



PUBLIC SAFETY CITIZEN TASK FORCE

September 18, 2013 Meeting Staff Report

Recommendation

It is recommended that the City of Santa Cruz Public Safety Citizen Task Force (PSTF) hear and deliberate on expert presentations regarding Theme 4: Criminal Justice System and Governance Structure.

It is further recommended that the TF members come prepared to ask questions of the expert panel, keeping in mind the preferred outcome of the PSTF: a set of quantifiable recommendations that can be operationalized by the City, County, neighborhoods and/or voters.

Background

The City of Santa Cruz Public Safety Citizen Task Force (PSTF) has held nine meetings thus far. Following its inaugural meeting that focused on governance and schedule, the two subsequent meetings provided the City’s perspective on current public safety issues and community members an opportunity to share with the PSTF their personal concerns and priorities through open comment. Both meetings were intended to assist the PSTF in developing its work plan and priorities.

During its fourth meeting, the PSTF set its educational priorities around a set of four themes.

No.	Theme	Questions
1	Environmental Degradation and Behaviors Affecting our Sense of Safety in the City’s Parks, Open Spaces, Beaches and Businesses Districts.	<ol style="list-style-type: none"> 1. Other than the City, what jurisdictions are involved with the management of these issues? 2. What resources are necessary to reduce the prevalence of these activities/behaviors and mitigate their effects?
2	Drug and Alcohol Abuse, Drug Trafficking and Related Non-Violent or Petty Crime	<ol style="list-style-type: none"> 1. Other than the City, what jurisdictions are involved with the management of this issue? 2. Are there adequate resources devoted to substance abuse treatment? 3. What is the relationship between substance abuse and petty crime in our community? 4. Are there too many high-risk alcohol outlets in our community? 5. How does substance abuse play a role in Theme 1? 6. Is drug dealing more prevalent in our community than other towns? Is the availability of hard drugs a cause of Theme 1?

No.	Theme	Questions
3	Gang Violence and Violent Crime	<ol style="list-style-type: none"> 1. Other than the City, what jurisdictions are involved with the management of gangs and gang violence? 2. What resources are necessary to reduce the prevalence of gang assemblage and violent crime in our community? 3. What is the relationship between gang violence/violent crime and drug trafficking?
4	Criminal Justice System and Governance	<ol style="list-style-type: none"> 1. How do current local and statewide policies and budget issues within the criminal justice system contribute to the severity of the public safety issues described in Themes 1-3?

The fifth and sixth PSTF meetings were held on July 10th and July 24th. These meetings focused on drug abuse and related crime, Santa Cruz County substance abuse treatment options and best practices, and the intersection of drug treatment and the criminal justice system.

The seventh and eighth PSTF meetings were held on August 7th and August 21st. Both meetings covered the behaviors and activities around Theme 1 and focused on root causes such as mental illness, homelessness and addiction. Panelist experts shared insights on the community impacts of such behaviors and activities and provided recommended best-practice solutions for ameliorating these issues. In addition to panelists speaking primarily on the issues around homelessness and mental illness, a Superior Court Judge brought her personal perspective on criminality in Santa Cruz, a topic that served as a preface for the following meetings on the criminal justice system.

The first half of the criminal justice-themed meetings was held on September 3rd. The meeting included expert panel presentations from Santa Cruz City Attorney John Barisone, Santa Cruz County Sheriff/Coroner Phil Wowak, Chief Deputy of Adult Corrections, Jeremy Verinsky, and Santa Cruz County Superior Court Presiding Judge John Salazar.

This staff report includes a discussion and problem statement for the next meeting that will focus on the criminal justice system and governance structure and particularly how those systems manage the behaviors and activities of Theme 1-3 .

Theme 4: Criminal Justice System and Governance Structure Draft Problem Statement and Meeting Panel Structure/Goals

The Draft Problem Statement found in the July 10th PSTF meeting Staff Report provided an overview of the charge of the Task Force, the four themes of critical study, and a brief description of, when applicable, opposing community sentiment around those themes. The purpose of bringing in our criminal justice partners is to hear first-hand their response to community sentiment around the systems they manage and receive their insight on favorable recommendations to improve public safety conditions in Santa Cruz.

