



# Community Custody Terms: Violations and Sanctions

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## 2023 Report to the Legislature

*As required by [RCW 72.09.312](#)*

August 2023

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This Department of Corrections report to the Legislature is directed by [RCW 72.09.312](#) and contains information on violations of community custody conditions and the sanctions imposed for violations under [RCW 9.941A.737](#).

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# Community Custody Terms: Violation Sanctions

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*2023 Report to the Legislature*

## **Foreword**

*“The department shall track and collect data and information on violations of community custody conditions and the sanctions imposed for violations under [RCW 9.94A.737](#), which includes, but is not limited to, the following:*

*(a) The number and types of high-level violations and the types of sanctions imposed, including term lengths for confinement sanctions;*

*(b) The number and types of low-level violations and the types of sanctions imposed, including nonconfinement sanctions, confinement sanctions, and term lengths for confinement sanctions;*

*(c) The circumstances and frequency at which low level violations are elevated to high level violations under [RCW 9.94A.737\(2\)\(b\)](#);*

*(d) The number of warrants issued for violations;*

*(e) The number of violations resulting in confinement under [RCW 9.94A.737\(5\)](#), including the length of the confinement, the number of times new charges are filed, and the number of times the department received written notice that new charges would not be filed;*

*(f) Trends in the rate of violations, including the rate of all violations, high level violations, and low-level violations; and*

*(g) Trends in the rate of confinement, including frequency of confinement sanctions and average stays.*

*The department shall submit a report with a summary of the data and information collected under this section, including statewide and regional trends, to the governor and appropriate committees of the legislature by November 1, 2021, and every November 1st of each year thereafter.”*

[RCW 72.09.312](#)

## Executive Summary

Research has indicated that the certainty of a sanction for a community custody violation and the swiftness with which it is applied has greater influence to change behavior than the severity of a sanction. Substitute House Bill 2417 (2020) allowed for sanctions to be selected from a range of options, giving staff the ability to identify the most appropriate response to:

- Target identified risk or need areas;
- Limit disruption to prosocial activities/influences (e.g., employment, programming, treatment);
- Address criminogenic need through a meaningful and impactful sanction; and
- Choose sanctions commensurate with the behavior.

In fiscal year (FY) 2023 (July 1, 2022, through June 30, 2023), there were 23,145 violations with approximately 46 percent categorized as high-level and 54 percent categorized as low-level. Approximately 99 percent of high-level violations and 21 percent of low-level violations resulted in a confinement sanction. The remaining violations were addressed with a nonconfinement sanction, such as a structured thinking report.

The goal of the shift from a rigid standardized response to an individual's violation behavior was to influence positive behavior change more effectively, however the backlog of criminal proceedings in the courts as a result of the COVID-19 pandemic has shaped the makeup of the population on department supervision during FY 2023. Additionally, the department launched a new approach to community supervision known as iCoach (Individualized Community Oriented Accountability Collaborative Help) late in the fiscal year, which changed the rate of contact for many supervised individuals in the first few months following their release and created a greater emphasis on coaching and trauma-informed support for all individuals on supervision. These changes may limit the conclusions that can be drawn from the data provided in this report.

## Background

Community custody is the portion of a person's criminal sentence served in the community under the supervision of the Department of Corrections (DOC) following, or in lieu of, a term of confinement in a state correctional facility or local jail. The term of community custody is ordered by the courts and varies based on the crime of conviction. In community custody, a person is subject to conditions imposed by both the court and the department and, in some cases, the Indeterminate Sentencing Review Board (ISRB). If a person violates those conditions, they may be subject to sanctions.

In 2012, "swift and certain" (SAC) sanctions were developed for individuals who violate conditions of release. These sanctions are imposed immediately and may include brief confinement in lieu of long-term confinement. Under SHB 2417, the department must classify types of violations as "low-level" or "high-level" and establish rules for considering aggravating and mitigating factors when imposing a sanction.<sup>1</sup>

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<sup>1</sup> Aggravating factors are circumstances that raise the severity of a low-level violation behavior sufficiently to warrant a high-level sanction. Mitigating factors are circumstances that lessen the severity of a high-level violation behavior sufficiently to warrant a low-level sanction. Approved aggravating and mitigating factors are listed in departmental policy DOC 460.130 Responding to Violations and New Criminal Activity and its attached Behavior Accountability Guide.

In 2020, the legislature also amended the swift and certain (SAC) statute to: allow for nonconfinement sanctions for low-level violations; remove the requirement that the sixth or subsequent low-level violation be subject to a sanction of up to 30 days in jail or revocation/return to confinement; and modify the requirement for holding an individual who commits a new crime while on supervision for one of 21 underlying felony offenses.

