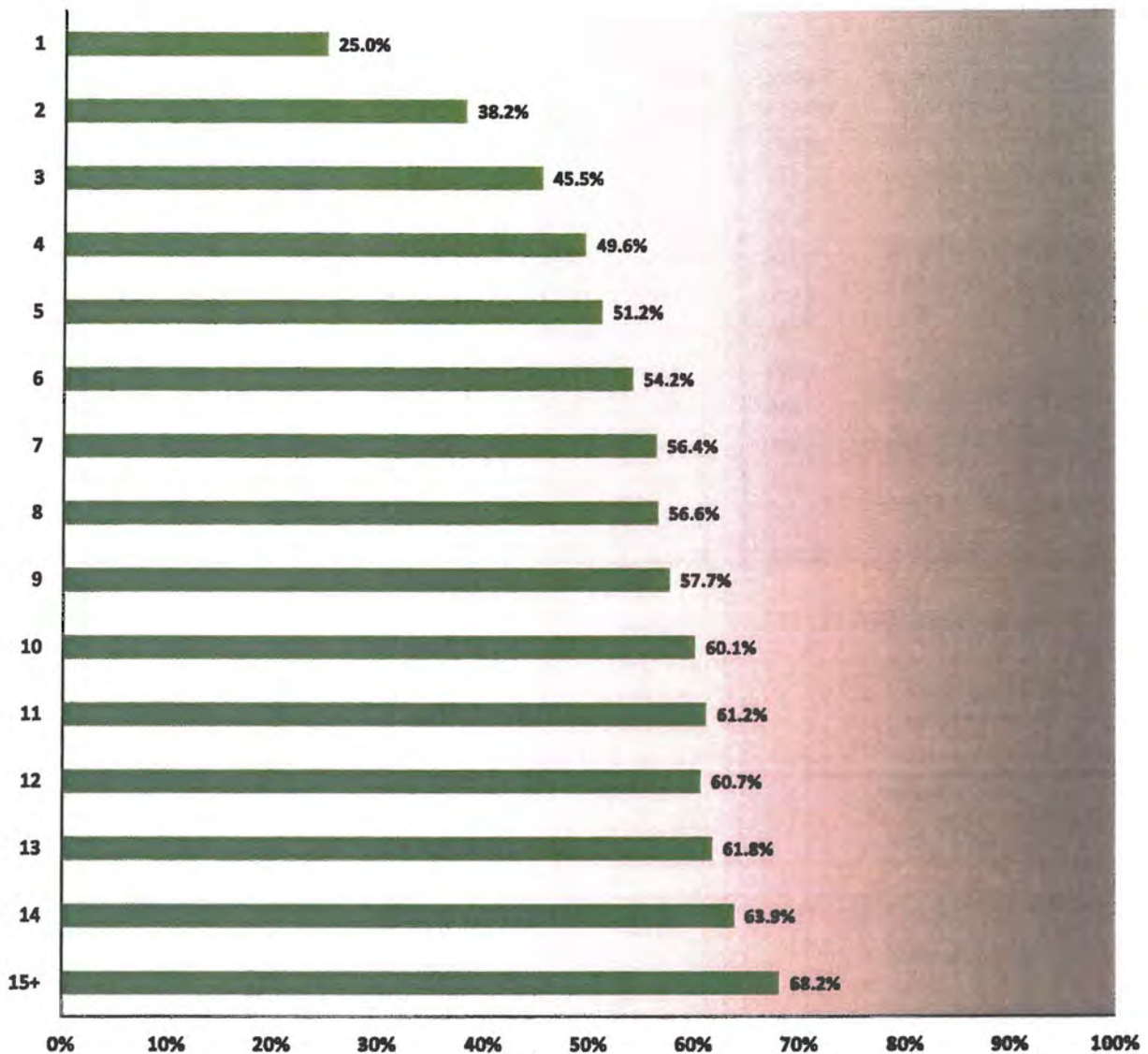
points). The three-year return-to-prison rate remained the same at 69.4 percent for offenders with seven RTCs.

*Table 19. Return-to-Prison Rates by Number of Returns to Custody on the Current Term Prior to Release*

Returns to Custody on Current Term	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
0	58,057	14,708	25.3%	17,580	30.3%	19,778	34.1%
1	15,431	7,299	47.3%	8,031	52.0%	8,513	55.2%
2	7,997	4,352	54.4%	4,739	59.3%	4,994	62.4%
3	5,116	2,993	58.5%	3,170	62.0%	3,316	64.8%
4	3,412	2,001	58.6%	2,133	62.5%	2,229	65.3%
5	2,230	1,345	60.3%	1,439	64.5%	1,509	67.7%
6	1,380	871	63.1%	927	67.2%	967	70.1%
7	889	562	63.2%	600	67.5%	617	69.4%
8	538	319	59.3%	334	62.1%	345	64.1%
9	265	152	57.4%	158	59.6%	162	61.1%
10 +	375	208	55.5%	220	58.7%	231	61.6%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.11 Number of CDCR Stays Ever

Figure 17. Three-Year Return-to-Prison Rate by Total Number of Stays



A stay is defined as any period of time an offender is housed in a CDCR adult institution. Each time an offender returns to prison, it is considered a new stay, regardless of whether the return represents a new admission, a parole violation with a new term, or a return-to-prison following a parole violation. The number of stays is cumulative over any number of convictions or terms in an offender's criminal history.

Figure 17 and Table 20 show the three-year return-to-prison rate by the number of stays ever at a CDCR institution. As the number of stays increases, the three-year return-to-prison rate also increases, with the exception of 12 stays when the rate slightly decreases. The most substantial increase (13.2 percentage points) in the three-year return-to-prison rate occurs between one stay (25 percent) and

two stays (38.2 percent). In general, the return-to-prison rate increases slightly with each stay, with the exception of 12 stays (60.7), where the rate decreases by half of a percentage point from 11 stays (61.2 percent). Offenders with one stay have the lowest three-year return-to-prison rate of all number of stay categories at 25 percent, while offenders with 15 or more stays have the highest rate at 68.2 percent.

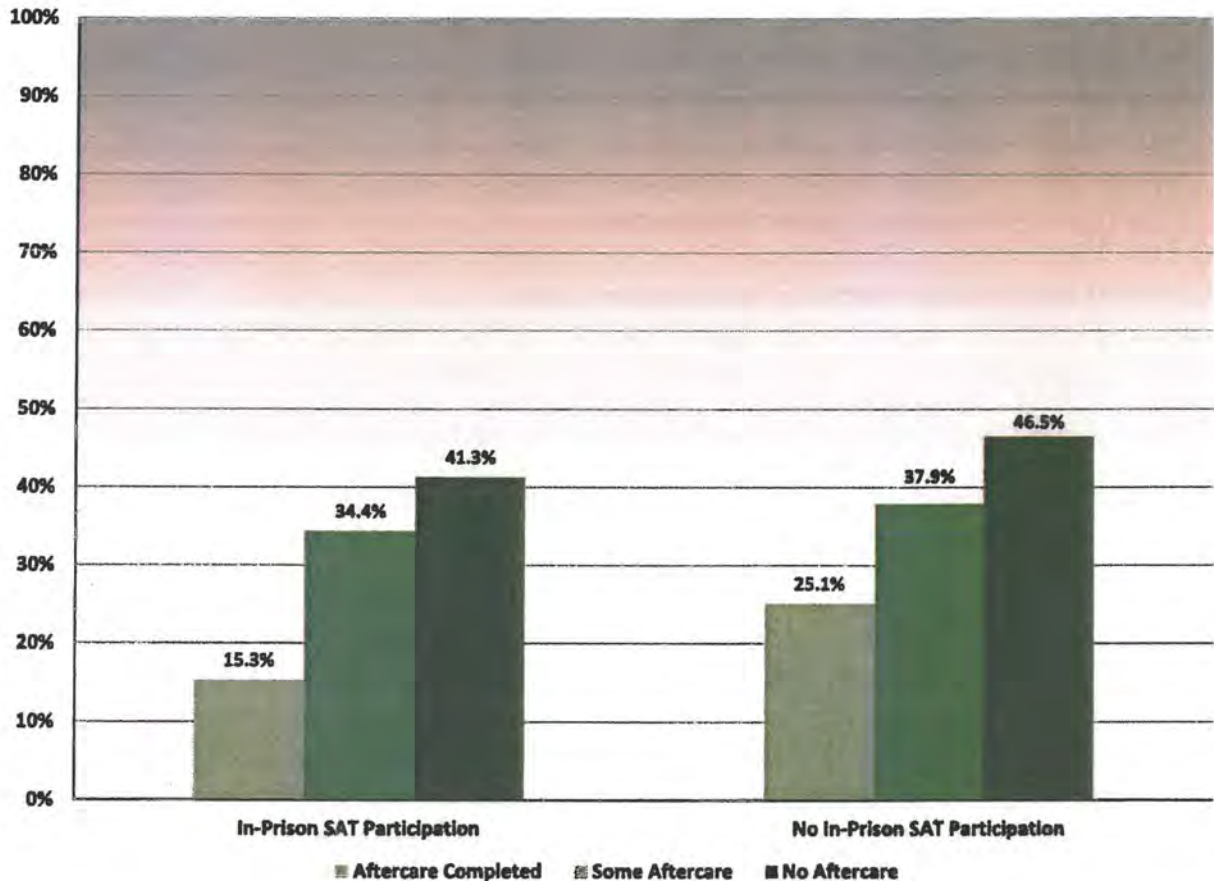
Between FY 2009-10 and FY 2010-11, the three-year return-to-prison rate decreased across every category of stays (Appendix C). The largest decrease (12.5 percentage points) between the two fiscal years was observed at offenders with 14 stays (76.4 percent and 63.9 percent, respectively). The smallest decrease (8.4 percent) was observed at offenders with one stay between FY 2009-10 and FY 2010-11 (33.5 percent and 25 percent, respectively).

*Table 20. Return-to-Prison Rates by Total Number of Stays*

Stays	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
1	26,426	4,843	18.3%	5,814	22.0%	6,615	25.0%
2	12,837	3,844	29.9%	4,464	34.8%	4,903	38.2%
3	9,182	3,305	36.0%	3,811	41.5%	4,174	45.5%
4	7,658	3,065	40.0%	3,504	45.8%	3,800	49.6%
5	6,376	2,673	41.9%	3,011	47.2%	3,265	51.2%
6	5,303	2,394	45.1%	2,667	50.3%	2,872	54.2%
7	4,432	2,057	46.4%	2,304	52.0%	2,501	56.4%
8	3,734	1,781	47.7%	1,975	52.9%	2,113	56.6%
9	3,188	1,556	48.8%	1,718	53.9%	1,840	57.7%
10	2,826	1,446	51.2%	1,587	56.2%	1,699	60.1%
11	2,296	1,216	53.0%	1,325	57.7%	1,405	61.2%
12	2,072	1,093	52.8%	1,199	57.9%	1,257	60.7%
13	1,613	861	53.4%	945	58.6%	997	61.8%
14	1,409	787	55.9%	855	60.7%	900	63.9%
15 +	6,338	3,889	61.4%	4,152	65.5%	4,320	68.2%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 5.2.12 In-Prison and Community-Based Substance Abuse Treatment Programs

Figure 18. Three-Year Return-to-Prison Rate by Substance Abuse Treatment Participation



In-prison substance abuse treatment (SAT) and community-based SAT programs are designed to expose offenders to a continuum of services during incarceration and facilitate successful re-entry into community living. Services include: substance abuse treatment, recovery services, social, cognitive and behavioral counseling, life skills training, health-related education, and relapse prevention services. Community-based substance abuse treatment programs (also referred to as “continuing care” or “aftercare”) provide post-release substance abuse treatment services through Substance Abuse Services Coordination Agencies (SASCA). SASCA are responsible for referring, placing, and tracking parolees in appropriate SAT programs.

Return-to-prison rates by participation in SAT and aftercare programs are presented in Figure 18 and Table 21. As shown in Table 21, offenders who received in-prison SAT and complete aftercare (919 offenders) have the lowest return-to-prison rate (15.3 percent or 141 offenders). The three-year return-to-prison rate increases by nearly 20 percentage points (from 15.3 percent to 34.4 percent) if an offender only receives some aftercare. Among offenders who received in-prison SAT, offenders who do not receive aftercare return-to-prison at the highest rate (41.3 percent). Overall, offenders who received in-prison SAT, regardless of aftercare, return-to-prison at a rate of 36.2 percent after three years of follow-up, which is 8.4 percentage points below the state-wide rate of 44.6 percent.