As mentioned in that staff report, there is substantial public sentiment that local and state-wide criminal justice and governmental policies contribute directly to the severity of Themes 1-3 locally. Many believe that the Santa Cruz Superior Court and jail system is essentially a "revolving" door for non-violent criminals, particularly those with a pattern of substance abuse issues and public nuisance violations.

There is also significant public concern around the issuance of civil penalties for the City's municipal code infractions. In that scenario, individuals who are cited for an infraction of City municipal code and who fail to appear in court are simply sent to a collection agency. The City then must engage in a lengthy civil process, with costs borne on the City Attorney's Office to bring those individuals to Santa Cruz Superior Court via a warrant. And, that can only occur after the individual has three "failures to appear" to Santa Cruz Superior Court on record. Whereas prior to the mid/late 2000's, cited individuals would receive a warrant to appear in Santa Cruz Superior Court. If they failed to appear a second time they were subject to incarceration, with assistance from the Court. Under the current Santa Cruz Superior Court Administrative policy, a high percentage of individuals who are cited for municipal code infractions fail to appear in Court. In effect, there is no consequence for committing low level crimes. A majority of the individuals who fail to appear identify as homeless, transient or provide a shelter address. Many in the community believe this civil process to be completely ineffective and partially responsible for the perceived "draw" of criminals and transients to Santa Cruz.

The local effects of AB109 are also widely speculated on by the public. Many believe that Santa Cruz has seen a shift in demographics of our homeless and transient population as a result of this legislation, with more former criminals with drug addictions on our streets and committing crimes.

Crime rates and the incidence of violent and nonviolent crime is highly speculated in Santa Cruz. Many in our community believe that our crime rate is exceedingly high in comparison to other communities with similar demographics. Others believe that incidences of crime and crime rates are actually trending down. Many speculate about a change in the criminal demographic in Santa Cruz, with a high concentration of meth and heroin addicts fueling property crime to support addictions, and violent crime more prevalent due to gang influences, drug trafficking, and other factors.

With these concerns in mind, experts from the offices of the District Attorney, City Attorney, Public Defender, and Sheriff, as well as the Presiding Judge of the Santa Cruz Superior Court, have been invited to participate in a two-part program. On September 18th, the Task Force will hear from District Attorney Bob Lee, and Public Defenders Jerry Christensen and Larry Biggam.

In addition to community sentiment around the criminal justice system, several areas of interest have resonated throughout the PSTF proceedings. These include:

- Our serial inebriate problem and the programs in place to manage and prevent this issue.
- The overwhelming burden of homeless and serial inebriate arrests on the Santa Cruz Police Department resources. Specifically, what is the role of the criminal justice system in perpetuating/stemming this problem?
- Citations for Santa Cruz Municipal Code infractions being ineffective in addressing low-level crime due to the Superior Court civil process.
- Best practice for treatment and/or incarceration of repeat offending addicts.
- Coerced treatment of addicted criminals.
- Drug Court and Homeless Court best-practice models.
- Community tolerance and a lenient court system perceived to draw drug dealers, users, and other criminals to our community.
- Perceived lack of collaboration between governmental agencies in dealing with recurrent public safety issues in Santa Cruz.

Several themes of information have been shared with the Task Force over the last two meetings, some of which remain unsettled and require additional consideration.

Specifically, Judge Ari Symons discussed the concept of the “magnet effect” for criminal behavior in Santa Cruz. Her personal position, which is not a reflection of the Superior Court, is that a segment of the homeless population is drawn to Santa Cruz. These individuals chose to live on the streets, are frequently abusing drugs, and engaging in criminal activity which incrementally increases from from municipal code infractions to violent crime. She referenced the “broken-window” approach to crime fighting and recommended that the City heavily enforce low-level crime to deter these individuals from coming to Santa Cruz and ultimately engaging in violent crimes.