A low-level violation may be sanctioned with either a nonconfinement sanction or up to three days confinement. A high-level violation may be sanctioned with up to 30 days in jail or revocation/return to confinement, subject to a hearing.

The Community Corrections Division supports the department's mission of improving public safety by positively changing lives. The method by which the department supervises individuals in the community has continued to evolve over time – lean budgets, public policy changes, rigorous research, advancement of the social sciences and critical incidents in the community have shaped what community-based corrections looks like today.

## iCoach

In March 2023, the department launched a new approach to supervision of individuals in the community called iCoach, which stands for Individualized Community Oriented Accountability Collaborative Help. This approach consists of two models, informed by research which shows that access to services within the first 90-120 days following release increases an individual's success in the community and that outcomes are more positive when supervision includes supportive coaching and trauma-informed practices.

iCoach's Community Reintegration Supervision Model frontloads programs, resources, and services to support reentry for individuals released from a prison or reentry center without the support of another reentry service.<sup>2</sup> This includes pre-release planning support and additional contact with a Community Corrections Officer (CCO) for the first 90 days post-release. This increased contact support is also provided to supervised individuals for 30 days following release from a confinement sanction for a high-level community custody violation.

To enhance reentry success in the community, iCoach's Enhanced Supervision Model provides all supervised individuals with coaching, advocacy, and assistance in accessing services throughout the course of their supervision. Case management approaches and support functions are tailored to meet the identified needs of each individual. CCOs have also been trained in providing trauma-informed service so they can recognize a supervised individual's trauma and the related impacts, and make referrals to appropriate support, treatment, and resources.

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<sup>2</sup> Other reentry services include Graduated Reentry (GRE), Community Parenting Alternative (CPA), and Strength in Families (SIF).

## Swift-and-Certain Sanctions by Region<sup>3</sup>

Tracking data and identifying trends pertaining to individuals who violate the conditions of their community supervision have been particularly challenging due to the complexities of DOC's violator process, ongoing changes in policies and processes, and data limitations.

Attachment A outlines, in response to requirements (1) (a) and (b), the SAC sanctions imposed in response to community supervision violations. For FY 2023 (July 1, 2022, through June 30, 2023), there were 23,145 violation sanctions, with approximately 46 percent categorized as high-level and 54 percent categorized as low-level.

Sanctions are listed as low-level when all the violations addressed in the response are low, or when all high-level violations addressed have been mitigated. Sanctions are listed as high-level when one or more violations addressed is high, or when all violations addressed are low, but the sanction is based on aggravating factors that indicate the person may present a current and ongoing foreseeable risk. In FY 2023, about three percent (3 %) of the high-level sanctions were based on aggravating factors for low-level violations.

Sanctions resulting in incarceration, whether at local jail or DOC facility, are categorized as confinement.<sup>4</sup> All other violation responses are categorized as nonconfinement. These include sanctions that result in only nonconfinement sanctions and incidents in which all alleged violations were dismissed or resulted in a "Not Guilty" or "No Probable Cause" determination at a department hearing. For individuals supervised in Washington state under the Interstate Compact, sanctions that result in the individual being returned to their sentencing state are also categorized as nonconfinement.

Attachment B shows, in response to requirement (1) (f), the percentage of the SAC-eligible community supervision population that violated each month and the associated sanctions, by region, for FY 2023. During the reporting period, on average, approximately eight percent (8 %) of SAC-supervised individuals had one or more high-level violations, approximately eight percent (8 %) had one or more low-level violations, and less than one percent (1 %) had both high-level and low-level violations in a given month.

For context, Attachment C shows the average monthly field population and SAC eligibility, by region, for FY 2023.

