



# INVESTING IN COMMUNITY HEALTH

An Orange County Budget and Safety Analysis

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## Foreword

This report was written over the course of nine months which included data collection, analysis, theming, and recommendations. It should be noted that much of the writing was done amidst a national pandemic that is disproportionately impacting communities of color, as well as during national civil and racial unrest due to the horrific killing of George Floyd and others in the Black community. With national calls for defunding police, reforming the criminal justice system, and dismantling systemic racism, we invite you to read this report through a social lens that reflects the state of our most impacted and vulnerable communities, particularly those in Orange County, California.

## Executive Summary

Local government systems should be responsive to community needs and issues. Local government should not operate in isolation of the communities they serve, particularly vulnerable populations where income inequality, homelessness, violence, and access to services and health care have left many disproportionately impacted. This further contributes to widening the gap of disparities between health and safety in low-income communities of color.

This report describes general trends in income, poverty, and crime in Orange County and analyzes trends in departmental budgets most closely tied to the criminal justice system, along with public spending on community-based organizations within four Orange County public agencies: 1) District Attorney's Office, 2) Probation Department, 3) Sheriff's Department, and 4) the Health Care Agency. These agencies were chosen primarily because of their role in working with individuals and families impacted by the justice system along with their missions to increase safety, health, and justice for Orange County residents. Through this analysis, we identified budgetary trends in spending and departmental priorities over the past six years and present a regional blueprint for potential next steps moving forward.

Orange County residents face major income inequity with stark racial disparities. Low wage jobs are growing significantly faster than middle and high wage jobs, and the median hourly wage for White Orange County residents is over double that of their Latino counterparts. Rent burden is a continuous problem, especially for people of color, and homelessness increased by over 43% from 2017 to 2019. Arrests have also increased in Orange County. The main driver of increased arrests has been for misdemeanors and there has also been a spike in violent crime. Additionally, police clearance rates have declined. Trends in crime and criminal justice responses suggest that Orange County is relying heavily on

enforcement and punishment to address community health issues such as drug use, and not on community-based alternatives that are more efficient and achieve better results.

UPI explored how the county-wide budget has changed in response to recent trends in income, poverty, crime, and criminal justice responses and found that public budgets do not reflect the realities of the vulnerable populations in Orange County. Budgets simply do not meet the scale and scope of health and safety needs in Orange County. Budgets priorities and decision making needs to be reconsidered and systematically overhauled if investing in community health and safety is to truly benefit those they serve.

## I. INTRODUCTION

Many say that public budgets are a moral document, as they reflect the priorities of decision-makers and—when there is robust participation—the community as a whole. They also reflect the overall financial health of a jurisdiction. In Orange County, California, an analysis of the budgets over the last six years shows how tax revenues have grown, as well as how the County Board of Supervisors has chosen to invest those dollars.

Orange County is part of the Southern California region and is very much connected to its local counterparts with many of its residents commuting to and leaning on Los Angeles, Riverside, San Bernardino and San Diego Counties for business and recreation and vice versa. Orange County also has its own unique historical, political, and economic successes and challenges.

Given the changing landscape in criminal justice reform locally and statewide, this report seeks to provide an analysis on the current Orange County criminal justice public budget landscape and shed light on current and potential resource allocations for specific communities in need. We believe local government systems should be responsive to and aligned with community needs and issues. This report aims to:

- Describe general trends in income, poverty, and crime in Orange County;
- Analyze trends in departmental budgets most closely tied to the criminal justice system and public spending on community-based organizations within those departments, with the aim of identifying budgetary trends in spending and departmental priorities over the past six years;
- Provide data and implications that inform a regional blueprint for public systems and service providers.

## Who We Are

The Urban Peace Institute (UPI) is a recognized leader in the field of community safety, just policing, and systems reform to end community and gang violence. UPI was founded in response to Los Angeles' failed and costly 30-year war on gangs that resulted in 450,000 youth arrests and persistent conflict between law enforcement and communities of color. For nearly two decades, UPI has worked to develop and implement innovative solutions to address community violence across the country and engage in ground-level system reform. This work began as a program of Advancement Project, and beginning in 2015, as an independent organization fiscally sponsored by Community Partners. UPI's mission is to create thriving communities by implementing solutions to reduce violence, achieve safety, and improve health.

## II. METHODS AND LIMITATIONS

### Data and Methods

UPI was asked by The California Endowment to conduct a landscape analysis of public Orange County agencies. UPI began the process to better understand budgetary allocations by submitting Public Records Act (PRA) requests for all contracts with community based organizations to the following Orange County public agencies: District Attorney's Office, Probation Department, Sheriff's Department, and the Health Care Agency. These agencies were chosen primarily because of their role working with individuals and families impacted by the justice system along with their missions to increase safety, health, and justice for Orange County residents.

The initial PRA request was submitted in August 2019, followed by subsequent clarifying discussions with each agency. And read as follows:

*"I would like to request all contracts and Memoranda of Understanding (MOUs) with community-based organizations within the past 5 years (2014-2019), from the OC Health Care Agency, Probation, Sheriff, and District Attorney Departments."*

For the full list of correspondence and documents received from each department, see Appendix A.

UPI organized the information by fiscal year and service type to better understand the data provided by the agencies. We analyzed all contracts and Memoranda of Understanding (MOUs) to the greatest extent possible. Additionally, UPI reviewed a variety of other sources including Orange County Annual Budgets, publicly available data on crime and income demographics, and other reports to better understand the conditions and priorities of the county as a whole where research was made available.

We found the Orange County Annual Budgets to be clear and transparent, and appreciated the inclusion of important details such as departmental Strategic Goals, Key Outcome Indicators and 10-year staffing trends. County staff members were generally very helpful in responding to inquiries to allow for better understanding of our budget findings.

### Limitations and Challenges

UPI received a variety of contracts and MOUs from the four different agencies; however, there was no singular data collection system. This made it difficult to understand, assess and compare various contracts and MOUs. This does not however call into question the

findings backed by extensive research. We encountered the following limitations for each agency we requested records from:

- District Attorney's Office: Only provided a Master Agreement (MA) document from fiscal year (FY) 2016-17 for one CBO – Waymakers;
- Health Care Agency: Provided several excel sheets by fiscal year; but did not provide data for FY 2016-17 and data for each fiscal year varied. Total funding amounts were given for the entire contract that can span across multiple years - which limits to how much can be used within a specific year;
- Sheriff's Department: No contract dollar amounts were provided, only names of those CBOs contracted;
- Probation Department: Some contracts provided did not indicate dollar amounts.



### III. ORANGE COUNTY PROFILE

While Orange County has a higher median household income and lower unemployment rate than that of California, the county and its residents continue to be burdened by a high cost of rent and living, income and racial economic inequities, and an increase in homelessness in recent years.

#### County Demographics

Orange County is 799 square miles<sup>1</sup> with a population of 3,185,968 in July 2019,<sup>2</sup> making it the third most populous county in California behind Los Angeles and San Diego counties. The county's four most populous cities, Anaheim, Santa Ana (the county seat), Irvine, and Huntington Beach, each have a population exceeding 200,000. There are 34 incorporated cities in Orange County. Throughout Orange County, 22% of the population is under the age of 18, and 52% of the population is under 39. From 2013 to 2018, the county population grew by 2.5%, or approximately 80,000 people. Orange County has a median household income of \$85,398, more than \$10,000 more than the California average of \$75,277.<sup>3</sup> The three primary racial ethnicities are White (40.1%), Hispanic/Latino (34.2%), and Asian (21.4%).

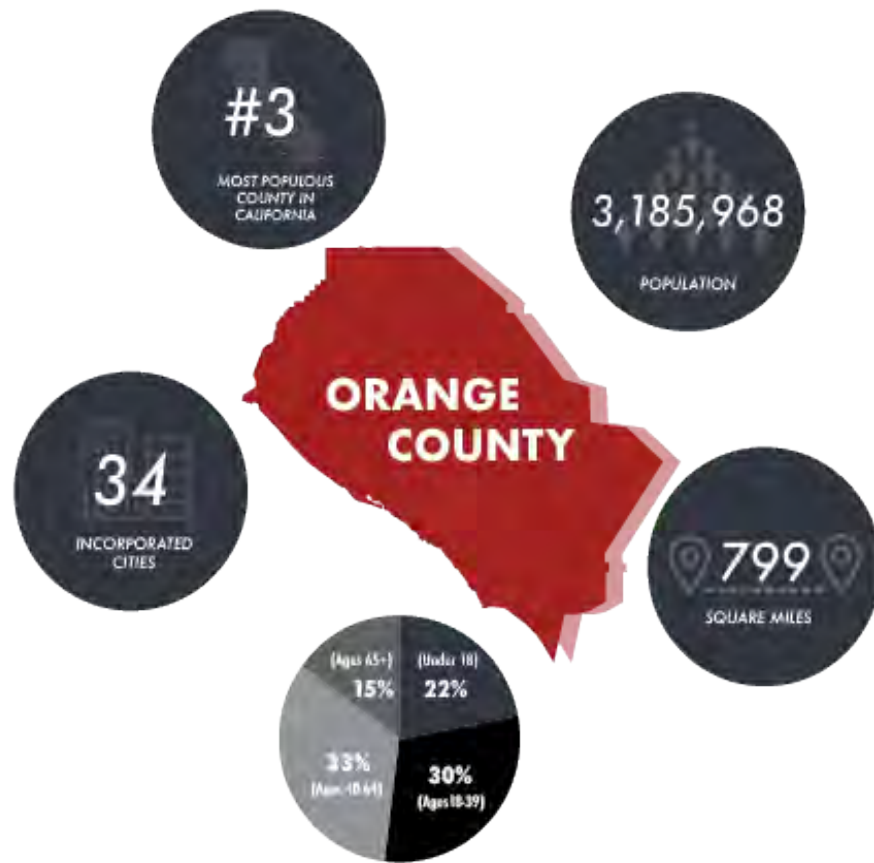
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<sup>1</sup> U.S. Census Bureau, "QuickFacts: Orange County, California."

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

# Orange County Community Profile



## RACE / ETHNICITY



## Median Household Income

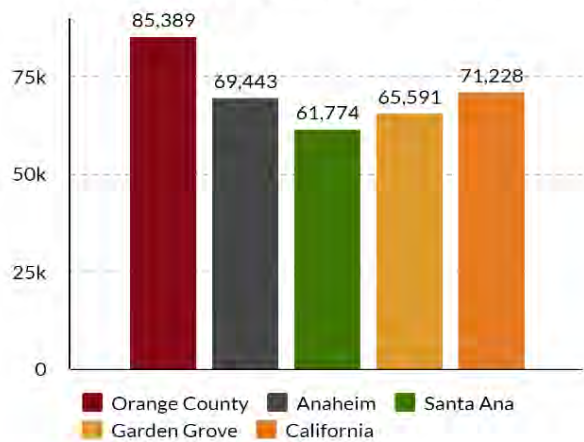


Figure 1: Orange County Community Profile<sup>4</sup>

<sup>4</sup> U.S. Census Bureau, "QuickFacts: Orange County, California."

## Income and Poverty

Orange County is home to approximately 1,032,373 households.<sup>5</sup> In Orange County, the cost of living is 87% higher than the U.S. average, but the median family income is just 42% above the national median.<sup>6</sup> An average of 10.5% of the population lives below the poverty line. Cities such as Santa Ana, Anaheim, and Garden Grove reported having the highest poverty rates of 17.7%, 15.2%, and 15.1% respectively.<sup>7</sup>

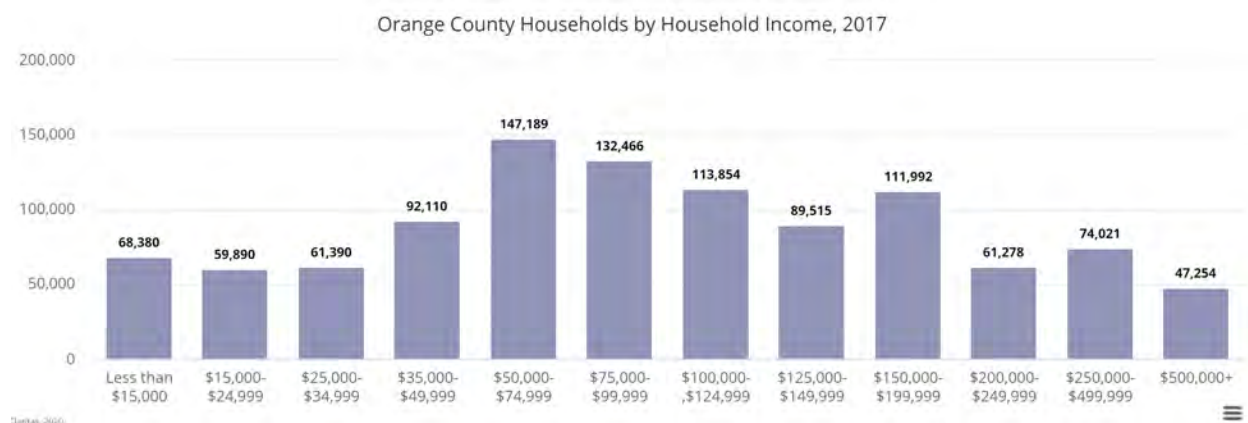


Figure 2: Orange County Households by Household Income, 2017<sup>8</sup>

## Unemployment and Income Inequity

In recent years, Orange County has enjoyed a steady decline in unemployment. From 2014 to 2018, the unemployment rate decreased by 2.6 percentage points, from 5.5% to 2.9%.<sup>9</sup> These rates are notably lower than California<sup>10</sup> and national unemployment rates.<sup>11</sup> While high unemployment rates are not a significant issue, Orange County continues to struggle with income inequity. Despite relatively low unemployment, Orange County ranks 58th in income inequality among the 150 largest regions.<sup>12</sup> Middle-class incomes have continued to decrease. After adjusting for inflation, wage growth for top earners in Orange County increased by 24% from 1979 to 2016. During the same period, wages for lower-wage

<sup>5</sup> U.S. Census Bureau, "QuickFacts: Orange County, California."

<sup>6</sup> [Roosevelt, "Orange County Portrait."](#)

<sup>7</sup> U.S. Census Bureau, "QuickFacts: Orange County, California."

<sup>8</sup> Orange County's Healthier Together, "Population by Household Income."

<sup>9</sup> [Employment Development Department, "Unemployment Rates and Labor Force."](#)

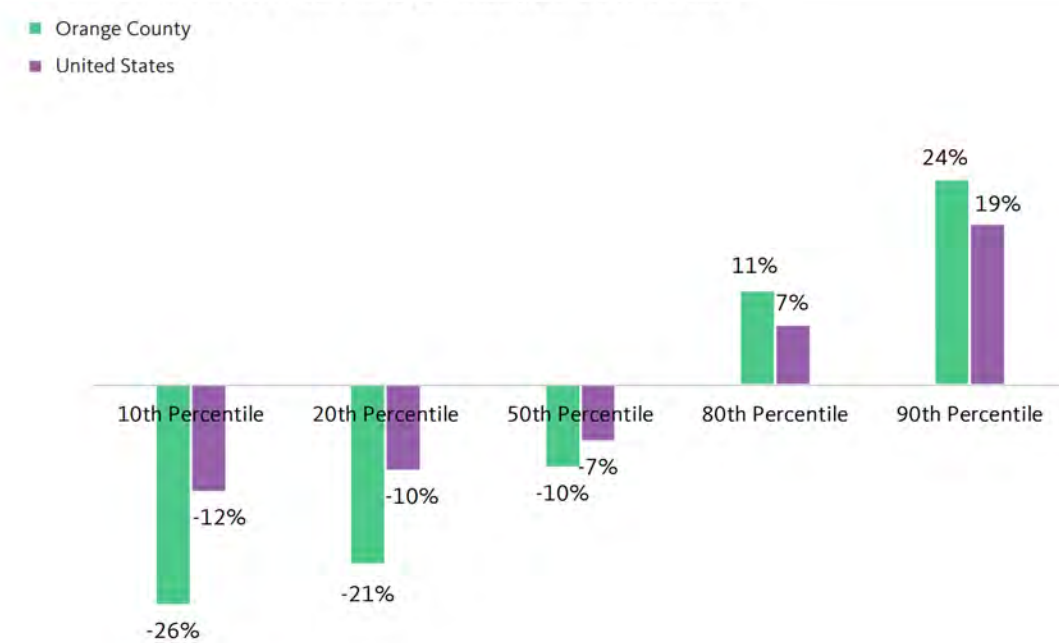
<sup>10</sup> [FRED, "Unemployment Rate in California."](#)

<sup>11</sup> U.S. Bureau of Labor and Statistics, "Labor Force Statistics."

