

## Monthly ABI09 Jail Survey Frequently Asked Questions

### Section A: Penal Code Section 1170(h)

1. Does data element A1 include both straight sentences and split sentences?  
Yes. The value for the reporting month includes offenders with both straight and split sentences. No matter what the length of custody time is on the split sentence, count the individual in this category.
2. Are parolees with a PC1170(h) sentence included in data element A1?  
No. State parolees, who are sentenced on any new local charge including PC1170(h) sentences, are reported in data element C4.
3. If a probation officer revokes a probationer with a mandatory supervision revocation sentence, which was previously reported as a split sentence, should this now be reported in data element A1?  
No. If a probationer is being booked to serve the remainder of their time on a sentence previously reported, the recommitment should not be reported in data element A1.
4. Why are the number of sentenced PC1170(h) offenders reported by the sheriff's department and the probation department different?  
In some cases, the differences in the combined number of straight and split sentences reported by probation departments and the number of PC1170(h) sentences reported by sheriff's departments are different for a reporting month. The reported numbers may be different because PC1170(h) offenders may be sentenced to jail one month but report to jail in a different month. It is recommended that sheriff's departments and probation departments work together in reporting PC1170(h) sentences.
5. Are all PC1170(h) offenders counted in data elements A2 and A3?  
No. Count only PC1170(h) offenders who are released to alternative custody programs (A2) and PC1170(h) offenders returned to custody due to program failures (A3). PC1170(h) offenders released to alternative custody programs (A2) would have been counted in data element A1 for the current month or a previous reporting month. PC1170(h) offenders returned to custody due to program failures (A3) would have been counted in data element A2 for the current month or a previous reporting month. As a data check, the cumulative value of A2 should be less than A1 and the cumulative value of A3 should be less than A2.

### Section B: Post-Release Community Supervision

6. If a Post-Release Community Supervision (PRCS) offender is booked twice in the same month on a flash incarceration, are they counted twice for data element B1?  
Yes. Like all the survey questions, we are considering the number of instances where a flash incarceration occurs.
7. Does data element B4 include PRCS offenders with or without local charges?  
If a PRCS offender is booked on a probation violation *only*, they are counted in data element B2. When the PRCS offender receives jail time or found time served at their revocation hearing, they are counted in data element B4 whether or not this occurs during the same month they were booked. If a PRCS offender is booked on new local charges

and/or the case is dropped, to the extent possible, they should be counted in data element B4 after their revocation hearing.

8. For data element B4, are PRCS offenders serving time as a result of revocation hearings counted each month they are in custody?

No. We are looking for numbers of instances where this occurs. Therefore, count the PRCS offenders once in the month of the hearing and do not count them in subsequent months.

9. Are PRCS offenders serving time on a waiver, not necessarily a revocation hearing, counted in data element B4?

Yes. Since the waiver serves the same purpose as a revocation hearing, this number should be included in data element B4.

10. Should PRCS offenders who are released time served the same day of their revocation hearings be counted in data element B4?

Yes. They were sentenced and served a portion of their time that month.

### **Section C: State Parolees – Penal Code Section 3056**

*(Note: As of July 1, 2013, data related to parolees who are now charged under Penal Code Section 3000.08 should be entered the same as you would have if the parolee was charged with Penal Code Section 3056.)*

11. Are parole violators booked on a foreign (out-of-county) warrant, not a new local offense, counted within data element C1?

Yes. Disregard out-of-county warrants as new offenses. They should be counted within data element C1 as a parole violation only and then in data element C2 after the revocation hearing. The assumption is a parolee will move to the warrant-issuing county either at the conclusion of the revocation or with a detainer. Upon arrival, the warrant-issuing county will count the parolee in data element C3.

12. For data element C2, are parolees serving revocation time as a result of revocation hearings counted each month they are in custody?

No. We are looking for numbers of instances where this occurs. Therefore, count parolees once in the hearing month and do not count them in subsequent months.

13. Should state parole violators who are released time served the same day of their revocation hearings be counted in data element C2?

Yes. They were sentenced and served a portion of their time that month.

14. For data element C2, should a parolee released from custody the same day or the next on a population capacity order be counted in this section after a revocation or revocation hearing waiver?

Yes. We are collecting data on the number of revocations combined for the month where parolees are given time to serve as a result. If a parolee is released because of crowding, this number should be reported on the BSCC Monthly Jail Profile Survey at question H3, the "Total number of sentenced inmates released early **DUE TO LACK OF HOUSING CAPACITY.**"

15. If a parolee is booked with new local charges and the parole hold is later removed, is the inmate counted in data element C3 only?

Yes.

16. Once the parole hold is removed, should we care what happens with the local charges?  
Yes. There is still an impact to your system, regardless of whether or not an individual still has a parole hold on them, as there is a parolee who is now spending time in a county jail instead of a state prison. To the extent possible, they should be counted in data element C4.
17. If a parolee is booked with new local charges that are later dropped or there is a failure to file, is the parolee counted in data element C3 in the reporting month?  
Yes.
18. If a parolee is booked on a parole violation only and local charges are later added, are they counted in data element C1 or data element C3?  
If this occurs in the same month, to the extent possible, count the parolee in data element C3. If the charge is added the following month or even later, to the extent possible, add them in data element C3 for the month the charge is added.
19. A parolee is booked with a parole violation and local charges, and later sentenced to state prison, county prison, probation, or a rehabilitation program. Is the parolee counted in data element C4 because they are sentenced to 'jail time'?  
For data element C4, the term 'jail time' refers to sentenced time spent in county jail *only* (county jail is synonymous with 'county prison'), not in state prison, probation, or a rehabilitation program.
20. If a parolee is booked with new local charges which are later dropped or there is a failure to file, is the parolee counted in data element C2 if the parolee is sentenced on violation after a hearing?  
Yes, to the extent possible, count the parolee in data element C2. These are considered occurrence instances; double counting is not a concern here.
21. For data element C4, are parolees serving sentences counted each month they are in custody?  
No. We are looking for numbers of instances where this occurs. Therefore, count the parolee once in the month they are sentenced and do not count them in subsequent months.
22. If a parolee is booked with local charges in one month and sentenced on those charges in another month, are they counted in data element C3 for the month of booking and data element C4 in the month of sentencing?  
Yes.
23. For data elements C3 and C4, are only parole violators with a PC1170(h) charge or sentence counted?  
No. Include any state parolees with any new local charges or new local sentences. This includes, but is not limited to, PC1170(h) charges and sentences.
24. If a parolee is booked with local charges, sentenced on the parole violation, and then released before sentencing on the local charges, do we still need to track them?  
*Example: A parolee is booked with local charges in January (C3), sentenced to 180 days on PC3056, that sentence is time served before sentencing on local charges. They are released early after time served on PC3056; do we still need to track their local charges sentencing?*  
Only if the parolee returns to custody sentenced like a remand and to the extent possible. In this instance, you would count them in data element C4 (not in data element C1) when they come back in; that is, if it is possible to now identify them as a parolee.