Participation in aftercare or community-based SAT, without in-prison SAT, is also associated with lower rates of return. Offenders who did not receive in-prison SAT, but completed aftercare have a three-year return-to-prison rate of 25.1 percent and offenders who complete some aftercare have a three-year return-to-prison rate of 37.9 percent. Offenders who do not receive in-prison SAT or aftercare return-to-prison at a rate of 46.5 percent, which is substantially higher than offenders who receive some form of in-prison SAT or aftercare, and is 1.9 percentage points higher than the state-wide rate of 44.6 percent.

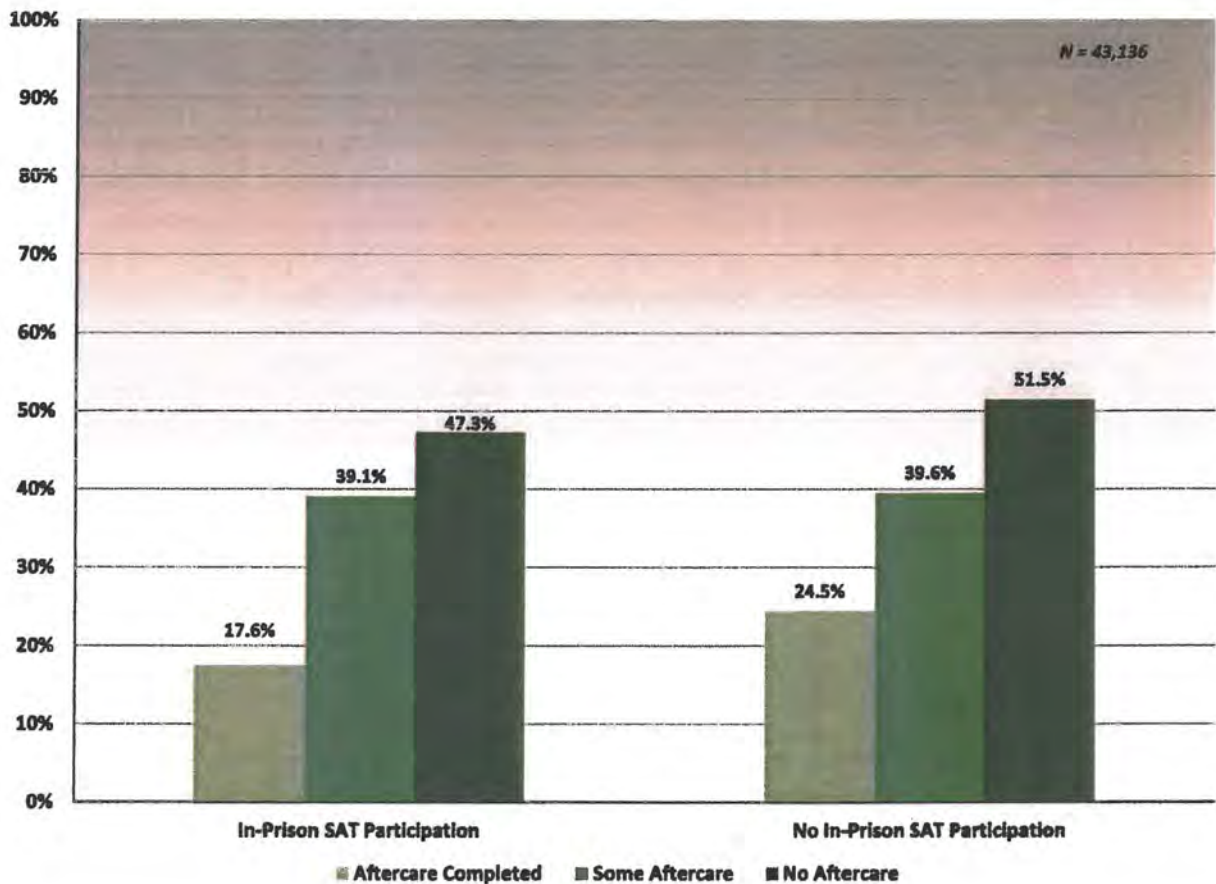
Lower return-to-prison rates among offenders who receive any form of in-prison SAT or aftercare demonstrates the value of these programs. The most substantial impact of SAT on reoffending is seen in offenders who receive in-prison SAT and complete aftercare; the rate for these offenders (15.3 percent) is 29.3 percentage points lower than the state-wide rate (44.6 percent) and 31.2 percentage points lower than the rate for offenders who do not participate in SAT or aftercare (46.5 percent).

*Table 21. Return-to-Prison Rates by Substance Abuse Treatment Participation*

Substance Abuse Treatment Participation	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
<b>In-Prison SAT Participation</b>							
Completed Aftercare	919	58	6.3%	98	10.7%	141	15.3%
Some Aftercare	858	210	24.5%	250	29.1%	295	34.4%
No Aftercare	4,064	1,280	31.5%	1,500	36.9%	1,678	41.3%
<b>Subtotal</b>	<b>5,841</b>	<b>1,548</b>	<b>26.5%</b>	<b>1,848</b>	<b>31.6%</b>	<b>2,114</b>	<b>36.2%</b>
<b>No In-Prison SAT Participation</b>							
Completed Aftercare	4,348	770	17.7%	957	22.0%	1,092	25.1%
Some Aftercare	3,758	1,044	27.8%	1,251	33.3%	1,425	37.9%
No Aftercare	81,743	31,448	38.5%	35,275	43.2%	38,030	46.5%
<b>Subtotal</b>	<b>89,849</b>	<b>33,262</b>	<b>37.0%</b>	<b>37,483</b>	<b>41.7%</b>	<b>40,547</b>	<b>45.1%</b>
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

### 5.2.13 Return-to-Prison Rates by Substance Abuse Treatment Participation for Offenders with an Identified Treatment Need

Figure 19. Three-Year Return-to-Prison Rate by Substance Abuse Treatment Participation and Substance Abuse Need



The Correctional Offender Management and Profiling Alternative Sanctions (COMPAS) is an automated tool designed to assess offenders' criminogenic needs. The COMPAS is used by criminal justice agencies across the nation to inform decisions regarding placement, supervision, and case management of offenders. The needs assessment categorizes offenders as having no need, probable need, or a highly probable need for services and treatment in areas such as substance abuse, criminal thinking, and education. The COMPAS is used by CDCR and has been validated on its population. However, the COMPAS alone cannot reduce reoffending. The COMPAS is a tool that provides CDCR with information regarding an offender's individual needs. Information from the assessment can be used to place offenders in programming that can meet an offender's specific criminogenic needs. Use of the COMPAS, along with an appropriate (and well-implemented) evidence-based program should reduce reoffending.

Figure 19 and Table 22 show return-to-prison rates by COMPAS assessment and participation in SAT. Of the 95,690 offenders released in FY 2010-11, 72.1 percent of the release cohort (69,014 offenders) had a COMPAS assessment. Of those offenders, 45.1 percent (43,136 offenders) either had a probable need or

a highly probable need for services and treatment, and 27.9 percent (26,676 offenders) did not have a need for treatment services.

Offenders with an identified treatment need and who received in-prison SAT and completed aftercare returned to prison at the lowest rate (17.6 percent) after three years of follow-up, followed by offenders who completed some aftercare (39.1 percent), and offenders who completed no aftercare (47.3 percent). Overall, offenders with a treatment need who received in-prison SAT, regardless of aftercare, returned to prison at a rate of 40.5 percent.

Offenders with an identified treatment need who did not receive in-prison SAT, but received some sort of aftercare, returned to prison at slightly higher rates than those who received in-prison SAT. Offenders with an identified treatment need who did not receive in-prison SAT but completed aftercare returned to prison at the lowest rate (24.5 percent) after three years of follow-up, followed by offenders who completed some aftercare (39.6 percent), and offenders who did not receive aftercare (51.5 percent). Offenders with an identified treatment need who did not receive in-prison SAT or aftercare are expected to return to State prison at higher rates. Their rate of return (51.5 percent) is 10.4 percentage points higher than offenders with no assessment/no treatment need (41.1 percent) and 6.9 percentage points higher than the state-wide rate (44.6 percent), demonstrating the importance of treatment for those with an identified treatment need.

*Table 22. Return-to-Prison Rates by Substance Abuse Treatment Participation and Substance Abuse Need*

Substance Abuse Treatment Participation and Substance Abuse Need	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
<b>In-Prison SAT Participation/Had Substance Abuse Need</b>							
Completed Aftercare	564	38	6.7%	68	12.1%	99	17.6%
Some Aftercare	537	157	29.2%	185	34.5%	210	39.1%
No Aftercare	2,027	748	36.9%	866	42.7%	959	47.3%
<b>Subtotal</b>	<b>3,128</b>	<b>943</b>	<b>30.1%</b>	<b>1,119</b>	<b>35.8%</b>	<b>1,268</b>	<b>40.5%</b>
<b>No In-Prison SAT Participation/Had Substance Abuse Need</b>							
Completed Aftercare	2,248	391	17.4%	482	21.4%	550	24.5%
Some Aftercare	1,886	559	29.6%	661	35.0%	746	39.6%
No Aftercare	35,874	15,406	42.9%	17,179	47.9%	18,473	51.5%
<b>Subtotal</b>	<b>40,008</b>	<b>16,356</b>	<b>40.9%</b>	<b>18,322</b>	<b>45.8%</b>	<b>19,769</b>	<b>49.4%</b>
<b>No Assessment/No Substance Abuse Need Identified</b>							
	52,554	17,511	33.3%	19,890	37.8%	21,624	41.1%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>

## 6 Offender Outcomes and Type of Return to CDCR

### 6.1 Three-Year Outcomes for the Fiscal Year 2010-11 Release Cohort

Figure 20. Three-Year Outcomes for Fiscal Year 2010-11 Release Cohort

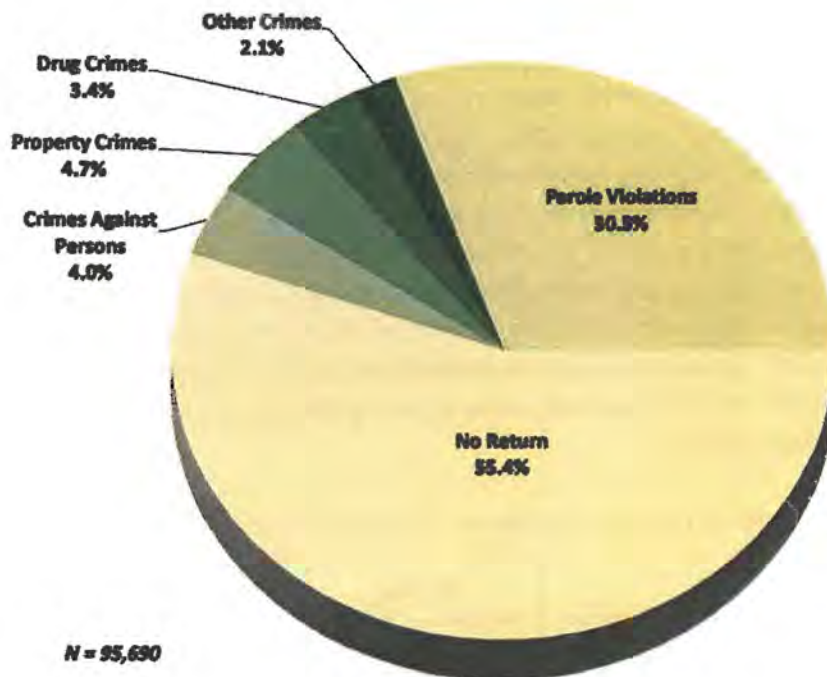


Figure 20 and Table 23 present outcomes for the 95,690 offenders released from prison during FY 2010-11. Of the 95,690 offenders released, 30.3 percent of the release cohort (29,028 offenders) returned to prison for parole violations and nearly 15 percent of the release cohort (14.2 percent or 13,633 offenders) returned to prison after conviction of a new criminal offense. Of the 13,633 offenders that returned after conviction of a new criminal offense, 4.7 percent of the release cohort (4,520 offenders) were returned for property crimes, followed by 4 percent of the release cohort (3,834 offenders) for crimes against persons, and 3.4 percent of the release cohort (3,279 offenders) for drug crimes. Over two percent of the release cohort (2.1 percent or 2,000 offenders) were convicted of other crimes and over 55 percent of the release cohort (55.4 percent or 53,029 offenders) completed the three-year follow-up period without returning to prison.

When examining the 95,690 offenders released in FY 2010-11, changes in the type/reason for returning to CDCR can largely be attributed to the implementation of Realignment in October 2011. Although each of the 95,690 offenders were released pre-Realignment, depending on their date of release, Realignment was in effect for various amounts of time during an offender's three-year follow-up period. Realignment changed the parole revocation process so that only offenders previously sentenced to a

life-term can be revoked to prison and all other parole revocations are served in county jail, instead of State prison.

