

Yolo officials report continued problems under Prop. 47

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It was in March of last year that Yolo County District Attorney Jeff Reisig stood before the Board of Supervisors and said Proposition 47 had produced “a revolving door of low-level arrests” in Yolo County.

Since the law had been passed a few months earlier — reducing certain drug and property crimes from felonies to misdemeanors — offenders were receiving no jail time, Reisig said.

Judges were simply referring them to probation where they received no drug treatment because no funds were available, and they inevitably committed more drug and property crimes, Reisig contended.

A couple of Yolo County judges disputed Reisig’s statements in an op-ed piece in The Enterprise a few days later, saying that offenders were given a choice: jail or mandatory probation-supervised treatment.

“If they choose jail,” wrote Judges Dave Rosenberg and Kathleen White, “the court will order 240 days in county jail. Facing significant jail time, the vast majority of defendants choose to take the probation option.”

Yolo County Chief Probation Officer Brent Cardall more or less fell on his sword at the board’s next meeting when asked who was right — Reisig or the judges.

Both were correct, Cardall said at the time, because his office had failed to ensure that all those offenders who chose drug treatment over jail time received that treatment.

“That will be addressed,” he said.

Fast-forward a year and there was Reisig once again standing before supervisors last Tuesday and referring to Proposition 47 in terms very similar to last year’s:

“It’s like rolling through a spinning turnstile,” Reisig said. “Our efforts ... have been pretty dismal.”

And rates of both violent and property crimes continue to rise throughout the county, he said.

Numbers provided by Cardall revealed how dismal outcomes have been:

Of the 295 active Proposition 47 cases in his department, Cardall said, “40 percent are in violation.”

Sixty-five offenders have never even shown up at the Probation Department as ordered, he said, and 52 have committed new offenses.

“We have just a few that have actually graduated from treatment,” Cardall added. “I think the number is eight.”

“Prop. 47 has not been good, in my opinion.”

Both Reisig and Cardall blame the lack of “a stick” to convince offenders to enter treatment and stay in it.

This year, Reisig did not single out the county’s judges, saying instead, “(It’s) not through any lack of effort on anyone’s part.”

But when pressed by Supervisor Jim Provenza of Davis, Cardall did say “the judges could order longer sentences” for those offenders who choose jail time over supervised treatment.

Provenza noted that under the terms of Proposition 47, offenders can be sentenced to a year in county jail for crimes that used to be felonies.

But according to Cardall, that’s not happening.

“They’re not looking at a year in jail,” Cardall said. “They’re looking at 30 to 60 days. ... I have not seen lengthy sentences with that population.”

“Is it a sentencing issue then?” Provenza asked.

“I think so,” said Cardall. “The judges could order longer sentences.”

The problem with shorter sentences, Cardall said, “is the clients would rather (face) 30 to 60 days in jail and be done with their sentence and be released. It’s difficult to have them under supervision and go through treatment if there’s not a stick.”

Even with a stick, though, his department struggles with a lack of additional funding to supervise the 300 additional clients Proposition 47 has delivered, Cardall said.

“We are not funded to supervise those clients so (it is) an additional load on the Probation Department,” Cardall said.

Funding may be coming from the state this year and “the funding is planned to go to substance abuse and education,” Cardall said, “so we’re hopeful the state will see there is a huge supervision component to that. We hope to get at least some money.”

According to Cardall, many counties in California are not even attempting to supervise Prop. 47 offenders and, according to Reisig, crime is rising all over the state.

“For 2015, California is leading the way in violent crime and property crime increases,” the district attorney said.

“All of the major cities in Yolo County — Davis, Woodland and West Sacramento — have seen increases in violent crime and property crime in 2015,” he added. “We are surrounded by a very imminent threat and I don’t think it’s going away.”