<sup>12</sup> [University of Southern California, "Orange County: Summary," 7.](#)

workers fell by 26%.<sup>13</sup> Low wage jobs are growing at a much faster rate than both middle and high wage jobs (28% compared to 7-6%).<sup>14</sup> See Figure 3.

### Real Earned Income Growth for Full-Time Wage and Salary Workers, 1979 to 2016



**Figure 3:** Real Earned Income Growth for Full-Time and Salary Workers, 1979-2016<sup>15</sup>

## Racial Economic Inequities

People of color are most affected by poverty in Orange County. Nearly a fifth of the county’s Native Americans (19.5%) and Latinos (18.7%) live below the poverty level compared with less than a tenth of Whites (7.3%).<sup>16</sup> Latinos are much more likely to be the working poor compared with all the other groups. In 2016, the median hourly wage for Whites was \$32 compared to Latinos at \$15.60, a difference of more than double.<sup>17</sup> See Figure 4. Children in Orange County are also experience high rates of poverty. Since 2010, the U.S. Census reported poverty among children had risen 24%. Factoring in the cost of living, 1 in 4 local children are poor.<sup>18</sup>

<sup>13</sup> [University of Southern California, “Orange County: Summary,” 7.](#)

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*, 8.

<sup>17</sup> *Ibid.*, 8.

<sup>18</sup> [Roosevelt, “Orange County Portrait.”](#)

## Median Hourly Wage by Race/Ethnicity, 2000 to 2016



Figure 4: Median Hourly Wage by Race/Ethnicity, 2000 to 2016<sup>19</sup>

### Rent Burden

Rent burdened households are defined as those who spend more than 30% of their household income on housing costs. Orange County ranks 12<sup>th</sup> in rent-burdened households among the 150 largest regions.<sup>20</sup> Throughout the county, neighborhoods such as Anaheim, Santa Ana, Fullerton, and Garden Grove have rent burden rates of 68% or higher.<sup>21</sup> Latino households are most likely to spend a large share of their income on housing, whether they own or rent. In 2016, Black households and Latino immigrant households had the lowest homeownership rates at 32% and 34%, respectively. In contrast, White households had homeownership rates of 60% and higher. In Orange County, 64% of jobs do not pay enough to afford a one-bedroom apartment, leading thousands of families to double and triple up in crowded housing.<sup>22</sup>

<sup>19</sup> University of Southern California, "Orange County: Summary," 8.

<sup>20</sup> [Roosevelt, "Orange County Portrait."](#)

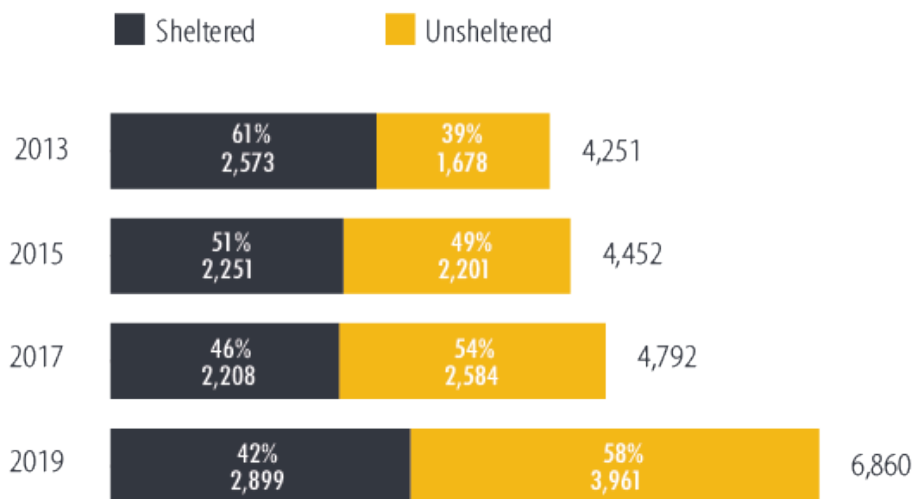
<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

## Homelessness

Orange County has experienced a surge in homelessness in recent years. According to data from Orange County’s Point-In-Time Survey, there were at least 6,860 homeless people in Orange County in January 2019. This is an increase of 61.4% from the 4,251 homeless people counted in 2013. From 2017 to 2019, Orange County saw the most significant jump, a total increase of 2,068 homeless people, or 43.2%. When compared to the 15 largest populated counties in California, Orange County had the 4<sup>th</sup> highest increase in homelessness from 2017 to 2019.<sup>23</sup> Unsheltered homelessness has also increased over time, more than doubling from 1,678 to 3,961. The percentage of people experiencing homelessness either sheltered or unsheltered has shifted, with the sheltered percentage decreasing from 2017 to 2019 while those living unsheltered increased.<sup>24</sup>

### People Experiencing Homelessness in Orange County



**Figure 5:** People Experiencing Homelessness in Orange County<sup>25</sup>

The 2019 Orange County Point-In-Time Count provides demographics of the homeless population surveyed. Approximately 49% of the homeless population resides in the central service planning area (SPA). Orange County is divided into three SPA’s, north region, central region, and south region. The City of Santa Ana accounts for 53.1% of the homeless population in the Central SPA, and 25.8% of the homeless count in Orange County. The city of Anaheim accounts for 17.5% of the homeless population, a total of 1,202 individuals. Most of Orange County’s homeless people are male (62.8%), over the age of 24 (81.6%), and identify as White (72.7%). Of the 6,860 people experiencing homelessness, 5,296 were

<sup>23</sup> Money, “Orange County Tries to Solve Homelessness.”

<sup>24</sup> Robinson, “Nearly 7,000 are Homeless.”

<sup>25</sup> County of Orange, “2019 A Point in Time,” 4.



individuals and 466 were families. There were 980 minors, and 37% of homeless people were women.

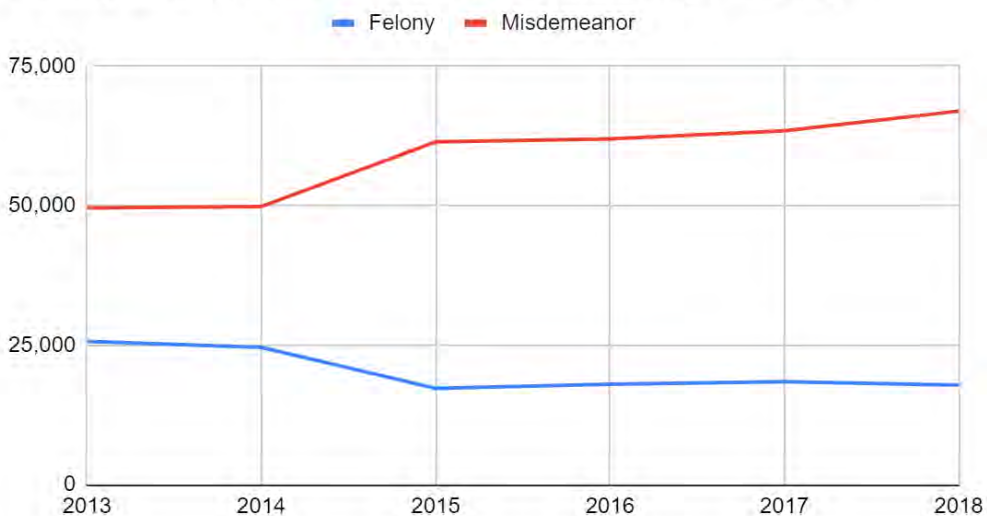
## Crime and Criminal Justice System

While Orange County is generally a safe place to live, crime indicators have been variable with some alarming trends. Arrests have increased, with a focus on less severe crime; meanwhile, violent crime has spiked and rates of crimes being solved have lowered. Trends in crime and criminal justice responses, such as arrests and jailing, suggest that Orange County is relying on enforcement and punishment to address community health issues such as drug use and homelessness while failing to address conditions which lead to violence.

### Arrests

Orange County saw an overall increase in arrests from 2013 to 2018, with arrests for misdemeanors being the main driver.

#### Felony and Misdemeanor Arrests in Orange County



**Figure 6:** Felony and Misdemeanor Arrests in Orange County<sup>26</sup>

#### Findings:

- From 2013 to 2018 total arrests increased by 11.7%, while misdemeanor arrests increased by 35%;
- In 2018, misdemeanor arrests comprised 78.5% of total arrests in the county;
- From 2014 to 2015, misdemeanor arrests increased by 23.3% while felony arrests decreased by 29.8%.

<sup>26</sup> Open Justice, "Arrests."

### Implications:

- One likely factor in increased misdemeanor arrests is the passage of Proposition 47, which reduced the penalty for a set of lower-level drug and property crimes, such as drug possession and theft, from a felony to a misdemeanor.<sup>27</sup> Prop 47 was passed by California voters in 2014, and went into effect in 2015.
- While the reclassification of felonies to misdemeanors undoubtedly impacted the large change in misdemeanor and felony arrests, misdemeanor arrests continued to increase by 9% from 2015 to 2018 meaning additional factors may be at play.

## Felony Arrests

The likely effects of Prop 47 can be seen even more dramatically when looking at felony arrests<sup>28</sup>

### Felony Arrests by Crime Category in Orange County

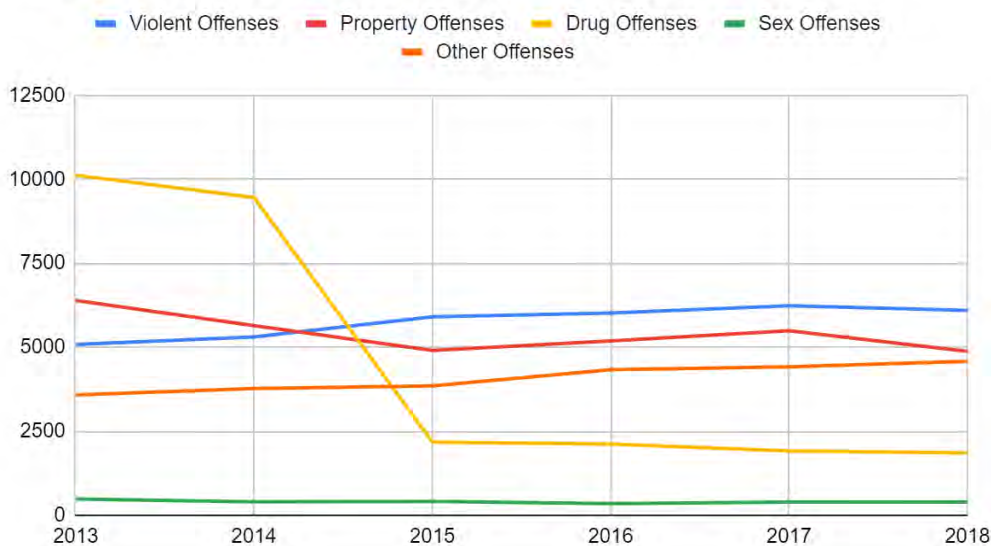


Figure 7: Felony Arrests by Crime Category in Orange County<sup>29</sup>

### Findings:

- From 2013 to 2018, felony arrests in the county decreased by 30.6% overall;
- From 2013 to 2018, felony arrests for property, drug, and sex offenses decreased by 23.7%, 81.7%, and 19.3% respectively;

<sup>27</sup> Bird, "The Impact of Proposition 47."

<sup>28</sup> Open Justice, "Arrests."

<sup>29</sup> Ibid.

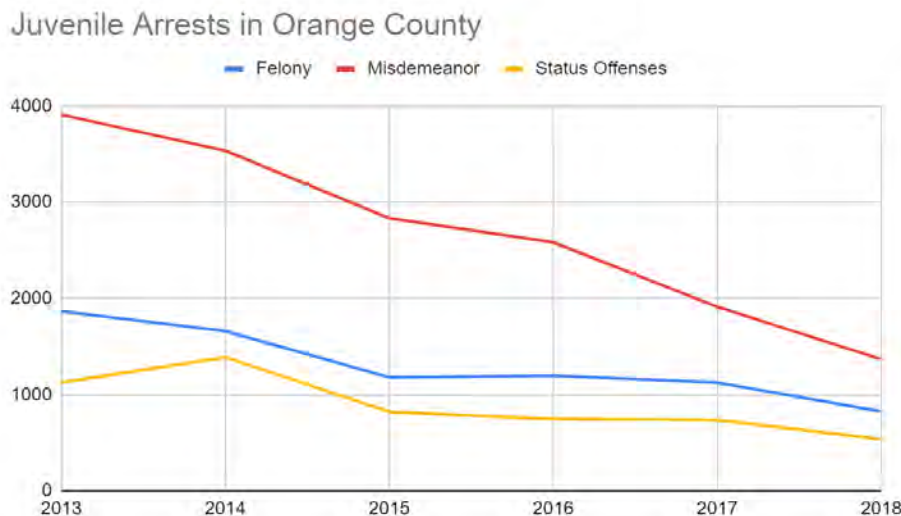
- Meanwhile arrests for violent felonies and “other felonies” increased by 20% and 27.9% respectively;
- Felony Drug Arrests:
  - In 2013 there were over 10,000 felony drug arrests--nearly 40% of all arrests in the county that year;
  - From 2014 to 2015, the year Prop 47 went into effect, felony drug arrests decreased by 77%;
  - From 2013 to 2018 there was an 81.7% decrease in felony drug arrests.

**Implications:**

- It is likely that the reclassification of drug possession from a felony to a misdemeanor through Prop 47 drove the decrease in felony drug arrests and recent increase in misdemeanor arrests (see section above); however, we were unable to investigate this further because the California Department of Justice does not break down misdemeanor arrest data by offense type.

## Juvenile Arrests

Following the overall trend for the state,<sup>30</sup> Orange County has seen a dramatic decline in arrests of youth under 18.



**Figure 8:** Juvenile Arrests in Orange County<sup>31</sup>

**Findings:**

- From 2013 to 2018 juvenile arrests decreased by 60.4%. This was driven by a steady decline in all categories of arrests:

<sup>30</sup> Center on Juvenile and Criminal Justice, “Youth Arrest Rates.”

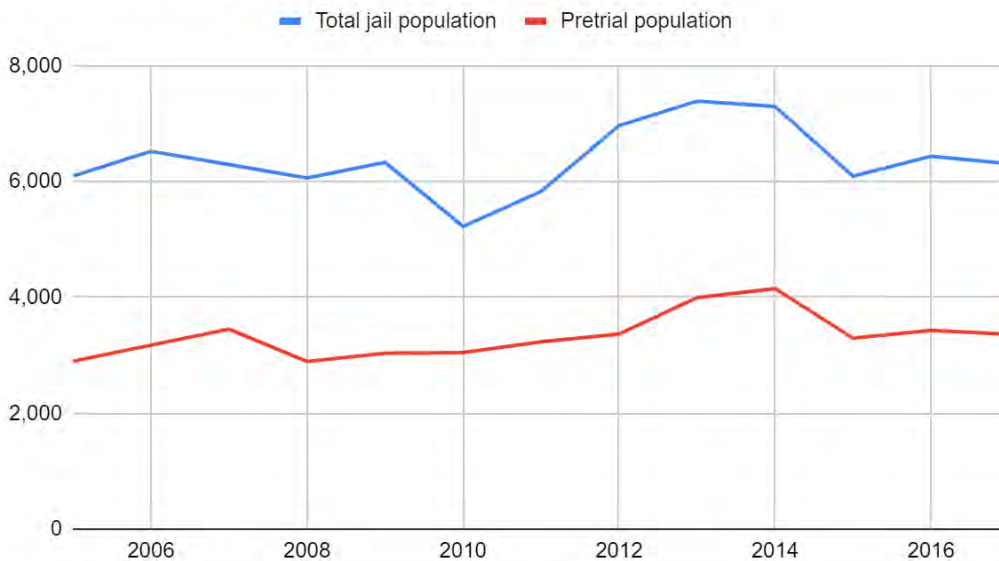
<sup>31</sup> Open Justice, “Arrests.”

- Felony arrests decreased by 55.8%;
- Misdemeanor arrests decreased by 65%;
- Arrests for status offenses<sup>32</sup> decreased by 52.3%.

## Jail Population

The Orange County jail system is one of the largest in the country.<sup>33</sup> Numbers compiled by the Vera Institute of Justice, based on information provided to the U.S. Department of Justice Bureau of Justice Statistics (BJS) and reports by state and local corrections authorities, show how the population has changed over time.<sup>34</sup> Like much of the country, the Orange County jail population has increased dramatically since 1970 to 2017. From 1970 to 2017, the rate of people in jail per 100,000 residents grew by 120% from 134 to 294. In more recent years, the Orange County jail population has both decreased and increased.