An examination of returns to State prison for the last three release cohorts studied by the CDCR (FY 2008-09, FY 2009-10, and FY 2010-11) shows substantial decreases in returns to prison for parole violations. As shown in Table 23, 42.3 percent of the FY 2008-09 release cohort returned for parole violations. In FY 2008-09 there were more offenders returned for parole violations (42.3 percent of the release cohort or 47,793 offenders) than offenders who did not return to State prison during the three-year follow-up period (39 percent of the release cohort or 44,074 offenders). The percentage of offenders returned for parole violations decreased by 4.4 percentage points between FY 2008-09 (42.3 percent of the release cohort) and FY 2009-10 (37.9 percent of the release cohort) and the number of offenders who did not return to State prison during the three-year follow-up period increased by 6.7 percentage points (39 percent to 45.7 percent of the release cohorts, respectively).

The most substantial decrease in parole violations is noted between FY 2009-10 and FY 2010-11. While 37.9 percent of the FY 2009-10 release cohort returned for parole violations, the percentage decreased by 7.6 percentage points in FY 2010-11 to 30.3 percent of the release cohort. The number of offenders who completed the three-year follow-up period without returning to prison also saw a substantial increase; in FY 2009-10, 45.7 percent of the release cohort completed the three-year follow-up period without returning to prison and the number increased by 9.7 percentage points to 55.4 percent of the release cohort in FY 2010-11.

Realignment intended for offenders committing more serious and violent crimes, such as crimes against persons, to serve sentences in State prison, while low-level offenders who cycled in and out of prison, would serve their sentences in county jail. The percentage of offenders returning to State prison has changed according to Realignment's intent; the number of offenders returned for crimes against persons, which tend to be more serious and violent, have slowly increased over the last three release cohorts and the number of offenders returning for property and drug crimes have decreased.

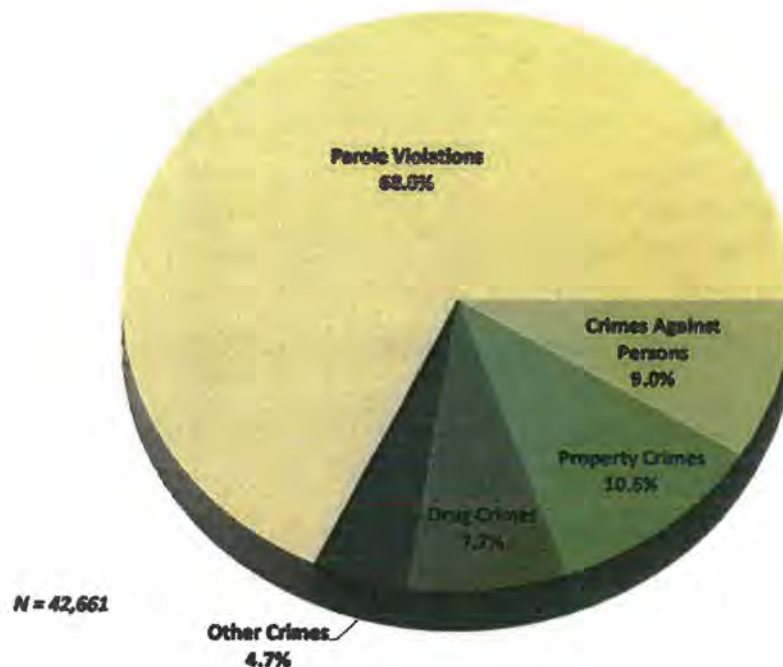
Between FY 2008-09 and FY 2009-10, crimes against persons increased by less than one percentage point (from 3.5 percent to 3.6 percent of the release cohorts, respectively). The increase between FY 2009-10 and FY 2010-11 was also slight; from 3.6 percent to 4 percent of the release cohorts. The decrease in property crimes and drug crimes were more substantial across the three release cohorts. Property crimes decreased from 7.1 percent to 6.2 percent of the release cohorts between FY 2008-09 and FY 2009-10 and from 6.2 percent to 4.7 percent of the release cohorts between FY 2009-10 and FY 2010-11. Drug crimes decreased from 5.6 percent of the release cohort in FY 2008-09 to 4.5 percent of the release cohort in FY 2009-10 and from 4.5 percent of the release cohort to 3.4 percent of the release cohort between FY 2009-10 and FY 2010-11. Other crimes have remained fairly consistent; 2.4 percent of the release cohort was returned for other crimes in FY 2008-09, 2.1 percent of the release cohort in FY 2009-10, and again, 2.1 percent of the release cohort in FY 2010-11.

*Table 23. Three-Year Outcomes for Fiscal Year 2008-09, 2009-10, and 2010-11 Release Cohorts*

Type of Return	FY 2008-09		FY 2009-10		FY 2010-11	
	Number	Percent	Number	Percent	Number	Percent
No Return to Prison	44,074	39.0%	47,959	45.7%	53,029	55.4%
Crimes Against Persons	3,925	3.5%	3,771	3.6%	3,834	4.0%
Property Crimes	8,055	7.1%	6,541	6.2%	4,520	4.7%
Drug Crimes	6,299	5.6%	4,730	4.5%	3,279	3.4%
Other Crimes	2,731	2.4%	2,233	2.1%	2,000	2.1%
Parole Violations	47,793	42.3%	39,747	37.9%	29,028	30.3%
<b>Total</b>	<b>112,877</b>	<b>100.0%</b>	<b>104,981</b>	<b>100.0%</b>	<b>95,690</b>	<b>100.0%</b>

## 6.2 Type of Return for the Fiscal Year 2010-11 Offenders Returning to State Prison

Figure 21. Type of Return for the 42,661 Offenders Returned to State Prison Following Release in FY 2010-11



Of the 95,690 offenders released in FY 2010-11, 42,661 offenders (44.6 percent of the release cohort) returned to State prison within three years of their release. This section provides further analysis of the 42,661 returns to prison (excluding the 53,029 offenders that did not return to prison), in order to more closely examine the return types of offenders released in FY 2010-11. Of the total returns (42,661 offenders), parole violations (68 percent of all returns or 29,028 offenders) accounted for the largest number of returns, followed by property crimes (10.6 percent of all returns or 4,520 offenders), crimes against persons (9 percent of all returns or 3,834 offenders), and drug crimes (7.7 percent of all returns or 3,279 offenders). Other crimes comprised 4.7 percent (2,000 offenders) of all returns.

As intended under Realignment, most parole violators serve their sentences in county jail, rather than State prison, thus, decreases in parole violations have been observed since Realignment's passage in October 2011. However, due to the timing in which the FY 2010-11 cohort was released and the passage of Realignment in October 2011, parole violations still comprise a large number of the returns for the FY 2010-11 release cohort (68 percent of all returns). Each of the 95,690 offenders released in FY 2010-11 were released pre-Realignment, but Realignment was in effect for varying amounts of time during each offender's three-year follow-up period and many offenders were released into the community for a year or more when Realignment was implemented. An examination of the FY 2010-11 release cohort, as well as other CDCR cohorts, shows most offenders who return to State prison, return within the first year of their release. Over eighty percent (81.6 percent of the release cohort or 34,810 offenders) of the 42,661 offenders who were released in FY 2010-11 and returned to prison, returned within the first year of

their release. For most of these offenders, returns to prison for parole violations, rather than county jail, was possible because Realignment had not yet been implemented. As Realignment continues to be in place during a larger portion of future release cohorts' follow-up period, further decreases in returns to prison for parole violations are expected.

*Table 24. Type of Return for the 42,661 Offenders Returned to State Prison Following Release in FY 2010-11*

Type of Return	Returned	
	Number	Percent
Parole Violations	29,028	68.0%
Property Crimes	4,520	10.6%
Crime Against Persons	3,834	9.0%
Drug Crimes	3,279	7.7%
Other Crimes	2,000	4.7%
<b>Total</b>	<b>42,661</b>	<b>100.0%</b>



### 6.3 Impact of Realignment

Realignment became law on October 1, 2011 and requires most non-serious, non-violent, and non-sex registrant offenders be sentenced to and serve parole revocations in county jails, rather than State prison, with the intent of reducing the number of low-level offenders cycling in and out of California's prisons. Realignment also changed the State's system of post-release supervision so that most non-serious, non-violent, and non-sex registrant offenders are released to Post-Release Community Supervision (PRCS), which is administered by county probation departments; whereas most high-risk sex offenders, lifers, and offenders committing a serious or violent crime are released to parole and supervised by State parole agents. Realignment changed the parole revocation process so that only offenders previously sentenced to a life-term can be revoked to prison and all other parole revocations are served in county jails.

As shown in the time to return section of this report, a large number of offenders who return to State prison, return during the first and second quarters following their release, meaning that a large number of offenders had already returned to prison when Realignment was implemented in October 2011. Of the 95,690 offenders released during FY 2010-11, 33,666 offenders (35.2 percent) had returned to prison prior to the implementation of Realignment and 62,024 offenders (64.8 percent) had not returned to prison. The 33,666 offenders who returned to prison prior to the implementation of Realignment have been removed from this analysis in order to further examine the impacts of Realignment by analyzing only those offenders who did not return to prison prior to the implementation of Realignment (62,024 offenders). The 62,024 offenders were followed for a period ranging from one day to approximately 33 months, post-Realignment, before they were either returned to prison or completed the three-year follow-up period without returning to prison. Although each of the 95,690 offenders were followed for a full three-year follow-up period, regardless of whether they returned to prison prior to or after the implementation of Realignment, this section further examines the 62,024 offenders that did not return to prison prior to the implementation of Realignment.

Of the 62,024 offenders not returned to prison prior to the implementation of Realignment, 18.7 percent (11,598 offenders) were discharged from parole prior to the implementation of Realignment and 25.9 percent (16,051 offenders) remained on parole post-Realignment. Over half (55.4 percent or 34,375 offenders) were on parole when Realignment was implemented, but were later discharged from parole after Realignment was implemented.

Of the 11,598 offenders discharged from parole prior to the implementation of Realignment, 92.2 percent (10,696 offenders) completed the three-year follow-up period without returning to State prison and 7.8 percent (902 offenders) were returned to State prison with a new term. Of the 16,051 offenders who remained on parole post-Realignment, 63.2 percent (10,147 offenders) completed the three-year follow-up period without returning to State prison, 31.9 percent (5,122 offenders) were returned to CDCR with a new term, and 4.9 percent (782 offenders) were returned for parole violations. Of the 34,375 offenders who were on parole prior to the implementation of Realignment and were later discharged, 93.6 percent (32,186 offenders) completed the follow-up period without returning to State prison and 6.4 percent (2,189 offenders) were returned with a new term.

Until a CDCR cohort is released post-Realignment and an entire three-year follow-up period occurs, the full impact of Realignment on the State's return-to-prison rate will be unknown. It is expected the State's three-year return-to-prison will continue to decrease through the next two fiscal years of releases (FY 2011-12 and FY 2012-13 release cohorts). As the rate continues to be impacted by Realignment, the make-up of CDCR's offender population will be impacted as well. The CDCR will continue to examine changes to the State's three-year return-to-prison rate, the offender population, and arrest and conviction data when available.

## Appendix A

### Supplemental Recidivism Rates: Arrests, Convictions, and Returns to Prison

The below figures and tables present supplemental recidivism rates (arrests, convictions, and returns to prison) for adult offenders released from CDCR adult institutions. One-year rates are provided for FY 2002-03 through FY 2012-13 and provide the most years of comparative data.<sup>7</sup> Although only a one-year rate is provided for these years, it is a good indicator of recidivism (as previously indicated in this report) because over 80 percent of offenders who returned to prison, returned within the first year of release. In order to provide the most comprehensive data available, one-year rates are followed by two- and three-year supplemental recidivism rates.<sup>8</sup> Two-year supplemental recidivism rates are available for Fiscal Year 2002-03 through Fiscal Year 2011-12 and three-year rates are available for Fiscal Year 2002-03 through Fiscal Year 2010-11.

An examination of one-year return-to-prison rates by fiscal year, shows a substantial difference (26.6 percentage points) between the FY 2010-11 (36.4 percent) and FY 2011-12 release cohorts (9.8 percent). The decrease between the two rates was preceded and followed by less substantial decreases; the one-year return-to-prison rate decreased 5.6 percentage points between the FY 2009-10 and FY 2010-11 release cohorts and 3.2 percentage points between the FY 2011-12 and FY 2012-13 release cohorts. The one-year arrest and conviction rate remained relatively stable through the FY 2010-11 release cohort and both rates saw a slight increase with the FY 2011-12 release cohort; arrests increased 2.2 percentage points and convictions 3.5 percentage points. Following the increase in the arrest and convictions rates among the FY 2011-12 release cohort, both rates decreased with the FY 2012-13 release cohort. The FY 2012-13 one-year arrest rate (50.5 percent) was the lowest among all release cohorts examined. Similarly, the one-year conviction rate for the FY 2012-13 release cohort was 20.3 percent, which is the lowest one-year conviction rate since the FY 2002-03 rate of 19.7 percent. The FY 2011-12 time period (July 1, 2011 through June 30, 2012) encompassed the start of Realignment (October 2011) and may account for the increase in arrests and convictions, and the substantial decrease in returns to State prison, as the state and counties adjusted to the new system.