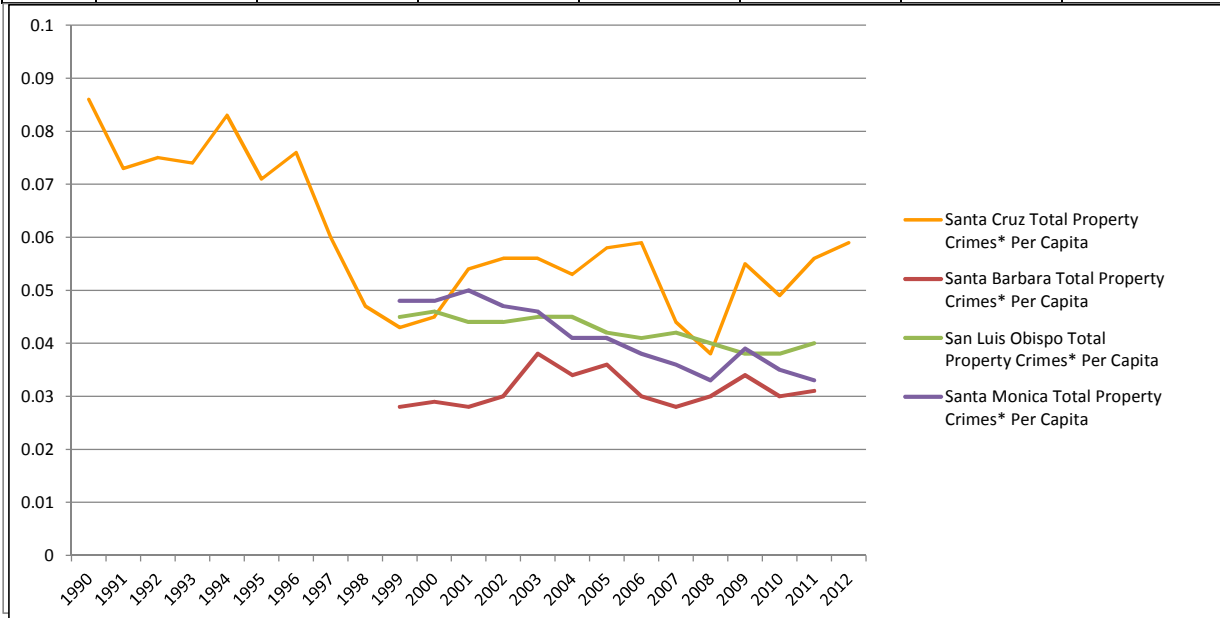
In addition, the Presiding Judge Salazar presented of crime data for 2013 to support his claim that crime rates in Santa Cruz are trending down. Several Task Force members commented on this inference, expressing concern that a few months of data does not establish a trend, and others questions focused on the difference between community perceptions of crime versus actual crime.

Of particular interest at the September 3rd meeting was the Court’s role in perpetuating or exacerbating the public safety issues Santa Cruz is facing. Many in the community seem skeptical that the Court is effective in reducing recidivism and the “draw” of criminals to Santa Cruz. Many panel responses to PSTF questions on this theme were centered around lack of resources and capacity. A better understanding of how decisions are made to allocate resources may be necessary to address this negative perception.

It is expected that each panelists will reflect on any or all of the other three themes of critical study, provide historical context around changes in procedure and process within their jurisdictions, bring data to either prove or refute community perceptions and PSTF resonating areas of interest as noted above, and, most importantly, provide recommendations for building collaboration and improving public safety conditions in our community.