### OC Overall and Pretrial Jail Population



**Figure 9:** OC Overall and Pretrial Jail Population<sup>35</sup>

<sup>32</sup> The California Department of Justice defines a status offense as “An act or conduct that constitutes an offense only when committed or engaged in by a juvenile, and can only be adjudicated by a juvenile court. Cal. Welf. & Inst. Code § 601. Status offenses include truancy, incorrigibility, running away, and curfew violations.” <https://openjustice.doj.ca.gov/resources/glossary>

<sup>33</sup> Orange County Sheriff’s Department, “Overview.”

<sup>34</sup> Vera, “Incarceration Trends.”

<sup>35</sup> Ibid.

## Findings

- From 2005 to 2017, Orange County jails housed an average of 6,373 inmates;<sup>36</sup>
- 2013 had the highest number of people in jail on the day of reporting, with 7,387 inmates housed in Orange County jails;
- From 2005 to 2013, the jail population increased by 21% from 6,095 to 7,387 people. The population then decreased by about 14% in 2017 to 6,311 on the day of reporting.
- At present, approximately one-third of the jail population requires various levels of mental health services.<sup>37</sup>
- From 2005 to 2017, an average of 52.3% of the Orange County jail population was pretrial, meaning they have not yet been found guilty of any crime and are awaiting adjudication. Most people are in jail pretrial because they cannot afford bail.

## Jail Population Rate

Per 100,000 Residents

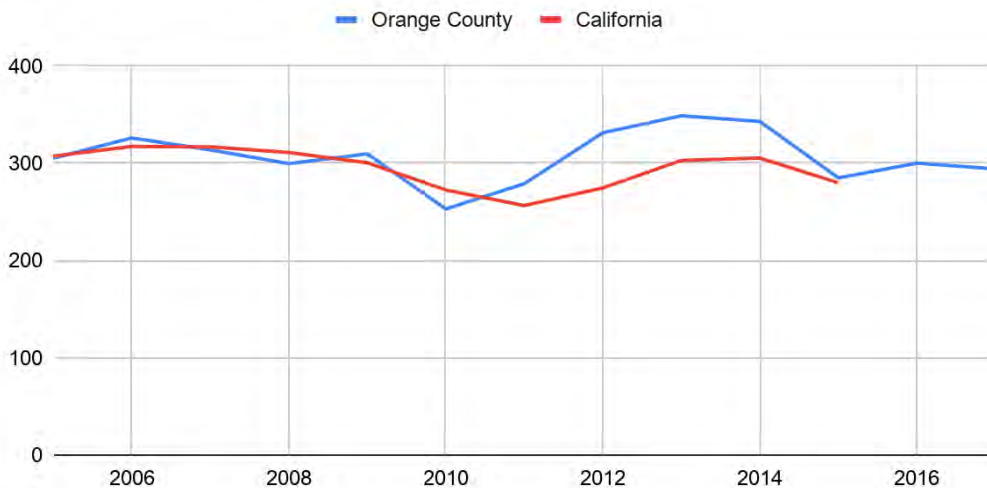


Figure 10: Jail Population Rate<sup>38</sup>

## Findings:

- When looking at the rate of the jail population per 100,000 residents, Orange County largely mirrored the state's overall rate, but then surpassed the state rate notably after 2010;

<sup>36</sup> Average calculated based on figures provided by the Vera Incarceration Trends website. Jail population numbers as reported to the federal government, and are calculated by a point-in-time count on February 1st of each year.

<sup>37</sup> County of Orange, "FY 2019-20 Annual Budget," 247.

<sup>38</sup> Vera, "Incarceration Trends."

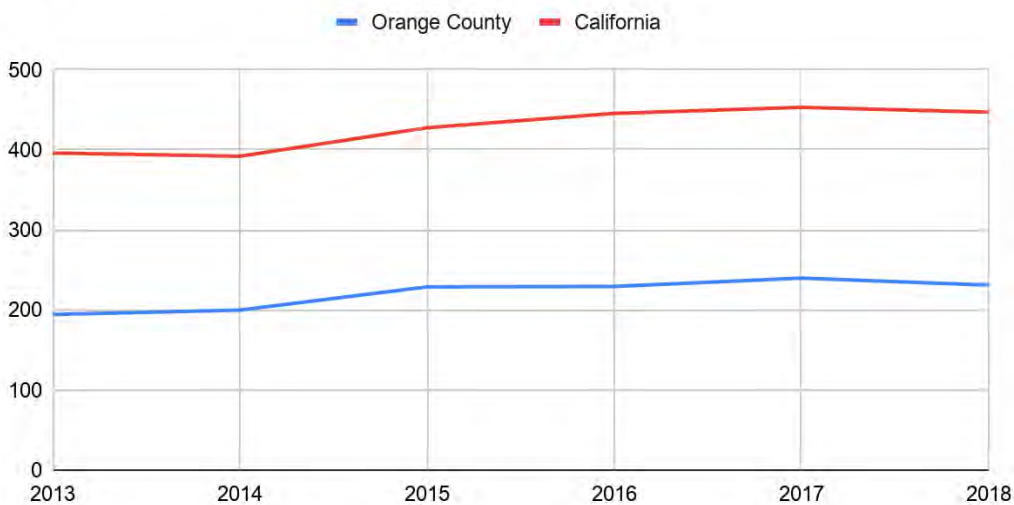
- In 2012, the Orange County jail population rate was 17% higher than the overall rate for California. However, Orange County consistently has had lower property and violent crime rates than the state overall.<sup>39</sup>

## Violent Crime

While Orange County’s violent crime rate is relatively low, it has seen a notable increase in recent years.

### Reported violent crimes

Per 100,000 Residents



**Figure 11:** Reported Violence Crimes<sup>40</sup>

### Findings:

- The rate of violent crimes reported in Orange County is about half the rate for California overall; but the county and state followed very similar trend lines from 2013 to 2018;
- From 2013 to 2018, the number of violent crimes reported per 100,000 residents in Orange County increased by 18.9% from 194 to 231;
- The state’s rate of reported violent crimes increased more slowly in this time period. Still, the state saw a 12.9% increase from 396 to 447 crimes reported per 100,000 residents.

## Violent Crimes Under Orange County Sheriff’s Department

<sup>39</sup> Open Justice, “Crimes & Clearances.”

<sup>40</sup> Ibid.



Only a small percentage of violent crimes in Orange County are covered by the Orange County Sheriff’s Department (OCSD); however, annual reports to the FBI show that reports of violent crimes under the Department’s jurisdiction have increased dramatically.

### Violent Crimes - OC Sheriff Department

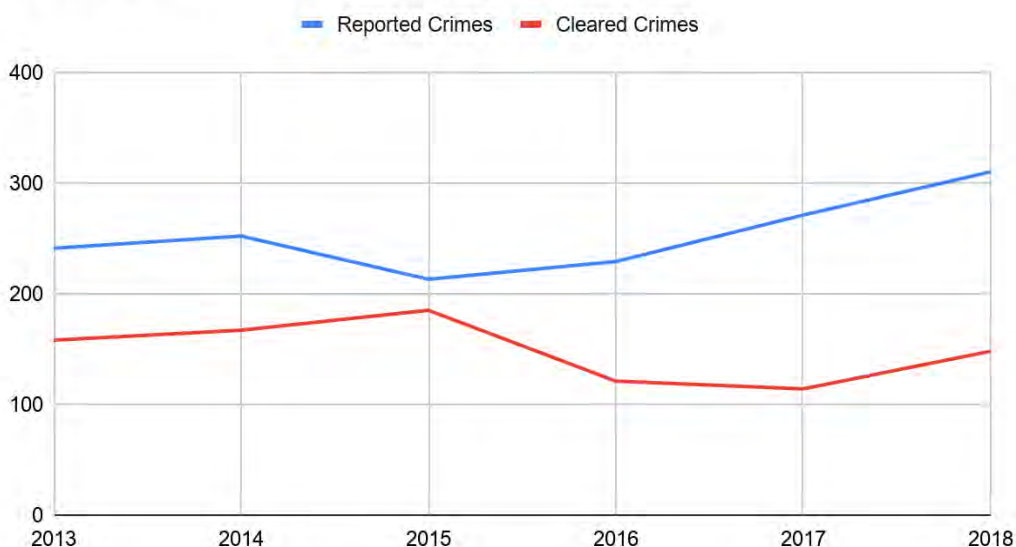


Figure 12: Violent Crimes – OC Sheriff’s Department<sup>41</sup>

#### Findings:

- Violent crimes covered by OCSD comprised an average of only 3.6% of the total in the County from 2013 to 2018,<sup>42</sup>
- From 2013 to 2018, violent crimes covered by OCSD increased by 28.6%;
- The increase was particularly high from 2015 to 2018, jumping by 45% from 213 to 310 violent crimes reported;
- Meanwhile, clearance rates which are rates of crimes being solved and cases closed, have notably decreased:
  - From 2013 to 2018 the percentage of violent crimes cleared by OCSD (relative to the number of violent reported crimes in that year) decreased by almost 18 percentage points. In 2013, OCSD cleared 65.6% violent crimes (as reported that year) to a record low of only 42.1% in 2017.

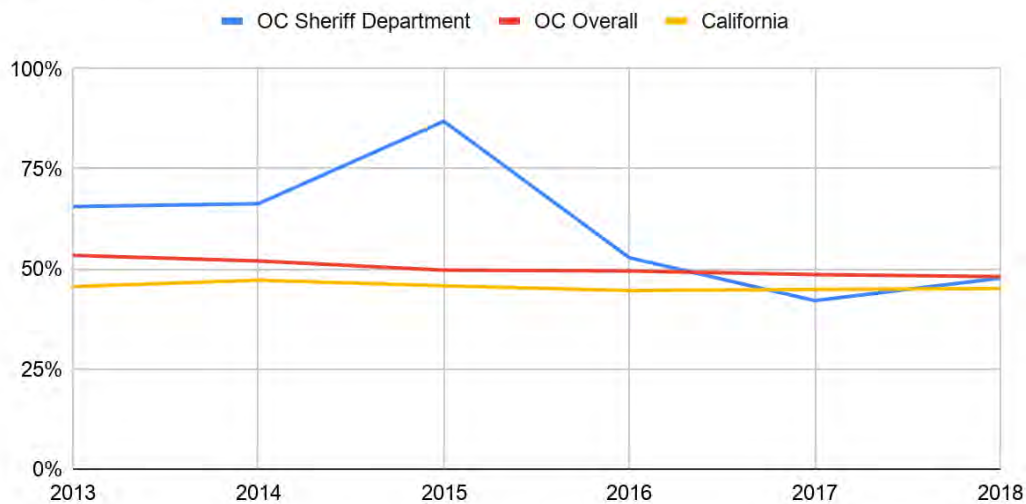
<sup>41</sup> Crime Data Explorer, “Orange County Sheriff’s Department.”

<sup>42</sup> Reported violent crimes under OCSD jurisdiction are determined by what the Department reported to the FBI, while reported violent crimes for Orange County are as reported by the California Department of Justice.

When compared to other agencies in the county and state, we see a dramatic drop off in cleared violent crimes by OCSD. The Sheriff’s Department had a very high clearance rate up until 2015, especially when compared to other law enforcement agencies in the county and the overall average for the state. From 2015 to 2017, however, clearance rates for OCSD dropped by nearly 45 percentage points. This decline brought OCSD clearance rates for violent crimes to a level comparable to the county and state.

## Violent Crimes Clearance Rates

Percent of Crimes Cleared



**Figure 13:** Violent Crimes Clearance Rates<sup>43</sup>

<sup>43</sup> Open Justice, “Crimes & Clearances.”

## Homicides

Over the past six years, homicides in Orange County have fluctuated. The lowest year was in 2018, with 49 homicides, a dramatic decrease from 2017, the highest year, with 62 homicides in one year alone.

Orange County Homicides

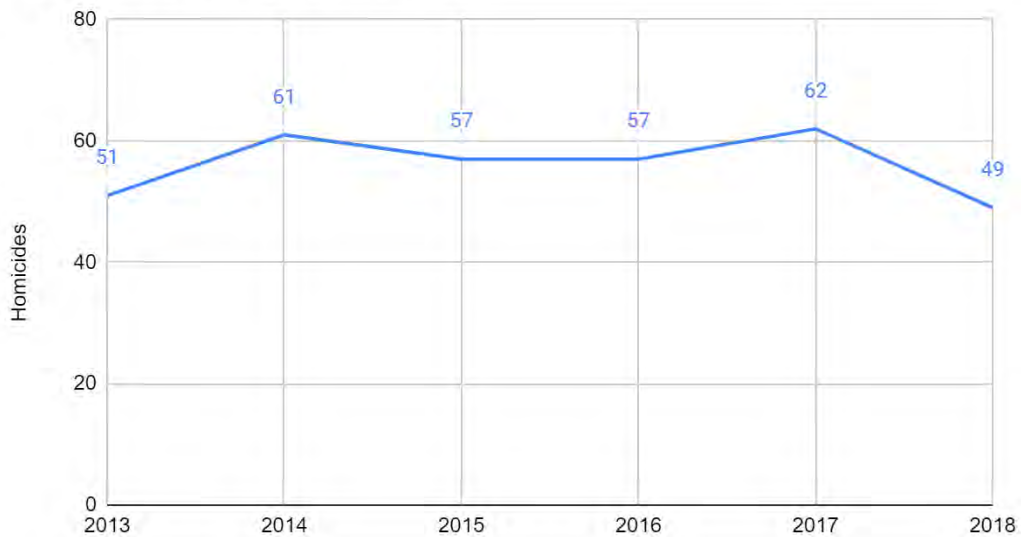


Figure 14: Orange County Homicides<sup>44</sup>

### Findings:

- From 2013 to 2018, Orange County had a total of 337 homicides in a 6-year span;
- From 2013 to 2018, Orange County has had an average of 56 homicides per year;
- Despite consistent homicides rates, there was a sudden decrease of 21% in homicides from 2017 to 2018.

Homicide rate trends in recent years in Orange County vary quite a bit from the state as a whole, but both experienced a slight overall decrease in the rate of homicides per 100,000 residents.

<sup>44</sup> Open Justice, “Crimes & Clearances.”

## Homicide Rate Per 100,000 Residents

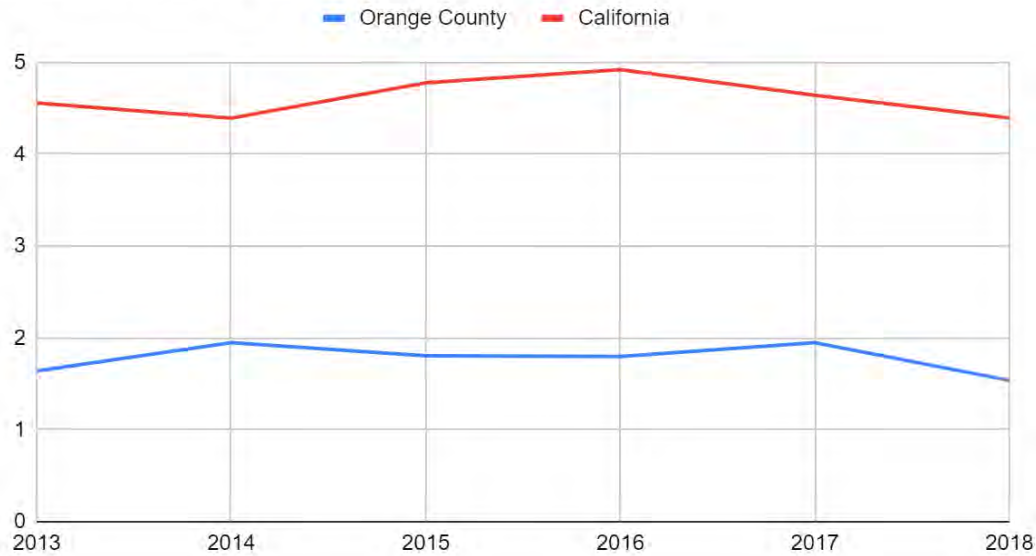


Figure 15: Homicide Rate Per 100,000<sup>45</sup>

### Findings:

- From 2013 to 2018, Orange County saw an overall decrease of 6.3% in the homicide rate per 100,000 residents, where California saw a 3.6% decrease;
- Orange County saw the largest rate increase from 2013 to 2017, with an 18.3% increase. This was followed by a 21.1% decrease in the homicide rate from 2017 to 2018;
- California followed a different trend with the largest increase, of 12%, taking place from 2014 to 2016. This was followed by a 10.7% decrease in the homicide rate from 2016 to 2018.