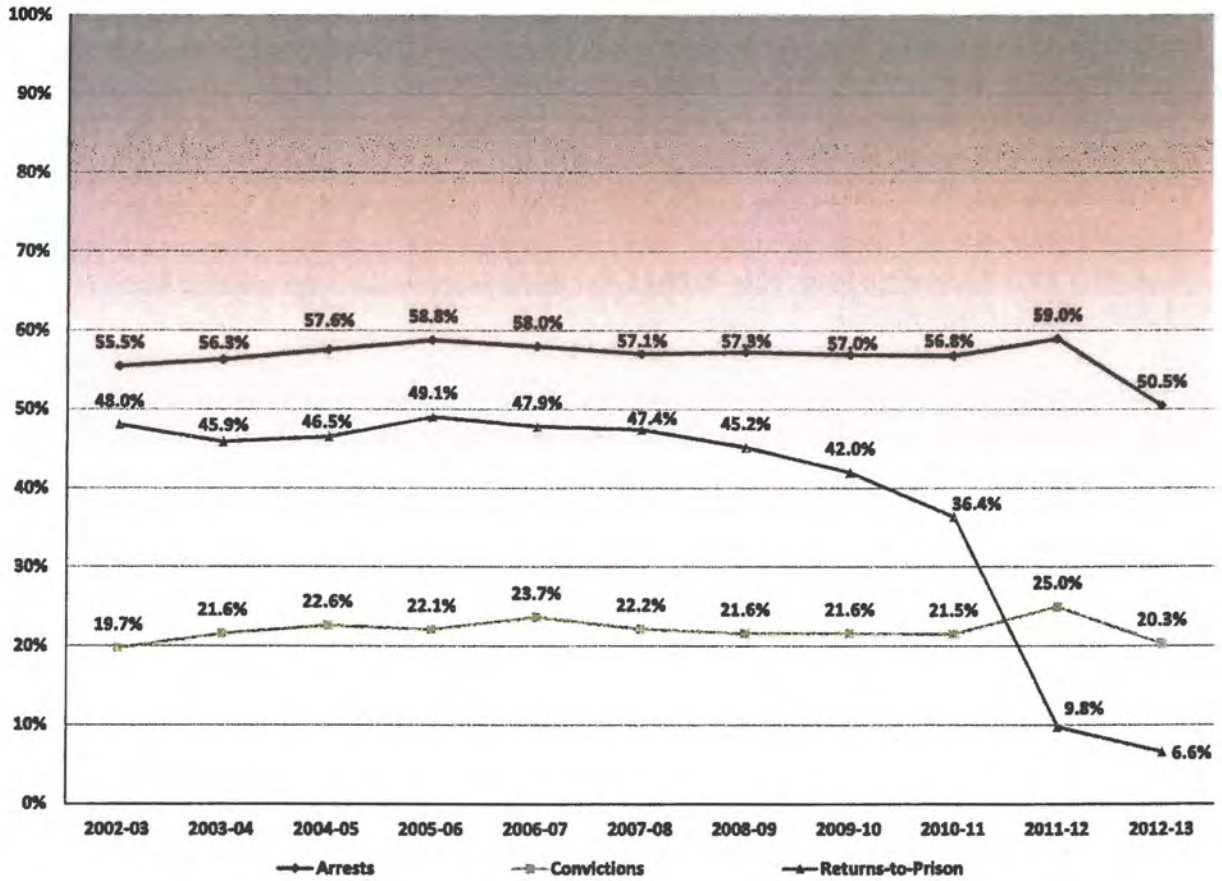
Similar patterns are found in the two-year arrest, conviction, and return-to-prison rates, although less pronounced. Between the FY 2009-10 and FY 2010-11 release cohorts, the two-year return-to-prison rate decreased 11 percentage points, while the two-year arrest and conviction rates slightly increased (0.8 of a percentage point and 1.3 percentage points, respectively). Between FY 2010-11 and FY 2011-12, the two-year return-to-prison rate decreased 22.9 percentage points, while the two-year arrest and conviction rates saw another slight increase (0.5 of a percentage point and 2.3 percentage points, respectively). When examining the three-year arrest, conviction, and return-to-prison rates, arrests and convictions remained relatively stable between the FY 2009-10 and 2010-11 release cohorts (arrests

<sup>7</sup> The arrest, conviction, and return-to-prison data contained in these figures and charts were extracted in April 2016 to minimize the effects of the time lag of data entry into the State's systems.

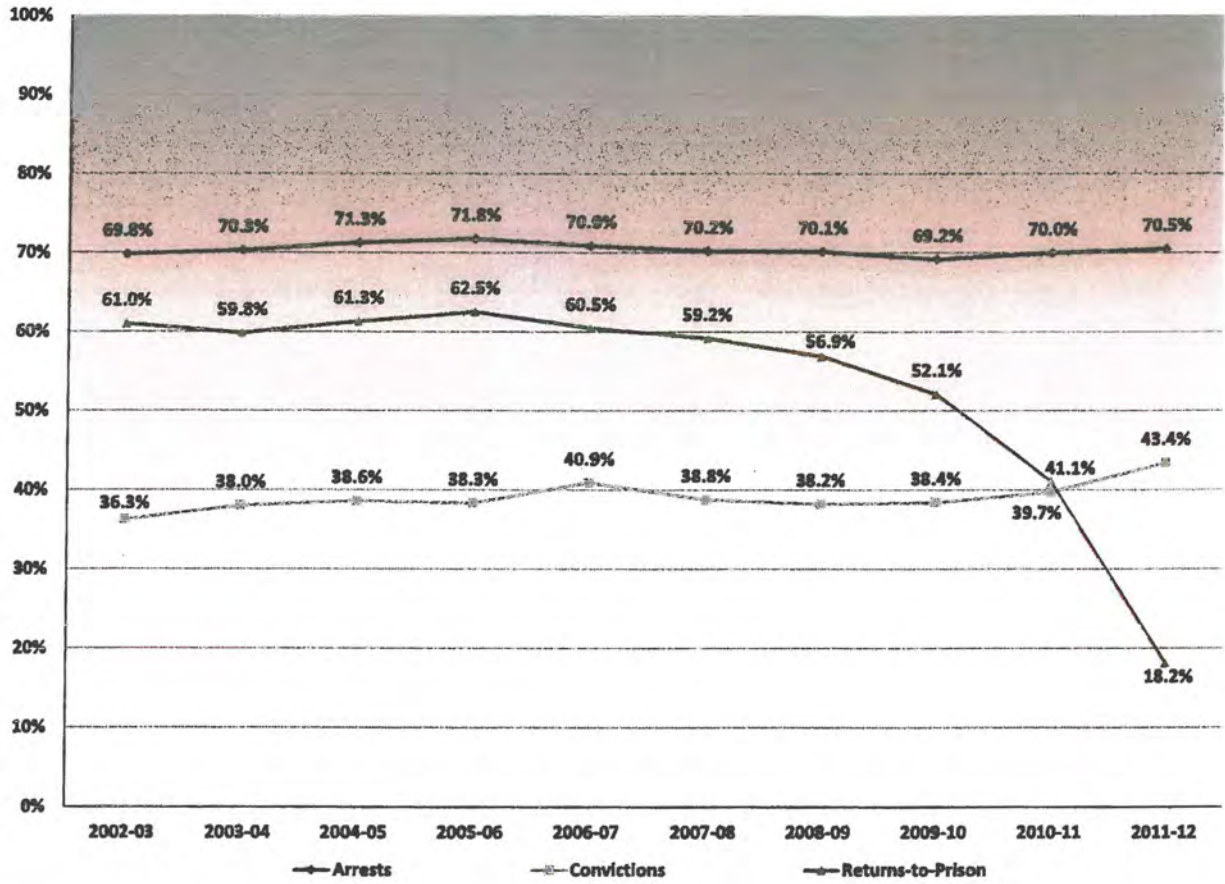
<sup>8</sup> Supplemental recidivism rates are "frozen" at three years, meaning the three-year follow-up period is complete and no further analyses are performed. Reported one-year and two-year rates may fluctuate slightly, as the data used in subsequent reporting years will likely increase, particularly for arrests and convictions since these data are routinely updated in accordance with criminal justice processing.

increased 0.5 of a percentage point and convictions increased 1.8 percentage points), while the decrease in the three-year return-to-prison rate was more substantial (9.7 percentage points).

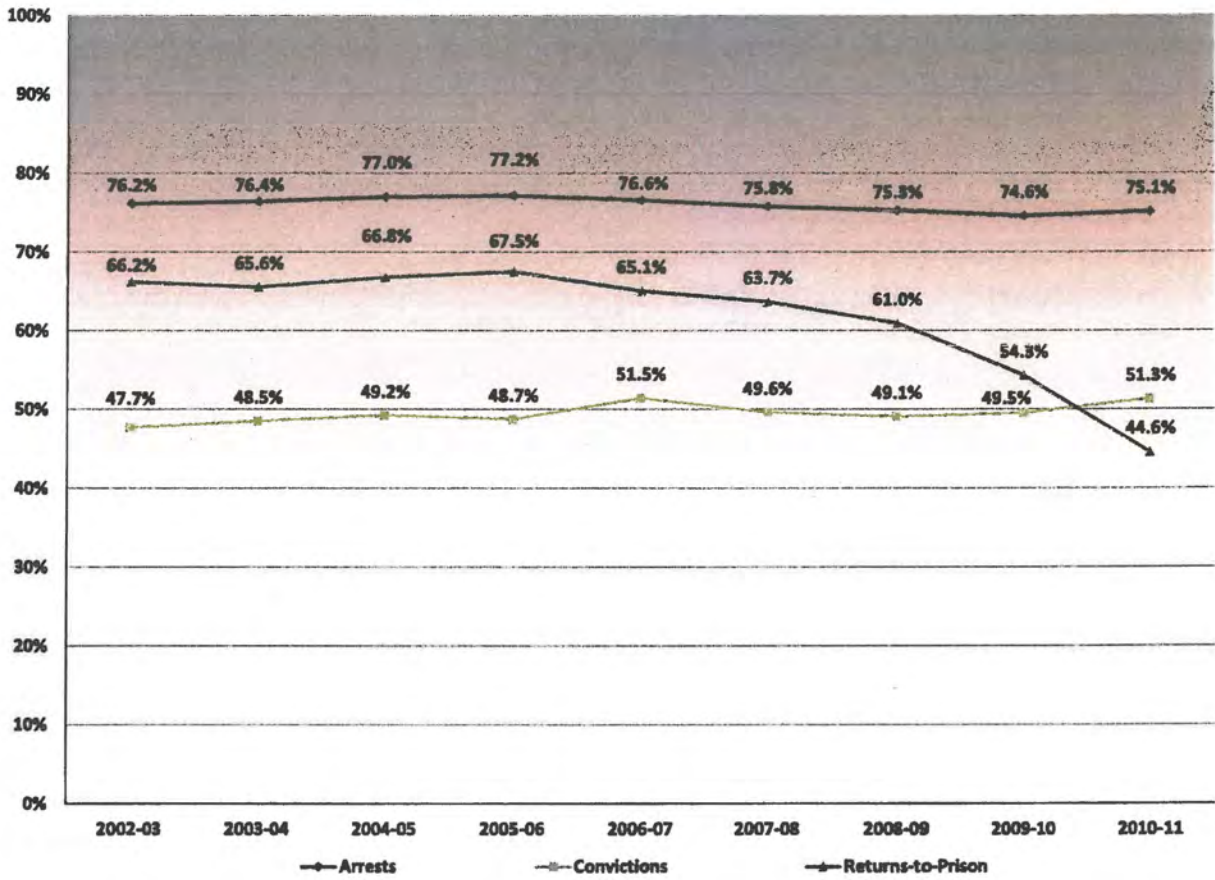
*One-Year Supplemental Recidivism Rates by Fiscal Year*



Two-Year Supplemental Recidivism Rates by Fiscal Year



Three-Year Supplemental Recidivism Rates by Fiscal Year



## Appendix A

Supplemental Recidivism Rates: Arrests, Convictions, and Returns to Prison  
(continued)

