San Joaquin County
Office of the
District Attorney

2020 Data Report

Tori Verber Salazar,
San Joaquin County District Attorney
Dear members of the San Joaquin County community:

During an unprecedented year, the San Joaquin County District Attorney's Office has remained steadfast in its commitment to enhancing safety, justice, and helping victims heal from harm. This data report provides an opportunity for the community to review our progress and for my office to reflect, learn, and grow. It tells a story about what kinds of cases are referred to the office, how cases are charged, and what we are doing to support victims of crime.

Data and findings from this report are primarily derived from our case management system, as well as additional program specific reports and monitoring tools. Cases typically begin when an officer makes an arrest or issues a citation and refers it to my office for a charging decision. Once a case is referred, experienced prosecutors review the case to determine if there is sufficient evidence to file charges with the court. Cases may be filed as a misdemeanor or as a felony, which are used to describe the gravity of the charge and the extent to which the courts can impose fees, fines, time in custody, or other conditions.

The data report provides a comprehensive review of the types of cases referred and charged, where cases come from, and who is impacted, either as a defendant or a victim of a crime. The report also examines case trends in San Joaquin County over time. Key findings of the report include:

- In 2020, the overall number of cases referred and filed dropped significantly. Case referrals dropped 13% from 2019 to 2020, and case filings dropped 21%.
- Of the cases that were filed, felonies made up a larger proportion than in the past. Felonies made up 36% of filings in 2020, compared to 28% over the prior five years.

A primary responsibility of my office is to support victims of crime. In 2020, the San Joaquin County Victim-Witness Program served 14,000 individuals impacted by crime. This report gives us more information about how victims are impacted and insight into the areas needed for additional prevention work, specifically:
Over the past eight years, the proportion of crimes with an identified victim increased from 41% to 53%. Further, nearly 20% of cases filed in 2020 had more than one victim listed in the police report.

The majority of victims knew the defendant, with 34% of victims in an intimate relationship with the defendant. Males accounted for 79% of defendants while 59% of victims were female.

Crime prevention is key to community safety, and an expanding body of research shows that early and consistent interventions are often more effective at reducing future reoffending than periods of incarceration for youth and low-level offenders. A past criminal conviction also undermines successful reentry by limiting employment and housing prospects. Lack of employment and housing are primary drivers of recidivism and homelessness. For these reasons, my office is working with community partners to address the root causes of crime and has launched innovative diversion and record clearing programs for youth and low-level offenders.

In 2020 there were 1,310 juvenile bookings and citations. The DA's Office has worked extensively with the Probation Department to ensure that youth will only be brought into the juvenile justice system when they have high rehabilitative need. As a result, less than half (49%) of youth arrested, booked, or cited for a criminal offense had their cases filed for prosecution.

The DA's Office has cleared, reduced or dismissed over 40,000 low level drug convictions and warrants under legislation enabled through Propositions 47 and 64.

There's no excuse for violence, but trends suggest the COVID-19 pandemic has taken extreme physical and psychological tolls on our communities that are driving violent crime nationwide. As a result, homicides increased in many major cities in 2020, and our community was not immune from this trend. In spite of the increases we saw in homicides this past year, crime rates remain at historic lows. My office is actively working with our law enforcement partners and the community on violence reduction strategies, and those that harm others will be held accountable. Your safety and well-being is my top priority.

I would like to thank the dedicated members of the San Joaquin County District Attorney's Office and our law enforcement partners throughout the county for their continued commitment and dedication in these most difficult and trying times. I am grateful to serve as your District Attorney and I look forward to continuing to work with and for our community.
Mission Statement
The mission of the San Joaquin County District Attorney’s Office is our community: We are dedicated to upholding a healthy, fair and just society. We are committed to leading San Joaquin County by education, prevention, investigation, prosecution and rehabilitation, as provided by law, with justice for all.

About the Office
The DA’s Office has a staff of over 280 employees comprised of attorneys, investigators, and support personnel located in downtown Stockton, the Juvenile Justice Center in French Camp, and within branches of the Superior Court in Lodi and Manteca.