<sup>45</sup> Open Justice, “Crimes & Clearances.”

## IV. ORANGE COUNTY BUDGET OVERVIEW

Counties and cities across the country have historically spent large portions of their budgets on what is traditionally known as public safety, such as police departments and prosecutors, and this holds true for Orange County. However, there is a growing consensus that a larger investment in community health, rather than systems of punishment, are a more effective, efficient and sustainable way to create lasting public safety and address the underlying root causes of violence and crime.

UPI seeks to explore how the budget has changed in response to recent trends in income, poverty, crime, and criminal justice responses that were explored in the last section. In order to do this, we analyzed the overall Orange County budget and the departmental budgets for the District Attorney, Probation, Sheriff, and Health Care Agency over the last six years.

### County Budget Overview

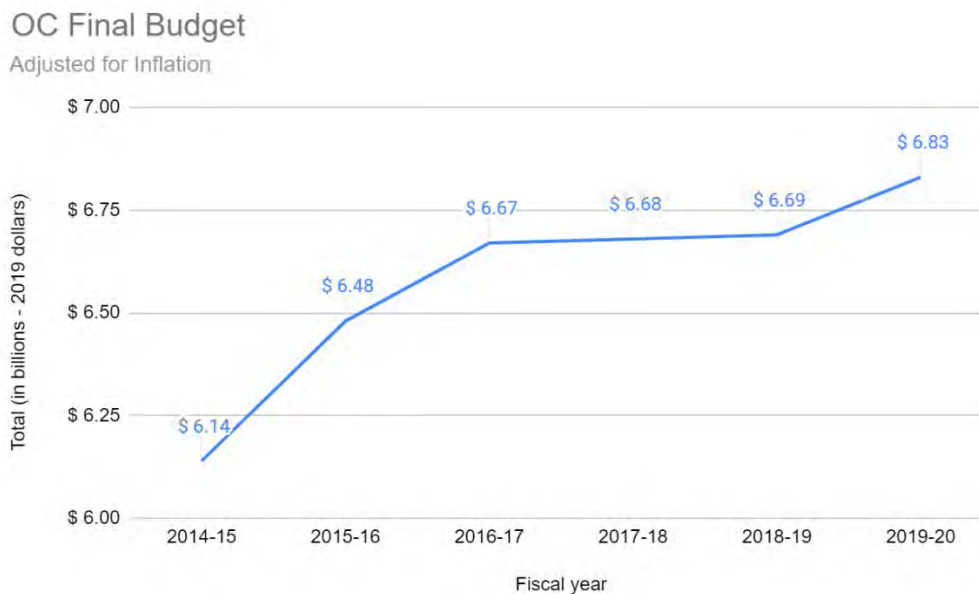


Figure 16: OC Final Budget<sup>46</sup>

#### Findings:

- In fiscal year (FY) 2019-20, Orange County adopted a total budget of approximately \$6.8 billion;

<sup>46</sup> County of Orange, “Annual Budget FY 2014-15 – 2019-20.”

- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the budget has grown by approximately \$696 million (in 2019 dollars), an increase of 11.4%.

## County Budget by Program

Orange County breaks down their budget into seven spending areas, known as programs, which comprise various departments and agencies. Below is a figure of the County’s approximately \$6.8 billion budget across the seven programs in FY 2019-20, as presented in the Annual Budget:

Orange County Final Budget across Programs - FY 2019-2020

Programs	Final Budget	% of Budget
Public Protection	\$1,544,771,643	22.6%
Community Services	2,820,371,768	41.3%
Infrastructure & Environment Resources	1,276,261,092	18.7%
General Government Services	210,961,351	3.1%
Capital Improvements	248,789,709	3.6%
Debt Services	126,008,243	1.8%
Insurance, Reserves & Miscellaneous	606,185,369	8.9%
Total:	\$6,833,349,175	

Figure 17: OC Final Budget Across Programs – FY 2019-20<sup>47</sup>

The funding levels for each program, as well as the proportion of the total budget that it comprises, has changed somewhat over the last six years. While the budget has grown overall, some programs have grown even faster while others have substantially decreased.

<sup>47</sup> County of Orange, “Annual Budget FY 2019-20.”



## OC Final Budget by Program

Adjusted for Inflation

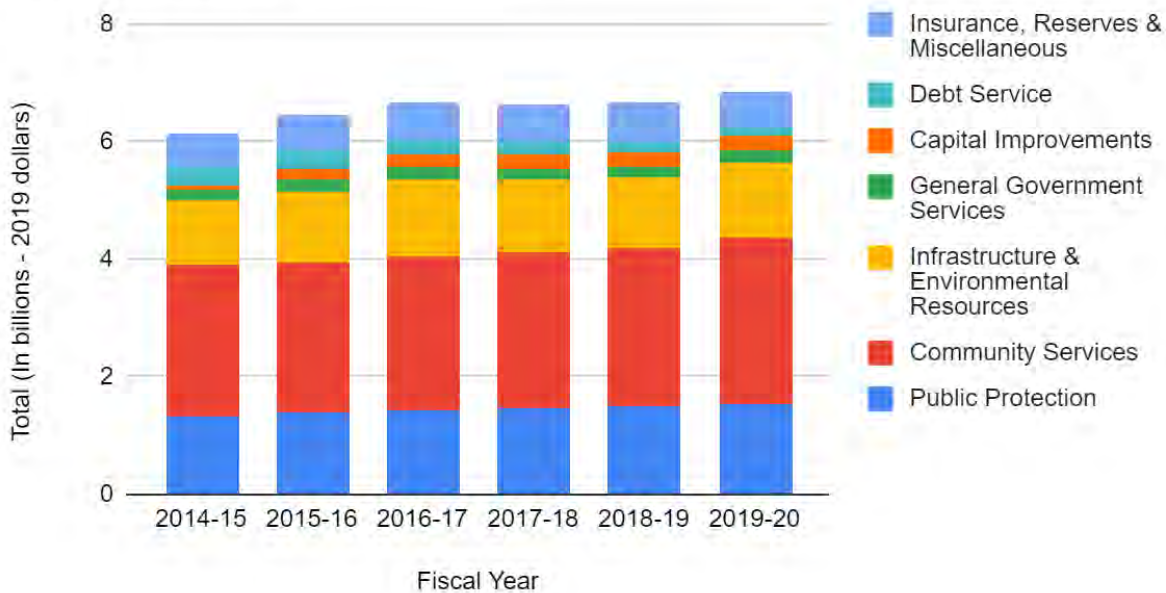


Figure 18: OC Final Budget by Program<sup>48</sup>

### Findings:

- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the overall budget increased by 11.4% across all programs;
- Capital Improvements saw the largest increase of 208%, but the program still represents only a small portion of the overall budget;
- Budgets for Public Protection and Infrastructure & Environmental Resources outpaced the total growth of the overall budget, with an increase of about 15% for each program;
- Community Services, General Government Services and Insurance, Reserves & Miscellaneous program budgets grew slightly slower than the overall budget, with increases of 9.6%, 9.6%, and 8.8% respectively;
- Debt Service was the only program budget to shrink, with a substantial decrease of 57.3%.

## Budgeting Process

The County Budget Office, under the County Executive Office, is responsible for the planning, preparation, and monitoring of the county's budget. Between the months of

<sup>48</sup> County of Orange, "Annual Budget FY 2014-15 – 2019-20."

December and June, county departments prepare their budgets and submit them for approval. When the budget is approved by the Board of Supervisors, the adopted budget becomes the spending plan for the County departments.

Each year, the County budget process follows this general timeline:<sup>49</sup>

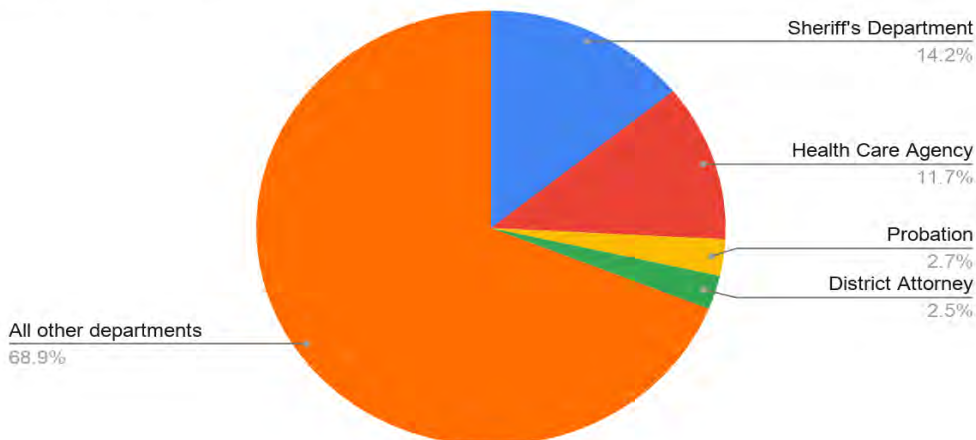
- **July** - Fiscal year begins on July 1st
- **Fall** - County budget planning process begins in alignment with the County 5-Year Strategic Financial Plan
- **December** - Budget planning process is presented to the Board
- **January** - County Budget Office prepares budget policies which include a calendar of events in the budgeting process
- **March** - County departments submit a budget and augmentation requests and reviews that are held with the County Executive Office
- **May** - Recommend Budget process occurs and budgets are made public
- **June** - Public budget hearings are held and in late June, and the Board adopts the budget on a simple majority vote.

## Six-Year Budget Analysis by Department

The four departments included in our analysis—the District Attorney’s office, Probation Department, Sheriff’s Department, and Health Care Agency—each have an important role around public safety and overall community health. Collectively, they accounted for 32.8% of the Orange County final budget in FY 2019-20.

### OC Budget by Analyzed Departments

Fiscal Year 2019-20



**Figure 19:** OC Budget by Analyzed Departments<sup>50</sup>

<sup>49</sup> This timeline was shifted for FY 2020-21 due to the COVID-19 pandemic.

<sup>50</sup> County of Orange, “Annual Budget FY 2019-20.”

Our analysis seeks to see how these departmental budgets have changed over time, and understand how they fit into the budget overall, particularly what comes from the County general fund, also known as Net County Cost. Figure 20 provides an overview of these departmental budgets and how they have changed over six fiscal years.

Department	Final Budget – FY 2019-20 (approximate)	% Net County Cost - FY 2019-20	% Change – FY 2014-15 to 2019-20 (inflation adjusted)
District Attorney	\$166 million	4.5%	32.8%
Probation	\$195 million	5.2%	- 2.1%
Sheriff’s Department	\$747 million	20.1%	21.3%
Health Care Agency	\$812 million	21.9%	18.9%

**Figure 20:** OC Budget by Analyzed Departments and Change Over Time<sup>51</sup>

The following sections provide a deeper analysis into four county departments. Each section will include the Department’s mission, general budget findings, agency outcome indicators, funding to community-based organizations, as well as specific budget findings for each department and potential implications.

## District Attorney

The mission of the Office of the Orange County District Attorney (OCDA) is to “enhance public safety and welfare and to protect and respect crime victims and to create security in the community through vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.”<sup>52</sup> OCDA is organized into three departments: Administration and Public Affairs, Bureau Of Investigation, and Prosecution.<sup>53</sup>

The primary departmental budget unit for the OCDA is titled *District Attorney - Public Administrator* in the Orange County Annual Budget.

<sup>51</sup> County of Orange, “Annual Budget FY 2014-15 – 2019-20.”

<sup>52</sup> County of Orange, “Annual Budget FY 2019-20,” 91.

<sup>53</sup> *Ibid*, 93.

## District Attorney-Public Administrator Final Budget

Adjusted for Inflation



Figure 21: District Attorney-Public Administrator Final Budget<sup>54</sup>

### Findings:

- In FY 2019-20, the *District Attorney - Public Administrator* budget was about \$166 million (\$166,521,906), comprising 2.4% of the full Orange County budget and 4.5% of the general fund (net county cost);
- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the *District Attorney - Public Administrator* budget increased by 32.8%, whereas the total adjusted budget for the County increased by 11.4%;
- The *District Attorney - Public Administrator* budget increased notably from FY 2018-19 to FY 2019-20. The most recent budget increase seems to be driven by an additional \$13.1 million allocated to the department from net county cost for “continued operation at the FY 2018-19 level of service.” Little more explanation is provided in the budget, other than to meet operational needs.

### Key Outcome Indicators

- In FY 2019-20 Orange County Annual Budget, OCDA outlines eight performance measures for the year.
- Measures include targets for felony conviction rates, branch court case filings, victim outreach, caseloads for specific units, and measures related to combating gangs.<sup>55</sup>
- Two key performance indicators are related to gangs: (1) to increase in school partners for the Gang Reduction and Intervention Partnership (GRIP) program and (2) to evaluate and increase gang injunctions. More discussion on these indicators can be found in the Key Findings and Discussion section of this report.

<sup>54</sup> County of Orange, “Annual Budget FY 2014-15 – 2019-20.”

<sup>55</sup> County of Orange, “Annual Budget FY 2019-20,” 91-92.

While OCDA's primary budget falls in the *District Attorney - Public Administrator* budget unit, a full list of budget units under OCDA's control and Key Outcome Indicators for the department can be found in the Orange County FY 2019-20 Annual Budget.

## Funding to Community Based Organizations

Upon receiving our public records request for all contracts and Memoranda of Understanding (MOUs) with community-based organizations (CBOs) within the past five years, the OCDA did not ask for any clarifications and sent a Master Agreement from July 1, 2016 to June 30, 2021 with Waymakers. Waymakers was established in 1972 and provides a variety of services such as shelter for homeless youth, victims services, and services for victims of human trafficking.<sup>56</sup>

### Findings:

- Waymakers is the only CBO receiving funding from OCDA;
- The five-year Master Agreement from Waymakers (formerly known as Community Service Programs, INC.) is not to exceed about \$4.6 million (\$4,599,122) per fiscal year;
- This represents 2.8% of the OCDA budget in FY 2019-20;
- The majority of the funds to Waymakers go to victim and witness assistance programs, as well as services to specific and vulnerable populations;
- The contract also includes \$390,955 for case management services for the Orange County Gang Reduction and Intervention Partnership (GRIP), which seeks to prevent youth from joining gangs, and is run by the Orange County DA's office, Probation Department, Sheriff's Department, and various local law enforcement agencies;<sup>57</sup>
- The full breakdown of the contract with Waymakers can be found in Appendix B.

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<sup>56</sup> Waymakers, "About Us."

<sup>57</sup> County of Orange, "Annual Budget FY 2019-20," 92.

## Probation

The mission of the Orange County Probation Department (OC Probation) is to “protect the community by conducting investigations for the court, enforcing court orders, assisting victims, and facilitating the re-socialization of offenders.”<sup>58</sup> OC Probation is headed by the Chief Probation Officer and organized into four additional bureaus: Adult Operations, Juvenile Facilities, Juvenile Operations, and Operations Support.

The primary departmental budget unit for OC Probation is titled *Probation* in the Orange County Annual Budget.

### Probation Final Budget

Adjusted for Inflation



Figure 22: Probation Final Budget<sup>59</sup>

### Findings:

- In FY 2019-20, the *Probation* budget was about \$195 million (\$195,050,414), comprising 2.9% of the full Orange County budget and 5.2% of the general fund (net county cost);
- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the *Probation* budget decreased by 2.1%, whereas the total adjusted budget for the County increased by 11.4%.

One major reason for this decrease seems to be a reduction in staffing due to decreased needs in the area of juvenile detention, as well as the County Vacant Position policy.

<sup>58</sup> County of Orange, Annual Budget FY 2019-20.”

<sup>59</sup> County of Orange, “Annual Budget FY 2014-15 – 2019-20.”



- From FY 2014-15 to FY 2019-20, the size of OC Probation’s staff decreased by 12.4%, from 1,456 to 1,275 staff (181 positions);<sup>60</sup>
- The greatest staffing decrease in that time period occurred in FY 2015-16, when 100 vacant positions were deleted due to a decrease in the juvenile detention population;
- In the years that followed, 42 positions in the department were deleted because of the County Vacant Position Policy, and the rest were transferred to other units seemingly due to restructuring.