Santa Cruz Property Crime Historical Comparison (per capita, # of residents in the City)

	Santa Cruz Total Property Crimes* Per Capita	Santa Barbara Total Property Crimes* Per Capita	SB's Property Crimes* Per Capita Compared to SC	San Luis Obispo Total Property Crimes* Per Capita	SLO's Property Crimes* Per Capita Compared to SC	Santa Monica Total Property Crimes* Per Capita	SM's Property Crimes* Per Capita Compared to SC
1990	0.086						
1991	0.073						
1992	0.075						
1993	0.074						
1994	0.083						
1995	0.071						
1996	0.076						
1997	0.06						
1998	0.047						
1999	0.043	0.028	65.12%	0.045	104.65%	0.048	111.63%
2000	0.045	0.029	64.44%	0.046	102.22%	0.048	106.67%
2001	0.054	0.028	51.85%	0.044	81.48%	0.05	92.59%
2002	0.056	0.03	53.57%	0.044	78.57%	0.047	83.93%
2003	0.056	0.038	67.86%	0.045	80.365	0.046	82.14%
2004	0.053	0.034	64.15%	0.045	84.91%	0.041	77.36%
2005	0.058	0.036	62.07%	0.042	72.41%	0.041	70.69%
2006	0.059	0.03	50.85%	0.041	69.49%	0.038	64.41%
2007	0.044	0.028	63.64%	0.042	95.45%	0.036	81.82%
2008	0.038	0.03	78.95%	0.04	105.265	0.033	86.84%
2009	0.055	0.034	61.82%	0.038	69.09%	0.039	70.91%
2010	0.049	0.03	61.22%	0.038	77.55%	0.035	71.43%
2011	0.056	0.031	55.36%	0.04	71.43%	0.033	58.93%
2012	0.059						



Sources:

Santa Cruz:

- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=26>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=22>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=28>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=11608>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=29>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=31>

Santa Barbara:

- <http://www.sbpd.com/goreport/maps/UCRWeb.htm>
- https://www.google.com/publicdata/explore?ds=kf7tgg1uo9ude_&met_y=population&idim=place:0670000&dl=en&hl=en&q=santa%20monica%20population#!ctype=l&strail=false&bcs=d&nselm=h&met_y=population&scale_y=lin&ind_y=false&rdim=country&idim=place:0669070&ifdim=country&hl=en_US&dl=en&ind=false

San Luis Obispo:

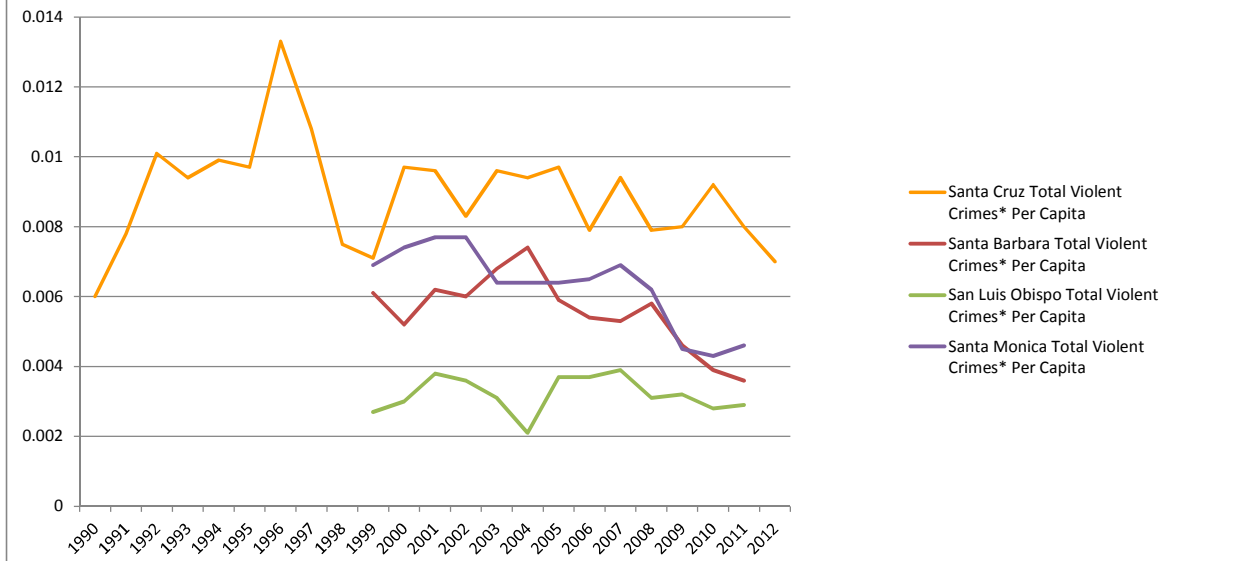
- <http://www.city-data.com/crime/crime-San-Luis-Obispo-California.html>
- <http://www.slocity.org/police/2012annualreport.asp>
- https://www.google.com/publicdata/explore?ds=kf7tgg1uo9ude_&met_y=population&idim=place:0670000&dl=en&hl=en&q=santa%20monica%20population#!ctype=l&strail=false&bcs=d&nselm=h&met_y=population&scale_y=lin&ind_y=false&rdim=country&idim=place:0669070&ifdim=country&hl=en_US&dl=en&ind=false