Our Work
We are dedicated to safeguarding the community from those who seek to do it harm. The following units are tasked with not only educating the public, but investigating and prosecuting crimes to the fullest extent possible:

- Family Justice Center
- Victim-Witness Program
- Mainline Criminal Division
- Vertical Prosecution Division
- Bureau of Investigations
- Quality of Life Division
- Special Operations Division
SJC District Attorney
2020 Data Report

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Between January and December 2020, over 24,000 cases were referred by local law enforcement agencies and reviewed by the DA’s Office.

Case referrals are roughly proportionate to the size of the source city population. The City of Stockton, which has 41% of the county’s population, accounts for 44% of case referrals.

Of the cases referred, 13,804 were filed with the courts. Typically, about one-third of all cases referred for review are declined for charging (8,675), often due to a lack of evidence.

Some cases referred during 2020 remained under review (decision pending) into 2021 without a filing decision. This is typical for complex cases, such as those involving multiple parties or requiring further investigation.

About half (53%) of cases referred have a victim, as is shown on the following page.

*Note: Criminal case filings account for the majority of cases reviewed. Other types of cases including warrants, civil crimes and juvenile filings.
Cases Referred for Prosecution 2020

B. CASES WITH AT LEAST ONE IDENTIFIED VICTIM*: 12,678

*These numbers represent the count of cases with at least one identified victim, not the total number of victims harmed by crime. For example, a case with multiple victims is only counted once.
Cases Filed for Prosecution 2020

A. ALL CASES FILED: 13,804

**Misdemeanor v. Felony**
- Misdemeanors: 63%
- Felonies: 36%
- Infractions: 1%

**Types of Cases Filed**
- Violent Crimes: 11%
- Domestic or Other Family Violence: 15%
- Possession Crimes (Weapons or Drugs): 17%
- Property Crimes (Burglaries & Theft): 18%
- Driving Crimes (Including DUIs): 21%
- Miscellaneous: 18%

Once a case is referred to the DA's Office a prosecutor will review the case file and related documents to determine if there is sufficient justification to file charges with the court. Criminal charges may be filed as felonies, misdemeanors, or infractions. Almost two-thirds of all charges filed are for lower level, misdemeanor offenses. Infractions are filed in limited instances, such as for certain low level driving or vehicle-related offenses. Most infractions (or citations) are directly filed by police with the court and not handled by the DA’s Office.

Property crimes (including burglaries or theft), illegal weapons or drugs, and domestic violence are among the most frequently charged crimes in San Joaquin County and represent the greatest proportion of cases filed overall. Driving under the influence (DUI) accounts for the majority of driving-related crimes and 15% of all charged offenses.
About half of all cases that have charges filed with the courts (6,811) include a report of an identified victim.

This figure is under-representative of the actual number of victims harmed by crime and violence in 2020. In some instances there are multiple victims, in others the victim may be missing from the report or has declined to be named in the case.

Many crimes also have secondary victims, including those that witnessed the event and those that experienced collateral harm as a result of the crime.

The DA’s Office provides a range of services and support for all victims and witnesses to help them through the process of finding justice and healing. Those that have witnessed or experienced harm are encouraged to contact us for assistance and information about the resources and compensation available for victims of crime.
Demographic Summary 2020

A. VICTIMS OF CRIME

The proportion of crimes that have an individual identified as the victim has increased from 41% to 53% in the past eight years. Further, nearly 20% of cases filed in 2020 had more than one victim listed on the crime report.

Victims often know the person that has caused them harm. In 2020, the majority of victims knew the defendant; either through an intimate relationship (34%) or as a friend, family member or acquaintance (19%).

The race/ethnicity data for victims show that crime impacts all racial and ethnic groups. However, males are much more likely to be defendants (79%) and females are more likely to be victims (59%).
Demographic Summary 2020

B. DEFENDANTS CHARGED

Case Referrals and Charges Filed

<table>
<thead>
<tr>
<th>Gender</th>
<th>Average Age</th>
<th>Cases Referred</th>
<th>Charges Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>79% Male</td>
<td>35 years old</td>
<td>24,068</td>
<td>13,804</td>
</tr>
</tbody>
</table>

2020 County Population: 773,632
Cases Referred: 24,068
Charges Filed: 13,804

ChargesFiled by Race/Ethnicity

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Cases Declined</th>
<th>Charges Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>36%</td>
<td>40%</td>
</tr>
<tr>
<td>White</td>
<td>38%</td>
<td>28%</td>
</tr>
<tr>
<td>Black</td>
<td>22%</td>
<td>24%</td>
</tr>
<tr>
<td>Asian</td>
<td>6%</td>
<td>6%</td>
</tr>
<tr>
<td>Other*</td>
<td>4%</td>
<td>4%</td>
</tr>
</tbody>
</table>

Cases Referred: 24,068
ChargesFiled: 13,804

As indicated by the charts to the left, the DA’s Office does not file criminal charges on every case referred by law enforcement. Cases are declined for several different reasons including the lack of evidence, lack of participation of victims or witnesses, or other reasons having to do with serving the best interest of justice.