**Key Outcome Indicators:**

- In the FY 2019-20 budget, OC Probation outlined four Strategic Goals and six Key Outcome Indicators.
- Strategic goals include increased community safety through evidenced-based programs and practices, court support through collaboration with justice partners and pretrial assessment, informing victims of their rights in legal processes, and continuing to train and support staff for an efficient workforce.
- Key performance indicators include percentage of probationers who successfully end their probation term without violations and percentage who find employment, on-time court filings, collection of restitution, reduced worker’s compensation claims, and recruitment of new officers.

While OC Probation’s primary budget falls in the *Probation* budget unit, it also oversees the budget unit for the *Ward Welfare Fund*. Budget units under OC Probation’s control and Key Outcome Indicators can be found in the Orange County FY 2019-20 Annual Budget.

## Funding Across Probation Bureaus and Juvenile Spending

OC Probation’s funding is distributed across its five bureaus, including the bureau for the Chief Probation Officer. What was once the Juvenile Intake Bureau prior to FY 2016-17, has now been split into the Juvenile Facilities and Juvenile Operations. In order to compare how funding for juveniles has changed over time, these two bureaus were combined in the figure below and labeled “Juvenile (Operations and Facilities).” As mentioned above, in addition to the primary *Probation* budget, OC Probation also oversees the *Ward Welfare Fund* budget unit which is also included in the figure below.

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<sup>60</sup> County of Orange, “Annual Budget FY 2019-20,” 121.

## OC Probation Budget by Bureau

Adjusted for Inflation

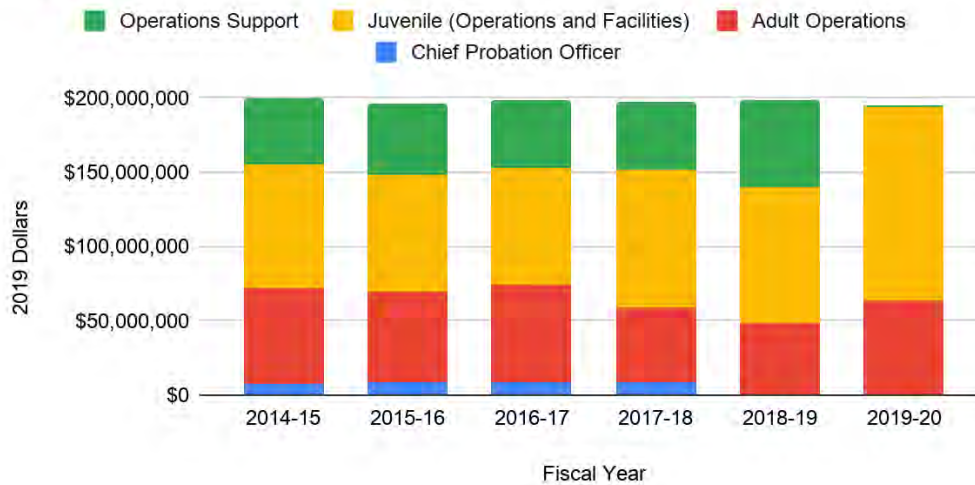


Figure 23: OC Probation Budget by Bureau<sup>61</sup>

### Findings:

- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the total OC Probation budget decreased by 2.2% across all bureaus in the department;
- There has been great volatility in funding from year to year for various bureaus, particularly in the Chief Probation Officer and Operations Support bureaus;
- The Adult Operations Bureau has remained relatively stable, with notable decreases in FYs 2017-18 and 2018-19;
- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the combined funding for Juvenile Operations Bureau and Juvenile Facilities Bureau increased by 57%, with a notable jump of about \$39 million in the last fiscal year;
  - From FY 2018-19 to FY 2019-20, Juvenile Facilities Bureau increased by 39.4% (about \$25.5 million) and Juvenile Operations Bureau increased by 52.5% (about \$13.7 million), adjusted for inflation.

### Implications:

- Spending on juvenile detention and supervision has increased dramatically, despite a 60.4% decrease in juvenile arrests from 2013 to 2018 (See Juvenile Arrests section).
- One likely reason for the increase in spending on juvenile facilities and operations is the construction of a Multipurpose Rehabilitation Center (MRC) at Juvenile Hall. In 2015, OC Probation was awarded \$17.5 million for its construction by the Board of State and Community Corrections (BSCC);<sup>62</sup> however, the capital necessary for its

<sup>61</sup> County of Orange, "Annual Budget FY 2014-15 – 2019-20."

<sup>62</sup> County of Orange, "Annual Budget FY 2019-20," 118.

construction is likely much greater than this amount. The expected completion date of the MRC construction project is February 2021.<sup>63</sup>

- While the MRC at Juvenile Hall is being constructed, the department began implementing a Juvenile Facilities Plan, which was finalized in FY 2018-19.<sup>64</sup> The Plan was meant for more efficient staffing and resources in the Juvenile Facilities Bureau. As a result, the Joplin Youth Center closed operations in June 2019, to be replaced with a program at the Youth Guidance Center in December 2019.
- Despite historic lows in youth arrests, the implementation of the Juvenile Facilities Plan for more efficient use of resources, and cutting 100 vacant positions dedicated towards juvenile detention in FY 2015-16, OC Probation continues to spend a large portion of its budget on the detention and supervision of youth.

## Revenues and Fees for Service

OC Probation generates revenue from various sources, which offset the need for using the County's general fund (net county cost). In FY 2019-20 the final budget shows nearly \$90 million in revenues, a majority of which come from Intergovernmental Revenues. Revenues cover about 46% of OC Probation total budget.

Two minimal sources of revenue OC Probation are *Charges for Services* and the *Ward Welfare Fund*. Many jurisdictions across the country charge people under probation supervision a monthly fee<sup>65</sup> and OC Probation is no exception.

- In FY 2018-19, OC Probation collected about \$1.8 million (\$1,861,295) in charges for supervision,<sup>66</sup> comprising 2.1% of total revenues and only 1% of OC Probation's total budget.
- From FY 2014-15 to FY 2019-20, *Charges for Services* comprised no more than 1.6% of the total departmental budget.
- The *Ward Welfare Fund* is generated from commissary operations and collect-only calls in the County's three juvenile facilities.<sup>67</sup> The Fund is used for enhanced programming for youth and maintenance in the County juvenile facilities.
- From FY 2014-15 to FY 2019-20 *Ward Welfare Fund* revenues varied from about \$135,000 to \$180,000. When compared to the overall budget of approximately \$195 million, these revenues are extremely negligible.

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<sup>63</sup> County of Orange, "Annual Budget FY 2019-20," 118.

<sup>64</sup> Ibid, 119.

<sup>65</sup> Prison Policy Initiative, "Low Incomes but High Fees."

<sup>66</sup> County of Orange, "Annual Budget FY 2019-20," A66.

<sup>67</sup> Ibid, 120.

## Funding to Community Based Organizations

Upon receiving our public records request for all contracts and Memoranda of Understanding (MOUs) with community-based organizations (CBO's) within the past five years, OC Probation provided all active and some non-active contracts.

### Findings:

- Limitations in the data received through the public records request make it difficult to ascertain exactly how much OC Probation allocates to CBOs each year; however, the documentation does provide some insight into the department's contracting practices.
  - As of August 2019, OC Probation had 27 active contracts with 23 service providers totaling about \$10.5 million;
  - Dividing the total contract amount across the total number of years for each contract, we find that OC Probation's active contracts in August 2019 come out to about \$3.2 million per year;
  - 11 of the contracts received did not specify a dollar amount; therefore, we are unable to determine how much of OC Probation's budget goes to CBOs each year.
- Contracts provided by OC Probation showed a focus on transitional housing, vocational training, prevention services, and re-entry services.
- From 2014 to 2019, contracts provided show that Pacific Youth Correctional Ministries and Catholic Detention Ministry, Boys and Girls Club - Garden Grove, Orange County Human Relations, Cell Dogs Inc (Formerly known as Pathways to Hope), and Boys United were most consistently funded by OC Probation.
- For a full list of contracts active with OC Probation as provided by the department See Appendix C.

### Implications:

- While we are unable to calculate exactly how much money had gone to CBOs in the last 5 years, considering the department's budget is about \$195 million, it is likely that only a small percentage (about 1.6%) of the total annual budget goes to CBOs and community-based services.
- Considering a primary focus of Probation is the rehabilitation of people who have been convicted of a crime, the department should proportionately invest more in community-based services (See Key Findings and Discussion section).

## Sheriff's Department

The mission of the Orange County Sheriff's Department (OCSD) is to "provide exceptional law enforcement services free from prejudice or favor, with leadership, integrity and respect."<sup>68</sup> OCSD is organized into four Commands: Field Operations & Investigative Services, Professional Services, Custody Operations, and Administrative Services. The primary departmental budget unit for the OCSD is titled *Sheriff-Coroner* in the Orange County Annual Budget.

### Sheriff-Coroner Final Budget

Adjusted for Inflation

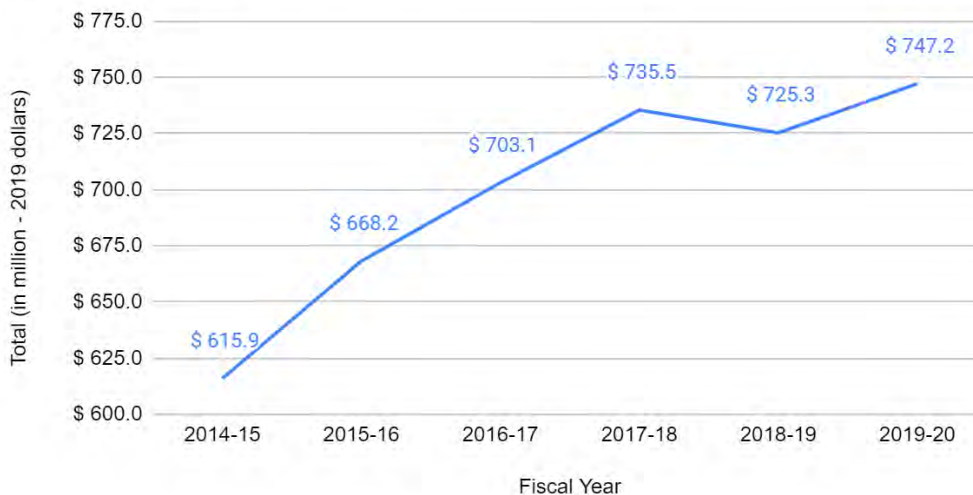


Figure 24: Sheriff-Coroner Final Budget<sup>69</sup>

### Findings:

- In FY 2019-20, the *Sheriff-Coroner* budget was about \$747 million (\$747,198,282), comprising 10.9% of the full Orange County budget and 20.1% of the general fund (net county cost);
- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the *Sheriff-Coroner* budget increased by 21.3%, whereas the total adjusted budget for the County increased by 11.4%.

One likely contributor to the increase in the *Sheriff-Coroner* budget is increased staffing.

- From FY 2014-15 to FY 2019-20, OCSD's staff increased by 6.3%, from 3,362 to 3,575 staff (213 additional positions).<sup>70</sup>

<sup>68</sup> County of Orange, Annual Budget FY 2019-20," 131.

<sup>69</sup> County of Orange, "Annual Budget FY 2014-15 – 2019-20."

<sup>70</sup> County of Orange, "Annual Budget FY 2019-20," 121.

- 150 of those positions were transferred in from other budget units and were therefore not new positions within the county.
- OCSD added positions in various areas such as the Orange County Crime Lab, the new Cyber Crime Unit, additional personnel in unincorporated areas, and IT services.

### Key Outcome Indicators

- OCSD outlines three Strategic Goals in the FY 2019-20 Annual Budget:<sup>71</sup> (1) Respond in a timely and effective manner to public safety concerns; (2) Provide safe, secure, and efficient incarceration for pre-and post-trial inmates; and (3) Lead and support County-wide law enforcement efforts.
- OCSD outlines five Key Outcome Indicators. These indicators include measures such as assaults and use of force incidents in the county jails, inmate grievances handled by staff, response times to priority calls, and crime rates in areas patrolled by OCSD.

While OCSD’s primary budget falls in the *Sheriff-Coroner* budget unit, a full list of budget units under OCSD’s control and Key Outcome Indicators can be found in the Orange County FY 2019-20 Annual Budget.

### OCSD Budget by Command

As mentioned above, in addition to the primary *Sheriff-Coroner* budget, OCSD oversees various budget units with allocations distributed across its four commands.

#### OCSD Budget by Command

Adjusted for Inflation

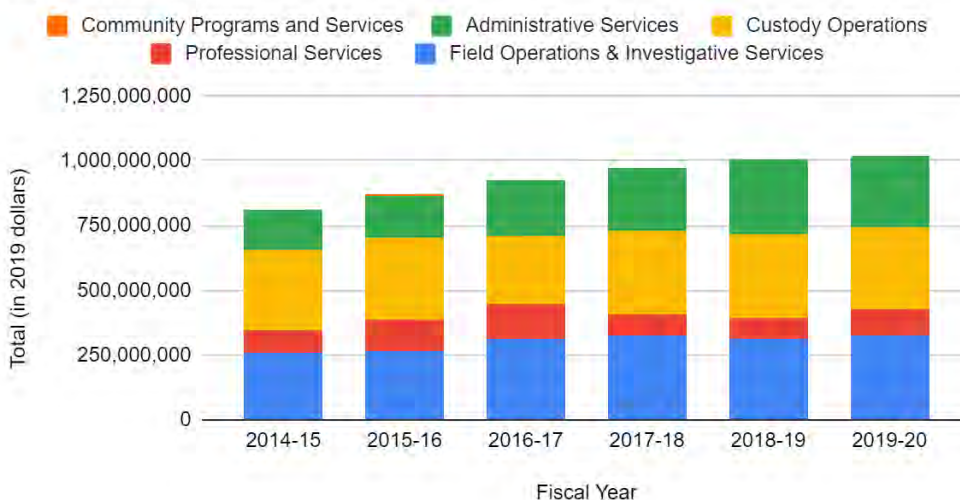


Figure 25: OCSD Budget by Command<sup>72</sup>

<sup>71</sup> County of Orange, “Annual Budget FY 2019-20,” 131.

<sup>72</sup> County of Orange, “Annual Budget FY 2014-15 – 2019-20.”

## Findings:

- After accounting for the additional budget units, OCSD's total budget was over \$1 billion (\$1,020,554,404) in FY 2019-20;
- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the total OCSD budget grew by 25.4% across all commands currently in the department:
  - The largest growth was seen by the Administrative Services and the Field Operations & Investigative Services Commands, which grew by 83.2% and 28.2% respectively;
  - Professional Services Command grew by 9.7% and Custody Operations Command largely stayed the same.
- Prior to FY 2016-17, OCSD had an additional, relatively small command called Community Programs and Services:
  - This command's budget was about \$3.1 million in 2019 dollars in FY 2014-15 and FY 2015-16. The Command was then eliminated with no additional explanation provided in the budget.

## Implications:

- Jail construction and expansion is a likely driver of the increase in the OCSD budget:
  - One major reason for the 83.2% increase in the Administrative Services Command budget is because this command includes funds for the construction and maintenance of facilities and equipment such as *Sheriff-Coroner Construction and Facility Development* fund;
  - In 2013, OCSD secured \$100 million from the state for the renovation of the James A. Musick Facility Jail (Musick), with an additional \$80 million in conditional state funding in 2014.<sup>73</sup> The project includes two phases with the construction of 512 new adult jail beds and 384 beds designated for rehabilitation, treatment and housing.<sup>74</sup> Construction for these projects is set to be complete in the end of 2021.
- The small amount of money dedicated to community relations was cut without explanation in the budget:
  - The Community Programs and Services Command already represented a small fraction of the OCSD budget (about \$3.1 million in 2019 dollars), and was eliminated after FY 2015-16;
  - The Command was dedicated to “fostering community relations by supporting and providing essential programs and services that advance the quality of life for the citizens of Orange County.”<sup>75</sup>

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<sup>73</sup> County of Orange, “Annual Budget FY 2019-20,” 132.

<sup>74</sup> *Ibid.*

<sup>75</sup> *Ibid.*, 114.



## Funding to Community Based Organizations

Upon receiving our public records request for all contracts and Memoranda of Understanding (MOUs) with community-based organizations (CBOs) within the past five years, OCSD provided a summary of all Master Agreements with CBOs.<sup>76</sup>

### Findings:

- The document sent by OCSD was a Master Agreement Documents Report showing all contracts with "education" or "educational" in the title for the past 5 years. This may indicate that OCSD only contracts with CBOs for education; however, it is unclear if that is the case.
- No dollar amount was provided for the contracts;
- Most contracts seem to be geared towards pathology education, continued education, training, and text books;
- One memorandum of understanding (MOU) is more geared towards community services and involved referrals by OCSD to the Orange County Workforce Development and the Santa Ana Workforce Development Boards for employment support through the "OneStop Center" network. This program was funded for a limited time through the Federal Second Chance Act. The MOU was required for receiving funding, in order for inmates and former inmates to be referred to program services and measure outcomes. This funding and contract is no longer active.<sup>77</sup>

The full summary of the Master Agreement Documents Report can be found in Appendix D.