		<b>Arrests*</b>					
		<b>One-Year</b>		<b>Two-Year</b>		<b>Three-Year</b>	
<b>Fiscal Year*</b>	<b>Number Released</b>	<b>Number Arrested</b>	<b>Arrest Rate</b>	<b>Number Arrested</b>	<b>Arrest Rate</b>	<b>Number Arrested</b>	<b>Arrest Rate</b>
2002-03	99,482	55,204	55.5%	69,449	69.8%	75,765	76.2%
2003-04	99,635	56,127	56.3%	70,070	70.3%	76,135	76.4%
2004-05	103,647	59,703	57.6%	73,881	71.3%	79,819	77.0%
2005-06	105,974	62,331	58.8%	76,079	71.8%	81,786	77.2%
2006-07	112,665	65,369	58.0%	79,893	70.9%	86,330	76.6%
2007-08	113,888	64,981	57.1%	79,978	70.2%	86,309	75.8%
2008-09	110,356	63,193	57.3%	77,412	70.1%	83,080	75.3%
2009-10	103,867	59,159	57.0%	71,837	69.2%	77,495	74.6%
2010-11	94,888	53,911	56.8%	66,399	70.0%	71,284	75.1%
2011-12	75,172	44,345	59.0%	52,974	70.5%	N/A	N/A
2012-13	35,910	18,131	50.5%	N/A	N/A	N/A	N/A

		<b>Convictions*</b>					
		<b>One-Year</b>		<b>Two-Year</b>		<b>Three-Year</b>	
<b>Fiscal Year</b>	<b>Number Released</b>	<b>Number Convicted</b>	<b>Conviction Rate</b>	<b>Number Convicted</b>	<b>Conviction Rate</b>	<b>Number Convicted</b>	<b>Conviction Rate</b>
2002-03	99,482	19,643	19.7%	36,087	36.3%	47,443	47.7%
2003-04	99,635	21,509	21.6%	37,881	38.0%	48,350	48.5%
2004-05	103,647	23,464	22.6%	40,022	38.6%	51,026	49.2%
2005-06	105,974	23,428	22.1%	40,635	38.3%	51,650	48.7%
2006-07	112,665	26,657	23.7%	46,106	40.9%	57,980	51.5%
2007-08	113,888	25,233	22.2%	44,164	38.8%	56,525	49.6%
2008-09	110,356	23,831	21.6%	42,181	38.2%	54,175	49.1%
2009-10	103,867	22,410	21.6%	39,908	38.4%	51,456	49.5%
2010-11	94,888	20,403	21.5%	37,710	39.7%	48,689	51.3%
2011-12	75,172	18,778	25.0%	32,651	43.4%	N/A	N/A
2012-13	35,910	7,303	20.3%	N/A	N/A	N/A	N/A

\*Arrests and convictions are only included for offenders with an automated criminal history record available from the California Department of Justice. Fiscal years without enough follow-up time to capture recidivism are reported as "N/A".

## Appendix A

Supplemental Recidivism Rates: Arrests, Convictions, and Returns to Prison  
(continued)

Fiscal Year	Number Released	<b>Returns to State Prison</b>					
		One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
2002-03	103,934	49,924	48.0%	63,415	61.0%	68,810	66.2%
2003-04	103,296	47,423	45.9%	61,788	59.8%	67,734	65.6%
2004-05	106,920	49,761	46.5%	65,559	61.3%	71,444	66.8%
2005-06	108,662	53,330	49.1%	67,958	62.5%	73,350	67.5%
2006-07	115,254	55,167	47.9%	69,691	60.5%	75,018	65.1%
2007-08	116,015	55,049	47.4%	68,643	59.2%	73,885	63.7%
2008-09	112,877	51,010	45.2%	64,244	56.9%	68,803	61.0%
2009-10	104,981	44,104	42.0%	54,713	52.1%	57,022	54.3%
2010-11	95,690	34,810	36.4%	39,331	41.1%	42,661	44.6%
2011-12	76,102	7,447	9.8%	13,838	18.2%	N/A	N/A
2012-13	36,899	2,436	6.6%	N/A	N/A	N/A	N/A

*Fiscal years without enough follow-up time to capture recidivism are reported as "N/A".*



## Appendix B

### Type of Arrest and Conviction for Fiscal Year 2009-10 and Fiscal Year 2010-11 Release Cohorts

The below tables show the type of arrest and type of conviction for the FY 2009-10 and 2010-11 release cohorts. Data represent the first arrest or conviction episode and only the most serious offense in the arrest or conviction cycle is presented. At the time of this report, the type of arrest or conviction for some offenders was unknown.

In FY 2009-10, 25.4 percent of the offenders completed the three-year follow-up period without an arrest. In FY 2010-11, 24.9 percent of the offenders completed the three-year follow-up period (a decrease of 0.5 of a percentage point from the previous release cohort) without an arrest. Supervision violations, which account for the largest number of arrests, increased by 1.8 percentage points between FY 2009-10 and FY 2010-11 (22.3 percent and 24.1 percent, respectively), while arrests for crimes against persons (11.6 percent) and other crimes (4.8 percent) remained unchanged. Between FY 2009-10 and FY 2010-11, arrests for drug/alcohol crimes decreased 1.2 percentage points (20.5 percent and 19.3 percent, respectively) and property crimes decreased by 0.2 of a percentage point (11.5 percent and 11.3 percent, respectively).

The portion of the release cohort arrested for each offense category remained static across the two fiscal years; arrests for supervision violations comprised the largest number of arrests, followed by drug/alcohol crimes, crimes against persons, property crimes, and other crimes.

#### *Type of Arrest for Fiscal Year 2009-10 and Fiscal Year 2010-11 Release Cohorts*

Type of Arrest	FY 2009-10		FY 2010-11	
	Number	Percent	Number	Percent
No Arrests	26,372	25.4%	23,604	24.9%
Crimes Against Persons	12,035	11.6%	11,035	11.6%
Property Crimes	11,969	11.5%	10,692	11.3%
Drug/Alcohol Crimes	21,321	20.5%	18,356	19.3%
Other Crimes	5,010	4.8%	4,545	4.8%
Supervision Violations	23,195	22.3%	22,829	24.1%
Unknown	3,965	3.8%	3,827	4.0%
<b>Total</b>	<b>103,867</b>	<b>100.0%</b>	<b>94,888</b>	<b>100.0%</b>

The percentage of offenders without a conviction during the three-year follow-up period decreased by 1.8 percentage points between FY 2009-10 and FY 2010-11 (50.5 percent and 48.7 percent, respectively). With the exception of drug/alcohol crimes, which decreased by 0.5 of a percentage point between the two fiscal years (19 percent and 18.5 percent, respectively), all other conviction types increased slightly. Crimes against persons increased by 1 percentage point (10.3 percent and 11.3 percent, respectively), property crimes increased by 0.6 of a percentage point (12.9 percent and 13.5

percent, respectively) and other crimes increased by 0.5 of a percentage point (4 percent and 4.5 percent, respectively).

The portion of the release cohort convicted for each offense category also remained relatively static across the two fiscal years; convictions for drug/alcohol crimes comprised the largest number of convictions, followed by property crimes, crimes against persons, and other crimes.

*Type of Conviction for Fiscal Year 2009-10 and Fiscal Year 2010-11 Release Cohorts*

Type of Conviction	FY 2009-10		FY 2010-11	
	Number	Percent	Number	Percent
No Convictions	52,411	50.5%	46,199	48.7%
Crimes Against Persons	10,659	10.3%	10,741	11.3%
Property Crimes	13,368	12.9%	12,765	13.5%
Drug/Alcohol Crimes	19,683	19.0%	17,573	18.5%
Other Crimes	4,162	4.0%	4,296	4.5%
Unknown	3,584	3.5%	3,314	3.5%
<b>Total</b>	<b>103,867</b>	<b>100.0%</b>	<b>94,888</b>	<b>100.0%</b>

## Appendix C

## Offender Demographics and Characteristics by Fiscal Year

	FY 2009-10 Number Released	FY 2010-11 Number Released	Number Released Difference	FY 2009-10 Number Returned	FY 2010-11 Number Returned	Number Returned Difference	FY 2009-10 Three-Year Return Rate	FY 2010-11 Three-Year Return Rate	Three-Year Rate Difference
<b>Release Type</b>									
First Release	61,810	58,122	(3,688)	27,254	19,777	(7,477)	44.1%	34.0%	(10.1)
Re-Release	43,171	37,568	(5,603)	29,768	22,884	(6,884)	69.0%	60.9%	(8.0)
<b>Gender</b>									
Male	93,937	86,571	(7,366)	52,891	40,193	(12,698)	56.3%	46.4%	(9.9)
Female	11,044	9,119	(1,925)	4,131	2,466	(1,663)	37.4%	27.1%	(10.3)
<b>Age at Release</b>									
18 - 19	643	744	101	437	440	3	68.0%	59.1%	(8.8)
20 - 24	14,061	12,666	(1,395)	8,621	6,400	(2,221)	61.3%	50.5%	(10.8)
25 - 29	20,661	18,550	(2,111)	12,190	9,052	(3,138)	59.0%	48.8%	(10.2)
30 - 34	17,436	16,401	(1,035)	9,452	7,217	(2,235)	54.2%	44.0%	(10.2)
35 - 39	14,184	12,528	(1,656)	7,542	5,357	(2,185)	53.2%	42.8%	(10.4)
40 - 44	13,940	12,390	(1,550)	7,343	5,342	(2,001)	52.7%	43.1%	(9.6)
45 - 49	12,010	10,716	(1,294)	6,127	4,543	(1,584)	51.0%	42.4%	(8.6)
50 - 54	7,177	6,865	(312)	3,337	2,705	(632)	46.5%	39.4%	(7.1)
55 - 59	3,132	2,986	(146)	1,311	1,032	(279)	41.9%	34.6%	(7.3)
60 and over	1,737	1,844	107	662	573	(89)	38.1%	31.1%	(7.0)
<b>Race/Ethnicity</b>									
American Indian/Alaskan Native	1,105	1,063	(42)	729	586	(143)	66.0%	55.1%	(10.8)
White	31,786	28,323	(3,463)	18,128	13,586	(4,542)	57.0%	48.0%	(9.1)
Black/African American	27,607	25,238	(2,369)	16,145	11,644	(4,501)	58.5%	46.1%	(12.3)
Asian/Pacific Islander	859	868	9	395	365	(30)	46.0%	42.1%	(3.9)
Hispanic/Latino	40,407	37,190	(3,217)	20,060	15,321	(4,739)	49.6%	41.2%	(8.4)
Other	3,217	3,008	(209)	1,565	1,159	(406)	48.6%	38.5%	(10.1)
<b>County of Parole</b>									
Fresno	4,382	3,699	(683)	2,911	2,184	(727)	66.4%	59.0%	(7.4)
San Joaquin	2,655	2,363	(292)	1,794	1,358	(436)	67.6%	57.5%	(10.1)
Stanislaus	1,840	1,618	(222)	1,200	900	(300)	65.2%	55.6%	(9.6)
San Diego	6,801	6,431	(370)	4,239	3,434	(805)	62.3%	53.4%	(8.9)
Kern	3,953	3,681	(272)	2,509	1,944	(565)	63.5%	52.8%	(10.7)
Riverside	6,718	6,201	(517)	4,127	3,237	(890)	61.4%	52.2%	(9.2)
Sacramento	6,248	5,698	(550)	3,359	2,739	(620)	53.8%	48.1%	(5.7)
San Bernardino	8,505	8,018	(487)	5,087	3,836	(1,251)	59.8%	47.8%	(12.0)
Santa Clara	3,161	2,776	(385)	1,741	1,164	(577)	55.1%	41.9%	(13.1)
Alameda	4,788	4,022	(766)	2,468	1,612	(856)	51.5%	40.1%	(11.5)
Orange	8,169	6,804	(1,365)	3,652	2,658	(994)	44.7%	39.1%	(5.6)
Los Angeles	26,358	24,904	(1,454)	11,288	8,032	(3,256)	42.8%	32.8%	(10.6)
All Others	21,403	19,475	(1,928)	12,647	9,563	(3,084)	59.1%	49.1%	(10.0)
<b>Commitment Offense Categories</b>									
Property Crimes	34,899	31,756	(3,143)	20,278	15,048	(5,230)	58.1%	47.4%	(10.7)
Crimes Against Persons	28,260	28,732	472	15,672	13,196	(2,476)	55.5%	45.9%	(9.5)
Other Crimes	12,461	10,757	(1,704)	6,525	4,630	(1,895)	52.4%	43.0%	(9.3)
Drug Crimes	29,361	24,445	(4,916)	14,547	9,787	(4,760)	49.5%	40.0%	(9.5)