Data show that there are differences between the racial and ethnic makeup of the county and the proportion of cases referred and those charged or declined.

Black defendants made up 24% of case referrals in 2020 while representing 7% of the total county population. Referrals involving Black defendants were declined for prosecution at a rate of 45%, which was higher than any other race/ethnicity that was tracked.

* As used here, “Other” includes people who are Native American, of one or more race/ethnicity, or had a race/ethnicity other than one of those listed above. Native Americans comprised less than 0.005% of the defendant population.

County population data source, CA Department of Finance: [https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/](https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/).
**Victim-Witness Program 2020**

A. SERVICES AND ASSISTANCE PROVIDED

<table>
<thead>
<tr>
<th>Service</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Contact, Information, Assessment of Needs</td>
<td>29,852</td>
</tr>
<tr>
<td>Assistance Navigating the Criminal Justice Processes</td>
<td>17,047</td>
</tr>
<tr>
<td>Emotional Support and Safety Planning</td>
<td>1,947</td>
</tr>
<tr>
<td>Other Comprehensive Services and Supports</td>
<td>2,025</td>
</tr>
</tbody>
</table>

*Most clients receive multiple services and are accompanied through any court hearings.

**Victim Compensation and Restitution 2020**

Total Amount: $2,463,500

- Compensation (Received): $1,617,500
- Restitution (Ordered): $846,000

The Victim-Witness Program provides a variety of services for crime victims and witnesses to make their experience with the criminal justice system less traumatic and easier to understand. This involves assistance during the investigation and court proceedings, and assistance in filing claims for compensation through the California Victim Compensation Program.

In 2020, nearly 14,000 victims of crime received support and assistance, including:
- 6,039 new victims and associated family members seeking support and assistance; and
- 7,913 victims of crimes from prior years that continued to receive help in 2020.

Of the victims identified, most (75%) receive compensation through the State of California's Victim Compensation Fund. Restitution was ordered as well for some victims. Payments of restitution are managed and tracked by the courts as part of the judgement rendered.
Victim-Witness Program 2020

B. NEW AND CONTINUING VICTIMS SERVED: 13,952

Type of Victimization

<table>
<thead>
<tr>
<th>Type of Victimization</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
<td>38%</td>
</tr>
<tr>
<td>Sexual Abuse / Assault / Stalking</td>
<td>16%</td>
</tr>
<tr>
<td>Child Abuse, Neglect, Sexual Assault</td>
<td>15%</td>
</tr>
<tr>
<td>Shootings and Homicides</td>
<td>12%</td>
</tr>
<tr>
<td>Elder Abuse</td>
<td>4%</td>
</tr>
<tr>
<td>Vehicular Manslaughter or DUI</td>
<td>4%</td>
</tr>
<tr>
<td>Robbery or Burglary</td>
<td>3%</td>
</tr>
<tr>
<td>Other or two or more victimizations*</td>
<td>8%</td>
</tr>
</tbody>
</table>

Profile of Victim’s Served by the Program

- Hispanic / Latino: 43%
- Black / African American: 19%
- White: 24%
- Asian: 5%
- Other: 9%

Victim-Witness services are available daily, 365 days a year, including emergency responses late into the evening.

The majority of people served through the Victim-Witness program are women (74%), many of whom are working to overcome the trauma and harm of domestic violence (38%).

Victims may be of any age and come from all walks of life. Victims of elder abuse account for 4% of those served, minor children 17%.

Many victims stay engaged with the DA’s Office for multiple years. Court cases for very serious crimes, such as homicide, usually take a year or more to carry through the justice system.

The DA’s Office supports victims through the entire process, and is committed to providing healing and support for victims as long as needed.