### Implications:

- Most contracts with CBOs seem focused on workforce education for OCSD employees;
- While no dollar amount for contracts was provided, it is likely that these contracts represent a very small amount of the OCSD budget, which exceeded \$1 billion in FY 2019-20.

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<sup>76</sup> OCSD first asked for clarification on what was meant by CBOs. UPI responded, defining CBOs as "public or private nonprofit organizations that (1) serve as a representative of the community, working to meet community needs and (2) provide educational or related services to individuals in the community."

<sup>77</sup> Info on the MOU and program provided by email correspondence with OCSD.

## Health Care Agency

The mission of the Office of the Health Care Agency (HCA) is to “protect and promote the health and safety of individuals and families in Orange County through assessment and planning, prevention and education, and treatment and care.”<sup>78</sup> HCA is organized into five divisions: Public Health Services, Behavioral Health Services, Correctional Health Services, Regulatory/Medical Services, and HCA Administration.<sup>79</sup>

The primary departmental budget unit for HCA is titled *Health Care Agency* in the Orange County Annual Budget.

### Health Care Agency Final Budget

Adjusted for Inflation



Figure 26: Health Care Agency Final Budget<sup>80</sup>

#### Findings:

- In FY 2019-20, the *Health Care Agency* budget was about \$812 million (\$812,812,887) comprising 11.9% of the full Orange County budget and 21.9% of the general fund (net county cost);
- From FY 2014-15 to FY 2019-20, after adjusting for inflation, the *Health Care Agency* budget increased by 18.9%, whereas the total adjusted budget for the County increased by 11.35%;

<sup>78</sup> County of Orange, “Annual Budget FY 2019-20,” 240.

<sup>79</sup> Ibid, 245.

<sup>80</sup> County of Orange, “Annual Budget FY 2014-15 - 2019-20.”

- The HCA budget has increased slowly with a notable increase in the FY 2019-20:
  - From FY 2018-19 to FY 2019-20, the HCA budget increased by about \$100 million (\$100,012,933), a 10.35% increase after adjusting for inflation;
  - One major driver of this increase was the addition of 123 new positions to increase mental health services in jails;<sup>81</sup>
  - From FY 2015-16 to FY 2019-20 a total of 313 positions have been added to HCA, with a large portion going to mental health services in jail and correctional health services;
  - From FY 2018-19 to FY 2019-20, unlike other departments HCA saw a 12% Net County Cost reduction primarily due to increased revenue through Mental Health Services Act funds and cost containment measures implemented in prior years.<sup>82</sup>

### Key Outcome Indicators

- HCA outlines four Strategic Goals in the FY 2019-20 Annual Budget, including assessment and planning for the outbreak of diseases; prevention and education for to stop the spread of diseases and to promote wellness; treatment and care to achieve a steady reduction in diseases; and administration and workforce improvements to provide for healthcare needs and become an employer of choice.
- HCA’s Key Outcome Indicators are far more extensive than the other agencies reviewed in this analysis. Indicators cover a variety of goals including timeliness of investigations, outreach and education, staff preparedness, and disease management.
- Two of the Key Outcome Indicators are related to health care services to Immigrations and Customs Enforcement (ICE) detainees who are housed in Orange County jails through ICE contracts, which are set to end in August of 2020.<sup>83</sup>
- Two of the Key Outcome Indicators are related to improved and more timely contracting with service providers.

While HCA’s primary budget falls in the *Health Care Agency* budget unit, a full list of budget units under HCA’s control and Key Outcome Indicators can be found in the Orange County FY 2019-20 Annual Budget.

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<sup>81</sup> County of Orange, “Annual Budget FY 2019-20,” 247.

<sup>82</sup> Ibid, 246.

<sup>83</sup> Carcamo, “Stop Holding Inmate for ICE.”

## HCA Budget by Division

As mentioned above, in addition to the primary *Health Care Agency* budget, HCA oversees various budget units with allocations distributed across its five divisions.

### HCA Budget by Division

Adjusted for Inflation

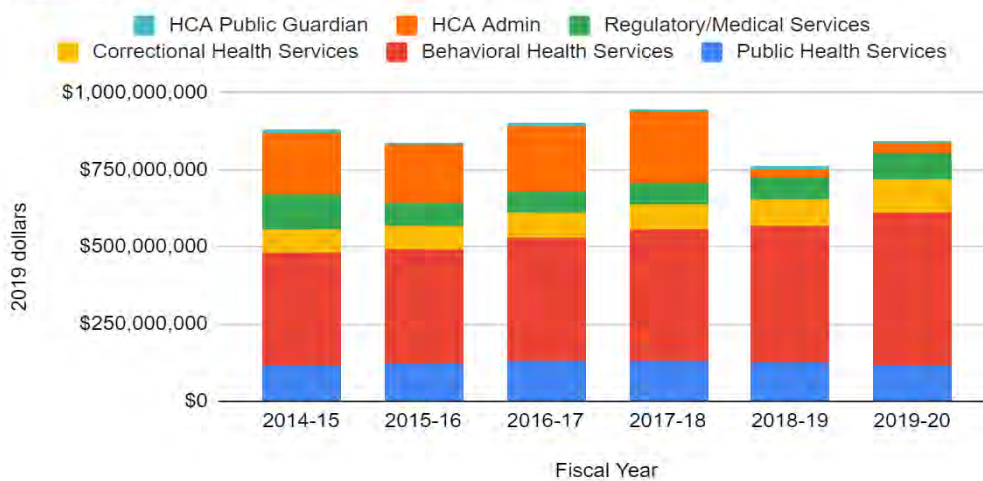


Figure 27: HCA Budget by Division<sup>84</sup>

### Findings:

- After accounting for the additional budget units, HCA’s total budget was almost \$842 million (\$841,634,962) in FY 2019-20;
- From FY 2014-15 to FY 2019-20, after adjusting for inflation:
  - The total HCA budget decreased by 4.2% across all divisions;
  - Public Health Services remained largely the same;
  - Behavioral Health Services and Correctional Health Services each increased by about 35% each. Correctional Health Services saw a notable increase of about \$21 million in the last fiscal year;
  - Regulatory/Medical Services and HCA Public Guardian divisions saw budget decreases of 24.6% and 12.64% respectively;
  - Most notably, HCA Admin saw a budget decrease of 83.7%, which is likely due to Mental Health Services Act dollars being moved from HCA Admin to another budget unit outside of the HCA after FY 2017-18.<sup>85</sup> In FY 2017-18, the Mental Health Services Act comprised about \$187 million of the HCA budget.<sup>86</sup>

<sup>84</sup> County of Orange, “Annual Budget FY 2014-15 - 2019-20.”

<sup>85</sup> UPI contacted HCA about this change but was unable to confirm the reason for this change.

<sup>86</sup> County of Orange, “Annual Budget FY 2017-18,” 248.

### Implications:

- There is a growing need for behavioral health services in Orange County, with a particularly high need for the population of people who are booked into the jails. Behavioral health refers to both mental health and substance use disorders.<sup>87</sup>
- The dramatic drop in arrests for felony drug crimes after the enactment of Prop 47 and the subsequent increase in misdemeanor arrests from 2015 to 2018 (as shown in the Arrests section of this paper) suggest that drug use and substance use disorder could be a large driver of the growing behavioral health needs in the Orange County jails.

### Funding to Community Based Organizations

Upon receiving our public records request for all contracts and Memoranda of Understanding (MOUs) with community-based organizations (CBOs) within the past five years, the HCA provided all contracts from FY 2014-15 to FY 2018-19 with dollar amounts for fiscal years 2017-18 and 2018-19.

### Findings:

- In FY 2018-19, HCA contracted out about \$234 million to CBOs, about 32% of the primary *Health Care Agency* budget. Our analysis found a similar breakdown in FY 2017-18.
- These funds to CBOs fund a wide array of services from mental health and drug treatment, HIV counseling, medical services in jails, and health education and prevention services, just to name a few.
- In categorizing contracts by service type, mental health care services, community clinic services, and child/youth services were most often funded across the fiscal years; however, the level of funding for these service types cannot be determined.
- In looking at the dollar amount going out to CBOs by HCA division, the Behavioral Health Services division gives out the most money to CBOs by far. In both FYs 2017-18 and 2018-19, over 75% of the money that HCA contracted out to CBOs was through this division. In FY 2018-19, the Behavioral Health Services division of the HCA had over \$175 million in contracts with CBOs.

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<sup>87</sup> SAMHSA, “Key Terms and Definitions.”

## Dollar Amount to CBO's by HCA Division

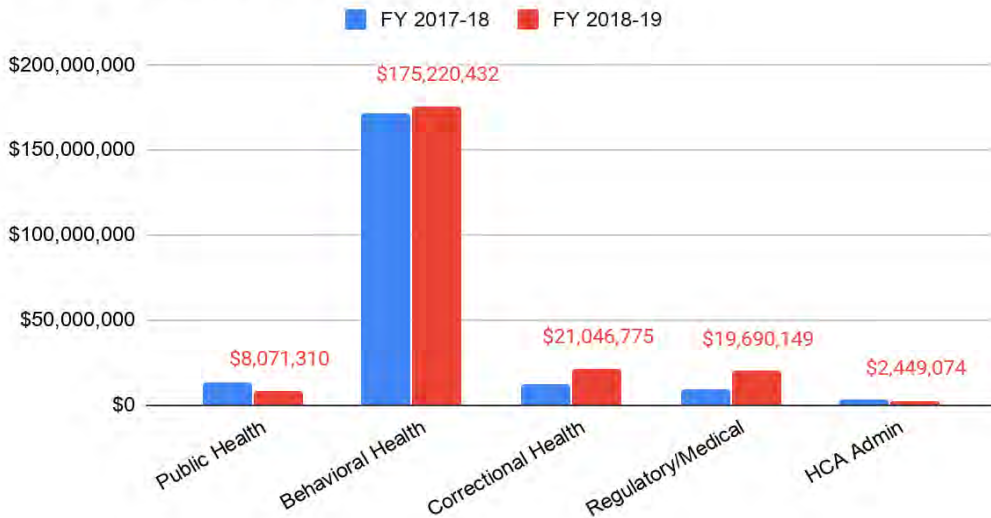


Figure 28: Dollar Amount to CBOs by HCA Division<sup>88</sup>

### Implications

- HCA contracts with CBOs at an exceedingly higher rate than the other agencies in this analysis; although all four of the agencies analyzed are tasked with the safety and well-being of the residents of Orange County.
- HCA has made a notable investment in community-based behavioral health services; however, the consistently growing share of people with mental health needs in the Orange County jails suggests that further investment is needed.

<sup>88</sup> Public Records Act Request

## V. KEY FINDINGS AND DISCUSSION

### 1) Departments gave minimal funds to community-based organizations, with the exception of the HCA

Our analysis found that, despite an overall increase on the Orange County budget, this did not always correlate to greater investment in community-based organizations (CBOs). From FY 2014-15 to FY 2019-20, after adjusting for inflation, the overall budget increased by 11.4% across all programs in the Orange County budget. Budgets for Public Protection—which includes the District Attorney, Probation, and the Sheriff’s Department—outpaced the total growth of the overall budget, with an increase of about 15%.

From the four agencies we analyzed, only the Health Care Agency (HCA) made sizable investments into community-based services. Our public records request found that HCA contracts with a large number of CBOs and gives out significantly more funds than the Orange County District Attorney, Probation, or Sheriff’s Department. About a third of the HCA budget is given to CBOs annually, while the three other agencies give less than 3% based on the contracts provided to us. Additionally, HCA has contracted partnerships with exponentially more CBOs than the other agencies (anywhere from 62 in FY 2017-18 to 191 in FY 2018-19). The number of CBOs funded by OC Probation has increased slightly since FY 2014-15, while the those funded by the Sheriff and District Attorney has remained relatively consistent over the last 6 years (See Figure 29).

Number of CBOS per Fiscal Year

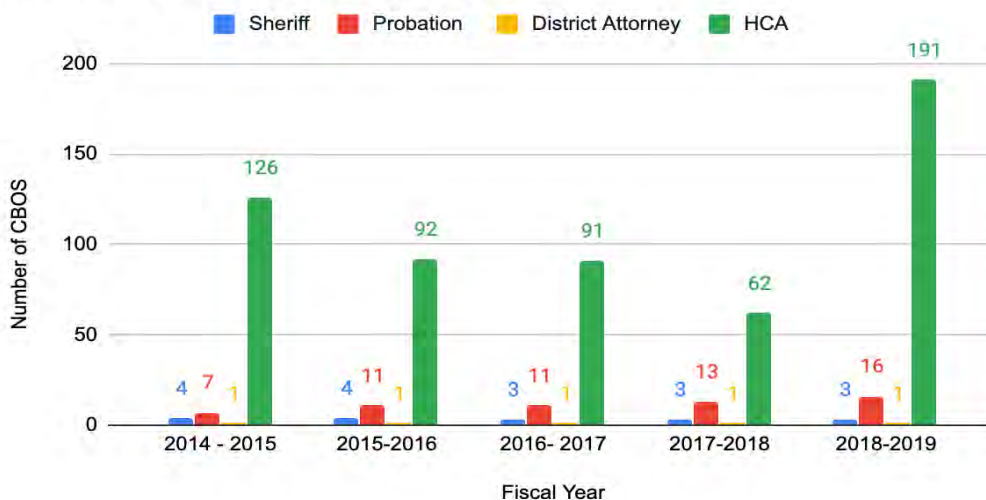


Figure 29: Number of CBOS per Fiscal Year<sup>89</sup>

Orange County has not invested in community-based responses to crime and violence. In fact, while violent crimes covered by OCSD increased by 28.6% from 2013 to 2018, funding

<sup>89</sup> Public Records Act Request



amounts to CBOs by the Public Protection departments that we analyzed has remained relatively consistent over the last 6 years. This indicates that spikes in violence and crime do not affect budgetary priorities or allocations to community-based organizations. This may also suggest that community-based organizations likely have no inclusion or influence over public budget priorities and decisions. Public Protection agencies likely do not view community-based services as viable options for achieving public safety, nor do they include community-based providers in developing strategies to address violence and crime. There are likely other factors influencing budget priorities and decisions. For instance, spending on juvenile detention and supervision has increased dramatically, despite a 60.4% decrease in juvenile arrests from 2013 to 2018. This suggests other reasons outside of violence and arrests that influence increase in spending in areas that would otherwise be associated.

## **2) While there are alarming trends in violence & crime, investments do not seem to be addressing the root cause**

### *Investments*

There is very little budgetary focus on measures that prevent and treat violence. Contracts provided by OC Probation showed a focus, about \$3 million dollars per fiscal year, split on services such as transitional housing, vocational training, prevention services, and re-entry services. About 75% of HCA contracts, about \$175 million dollars per fiscal year, are designated consistently to behavioral health services. The majority of OCDA funds given to CBOs, about \$4.6 million dollars per fiscal year, go to Waymakers to provide victim and witness assistance programs, as well as services to specific and vulnerable populations. The contract also includes \$390,955 for case management services for the Orange County Gang Reduction and Intervention Partnership. Compared to the overall \$6.8 billion dollar budget, very little money is focused on the prevention of crime and violence, or the root causes of poor health. Community investments do not correlate with crime and violence trends, and instead seem to be based on internal agency decisions that may not take into account geographical context, social and economic stratification, income inequality, and other confounding factors that can lead to criminal justice involvement. Though there are some community-based services being funded, they do not meet the actual scale and scope of the issue. Funding community-based alternatives equitably into targeted areas through community-based prevention and intervention services have proven to decrease violence and increase community safety and health.<sup>90</sup>

### *Crime & Violence*

While there has been a larger increase in violent crime than the state, Orange County budget allocations to community-based organizations has remained relatively the same.

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<sup>90</sup> Brantingham, "Intervention & Gang Crime," 32.