## Appendix C

## Offender Demographics and Characteristics by Fiscal Year (continued)

	FY 2009-10 Number Released	FY 2010-11 Number Released	Number Released Difference	FY 2009-10 Number Returned	FY 2010-11 Number Returned	Number Returned Difference	FY 2009-10 Three-Year Return Rate	FY 2010-11 Three-Year Return Rate	Three-Year Rate Difference
<b>Offense</b>									
Escape	78	45	(33)	48	29	(19)	61.5%	64.4%	2.9
Other Sex	2,683	2,736	53	1,867	1,763	(104)	69.6%	64.4%	(5.1)
Vehicle Theft	5,511	4,413	(1,098)	3,762	2,475	(1,287)	68.3%	56.1%	(12.2)
Sodomy	33	34	1	21	19	(2)	63.6%	55.9%	(7.8)
Oral Copulation	205	215	10	115	111	(4)	56.1%	51.6%	(4.5)
Receiving Stolen Property	4,837	4,344	(493)	2,968	2,234	(734)	61.4%	51.4%	(9.9)
Burglary 1st	3,468	3,345	(123)	2,042	1,690	(352)	58.9%	50.5%	(8.4)
Possession Weapon	5,892	5,183	(709)	3,544	2,546	(998)	60.1%	49.1%	(11.0)
Petty Theft With Prior	5,135	4,672	(463)	3,063	2,289	(774)	59.6%	49.0%	(10.7)
Controlled Substance Possession	15,319	12,439	(2,880)	8,651	6,032	(2,619)	56.5%	48.5%	(8.0)
Other Offenses	3,517	3,075	(442)	2,020	1,474	(546)	57.4%	47.9%	(9.5)
Other Assault/Battery	9,234	9,060	(174)	5,224	4,253	(971)	56.6%	46.9%	(9.6)
Other Property	1,368	1,282	(86)	748	599	(149)	54.7%	46.7%	(8.0)
Assault w/ Deadly Weapon	6,344	6,469	125	3,556	3,018	(538)	56.1%	46.7%	(9.4)
Arson	267	210	(57)	138	96	(42)	51.7%	45.7%	(6.0)
Robbery	5,504	5,847	343	3,115	2,635	(480)	56.6%	45.1%	(11.5)
Burglary 2nd	8,033	7,943	(90)	4,542	3,548	(994)	56.5%	44.7%	(11.8)
Penetration With Object	120	100	(20)	55	44	(11)	45.8%	44.0%	(1.8)
Grand Theft	3,699	3,393	(306)	1,886	1,438	(448)	51.0%	42.4%	(8.6)
Controlled Substance Other	634	478	(156)	353	202	(151)	55.7%	42.3%	(13.4)
Rape	450	432	(18)	245	176	(69)	54.4%	40.7%	(13.7)
Lewd Act With Child	2,104	2,272	168	977	820	(157)	46.4%	36.1%	(10.3)
Controlled Substance Sales	2,786	2,337	(449)	1,231	786	(445)	44.2%	33.6%	(10.6)
Marijuana Sale	446	384	(62)	189	128	(61)	42.4%	33.3%	(9.0)
Forgery/Fraud	2,848	2,364	(484)	1,267	775	(492)	44.5%	32.8%	(11.7)
Kidnapping	225	173	(52)	86	56	(30)	38.2%	32.4%	(5.9)
Hashish Possession	68	70	2	38	22	(16)	55.9%	31.4%	(24.5)
Marij. Possess For Sale	1,172	1,061	(111)	485	326	(159)	41.4%	30.7%	(10.7)
Controlled Substance Possession For Sale	8,466	7,412	(1,054)	3,461	2,230	(1,231)	40.9%	30.1%	(10.8)
Attempted Murder 2nd	337	335	(2)	150	99	(51)	44.5%	29.6%	(15.0)
Manslaughter	543	473	(70)	195	132	(63)	35.9%	27.9%	(8.0)
Controlled Substance Manufacturing	321	134	(187)	93	32	(61)	29.0%	23.9%	(5.1)
Marijuana Other	149	130	(19)	46	29	(17)	30.9%	22.3%	(8.6)
Driving Under Influence	2,707	2,244	(463)	775	485	(290)	28.6%	21.6%	(7.0)
Vehicular Manslaughter	241	221	(20)	46	45	(1)	19.1%	20.4%	1.3
Attempted Murder 1st	25	25	0	3	3	0	N/A	N/A	N/A
Murder 2nd	145	264	119	13	20	7	9.0%	7.6%	(1.4)
Murder 1st	67	76	9	4	2	(2)	6.0%	2.6%	(3.3)
<b>Sentence Type</b>									
Second Strikers (Determinate Sentencing Law)	13,353	12,900	(453)	8,107	6,681	(1,426)	60.7%	51.8%	(8.9)
Determinate Sentencing Law	91,350	82,392	(8,958)	48,889	35,955	(12,934)	53.5%	43.6%	(9.9)
Lifers (Indeterminate Sentencing Law)	278	398	120	26	25	(1)	9.4%	6.3%	(3.1)
<b>Sex Registration Requirement</b>									
Yes	8,471	8,989	518	5,522	5,041	(481)	65.2%	56.1%	(9.1)
No	96,510	86,701	(9,809)	51,500	37,620	(13,880)	53.4%	43.4%	(10.0)

## Appendix C

## Offender Demographics and Characteristics by Fiscal Year (continued)

	FY 2009-10 Number Released	FY 2010-11 Number Released	Number Released Difference	FY 2009-10 Number Returned	FY 2010-11 Number Returned	Number Returned Difference	FY 2009-10 Three-Year Return Rate	FY 2010-11 Three-Year Return Rate	Three-Year Rate Difference
<b>Serious and/or Violent Offense</b>									
Serious	13,804	13,268	(536)	7,869	6,418	(1,451)	57.0%	48.4%	(8.6)
Violent	9,978	10,653	675	4,902	4,091	(811)	49.1%	38.4%	(10.7)
Non-Serious/Non-Violent	81,199	71,769	(9,430)	44,251	32,152	(12,099)	54.5%	44.8%	(9.7)
<b>Mental Health Status</b>									
Department of Mental Health	3	59	56	3	37	34	N/A	62.7%	N/A
Enhanced Outpatient Program	5,908	2,422	(3,486)	4,114	1,460	(2,654)	69.6%	60.3%	(9.4)
Mental Health Crisis Bed	37	119	82	27	69	42	73.0%	58.0%	(15.0)
Correctional Clinical Case Management System	14,332	14,385	53	8,505	7,301	(1,204)	59.3%	50.8%	(8.6)
None/No Mental Health Code	84,701	78,705	(5,996)	44,373	33,794	(10,579)	52.4%	42.9%	(9.5)
<b>CSRA Risk Score</b>									
Low	18,700	17,421	(1,279)	5,679	4,117	(1,562)	30.4%	23.6%	(6.7)
Moderate	28,688	25,108	(3,580)	12,833	9,023	(3,810)	44.7%	35.9%	(8.8)
High	56,442	52,331	(4,111)	38,014	29,235	(8,779)	67.4%	55.9%	(11.5)
N/A	1,151	830	(321)	496	286	(210)	43.1%	34.5%	(8.6)
<b>Length of Stay</b>									
0 - 6 Months	46,041	42,018	(4,023)	28,932	22,653	(6,279)	62.8%	53.8%	(8.9)
7 - 12 Months	29,384	25,592	(3,792)	14,968	10,441	(4,527)	50.9%	40.8%	(10.1)
13 - 18 Months	9,792	9,056	(736)	4,429	3,155	(1,274)	45.2%	34.8%	(10.4)
19 - 24 Months	5,972	5,579	(393)	2,803	2,099	(704)	46.9%	37.6%	(9.3)
2 - 3 Years	5,567	5,350	(217)	2,565	1,931	(634)	46.1%	36.1%	(10.0)
3 - 4 Years	2,519	2,567	48	1,172	821	(351)	46.5%	32.0%	(14.5)
4 - 5 Years	1,709	1,583	(126)	758	519	(239)	44.4%	32.8%	(11.6)
5 - 10 Years	2,677	2,552	(125)	1,028	772	(256)	38.4%	30.3%	(8.2)
10 -15 Years	941	919	(22)	302	221	(81)	32.1%	24.0%	(8.0)
15+ Years	379	474	95	65	49	(16)	17.2%	10.3%	(6.8)
<b>Prior Returns to Custody on Current Term</b>									
None	61,806	58,057	(3,749)	27,251	19,778	(7,473)	44.1%	34.1%	(10.0)
1	17,072	15,431	(1,641)	11,341	8,513	(2,828)	66.4%	55.2%	(11.3)
2	9,612	7,997	(1,615)	6,723	4,994	(1,729)	69.9%	62.4%	(7.5)
3	6,358	5,116	(1,242)	4,521	3,316	(1,205)	71.1%	64.8%	(6.3)
4	4,055	3,412	(643)	2,915	2,229	(686)	71.9%	65.3%	(6.6)
5	2,484	2,230	(254)	1,770	1,509	(261)	71.3%	67.7%	(3.6)
6	1,541	1,380	(161)	1,105	967	(138)	71.7%	70.1%	(1.6)
7	909	889	(20)	631	617	(14)	69.4%	69.4%	0.0
8	525	538	13	351	345	(6)	66.9%	64.1%	(2.7)
9	300	265	(35)	208	162	(46)	69.3%	61.1%	(8.2)
10 +	319	375	56	206	231	25	64.6%	61.6%	(3.0)

## Appendix C

## Offender Demographics and Characteristics by Fiscal Year (continued)

	FY 2009-10 Number Released	FY 2010-11 Number Released	Number Released Difference	FY 2009-10 Number Returned	FY 2010-11 Number Returned	Number Returned Difference	FY 2009-10 Three-Year Return Rate	FY 2010-11 Three-Year Return Rate	Three-Year Rate Difference
<b>Number of CDCR Stays Ever</b>									
1	29,136	26,426	(2,710)	9,746	6,615	(3,131)	33.5%	25.0%	(8.4)
2	14,282	12,837	(1,445)	7,049	4,903	(2,146)	49.4%	38.2%	(11.2)
3	10,775	9,182	(1,593)	6,121	4,174	(1,947)	56.8%	45.5%	(11.3)
4	8,583	7,658	(925)	5,123	3,800	(1,323)	59.7%	49.6%	(10.1)
5	7,048	6,376	(672)	4,359	3,265	(1,094)	61.8%	51.2%	(10.6)
6	5,992	5,303	(689)	3,851	2,872	(979)	64.3%	54.2%	(10.1)
7	4,897	4,432	(465)	3,282	2,501	(781)	67.0%	56.4%	(10.6)
8	3,999	3,734	(265)	2,701	2,113	(588)	67.5%	56.6%	(11.0)
9	3,530	3,188	(342)	2,381	1,840	(541)	67.5%	57.7%	(9.7)
10	2,906	2,826	(80)	2,039	1,699	(340)	70.2%	60.1%	(10.0)
11	2,433	2,296	(137)	1,741	1,405	(336)	71.6%	61.2%	(10.4)
12	2,056	2,072	16	1,464	1,257	(207)	71.2%	60.7%	(10.5)
13	1,697	1,613	(84)	1,240	997	(243)	73.1%	61.8%	(11.3)
14	1,344	1,409	65	1,027	900	(127)	76.4%	69.9%	(12.5)
15 +	6,303	6,338	35	4,898	4,320	(578)	77.7%	68.2%	(9.5)
<b>Total</b>	<b>104,981</b>	<b>95,690</b>	<b>(9,291)</b>	<b>57,022</b>	<b>42,661</b>	<b>(14,361)</b>	<b>54.3%</b>	<b>44.6%</b>	<b>(9.7)</b>

## Appendix D

## Three-Year Return-to-Prison Rates by County of Parole

County of Parole	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
Alameda County	4,022	1,448	36.0%	1,549	38.5%	1,612	40.1%
Alpine County	4	3	N/A	3	N/A	3	N/A
Amador County	95	36	37.9%	39	41.1%	41	43.2%
Butte County	751	318	42.3%	351	46.7%	376	50.1%
Calaveras County	32	10	31.3%	10	31.3%	10	31.3%
Colusa County	36	16	44.4%	16	44.4%	16	44.4%
Contra Costa County	1,091	474	43.4%	509	46.7%	532	48.8%
Del Norte County	81	39	48.1%	41	50.6%	41	50.6%
El Dorado County	268	108	40.3%	117	43.7%	127	47.4%
Fresno County	3,699	1,958	52.9%	2,086	56.4%	2,184	59.0%
Glenn County	59	20	33.9%	23	39.0%	24	40.7%
Humboldt County	471	215	45.6%	233	49.5%	243	51.6%
Imperial County	262	107	40.8%	123	46.9%	132	50.4%
Inyo County	25	11	N/A	12	N/A	13	N/A
Kern County	3,681	1,620	44.0%	1,805	49.0%	1,944	52.8%
Kings County	753	343	45.6%	383	50.9%	407	54.1%
Lake County	219	98	44.7%	107	48.9%	112	51.1%
Lassen County	73	22	30.1%	25	34.2%	26	35.6%
Los Angeles County	24,904	5,229	21.0%	6,807	27.3%	8,032	32.3%
Madera County	395	180	45.6%	195	49.4%	211	53.4%
Marin County	104	43	41.3%	53	51.0%	54	51.9%
Mariposa County	12	3	N/A	4	N/A	4	N/A
Mendocino County	232	119	51.3%	124	53.4%	128	55.2%
Merced County	762	342	44.9%	376	49.3%	402	52.8%
Modoc County	18	7	N/A	7	N/A	7	N/A
Mono County	9	3	N/A	3	N/A	3	N/A
Monterey County	1,015	381	37.5%	440	43.3%	481	47.4%
Napa County	126	50	39.7%	56	44.4%	59	46.8%
Nevada County	60	24	40.0%	25	41.7%	25	41.7%
Orange County	6,804	2,253	33.1%	2,498	36.7%	2,658	39.1%
Placer County	464	223	48.1%	235	50.6%	243	52.4%
Plumas County	32	6	18.8%	6	18.8%	6	18.8%
Riverside County	6,201	2,721	43.9%	2,997	48.3%	3,237	52.2%