*Other types of victimization include arson, kidnapping, human trafficking, and other types of harm.
**Special DA Programs**

**A. FAMILY JUSTICE CENTER SERVICES AND SUPPORTS**

### Classes*

<table>
<thead>
<tr>
<th>Human Trafficking</th>
<th>Adult Education</th>
<th>Wellness Classes</th>
<th>Support Groups for Survivors</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Prevention and Education Sessions</em></td>
<td><em>High School Diploma</em></td>
<td><em>Art Therapy</em></td>
<td><em>Domestic Violence</em></td>
</tr>
<tr>
<td><em>Ending the Game</em></td>
<td></td>
<td><em>Cooking Up Hope</em></td>
<td><em>Sexual Assault</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Living Well</em></td>
<td><em>Human Trafficking</em></td>
</tr>
</tbody>
</table>

### Partners

- **Child Abuse Prevention Council (CAPC):** Provides on-site childcare and counseling services for children who have experienced trauma.
- **Community Medical Centers (CMC):** Medical, dental, and substance abuse assistance for victims.
- **LilyPad Living:** Offers transitional housing for victims of domestic violence.
- **SJC Department of Child Support Services (DCSS):** Assist with opening and reviewing child support cases.
- **County Office of Education:** Provides on-site/Virtual Come Back Kid Program – where adults can earn their high school diploma and the Parent Project a course for parents with kids ages 10-18 (now offered virtually).
- **Stockton Police Department (SPD):** Patrol officers or detectives from Family Crimes Unit meet with victims who want to make a crime report.
- **Women’s Center Youth and Family Services (WCYFS):** Assists with restraining order applications, counseling, emergency shelter, and court accompaniment. Also facilitates the Ending the Game Program for victims of human trafficking.
- **Chest of Hope:** Provides shelter and transitional housing for victims as well as counseling (located in Tracy).

*All classes moved to virtual in 2020 due to COVID*
Introducing the newest member of the DA's Office: Meet Nala, a trained therapy dog who provides support and comfort to those visiting our Family Justice Center.

The Family Justice Center provides services to any victim of domestic violence, child & elder abuse, and human trafficking - regardless of whether a crime report has been made. FJC case managers and resource specialists help victims create a plan to stay safe and put resources, such as housing, food, clothing, and child care in place to help victims of harm find safety and stability.

The Victim-Witness Program advocates guide a victim, victim’s family, or witness through the complexities of the criminal justice system and help them understand what is happening with their case. Advocates remain connected to the victim for the duration of the case and provide caring support throughout the process.
A. RATES OF CASES DECLINED AND FILED

Overall, 13% fewer cases were referred to the DA’s Office in 2020, as compared to 2019. This is consistent with patterns in other jurisdictions during this unprecedented year which show an overall drop in crime, while simultaneously experiencing a troubling spike in some very violent crimes.

However, relative to all case referrals from 2013 onward, the 2020 referrals were only slightly lower than typical. Indeed, 2019 case referrals stand out as an abnormally high spike in an otherwise relatively steady case referral rate between 2013-2020.

The DA’s Office declined a slightly greater amount of cases referred in 2020, compared to prior years. Emergency state guidelines on arraignments and use of custody settings during the COVID-19 pandemic may be factors in the declination rates.

It remains to be seen if either 2019 or 2020 case referrals or charging patterns were outliers or a signal of changing trends. Data from 2021 will be helpful in answering the question.

Percentages for 2020 are projections based on current data trends. Actual rates of cases declined vs. filed for 2020 will be available next year as more investigations conclude.
Data show that misdemeanor cases have historically accounted for the majority of cases filed and prosecuted by the DA’s Office. For the five year period prior to 2020 (2015-2019), 72% of charged offenses were filed as misdemeanors. In 2020, a greater proportion of the cases filed were felonies than has occurred in the past; 36%, compared to a 5-year historic average of 28%.

The 2020 data is still preliminary as not all cases referred in 2020 have been finalized as of this report writing. The effects of the COVID-19 pandemic remains a defining factor of the past year and may explain why in 2020: (1) there were fewer cases referred and filed and (2) more of the cases filed were for felonies.

Data from this coming year will be helpful in determining if 2020 figures reflect an emerging trend or are a one-time anomaly related to an unprecedented time.