Santa Monica:

- <http://www.city-data.com/crime/crime-Santa-Monica-California.html>
- <http://santamoniacpd.org/Content.aspx?id=6556>
- https://www.google.com/publicdata/explore?ds=kf7tgg1uo9ude_&met_y=population&idim=place:0670000&dl=en&hl=en&q=santa%20monica%20population#!ctype=l&strail=false&bcs=d&nselm=h&met_y=population&scale_y=lin&ind_y=false&rdim=country&idim=place:0670000&ifdim=country&tstart=647938800000&tend=1310626800000&hl=en_US&dl=en&ind=false

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1990	0.006						
1991	0.0078						
1992	0.0101						
1993	0.0094						
1994	0.0099						
1995	0.0097						
1996	0.0133						
1997	0.0108						
1998	0.0075						
1999	0.0071	0.0061	85.92%	0.0027	38.03%	0.0069	97.18%
2000	0.0097	0.0052	53.61%	0.003	30.93%	0.0074	76.29%
2001	0.0096	0.0062	64.58%	0.0038	39.58%	0.0077	80.21%
2002	0.0083	0.006	72.29%	0.0036	43.37%	0.0077	92.77%
2003	0.0096	0.0068	70.83%	0.0031	32.29%	0.0064	66.67%
2004	0.0094	0.0074	78.72%	0.0021	22.34%	0.0064	68.09%
2005	0.0097	0.0059	60.83%	0.0037	38.14%	0.0064	65.98%
2006	0.0079	0.0054	68.35%	0.0037	46.84%	0.0065	82.28%
2007	0.0094	0.0053	56.38%	0.0039	41.49%	0.0069	73.40%
2008	0.0079	0.0058	35.44%	0.0031	39.24%	0.0062	78.48%
2009	0.008	0.0046	57.50%	0.0032	40%	0.0045	56.25%
2010	0.0092	0.0039	42.39%	0.0028	30.44%	0.0043	46.74%
2011	0.008	0.0036	45%	0.0029	36.25%	0.0046	57.50%
2012	0.007						



*Violent Crimes: homicide, forcible rape, robbery and aggravated assault.

Sources:

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- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=26>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=22>
- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=28>
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- <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=29>
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- <http://www.slocity.org/police/2012annualreport.asp>
- https://www.google.com/publicdata/explore?ds=kf7tgg1uo9ude_&met_y=population&idim=place:0670000&dl=en&hl=en&q=santa%20monica%20population#!ctype=l&strail=false&bcs=d&nselm=h&met_y=population&scale_y=lin&ind_y=false&rdim=country&idim=place:0668154&ifdim=country&tstart=647938800000&tend=1310626800000&hl=en_US&dl=en&ind=false

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- <http://santamoniacpd.org/Content.aspx?id=6556>
- https://www.google.com/publicdata/explore?ds=kf7tgg1uo9ude_&met_y=population&idim=place:0670000&dl=en&hl=en&q=santa%20monica%20population#!ctype=l&strail=false&bcs=d&nselm=h&met_y=population&scale_y=lin&ind_y=false&rdim=country&idim=place:0670000&ifdim=country&tstart=647938800000&tend=1310626800000&hl=en_US&dl=en&ind=false