## Appendix D

## Three-Year Return-to-Prison Rates by County of Parole

County of Parole	Released	One-Year		Two-Year		Three-Year	
		Returned	Rate	Returned	Rate	Returned	Rate
Sacramento County	5,698	2,388	41.9%	2,584	45.3%	2,739	48.1%
San Benito County	56	19	33.9%	21	37.5%	22	39.3%
San Bernardino County	8,018	3,123	38.9%	3,548	44.3%	3,836	47.8%
San Diego County	6,431	2,956	46.0%	3,240	50.4%	3,434	53.4%
San Francisco County	1,281	643	50.2%	667	52.1%	679	53.0%
San Joaquin County	2,363	1,191	50.4%	1,280	54.2%	1,358	57.5%
San Luis Obispo County	465	178	38.3%	201	43.2%	221	47.5%
San Mateo County	803	326	40.6%	361	45.0%	378	47.1%
Santa Barbara County	728	271	37.2%	313	43.0%	341	46.8%
Santa Clara County	2,776	977	35.2%	1,093	39.4%	1,164	41.9%
Santa Cruz County	350	153	43.7%	167	47.7%	184	52.6%
Shasta County	782	336	43.0%	372	47.6%	392	50.1%
Sierra County	9	5	N/A	5	N/A	5	N/A
Siskiyou County	77	30	39.0%	32	41.6%	38	49.4%
Solano County	1,280	638	49.8%	672	52.5%	690	53.9%
Sonoma County	635	251	39.5%	274	43.1%	284	44.7%
Stanislaus County	1,618	778	48.1%	846	52.3%	900	55.6%
Sutter County	297	126	42.4%	142	47.8%	153	51.5%
Tehama County	252	111	44.0%	117	46.4%	126	50.0%
Trinity County	31	14	45.2%	16	51.6%	17	54.8%
Tulare County	1,378	618	44.8%	672	48.8%	708	51.4%
Tuolumne County	50	14	28.0%	14	28.0%	17	34.0%
Ventura County	1,450	687	47.4%	749	51.7%	791	54.6%
Yolo County	547	256	46.8%	271	49.5%	286	52.3%
Yuba County	447	224	50.1%	244	54.6%	258	57.7%
Discharged	1,108	67	6.0%	172	15.5%	247	22.3%
<b>Total</b>	<b>95,690</b>	<b>34,810</b>	<b>36.4%</b>	<b>39,331</b>	<b>41.1%</b>	<b>42,661</b>	<b>44.6%</b>



## Appendix D

### Three-Year Return-to-Prison Rates by County of Parole



*\*County names and rates are provided on pages 64 and 65 of this report.*

## Appendix E

### Definitions of Key Terms

#### **California Static Risk Assessment (CSRA)**

The CSRA is an actuarial tool that utilizes demographic and criminal history data to predict an offender's risk of returning-to-prison at the time they are released from CDCR. Offenders are categorized as low, moderate or high risk of incurring a new criminal conviction.

#### **Cohort**

A group of individuals who share a common characteristic, such as all inmates who were released during a given year.

#### **Controlling Crime or Commitment Offense**

The most serious offense on the conviction for which the inmate was sentenced to prison on that term.

#### **Correctional Clinical Case Management System (CCCMS)**

The CCCMS facilitates mental health care by linking inmate/patients to needed services and providing sustained support while accessing such services. CCCMS services are provided as outpatient services within the general population setting at all institutions.

#### **Determinate Sentencing Law (DSL)**

Established by Penal Code Section 1170 in 1977, Determinate Sentencing Law identifies a specified sentence length for convicted felons who are remanded to State prison. Essentially, three specific terms of imprisonment (low, middle, and high) are assigned for crimes, as well as enhancements (specific case factors that allow judges to add time to a sentence). Opportunities to earn "credits" can reduce the length of incarceration.

#### **Enhanced Outpatient Program (EOP)**

A mental health services designation applied to a severely mentally ill inmate receiving treatment at a level similar to day treatment services.

#### **First Release**

The first release on the current term for felons with new admissions and parole violators returning with a new term (PV-WNT).

### **Indeterminate Sentencing Law (ISL)**

Established by Penal Code Section 1168 in 1917, the Indeterminate Sentencing Law allowed judges to determine a range of time (minimum and maximum) a convicted felon would serve. Different felons convicted for the same crimes could spend varying lengths of time in prison; release depended on many factors, including each prisoner's individual conduct in prison. After the minimum sentence passed, felons were brought to a parole board that would identify the actual date of release. Indeterminate Sentencing was replaced by Determinate Sentencing (Penal Code Section 1170) in 1977. After the implementation of Determinate Sentencing, only individuals with life sentences and third strikers are considered "indeterminately" sentenced, since the parole board determines their release.

### **Manual California Static Risk Assessment (CSRA)**

Inmates who do not have automated criminal history data available from the Department of Justice (DOJ) must have their CSRA score calculated manually. This is done with a review of a paper copy of the inmate's rap sheet. Manual scores calculated in Fiscal Year 2008-09 are not readily available for some inmates included in this report.

### **Parole**

A period of conditional supervised release following a prison term.

### **Parole Violation (Law)**

A law violation occurs when a parolee commits a crime while on parole and returns to CDCR custody (RTC) by action of the Board of Parole Hearings rather than by prosecution in the courts.

### **Parole Violation (Technical)**

A technical violation occurs when a parolee violates a condition of his/her parole that is not considered a new crime and returns to CDCR custody (RTC).

### **Parole Violator Returning With a New Term (PV-WNT)**

A parolee who receives a court sentence for a new crime committed while under parole supervision and returned-to-prison.

### **Recidivism**

Conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

**Registered Sex Offender**

An inmate is designated as a registered sex offender if CDCR records show that the inmate has at some point been convicted of an offense that requires registration as a sex offender under Penal Code Section 290. This designation is permanent in CDCR records.

**Re-Release**

After a return-to-prison for a parole violation, any subsequent release on the same (current) term is a re-release.

**Return-to-Prison**

An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, discharged after being paroled, or directly discharged during Fiscal Year 2010-11 and subsequently returned to prison within three years of their release date.

**Serious Felony Offenses**

Serious felony offenses are specified in Penal Code Section 1192.7(c) and Penal Code Section 1192.8

**Stay**

A stay is any period of time an inmate is housed in a CDCR institution. Each time an inmate returns to prison it is considered a new stay, regardless of the reason for returning.

**Term**

A term is a sentence an inmate receives from a court to be committed to CDCR for a length-of-time. If an inmate is released after serving a term and is later returned-to-prison for a parole violation, the inmate returns and continues serving the original (current) term. If that inmate returns for committing a new crime, the inmate begins serving a new term.

**Violent Felony Offenses**

Violent felony offenses are specified in Penal Code Section 667.5(c).

**California Department of Corrections and Rehabilitation  
Office of Research, Research and Evaluation Branch**

**On the internet at:**

[http://www.cdcr.ca.gov/adult\\_research\\_branch](http://www.cdcr.ca.gov/adult_research_branch)



Clayton Valley Garden Club

P.O. Box 633

Clayton, CA 94517

[www.ClaytonValleyGardenClub.org](http://www.ClaytonValleyGardenClub.org)

(925) 276-2299

Agenda Date: 10-18-2016

Agenda Item: 8b

October 18, 2016

Dear City of Clayton Council Members:

Clayton Valley Garden Club (CVGC) began in 1997 as a non-profit 501(C)(3), tax exempt organization. We are a Blue Ribbon Club as members of the Diablo Foothills District of the California Garden Clubs, Inc. and the National Garden Club. Our club consists of 98 members and growing; is very productive and has won many awards including a Yellow Ribbon Sweepstakes Award in 2010 for having won more awards in the State of California than any other club of our size. CVGC's objective is to encourage interest in all phases of home gardening, to promote conservation of natural resources, and to aid in civic beautification, education of the community and our members.

Each year funds are raised by holding a Plant Sale. These funds enable us to operate our organization, pay speakers, and to assist with community projects. As the CVGC Plant Sale keeps growing, our proceeds keep increasing each year.

For the past several years, CVGC plants have been and are being propagated, held and raised at member's yards. A couple of members have had close to and over 1,000 plants at a time in their Concord and Clayton backyards. One member often keeps a dirt pile for potting CVGC plants in her Clayton driveway which is not aesthetically appropriate for the neighborhood.

Local and nearby community members have often expressed how they look forward to the Annual Plant sale. CVGC has taken on several community projects, to name a few:

- Maintenance and plantings of the Clayton Museum Garden—continuing
- Local school projects at MDES, Olympic High School, DVMS, CVCHS - continuing
- Propagation workshops - continuing
- Information Booths at the Clayton Farmers Market (Composting, Poisonous plants, Water-wise ) 2015
- Blossoms for Barbara - annual
- Holiday Floral design workshops
- sponsored Eagle Scout with construction and placement of owl boxes at MDES, DVMS, & Museum 2012
- Daffodil Hill in 2000 and continued in 2014
- Design, planting, and maintenance of two Clayton Library Beds, one of which is a certified wildlife habitat and another, a succulent bed, installed 2003 and 2010 respectively, and continuing
- building raised beds including beds accessible to wheelchair access at Diablo View Middle School (DVMS) for Special Students in 2010
- a solarization project at the DVMS in 2009
- Blue Star Memorial at Clayton's Grove Park in 2003
- Maintained downtown planter boxes when water was available 1997 through 2012 and will continue when new planter boxes and water becomes available

CVGC meetings are open to all who are interested. A listing of recent educational speakers is attached to this Proposal.

**PROPOSAL:**

On September 13, the CVGC membership voted to propose to the City of Clayton for consideration of public property use, specifically at the Keller Ranch site, for a home base where we could grow plants, hold our supplies, hold propagation and potting parties, and community workshops as a community service in conjunction with our Plant Sales. If CVGC had a home we would be able to hold more than one Plant Sale per year – an example spring, summer and fall, or possibly in conjunction with other events such as the Creekside Arts Festival.

Cities of Concord, Pleasant Hill, Walnut Creek, Antioch and many others throughout California have allotted space for educational garden club organizations to use; examples Markham Arboretum, Rogers Ranch, Gardens at Heather Farm, "Our Garden" demonstration garden at Shadelands, the Earth Friendly Demonstration Garden in Livermore, Lake Merritt Trials Garden in Oakland. The East Bay regional Park & Taylor Family Foundation teamed together to create Camp Arroyo in Livermore. Clayton could have its own smaller version similar to these wonderful learning garden facilities.

**BENEFITS TO THE COMMUNITY & CITY OF CLAYTON:**

- ◆ Awareness and education of plants, conservation, how to live with wildlife in our area, and how to help our environment.
- ◆ Encourage interest and support in the community for the future "Cultural Center" idea at Keller Ranch
- ◆ Community Beautification: The area used by the CVGC would be kept weed free and neat.
- ◆ CVGC has insurance through the California Garden Clubs, Inc. A copy is attached. Additional research would be needed to see if we need additional insurance.
- ◆ Plants are grown above ground in pots; not in the ground, therefore, there would be no digging up at Keller Ranch site except for possible structure support depending on type of structure permitted.
- ◆ There would be no expense for the City of Clayton
- ◆ Long term possibility: rejuvenate the Elodia Keller Ranch garden.