Percentages for 2020 are projections based on current data trends. Actual rates of cases filed in 2020 and the proportion of those that are felonies vs. misdemeanors will be available in 2021, as more investigations conclude.
Misdemeanor crimes are defined by California law and are punishable by up to one year in a county jail and may result in certain fines, fees, or other conditions. Driving-related crimes and domestic or other family violence account for half (50%) of all misdemeanor cases. Data show that there are higher rates of misdemeanor case referrals for Black members of the community compared to the overall proportion of Black individuals in the community. Black defendants make up 24% of cases referred, despite comprising 7% of the total population. 2020 data also show differences in filing rates, meaning the rate at which charges are either filed with the courts or declined for prosecution. Decline rates are higher for cases with Black defendants (45%) as compared to Asians, for whom about one-third of cases are declined.
Felony crimes are also defined by California law and a guilty verdict or plea may result in more severe punishments, including incarceration in state prison.

Seventy percent (70%) of felony related cases referred for review by law enforcement are charged, compared to 58% of misdemeanor cases.

The largest majority of felony crimes are property-related, such as theft or burglary, and the illegal possession of weapons or drugs.

Felony level drug charges indicate an intention to illegally manufacture, sell, or distribute drugs. The investigation and prosecution of felony weapons and drug charges is critical to eliminating the drivers of crime and violence in our community.

Felony Defendant Demographics

<table>
<thead>
<tr>
<th>Gender</th>
<th>Average Age</th>
<th>2020 County Population</th>
<th>Cases Referred</th>
<th>Charges Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>82% Male</td>
<td>34 years old</td>
<td>773,630</td>
<td>6,974</td>
<td>4,877</td>
</tr>
<tr>
<td>Hispanic</td>
<td>41%</td>
<td>38%</td>
<td>39%</td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>33%</td>
<td>27%</td>
<td>28%</td>
<td></td>
</tr>
<tr>
<td>Black</td>
<td>7%</td>
<td>26%</td>
<td>23%</td>
<td></td>
</tr>
<tr>
<td>Asian</td>
<td>17%</td>
<td>6%</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Other*</td>
<td>2%</td>
<td>3%</td>
<td>3%</td>
<td></td>
</tr>
</tbody>
</table>

* As used here, “Other” includes, people who are Native American, of one or more race/ethnicity, or had a race/ethnicity other than one of those listed above. Native Americans comprised less than 0.005% of the defendant population.
Domestic and Family Violence 2020

A. DOMESTIC VIOLENCE (ADULT)

Domestic violence, also known as intimate partner violence, accounts for 14% of the cases filed by the District Attorney’s Office. Of these, most are misdemeanor cases.

Domestic violence occurs in every community. The victims harmed and served by our programs include all members of our community: LGBTQI+, women, men, teens or young adults, immigrants and disabled populations. Fear or stigma associated with reporting harm and seeking assistance remains an issue to address at the community level.

San Joaquin County District Attorney’s Office is committed to helping those harmed by violence in their homes find safety and justice.

If you or someone you know is experiencing domestic violence, please contact one of our victim advocates for assistance at:
(209) 468-2500.
A police report is not required for assistance.
Domestic and Family Violence 2020

B. CHILD AND ELDER ABUSE

The DA's Office filed 280 child abuse cases, 107 child sexual assault cases, and 168 cases of elder or dependent adult abuse in 2020. Of these, 54% of the child abuse cases and 43% of the elder abuse cases were filed as felonies. The rate at which child and elder abuse cases are filed as a felony is somewhat higher for these types of charges than for other types of crime in general.

The DA's Office works in partnership with the San Joaquin County Children's Services and the Aging and Community Services Divisions to make sure that resources are put in place to support victims of harm and, if feasible, strengthen the family unit.

To report Child Abuse call (209) 468-1333. To report Elder or Dependent Adult Abuse call (209) 468-3780.
The number of people killed by intentional violence rose sharply in 2020, after years of declining homicide rates. This finding mirrors increases experienced by many cities during 2020.

The DA’s Office is collaborating with local law enforcement agencies to address the rise in violence. Prosecutors meet weekly with local law enforcement partners to review and strategize responses to shooting incidents and other violence in the community.

The partnership also works to prevent violence via Operation Ceasefire and the Peacekeepers program. Intelligence is used to identify individuals whose actions and/or affiliations signal a potential risk for either perpetrating, or being a victim, of a violent crime. Once identified, community-based partners engage and provide interventions with the goal of preventing and deterring violence.