From 2013 to 2018, felony arrests for property, drug, and sex offenses decreased by 23.7%, 81.7%, and 19.3% respectively. Meanwhile arrests for violent felonies and “other felonies” increased by 20% and 27.9% respectively. From 2013 to 2018, the number of violent crimes reported per 100,000 residents in Orange County increased by 18.9% from 194 to 231. The state’s rate of reported violent crimes saw a 12.9% increase in this time period. While felony arrests for lower level crimes has decreased from 2013- 2018, arrests for violent felonies increased by 20%. Violent crimes covered by OCSD comprised an average of only 3.6% of the total in the County from 2013 to 2018. From 2013 to 2018, violent crimes covered by OCSD increased by 28.6%. The increase was particularly high from 2015 to 2018, jumping by 45% from 213 to 310 violent crimes reported.

This indicates that while there has been an increase in violent crime and increase in OCSD budget, it did not subsequently curb or decrease violence and crime. Our analysis found many alarming trends in violent crimes in Orange County, indicating a need to invest in new strategies to address the root causes of violence.<sup>91</sup> In California cities like Sacramento, Richmond, Oakland and Los Angeles, there have been public investments into community-based violence prevention strategies to decrease and prevent violence. For instance, after investments from the city from 2010 – 2016, Richmond saw a 66 percent decrease in gun violence through a program called Advance Peace. Community-based models of violence prevention have proven to be more efficient and effective but what they require is investment, coordination with public system agencies, and an openness towards broadening who can actually prevent and reduce crime and violence other than traditional public protection agencies and strategies.

Law enforcement agencies often rely on the public trust to decrease crime and violence. Clearance rates often serve as a proxy for community trust. When clearance rates are high, community trust and reporting to law enforcement is high. Conversely, when clearance rates are low, community trust diminishes and reporting is lower. OCSD clearance rates have gone down over the last 5 years, and OCSD has cut small community relations command. The Sheriff’s Department had a very high clearance rate up until 2015, especially when compared to other law enforcement agencies in the county and the overall average for the state. From 2015 to 2017, however, clearance rates for OCSD dropped by nearly 45 percentage points. This decline brought OCSD clearance rates for violent crimes to a level comparable to the county and state. The small amount of money dedicated to community relations was cut without explanation in the budget. The Community Programs and Services Command already represented a small fraction of the OCSD budget (about \$3.1 million in 2019 dollars) and was eliminated after FY 2015-16. The Command was dedicated to “fostering community relations by supporting and providing essential programs and services that advance the quality of life for the citizens of Orange County.” Coincidentally, clearance rates dropped dramatically during the same time. With clearance rates

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<sup>91</sup> Advance Peace, “Transform Lives.”

decreasing, violence and crime increasing, public protection agencies should reexamine their strategies to become more efficient and more effective by considering the role of community-based organizations as viable key partners in community safety.

### *Orange County Response to Gang Issues*

An average homicide costs \$9 million, while an average cost per inmate in California is \$64,000 per year<sup>92</sup>. In cities across California, as well as in the nation, normal law enforcement and outreach strategies are simply not working.<sup>93</sup> Arresting and incarcerating one shooter, clears the way for the next one. While public protection agency budgets continue to grow year to year, and as crime and violence may increase year to year, it is possible that the same strategies may not be working, as in the case of Orange County. Orange County consistently invests in law enforcement to address gang issues rather than community-based gang prevention and intervention services like in Richmond, Oakland, Sacramento and Los Angeles. Alternatively, gang injunctions and GRIP are consistently stated as one of the few priority strategies in the OCDA budget.

The OCDA's gang injunction program includes thirteen gang injunctions. The oldest went into effect in 2006 and the most recent went into effect in 2014.<sup>94</sup> Gang injunctions are civil court orders that impose probation-like restrictions on gang participants regardless of whether they have committed a crime. Studies of the effectiveness of gang injunctions have found mixed results, but they tend to show that injunctions correlate with a short term reduction in crime in the neighborhoods targeted by the injunction, a short term increase in crime in the areas immediately surrounding the targeted neighborhood, and no long term effects. The OCDA has also continued to maintain and operate 13 gang injunctions and review potential additional gang areas for inclusion.

One of largest gang prevention programs in Orange County is GRIP, as \$390,955 was given to fund case management by Waymakers (CBO) for GRIP. The Orange County 2019-20 annual budget states "The OCDA has continued its efforts with the Orange County Gang Reduction and Intervention Partnership (GRIP) which identifies at-risk youth and aims to prevent minors from joining a criminal street gang. GRIP is operating in 13 cities and 54 schools throughout Orange County and is run by the OCDA, OC Probation Department, OC Sheriff's Department, and various local law enforcement agencies." Given the existing GRIP infrastructure throughout the county, which includes public and private partnerships, there is an opportunity to strengthen and explore more robust CBO partnerships at the local level to enhance community trust and buy-in, and not simply rely on public protection agency actors to prevent gang membership. For families and individuals who may not trust law enforcement, probation, or the District Attorney's office, community-based providers can

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<sup>92</sup> McCollister, "The Cost of Crime to Society," 98-109.

<sup>93</sup> Rich, "Trying to Stop a Killing."

<sup>94</sup> OCDA, Gang Injunctions, Case Number 06CC10916, Case Number 30-2014-00727728

serve as better alternatives that are viable, trusted, and based in and from local communities.

Gang intervention or street outreach has demonstrated results in cities throughout the country, lowering violence and increasing public safety. Most gang intervention workers are former gang members or formerly incarcerated individuals who act as credible messengers to interrupt violence. Gang intervention workers actively engage the gang-involved population to provide alternatives to conflict. For the past 12 years gang intervention workers in Los Angeles have worked to lower violence throughout the city by providing mediation, proactive peacebuilding, and case management services. In 2014-15, these efforts resulted in 43% less gang relations, and the prevention of 185 violent gang crimes.<sup>95</sup> The City of Oakland has experienced similar declines through concerted investments in street outreach, gang intervention, life coaching, case management, and focused deterrence.<sup>96-97</sup>

### **3) Crime and poverty trends suggest that many people cycle through the criminal justice system due to health and poverty issues**

While levels of poverty have generally maintained over the last 10 years, the cost of living and budget in Orange County have increased. Low-income communities have become increasingly overburdened and the household income gap has widened. The County budget, income, and unemployment rate have all improved in the last 5 years, yet income inequality has grown as well. Renting a one-bedroom apartment in Orange County has become increasingly difficult for families, let alone for the average person. People of color, especially African Americans and Latinos, make half the amount per hour than Whites.<sup>98</sup> As a result, low-income families continue to survive paycheck to paycheck and fall increasingly vulnerable to an endless cycle of poverty.

Our analysis paints the picture of growing poverty and inequality in Orange County, which can lead to a negative cycle of increased crime and contact with the justice system. Fifty-two percent of the jail population are pretrial inmates. A low-income person who is not able to make bail risks losing their job, housing, family, and are more likely to become homeless.<sup>99</sup> As of January 2019, there are approximately 6,860 homeless people in Orange County.<sup>100</sup> This is an increase of 61.4% from 2013. An increase in homelessness can often lead to an increase in arrests.<sup>101</sup>

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<sup>95</sup> Brantingham, "Intervention & Gang Crime."

<sup>96</sup> Muhammad, "Oakland's Successful Gun Violence Reduction Strategy."

<sup>97</sup> McLively, "A Case Study in Hope."

<sup>98</sup> University of Southern California, "Orange County: Summary," 8.

<sup>99</sup> Aiken, "Era of Mass Expansion."

<sup>100</sup> Robinson, "Nearly 7,000 are Homeless."

<sup>101</sup> National Law Center, "No Safe Place."

Arrests are the first point of contact with the criminal justice system, and they often lead to prosecution, jail time, probation supervision, and an overall taxing of the system. Trends suggest that increases in arrests in Orange County are due to drug possession—a charge that was reduced from a felony to a misdemeanor with the passage of Prop 47. In 2013, Orange County law enforcement agents made over 10,000 felony drug arrests—nearly 40% of all arrests that year. From 2014 to 2015, when Prop 47 went into effect, there were 7,279 less felony drug arrests—a decrease of 77%. In the same year, Orange County law enforcement agents made 11,587 more misdemeanor arrests. While data does not capture the reason, this suggests that the reclassification of drug crimes is a large driver of the 35% increase in misdemeanor arrests in recent years. In 2018, 78.5% of total arrests were for misdemeanors. Despite the changes made by Prop 47, it seems that Orange County continues to rely on arrest and incarceration as a response to drug use rather than prioritizing and investing in a public health response, such as community-based treatment.

Cost of living, racial inequality, homelessness, and arrests for low-level crimes in Orange County have all steadily increased in recent years. It seems this has also led to an increased reliance on the criminal justice system as a response to these issues, as reflected in the budgets for the District Attorney, Sheriff’s Department, and Probation spending on juvenile incarceration. Rather than investing further into an ever-growing and costly justice system, Orange County can invest in more cost-effective strategies that address the root cause of the social issues, uplift families out of poverty and further contribute to community health and safety overall, not just on the penalization and discipline of violence and crime.

#### **4) OC Probation shows a lack of focus of rehabilitation**

While some of OC Probation’s Strategic Goals and Key Outcome Indicators presented in the budget pertain to the successful rehabilitation of people under the Department’s supervision, the mission and many of the Strategic Goals still focus more on enforcement than supporting people for positive outcomes. Best practices from probation departments across the country promote structured and meaningful partnerships with other public agencies and CBOs to prevent recidivism and promote rehabilitation.<sup>102</sup> These partnerships should aim to provide an array of services such as treatment, housing, educational, employment, and health-related needs of people on probation supervision.<sup>103</sup> Probation and correctional leaders from across the country have recognized the need to limit the size and scope of their departments and reinvest cost savings into community-based services.<sup>104</sup> By producing better outcomes through connection to services, the OC Probation can dramatically reduce caseloads and departmental costs.

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<sup>102</sup> LA County, “LA Probation Governance Study.”

<sup>103</sup> Ibid.

<sup>104</sup> Harvard, “Future of Community Corrections.”

OC Probation makes minimal investments into community-based services. Contracts presented by OC Probation which provided dollar amounts only amounted to about \$3.2 million to CBOs annually. While we were unable to calculate the exact amount going to CBOs because of data limitations, the amount is likely minimal when compared to the department's nearly \$200 million annual budget. While the Orange County Re-Entry Partnership provides a base for service delivery and referral for people transitioning back into the community from jails and prisons, this infrastructure can be strengthened by providing more departmental funds so community-based service providers can meet the needs of this population. This will ultimately produce better outcomes and reduce recidivism.

## **5) Criminal justice fees bring in minimal revenue, but place a great burden on those who have to pay them**

### *Probation Supervision Fees*

More consideration should be taken into the long-term costs and minimal benefits of fees levied throughout the County justice system. There is minimal revenue generated by required criminal and juvenile justice fees, yet such charges, such as fees for Probation supervision, likely impact some of the county's poorest residents. A recent analysis of the National Survey of Drug Use and Health found that two-thirds of people on probation nationwide make less than \$20,000 per year.<sup>105</sup> Meanwhile, probation fees can end up costing people thousands of dollars. This affects not only people on probation, but also their families--especially women.<sup>106</sup> The added stress of these financial burdens can negatively affect people's ability to turn their lives around and re-enter society after involvement in the justice system.<sup>107</sup> This is especially true for vulnerable populations such as those facing homelessness or mental health issues.

In addition to fees for supervision, Orange County also charged parents a fee for juvenile supervision and detention until the passage of SB 190 in 2018, which outlawed such practices across the state. These fees often accumulated to about \$10,000.<sup>108</sup> In one case, an Orange County family who had two sons in the justice system was charged an astonishing \$76,265.<sup>109</sup> About half of the counties in the state have forgiven past fees for families, including San Bernardino, Riverside and Los Angeles counties, with San Diego likely to do so

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<sup>105</sup> Prison Policy Initiative, "Low Incomes but High Fees."

<sup>106</sup> deVuono-Powell, "True Cost of Incarceration on Families."

<sup>107</sup> Menendez, "Criminal Costs and Fees," 6.

<sup>108</sup> Saavedra, "Forcing Families to Pay."

<sup>109</sup> Ibid.

in the future.<sup>110</sup> Meanwhile, the Orange County Board of Supervisors has not moved to forgive outstanding juvenile fees for families.<sup>111</sup>

While national data suggest that the fees levied by OC Probation most likely hit some of the County's poorest residents, the Department collects minimal revenue through such fees. OC Probation collected about \$1.8 million in charges for supervision in FY 2018-19. This is only 1% of OC Probation's total budget, and only about 2% of total revenues. The County should assess whether such fees--with little financial benefit to the Department--further people's involvement with and use of the County's health and criminal justice systems. Furthermore, the County should assess the actual cost of collecting such fees.

Lessons from neighboring Los Angeles County suggest that many of Orange County's criminal justice fees may go unpaid and that collection costs outweigh any financial gain. In January 2019, the Los Angeles County Probation Department reported a mere 3.8% collection rate for fines and fees.<sup>112</sup> Meanwhile, a study released by the ACLU of Southern California and the Let's Get Free Coalition found that the County spends over \$4 million in staffing to collect Probation fees—more than what the Department collected.<sup>113</sup> In addition to likely costs to the County, levying probation fees impedes the ability of probation officers to build relationships with probationers that foster rehabilitation, focusing efforts on collections rather than rehabilitation, a clear goal of OC Probation.

### *Phone Calls*

Another major burden on families with loved ones caught in the justice system is the cost of phone calls from jails and juvenile detention facilities. The ability to stay connected with family is very important for the successful re-entry of people transitioning back from incarceration. And, it is especially important for the health and wellbeing of incarcerated youth. Like criminal justice fees for “service,” the high cost of collect-phone calls to incarcerated family members likely falls on the County's poorest residents. The County should assess the true cost and gains of charges for phone calls and basic goods in the commissary of its jails and juvenile halls. Like criminal justice fees, negative collateral consequences that result from the charges, such as the loss of connection to loved-ones and severe economic hardship for low-income families, cause great harm while producing minimal revenue for departments.

One example that raised such questions is the *Ward Welfare Fund*, overseen by OC Probation (see Probation Department section of our budget analysis). According to the budget, the *Ward Welfare Fund* is revenue generated by charging families for collect calls

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<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

<sup>112</sup> ACLU of Southern California. “Cost of Injustice,” 19.

<sup>113</sup> Ibid.



and commissary goods in the County's juvenile facilities. It only yielded between \$135,000 to \$180,000 in the most recent fiscal years. In FY 2019-20, the Juvenile Facilities Bureau budget was about \$90 million. While this revenue is supposed to be used for enhanced programming for youth and maintenance of the juvenile facilities, it begs the question whether such minimal funding is worth placing additional burdens on families' ability to stay connected in such a vulnerable moment in a young person's life.

The health and public safety of Orange County residents as a whole would be better served if the County takes into account the true cost and long-term consequences of the criminal justice fees it levies. While many fees are state mandated, the County should explore eliminating criminal justice fees under its jurisdiction and forgiving past fees.

## **6) Growth in public protection budgets seem to be driven by jail expansion; but the criminal justice system is costly and ineffective at addressing root-cause issues**

Alternatives to incarceration and community-based systems of care are more effective and humane investments than jail construction. Growth in the OCSD budget and OC Probation's juvenile budgets seem to be driven by expansion and construction of detention facilities. While there is a stated rehabilitative focus for these projects—such as the Multipurpose Rehabilitation Center at Juvenile Hall and the expansion of the Musick jail facility for “rehabilitation, treatment and housing”—carceral settings are inherently bad for people's physical and mental well-being, especially for those suffering from mental illness.<sup>114</sup> Furthermore, investments in health and services can produce better outcomes while saving money.

### *Budget Increases Seem to Be Driven by Facilities Expansion*

The OCSD budget has increased by 25.4% across all commands from FY 2014 to FY 2019, after adjusting for inflation, and a large part of this increase seems to be for jail expansion. Of the four commands, Administrative Services, which includes funds for the construction and maintenance of facilities, grew by 83.2% in that time period. OCSD is working to expand the Musick jail facility, to create 512 new adult jail beds and 384 beds for “rehabilitation, treatment and housing.”<sup>115</sup> While they have secured some state funding,<sup>116</sup> it covers only a fraction of the contract which was approved for \$261 million.<sup>117</sup>

Despite a 60.4% decrease in juvenile arrests from 2013 to 2018, the combined funding for Juvenile Operations and Juvenile Facilities increased by 57% in the last six years. While

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<sup>114</sup> World Health Organization, “Mental Health and Prisons,” 1.

<sup>115</sup> County of Orange, “Annual Budget FY 2019-20,” 132.

<sup>116</sup> Ibid.