**EXAMPLES OF PRESENTATIONS AND/OR WORKSHOPS:** CVGC members and/or speakers might provide as a community service in conjunction with Plant Sales could be:

- ◆ Composting
- ◆ Repair and sharpening of garden tools
- ◆ Sessions on plants suitable for the Clayton Valley Area such as: Drought tolerant, native, pollinators, tomatoes, etc.
- ◆ Native wildlife in our area we might see in our gardens and open space, such as: native bees, bats, birds, snakes, tarantulas
- ◆ Greywater Alliance and Sustainable Contra Costa Workshops such as "Laundry to Laundry" systems and other Greywater possibilities
- ◆ Contra Costa Water District
- ◆ Master Gardener presentations

- ◆ Repurpose materials
- ◆ Native plants and their uses by Native Americans

### **SUCCESSFUL CVGC HOOP HOUSE PROJECT 2015-2016:**

CVGC members, with almost 40 members physically participating, have successfully built a Hoop House on private property in downtown Clayton. The structure has survived the heat of summer and winds of winter for a full year. The special greenhouse plastic sheeting is expected to last another 2-3 years. The plants grew beautifully with reclaimed water. The work was supported by CVGC members who enjoyed working and learning together as well as many donations of materials from the community. The 2016 Plant Sale resulted in a record fundraiser for the CVGC on a "rainy day." The site has been very productive. However, thinking ahead, it is private property and we cannot hold plant sales or public workshops on the property. See attached photos.

### **RESOURCES:**

Although, CVGC raises funds through Plant Sales, CVGC would need to seek support from grants and possible matching funds from other organizations. We would first need to get approval for a home of property space, and then approval of what type of structures we would be authorized to place on the property before we can come up with accurate figures of the cost of this proposed project.

Photos of ideas for a few structures such as Hoop House, Cold Frame, and the unit Diablo Valley College Horticulture department uses are attached.

CVGC would seek assistance through grants or organizations that provide matching funds to provide fencing, security cameras, a locked storage shed. Hopefully, we would be able set up a meter water at the Keller Ranch site to be billed to CVGC. Or possibly well water might be available.

CVGC members hope the City of Clayton will consider this proposal. We realize there is much more research and planning to accomplish.

Clayton Valley Garden Club thanks the City of Clayton Council Members for considering our proposal.

Sincerely,

Linda Cruz representing CVGC (925) 672-0503

Past CVGC President (2009, 2010); current CVGC Program Chair

Attachments: CVGC Insurance page 4 & 5

Photos of active CVGC page 6

Photos from Hoop House Project page 7

Photos of various structures page 8

Photo from 1930 Elodia Keller Garden at Keller Ranch House




AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE



**TIPS FOR LOSS PREVENTION**

Before a meeting or show, take a look around to check for possible hazards. Common causes of accidents include sharp or protruding edges, loose carpet or flooring, wet flooring, and steps or drop-offs that are unmarked or lack railing.

Hot foods and surfaces, and especially coffee urns with spigots, should be well out of reach of children.

 Always be thinking of new ways to be safer.

**FIELD TRIPS**

Never arrange carpools for others or assign rides. Members should be free to arrange carpools if they wish but on their own responsibility. Only responsible parties with auto insurance should be asked to drive their own vehicles on behalf of the organization (for example: moving plants or displays or going to the bank or printer).

If you hire busses for a field trip, obtain a certificate of insurance naming CGCI and your member group and the officers and volunteers of both as additional insureds.

**READ THIS BROCHURE!**

This brochure contains important information that your club needs to know! Keep this brochure in your club file.

**WHOM TO CONTACT**

For information about General Liability Certificates of Insurance (proof of insurance) and Additional Insured Endorsements, please contact:

**Gloria Aminian, Insurance Officer  
California Garden Clubs, Inc.**

7405 Eliso Court  
Bakersfield, CA 93309-2306

PHONE & FAX  
(661) 833-8176



For information on Directors' and Officers' Liability Coverage or other coverages, please contact:

*Patt McDaniel*  
CA DOI Lic. #0820481

*McDaniel Insurance Services*

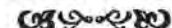
P.O. Box 1294  
Ojai, CA 93024-1294

(800) 400-7288 or (805) 646-9948  
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[mcins@west.net](mailto:mcins@west.net)

[McDanielInsuranceServices.com](http://McDanielInsuranceServices.com)

ABOUT YOUR  
GENERAL LIABILITY  
INSURANCE  
AVAILABLE TO  
MEMBER CLUBS OF THE  
**CALIFORNIA  
GARDEN CLUBS**



PROVIDED BY  
**McDANIEL  
INSURANCE  
SERVICES  
2014**

The General Liability policy is designed to provide coverage for the legal liability of its insureds for bodily injury, property damage, personal injury, and advertising injury to others. The company has the right and duty to defend the insureds against any suits to which the insurance applies, subject to policy provisions. Electronic copies of the policy are available from CGCI

**NEW THIS YEAR**

Activities with more than 1000 in attendance and outings lasting over two days must be scheduled on the policy and an additional premium will apply. Activities outside the usual scope must be submitted for review.

The insurance policy is the governing legal document and supersedes any information herein.

### Duties in the Event of Occurrence, Claim or Suit

a. You must see to it that we are notified as soon as practicable of an occurrence or an offense which may result in a claim. To the extent possible, notice should include:

- (1) How, when and where the occurrence or offense took place;
- (2) The names and addresses of any injured persons and witnesses; and
- (3) The nature and location of any injury or damage arising out of the occurrence or offense.

b. If a claim is made or suit is brought against any insured, you must:

- (1) Immediately record the specifics of the claim or suit and the date received; and
- (2) Notify us as soon as practicable. You must see to it that we receive written notice of the claim or suit as soon as practicable.

c. You and any other involved insured must:

- (1) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the claim or suit;
- (2) Authorize us to obtain records and other information;
- (3) Cooperate with us in the investigation, settlement or defense of the claim or suit; and
- (4) Assist us, upon our request, in the enforcement of any right against any person or organization which may be liable to the Insured because of injury or damage to which this insurance may also apply.

d. No insureds will, except at their own cost, voluntarily make a payment, assume any obligation, or incur any expense, other than for first aid, without our consent.

**TO REPORT A CLAIM** (or any incident which you believe may result in a claim at a later date)

**PLEASE IMMEDIATELY CONTACT:**

Gloria Aminian, California Garden Clubs Insurance Chair, at: (661) 833-8176

or

Patt McDaniel at: (800) 400-7288  
McDaniel Insurance Services

**For a true claims emergency only during non-business hours and weekends call:**  
Nonprofits' Insurance Alliance of California  
Claims Hot Line (800) 359-6422

### ABOUT GENERAL LIABILITY COVERAGE

Copies of the policy are available from CGCI via e-mail in .pdf format. You will need Adobe Acrobat to read the file. Adobe Acrobat is freely available on the Internet.

#### Who is an insured?

The California Garden Clubs, Inc. and the member clubs that have purchased this insurance, their executive officers, directors, and volunteers with respect to their liability for the activities of the insured club or activities on its behalf (subject to policy provisions).

#### Limits of Insurance (Shared Aggregates)

- \$2,000,000 per year general aggregate
- \$2,000,000 products and completed operations (annual aggregate)
- \$1,000,000 any one occurrence
- \$1,000,000 limit for advertising injury and personal injury
- \$500,000 fire legal liability
- \$20,000 medical expense limit
- \$1,000,000 excess liability
- Non-owned and hired auto coverage is included in general liability limits.

#### Liquor Liability

- \$1,000,000 per common cause
- \$1,000,000 aggregate

#### Participant & Volunteer Accident

- \$50 deductible,
- \$10,000 excess medical, \$50,000 accidental death and dismemberment
- Athletic or sports participants excluded.

### IMPORTANT NOTICE:

#### No Premises Liability Coverage!

The Garden Club Program is not intended for clubs that have owned or leased land or buildings, or clubs that manage or maintain land.

#### Non-Owned and Hired Auto

If volunteers are using their own autos in the business of the club (such as going to the bank or transporting plants) and are involved in at-fault accidents, they are not only personally liable, but the club may also be held liable. This coverage is designed to protect the club in that event. This insurance is excess over other applicable insurance and it is required that all drivers carry insurance. We recommend at least \$500,000 CSL (Combined Single Limit) or greater.

*The clubs may not allow an individual to drive on behalf of the organization unless it has been determined that the individual has at least minimum legal limits of coverage.*

#### Proof of Insurance

Each club that purchases insurance will be issued a Certificate of Liability Insurance for the policy period February 15, 2014 to February 15, 2015. This may be acceptable to show that you have insurance. If, however, a certificate is needed naming another entity or person as 'certificate holder', this is available. Fill out the 'Certificate/Endorsement Request Form' provided by California Garden Clubs, Inc. and mail, fax or e-mail to Gloria Aminian. (See back cover.)

#### Additional Insured Certificates

If someone (usually a property owner) requires a certificate naming a person or business entity as an 'Additional Insured', this is available if a contract requiring it is in place. Fill out the "Certificate/Endorsement Request Form" provided by California Garden Clubs, Inc. and mail, fax or e-mail to Gloria Aminian. (See back cover.)

**Please be careful in signing contracts and do not accept liabilities that are not covered by insurance.**



## CLAYTON VALLEY GARDEN CLUB IS AN ACTIVE GROUP

Photos top left to right:

Clayton Valley Garden Club members plant and maintain the Clayton Museum garden photo Spring 2016.

Potting Party at a member backyard is crowded.

Bob Hoyer enjoying potting up plants for the Annual Plant Sale.

Note: current membership age ranges from 9 to 95.

CVGC supports schools .

End of Year group photo from 2015.



# CURRENT HOOP HOUSE PROJECT

Photos show the current 16 x 24 foot Hoop House structure on private property near downtown Clayton constructed with PVC pipe and Greenhouse sheeting plastic. CVGC has outgrown the structure. Sheet mulching is all around the area to prevent weed growth. Bottom left photo shows an inside view of the structure. There are two approximate 2 1/2 foot isles with racks in the center and on each side holding potted plants off the ground.

The bottom right photo shows the homeowner's caged garden which protects from deer and squirrels. The homeowner allows us to use this structure during winter and spring. We fill this caged garden with potted plants in preparation for the Annual Plant Sale.

More photos are available upon request.





### Examples of Structures

The PVC Hoop House structure has survived well for over a year now. The plastic sheeting is expected to need replacement every 4 years.

It would be preferable to have a more permanent structure such as the type used by the Diablo Valley College Horticulture Department.

Photo on left shows Agra Tech of Antioch structure.

Photo on right shows a modified Agra Tech structure used by Diablo Valley College. This structure uses Galvanized steel frame with corrugated greenhouse plastic roof.



Photo on the left shows a structure used by Ruth Bancroft garden using a galvanized steel frame with the special greenhouse plastic sheeting.

View this website for another type of Cold Frame Greenhouse <http://www.greenhousemegastore.com/product/16-foot-wide-cold-frame/cold-frames>

It is not anticipated that we would need side or end walls.

**LONG TERM GOAL— Possibly rejuvenate the Elodia Keller Garden**



This above photo came from the Clayton Historical Society. Just a thought and possible benefit: The CVGC may attract the community to the Keller Ranch house site. Someone might be interested in starting a foundation such as the historic John Marsh Stone House in Brentwood where the building is being restored. View website <http://johnmarshhouse.com/park/stone-house/>

Rogers Ranch in Pleasant Hill farmhouse and surrounding 2 acres is a great example. View website at <http://www.rodgersranch.org/>

**Gary Napper**

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**Subject:** FW: Agenda Topic for Oct. 18th mtg

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**From:** Howard Geller  
**Sent:** Thursday, October 13, 2016 2:10 PM  
**To:** Gary Napper  
**Subject:** Re: Agenda Topic for Oct. 18th mtg

Gary,

This is confirmation that I would like to have a discussion on the possibility of adding (constructing) additional Public rest Rooms in downtown Clayton. My Comments:

"With the success and growth of the numerous CBCA, Clayton Community Church and City events being held on Main Street throughout the year I feel there is a need for additional accessible permanent restrooms downtown. Our existing restroom is over used at all of our events with lines of people waiting to use them especially the woman's restrooms.

In the past we had had problems with toilets being clogged and stuffed. Recently we have had our existing restrooms retrofitted with some sort of "Power Surge" and water storage tanks to help prevent toilets from clogging. But this will not speed up the "process" and we will still have lines. We will also wit and see if these upgrades work.

The purpose of this discussion by our seated Council is to determine if my feeling is also that of the rest of the Council's. If so, then we would give direction to Staff to locate possible sites and cost.

Another thought I had would be to locate a set of restrooms at the end of the commercial strip being proposed by our buyer of our Main Street property closest to the Park. This could act as the required restrooms for the small shops as well as a facility for the community to use close to the park and maybe alleviate the cost to the City to build.

Once a site or sites have been determines and cost assigned to each site, Council could help come up with alternative methods of funding one or more. With the high use by CBCA events, maybe the CBCA would consider making this one of their projects to have their name on it as the Donnor!

Howard Geller  
Mayor