For further information about the Peacekeepers Program, contact the City of Stockton Office of Violence Prevention. (209) 937-8880
Homicide and Vehicular Crimes 2020

B. DUI AND VEHICULAR CRIMES

Vehicle crimes account for 21% of all cases filed in San Joaquin County. The number of driving-related cases filed in 2020 is similar to the cases filed in 2019, meaning that the COVID-19 pandemic had no appreciable impact on reducing the number of driving-related crimes occurring in the community.

First-time DUI and other driving-related offenses come with steep fines and penalties (such as the suspension of a driver’s license) and often result in jail time and/or probation.

Individuals who are repeat offenders, and who return to court with a second DUI citation, will receive jail time and may be referred to the DUI court for mandatory judicial supervision, monitoring, drug and alcohol testing, and treatment programming, in addition to the above mentioned consequences.
A. IDENTITY THEFT

How to Prevent Identity Theft

- Never give out your personal information over the telephone to a caller.
- Do not leave your purse, wallet or any documents with personal identifying information unattended in your vehicle.
- Shred all documents and cards containing your personal identifying information.
- Do not use public WIFI services (like at a Starbucks or McDonald's).
- Lock your credit with all credit reporting agencies.

Visit Us to Learn More

- Identity theft prevention
- Red Flags for identity theft
- How to lock your credit
- What to do if you think you are a victim of identity theft

For more tips on identity theft and fraud see: SJGov.org/DA

The Quality of Life Division deals with a class of crime that affects the right of each member of the community to live with dignity and integrity, whether directly, as a victim, or indirectly, as a result of the occurrence of the crime, including:

- Identity Theft
- Auto Theft
- Real Estate Fraud
- Auto Insurance Fraud
- Worker’s Compensation Fraud
- Environmental Protection
- Consumer Fraud

Its focus is the effective prosecution of those who violate laws that protect and promote the quality of life of San Joaquin County.

Prosecutors may also work with county and state agencies to ensure businesses and individuals are notified of violations and understand how they can take corrective measures to remain in compliance with rules and regulations.

* Some identity theft investigations reveal dozens of victims targeted by the crime. The DA's Office works with all victims to help restore financial credit and recover assets obtained through identity theft.
Quality of Life Crimes 2020

B. ENVIRONMENTAL AND CONSUMER CRIMES

Cases in Progress:
Investigations: 99
Open & Filed: 22

Settlements Obtained:
Total Number: 17
Amount: $995,131
(Note: Court hearings for civil cases were suspended from March through June due to COVID)

Cases Filed: 385
Cases Closed: 179

ID theft and consumer related crimes such as illegal sales of regulated items accounted for 34% of the charges filed by the Quality of Life Division in 2020.
The DA’s Office works daily with the Probation Department to ensure that only youth with high rehabilitative needs are brought into the juvenile justice system. As a result, over the last several years, less than half (49%) of youth who are arrested, booked, or cited for a criminal offense have their cases (petitions) filed for prosecution; and of these the majority (70%) are for felony level charges.

For those not referred to the DA’s Office, Probation may close the case at intake, assign informal supervision, or provide other programming or services.

Youth on informal probation may be assigned a specially trained probation officer, social worker, or referred for community based case management and mentoring.
Project Navigate Constructive Change (PNCC) is a coordinated restorative justice program that provides structured alternatives to sentencing.

PNCC offers rehabilitative and restorative programming for juvenile and young adult defendants with a goal of reducing their likelihood of re-offending and increasing their capacity to be productive members of society. Eligible clients enroll in PNCC as an alternative to standard court proceedings.

PNCC provides intensive programming, case management, mentoring and navigation, vocational training, community/victim restoration, and family strengthening. Clients meet with their mentors weekly and are required to complete rigorous classes addressing behaviors and/or past trauma. The overall goal is a reduction in crime and an increase in public safety.

Following successful program completion charges may be reduced or dismissed altogether.

"Matched sample members were more likely than PNCC graduates to have subsequent convictions."
- Bright Research Group, Evaluation Team
21st Century Prosecution Approach
A. BUILDING A FAIR AND JUST CRIMINAL JUSTICE SYSTEM

Systemic Challenges
The Judicial Council of California reports that of all cases in 2017, 19.5% included Black defendants, despite making up just 5.7% of the State's population.