<sup>117</sup> Orange County, “Document 005000.”

juvenile spending has rapidly increased, OC Probation claims it is working for cost savings. The department closed the Joplin Youth Center and transferred youth to a program at the Youth Guidance Center late last year, which is an 80-bed facility focused on substance abuse rehabilitation for youth aged 13 to 20 years old.<sup>118</sup> The construction of the Multipurpose Rehabilitation Center at Juvenile Hall is also a likely driver of the increase in juvenile spending.<sup>119</sup> As mentioned above, incarceration settings are in no way therapeutic. Both youth and adults in need of behavioral health services would likely see much better outcomes if they received those services in the community--and it would cost the County much less money. Currently, about one third of the jail population in Orange County requires mental health services<sup>120</sup> and trends suggest that a large driver of arrests, and likely bookings to jail, are due to drug issues (See Finding 3 and Arrests section of this report). Health experts have called for the maximum diversion possible of people with behavioral health needs away from the criminal justice system and into culturally competent, community-based care.<sup>121,122</sup>

### *Health and Community-based Services Save Money and Negate the Need for New Jails*

An example in LA County shows how public investment in care and housing can produce better outcomes and investments than sending people to jail. A study by the RAND Corporation of LA County's Office of Diversion and Reentry (ODR) Supportive Housing Program found that it dramatically increased housing retention while decreasing recidivism for people with mental illness and substance use disorder. Of the study participants, 91% had stable housing after six months, 74% had stable housing after 12 months, and 86% had no new felony convictions after 12 months.<sup>123</sup> These results are dramatically better than for those exiting jail with no link to services, especially for this high-needs population. In addition to better outcomes, ODR's Supportive Housing Program produces dramatic cost-savings. The program's housing costs are about \$70 per person per day, compared to \$600 per day for a night in jail.<sup>124</sup>

In addition to investing in community-based systems of care, reforms to the Orange County criminal and juvenile justice systems can further offset the need to expand detention facilities. In the juvenile justice system, status offenses, which are arrests for things like truancy and curfew violations, still comprised almost 20% of juvenile arrests in 2018. Establishing pre-arrest diversion programs can help to further reduce juvenile arrests, especially for status offenses and misdemeanors which combined comprised about 70% of

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<sup>118</sup> Orange County, "Youth Guidance Center."

<sup>119</sup> Ibid.

<sup>120</sup> County of Orange, "Annual Budget FY 2019-20," 247.

<sup>121</sup> World Health Organization, "Mental Health and Prisons," 3.

<sup>122</sup> Mental Health America, "Position Statement."

<sup>123</sup> Ghaly, "Progress Report."

<sup>124</sup> Smith, "Mentally Ill Inmates."

all juvenile arrests in 2018. There is a growing body of evidence that initial involvement with the juvenile justice system both inhibits youth development and only increases the likelihood of further involvement with the system.<sup>125-126</sup> Working to keep youth out of the justice system will help improve public safety and save county resources.

Changes to policing and pretrial practices for adults can also help reduce the jail population, offsetting the need for jail expansion. Pre-arrest diversion programs are also very effective for adults, especially for those suffering from behavioral health issues,<sup>127-128</sup> and can help reduce the number of people booked into jail. In addition to reducing arrests, pretrial reform can help reduce the Orange County jail population. Our analysis found that in 2012, the Orange County jail population rate was 17% higher than the state's, despite having notably lower property and violent crime rates. About half of the people in Orange County jails are awaiting trial, most likely because they cannot afford bail. Investing in asset-based pretrial services can help dramatically reduce the pretrial jail population while maximizing court appearances and public safety.<sup>129</sup>

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<sup>125</sup> Jannetta, "Strategies for Reducing Criminal."

<sup>126</sup> Liberman, "Labeling Effects of First Juvenile Arrests," 345-70.

<sup>127</sup> PTACC, "About PTACC."

<sup>128</sup> LEAD, "Evaluations."

<sup>129</sup> Pretrial Justice Institute, "Smarter Pretrial for Justice Reform."

## VI. RECOMMENDATIONS

### **Stop the Expansion of Detention Facilities and Reduce the Scope of Costly Justice Systems**

- Stop the expansion of the Musick Facility and reinvest those dollars into community-based services, particularly for housing, mental health services and drug treatment;
- Stop the construction of the Multipurpose Rehabilitation Center (MRC) at Juvenile Hall, reinvest dollars in community-based youth development, diversion and re-entry services, and decrease the juvenile detention budget to match the drop in juvenile arrest and incarceration;
- Provide substance use treatment in community-based settings rather than detention facilities such as the Youth Guidance Center;
- End or dramatically reduce arrests for youth status offenses.

### **Invest in Community-based Alternatives for Community Health and Safety**

- Invest in community-based organizations (CBOs) as a viable, trusted, and local alternative infrastructure that increases safety through a spectrum of responses. This includes organizations in prevention, gang intervention and re-entry services. This strategy proactively promotes safety and prevents crime and violence, rather than only responding to it. CBOs, churches, behavioral health providers, reentry services, and permanent supportive housing are some examples of community-based services that address the root cause of crime and violence, while increasing safety for the long-term.
- Target communities most impacted by violence, including those impacted by the justice system, to redefine and reimagine what public safety looks like and how to achieve it. In order for public safety to improve, reframe how safety is talked about and addressed outside of law enforcement and how other organizations can and should play a role. Included in the narrative should be residents from neighborhoods most impacted by violence and service providers working in those communities.
- Invest in community-based gang intervention and outreach services. This includes developing more community-based capacity with standards of practice around rumor control, proactive peace building efforts, and mentorship for “at-risk” youth and active gang members of all ages so they can exit gang involvement. Such interventionists and supplemental organizations have built the trust necessary to work effectively in communities most impacted by gangs and violence. Leverage current GRIP and Orange County Re-Entry Partnership infrastructure and invest in local CBOs that can provide support and mentoring services for youth, families, and people returning home from incarceration.
- Launch and invest in community-based pre-arrest diversion programs for youth and adults, especially considering the high need for more mental health services among those in jail.

- Explore and implement alternatives to incarceration (particularly for those with behavioral health issues) and pretrial services to decrease the jail population and reinvest cost-savings into needed services.
- Invest in temporary and permanent supportive housing and increase access to drug treatment and mental health services.
- Probation should invest in local CBOs for rehabilitative services and coordinate with HCA for more strategic and efficient investments across public agencies.

### **Build Capacity for Community Based Organizations & Providers**

- Build and strengthen capacity and infrastructure of CBOs to receive more public agency contracts and referrals through ongoing technical assistance and training efforts. These include but are not limited to professional development, data collection and evaluation, contracts and reporting, shared accountability and communication protocols across agencies, and consistent convenings to improve relationships and communication.
- Develop shared goals and leverage existing community-based coalitions, collaboratives, and networks to coordinate implementation plans.
- Strengthen existing network of service providers to better communicate, coordinate and potentially collaborate to improve outcomes for Orange County's most vulnerable residents.
- Develop stronger communications and public grants portals for easier access to information on county contracts and to allow new CBOs to partner with local systems.
- Openly communicate with local CBOs to identify and address barriers to contracting with County agencies.

### **End the Collection of Criminal Justice Fees**

- Immediately forgive all outstanding fees levied on families for their children's past involvement with the juvenile justice system.
- Orange County should assess the true cost and benefit of levying fees for involvement in the criminal and juvenile justice systems, including the cost of phone calls or basic needs through jail and juvenile hall commissaries. This assessment should include:
  - The demographic and economic profile of those most affected by criminal justice fees, especially Probation fees for supervision. This assessment should include the specific impact on those who are homeless;
  - The collection rate of various fees, as well as the cost of collecting them as compared to revenues generated;
  - The negative collateral consequences of such fees on Orange County residents and their connection to further involvement with and use of criminal justice and healthcare systems.

- Discontinue collection of fees assessed for justice-involved adults, which should include ending probation-related fees, forgiving outstanding probation-related debt (public and private attempts to collect past debt), increasing free phone calls for incarcerated youth and adults, and collaborating among justice partners (such as OCSD, Probation, and the courts) and relevant county agencies to reduce or eliminate justice-related fines and fees whenever possible, including fees for classes and services.

### **Increase budget transparency and community inclusion**

- Create community councils to streamline coordination of public and private services (violence prevention, re-entry, etc.) to assure they are culturally competent and have a racial and economic equity lens.
- Hold an annual conference around collaborating with community-based providers that elevates residents and their experiences with service provision and the criminal justice system, highlights new and upcoming strategic partnerships, and gives updates on the county's system of integrated care across agencies.
- Institutionalize community councils for the oversight of budgets and programming, with meaningful representation from community members most impacted by the system in question (i.e. foster care, homeless services, criminal justice system, etc.), for built-in accountability and more equitable and effective allocation of government resources towards real solutions.
- Develop policies around mandatory resident and community-based provider input and involvement in budgetary decisions and priorities. Hold quarterly budget meetings with community-based providers and residents to provide relevant updates, as appropriate.
- Evaluate current grant policies and outcomes to ensure realistic and measurable expectations with community-based organizations that do not compromise the confidentiality, integrity, and delivery of services to clients and their families with sustained long-term trust and relationships.

## VII. CONCLUSION

While Orange County has historically been a place where people can build a safe and healthy life for themselves and their families, this dream has become a fleeting reality for a growing number of Orange County residents--especially low income people of color. Rents have outpaced wages, and the number of people sleeping in the streets has skyrocketed. Meanwhile, the justice system has seen a growing number of arrests for low-level crimes and violent crime has steadily increased.

Budget priorities do not seem to be in line with community needs. Budgets have largely grown for criminal justice responses, even in the HCA, who is tasked with treating the growing number of people in the Orange County jails with mental health issues. Investments seem focused on responding to issues of crime and poverty rather than preventing them through community-based systems of care rooted in the neighborhoods they serve.

Orange County needs a focused, community-led vision and strategy that aligns systems, policies, and practices to better address community needs. This strategy should leverage existing community-based capacity to re-align systemic investment into community-based safety alternatives. City public safety policies, that have been historically disconnected from communities, must reflect the experiences and voices of residents. Being community-centered in the development of new approaches can strengthen local infrastructures to be more responsive to residents who need help, and ultimately transform systems so that they are truly accountable to the people they serve. This report is intended to highlight new areas for effective investment as well as the critical need for community voice to create a safer and more just Orange County.



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## Appendix A - PRA Request by Agency

PRA Request Clarifications by Agency and Documents Received (August 2019)

Public Agency	PRA Request Clarifications	Documents Received
District Attorney	No edits or clarifications	Provided a copy of (1) MA contract with CBO Waymakers (formally known as Community Service Programs)
Probation	The department divided MOU requests under five category groups (i.e. OC Department of Education Contracts, MOUs with Private Non-profit Organizations) where we specifically requested the category "MOUs with Private Non-profit Organizations"	Provided an excel sheet - list of all active contracts and all MOUs documents for both active and inactive contracts
Sheriff	Clarification on what was meant by and how to identify "community-based organizations"	Provided (1) MOU document with Santa Ana Workforce Development Board) and (2) Excel sheet - listing MA of CBOs under search terms "education")
Health Care Agency	Edited recorded request to focus on MOUs with Private Non-profit Organizations by all service categories.	Provided a total of 4 excel format pdfs of contracts and Master Agreements with CBOs, broken down by year (2014-2019) Excel pdfs broken down by fiscal year with the exception of: 2016-2017

## Appendix B: OC District Attorney Master Agreement

Master Agreement between OC District Attorney and Waymakers, Inc. (July 1, 2016 to June 30, 2021)

Programs/Service	Details of Service Provided	Budget
Victim/Witness Assistance Program	Crisis intervention and subsequent mandatory and optional services	\$1,848,817
Restitution Services	Review of court referred cases	\$507,549
Witness Services	Coordinate courts appearances	\$437,769
Domestic Violence Assistance - Victim Services	Restraining order assistance and subsequent victim services	\$388,046
Child Dependency	Support services for the children	\$159,136
Unserved/Underserved Victim Advocacy & Outreach Services	24/7 crisis intervention and subsequent victim services	\$175,000
Violence Against Women Vertical Prosecution Program	Crisis intervention and subsequent victim services	\$17,793
GRIP Case Management Services	Case management services, prevention, and early intervention services	\$390,955
Victim Compensation Program	Provides reimbursement or payment from verified expenses incurred as a direct result of the crime	\$535,177
Human Trafficking Victim Advocacy Program	24/7 crisis intervention and subsequent victim services	\$138,880
	<b>Total</b>	<b>\$4,599,122</b>

## Appendix C: OC Probation Active Contracts

Active Contracts (as of August 2019) as Provided by OC Probation

Providers	Programs/Services	Financial commitment - Total contract	Date
North Orange County Rop	Vocational Training	\$2,153,100	9/2016-8/2019
Colette's Children Home Inc	Community Recidivism Grant, Transitional Housing	\$100,000	3/2016-12/2019
Five Points Sober Living	Community Recidivism Reduce Grant, Transitional Housing	\$60,000	3/2016-12/2019
Grandma's House Of Hope	Community Recidivism Reduce Grant, Transitional Housing	\$100,000	3/2016-12/2019
New Life Spirit Inc	Community Recidivism Reduce Grant, Transitional Housing	\$100,000	3/2016-12/2019
Phoenix House Orange County, Inc	Community Recidivism Grant, Transitional Housing	\$60,000	3/2016-12/2019
Straight Talk Clinic	Community Recidivism Reduce Grant, Transitional Housing	\$100,000	3/2016-12/2019
Taller San Jose Hope Builders	Community Recidivism Grant, Transitional Housing	\$60,000	3/2016-12/2019
The Cottages	Community Recidivism Reduce Grant, Transitional Housing	\$60,000	3/2016-12/2019
The Villa Center	Community Recidivism Reduce Grant, Transitional Housing	\$60,000	3/2016-12/2019
Padres Unidos	Parent Outreach, Support And Education Services	\$1,158,733	1/2016-1/2020
Boys & Girls Clubs Of Garden Grove	Parent Empower Prog - Pep	\$48,000	8/2017-7/2020
Pacific Youth Correctional Ministries & Catholic Detention Ministry			3/2001-8/2020
Boys & Girls Clubs Of Garden Grove	Truancy Prevention	\$214,935	1/2018-1/2021
Orange County Superintendent Of Schools	Assert, Step, Comtrans	\$2,039,571	7/2014-6/2020
Orange County Superintendent Of Schools	Community Reentry	\$1,127,525	7/2019-6/2020



Orange County Superintendent Of Schools	Drug, Alcohol, & Mental Health	\$3,072,731	7/2014-6/2020
Waymakers Gang Victim Services			10/2018-9/2021
Waymakers Sexual Assault Victim Services			9/2018-9/2021
Social Services Agency - Boy's Republic	Short-term Residential		1/2019-6/2021
Social Services Agency - California Family Life Center	Short-term Residential		4/2019-6/2021
Social Services Agency - Optimist Boys	Short-term Residential		1/2019-6/2021
Social Services Agency - Promesa	Short-term Residential		1/2019-6/2021
Social Services Agency - Starshine	Short-term Residential		1/2019-6/2021
Social Services Agency - Trinity	Short-term Residential		1/2019-6/2021
Cell Dogs, Inc Formerly - Pathways Of Hope	Paws		9/2016-8/2021

## Appendix D: OC Sheriff Contracts with Community Based Organizations

Master Agreement Documents Report as provided by OC Sheriff's Department

Provider	Program/Services	Date
California Dept. of Education	MA is for California Department of Education Invoice Payment	9/2013-8/2014
Paster Training Inc.	Purchase Servsafe Educational Materials, Text Books,	12/2013-11/2014
Regents of the University of California at Irvine	Pathology Education, Training and Service	2/2010-2/2015
California Dept. of Education	MA is for California Department of Education Invoice Payment	9/2014-8/2015
Paster Training Inc.	Purchase Servsafe Educational Materials, Text Books	12/2014-11/2015
Rancho Santiago Community College District	Continuing Education Classes/Rancho Santiago Comm College	7/2010-6/2016
Rancho Santiago Community College District	Vocational Education Programs/Rancho Santiago Comm College	7/2010-6/2016
California Dept. of Education	MA is for California Department of Education Invoice Payment	9/2015-8/2016
Paster Training Inc.	Purchase Servsafe Educational Materials, Text Books	12/2015-11/2016
Regents of the University of California at Irvine	Pathology Education, Training And Service	2/2015-2/2020
Rancho Santiago Community College District	Continuing Education Classes/Rancho Santiago Comm College	7/2016-6/2021
Orange County Development Board/ Santa Ana Workforce Development Board	Workforce Development	6/2016-6/2019