The differences between the race/ethnicity of defendants in San Joaquin County compared to the proportion of Black individuals in our communities is troubling.

The filing of a case is driven by arrests. In 45 of California's counties, the arrest rate of Black community members is at least double the arrest rate for White individuals, according to an October 2019 study by the Public Policy Institute of California.

There are many reasons why arrest rates are higher for some Americans than others, and much research is focused in this direction. Reasons commonly cited are historic disenfranchisement, discrimination, and over policing in specific neighborhoods.

Building Justice
There is growing national recognition that these differences contribute to how people perceive and trust the criminal justice system. Levels of trust may also impact the extent to which people reach out to the justice system when they have been harmed or are in need of assistance.

The DA's Office is committed to the provision of a fair and equal justice system that meets the needs of the community and has established several different committees to help address the issue (see box at right).

Data is reviewed to ensure that charging and prosecution patterns meet expectations. The Justice for All Committee reviews this data to inform internal trainings and form practice guidelines.

The Reducing Racial and Ethnic Disparities Committee is also working to address disproportionate rates of contact through the various key decision points in the Juvenile Justice System.

Addressing Justice within the DA's Office
- **Justice for All Committee:** Meets monthly with a goal of standardizing practices for how cases are reviewed, charged, and processed and to review any discrepancies in case referrals.
- **Restorative Justice and Diversion Committee:** Meets monthly to review the operations of restorative justice and diversion programs with a goal of expanding programming associated with alternatives to traditional prosecution.
- **Reducing Racial and Ethnic Disparities Committee:** (Led by Probation) Meets monthly with a goal of reducing disparities within the juvenile justice system by increasing use of trauma informed, culturally responsive, and positive youth development oriented practices.
- **Advocacy:** Works with state legislators to ensure that the rules regulating how the criminal justice system works promotes fairness and reduces bias.

Sources:
## 21st Century Prosecution Approach
### B. ALTERNATIVES TO TRADITIONAL PROSECUTION

#### What?

Prosecution is changing in response to new advances in technology and programs that can monitor eligible participants in the community and get people the help they need so that they can stay out of trouble.

New prosecution strategies are placing a greater emphasis on mental health and substance abuse treatment programs for low level criminal offenders who do not pose a risk to the community.

For youth and young adults, programs that offer mentoring and job training are showing promise at reducing recidivism.

#### Why?

A criminal record has life-long consequences that may exceed the severity of the crime. These can impact a person’s ability to get into college or the military, get a job or a loan, or find housing.

For others, including those with mental illnesses, treatment programs are more effective at reducing future offending than incarceration alone.

The DA’s Office believes in the smart use of public dollars. Where traditional prosecution will be more costly and less effective at reducing crime and improving safety, other alternatives to holding a person accountable are considered.

#### How?

The DA’s Office works in partnership with local law enforcement, the Public Defender’s Office, and Probation to identify individuals who are suitable candidates for diversion programs.

Comprehensive case plans are developed following an assessment by trained behavioral health professionals and submitted for approved to the courts.

Social workers, case managers, and mental health clinicians then work with clients to achieve plan goals.

Completion of the program includes the defendant taking responsibility for their choices and acknowledging the harm done to others.

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### Law Enforcement Assisted Diversion

- Partnership with Stockton Police and County Behavioral Health Services.
- Deflects chronically homeless individuals who repeatedly violate codes and ordinances into treatment with Community Medical Centers.
- 41 clients served in 2020.
- 77% found housing through the program.

### Project Navigate Constructive Change

- Partnership with County Probation Department, Behavioral Health Services, Public Defender and local non-profit organizations.
- Diverts young adults with low-level offenses into programming instead of pursuing a conviction.
- 48 clients currently enrolled.
- 120 graduates since 2016.
- 85% were not convicted of a subsequent crime, two-years post programming.
This report is the culmination of a series of roundtable discussions held in the summer of 2020 with dozens of community members. The DA’s Office extends its appreciation to the dedicated youth and community leaders who took time to share their experiences and provided the impetus for this report. These discussions and listening sessions will continue as we learn more about different expectations and use data to measure how well the justice system is meeting community needs. Thank you for your insight.

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