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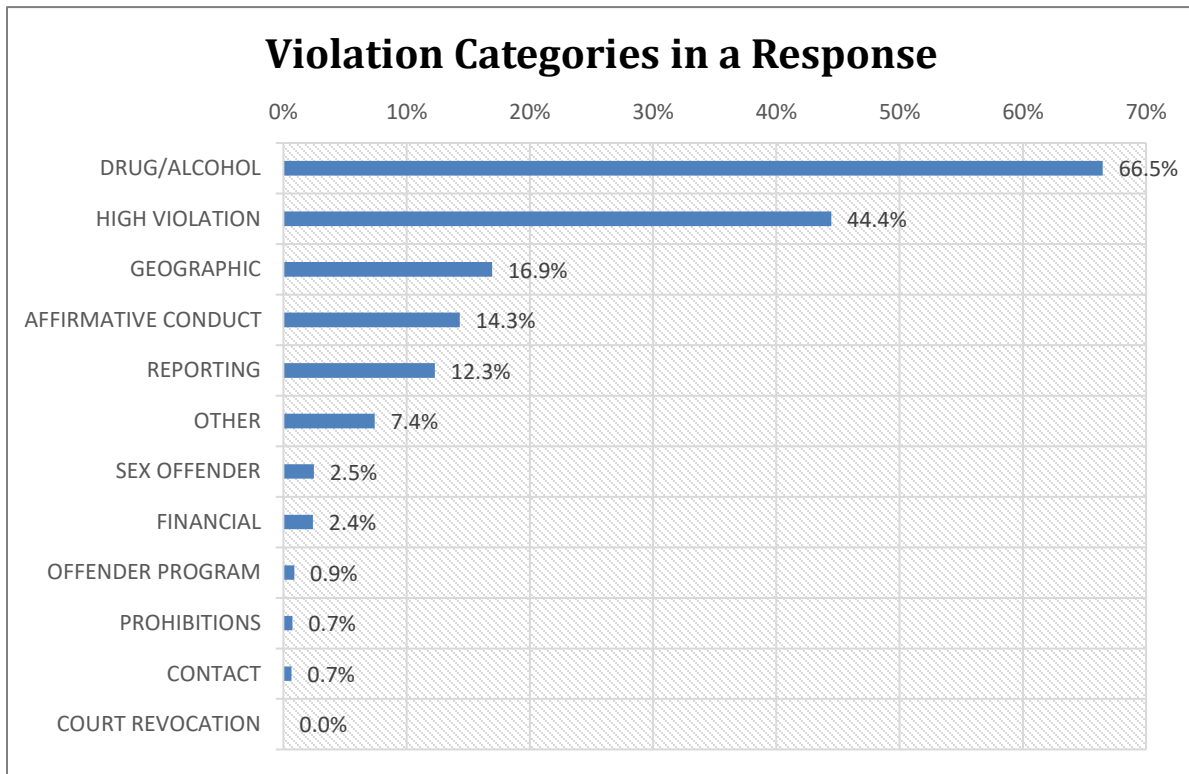
<sup>3</sup> Region reflects the department's three operating regions for Community Corrections: East, Northwest (NW), and Southwest (SW). East Region includes Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties. NW Region includes Clallam, Island, Jefferson, King, San Juan, Skagit, Snohomish, and Whatcom counties. SW Region includes Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum counties.

<sup>4</sup> Categorization of confinement and nonconfinement sanctions was adjusted this year to reflect the following sanctions as confinement: revocations, terminations, and sanctions to zero days confinement (Why is zero days of confinement categorized as confinement?) It was discovered this review period that prior reports showed Hearings with non-confinement sanction outcomes, however the outcomes as documented in our OMNI system were categorized as confinement sanctions of zero days confinement. This is consistent with policy, as Hearings Officers can only impose confinement as a sanction at a hearing. or credit for time served.

## Violation Categories

The chart below shows, in response to requirements of RCW 72.09.312(1) (a) and (b), the violations addressed in fiscal year 2023 by violation type. The violation categories overlap, as there can be multiple violations addressed in a single sanction. The percentages were calculated by dividing the number of sanctions in a given violation category by the total number of sanctions in fiscal year 2023.

All high-level violations behaviors are reflected in the “high violation” category. These are for violations listed in the “[Behavior Accountability Guide \(Attachment 1\)](#)” of departmental policy [DOC 460.130 Responding to Violations and New Criminal Activity](#).



The remaining violation categories reflect low-level violation behaviors:

- “Drug/Alcohol” includes violations relating to prohibited substances, such as use/possession of controlled substances, interfering with the testing process, and failing to enter into or comply with related treatment.
- “Geographic” includes violations where an individual enters prohibited locations/establishments or makes unauthorized changes in residence or employment.

- “Affirmative conduct” includes new criminal law violations<sup>5</sup> as well as failing to initiate or complete programming or treatment.
- “Reporting” violations include failure to report to the CCO, as well as absconding from community supervision after the sanction was mitigated per departmental policy.
- “Sex Offender” includes violations relating to conditions specific to individuals on supervision for a sex offense, such as failure to register or failure to comply with polygraph requirements or geographic restrictions.
- “Financial” violations include non-payment of legal financial obligations or cost of supervision fees.
- “Offender Program” includes violations for failing to complete or participate in required programming.
- “Prohibitions” includes violations for prohibited acts such as possessing drug/gang paraphernalia or taking unauthorized actions when CCO approval is required.
- “Contact” includes prohibited contact violations.
- “Other” captures various violations that do not align with the other violation categories, such as failing to complete original jail time, and violations that are unique to certain populations or responses, such as facility rule violations occurring while an individual is in confinement for a previous matter.

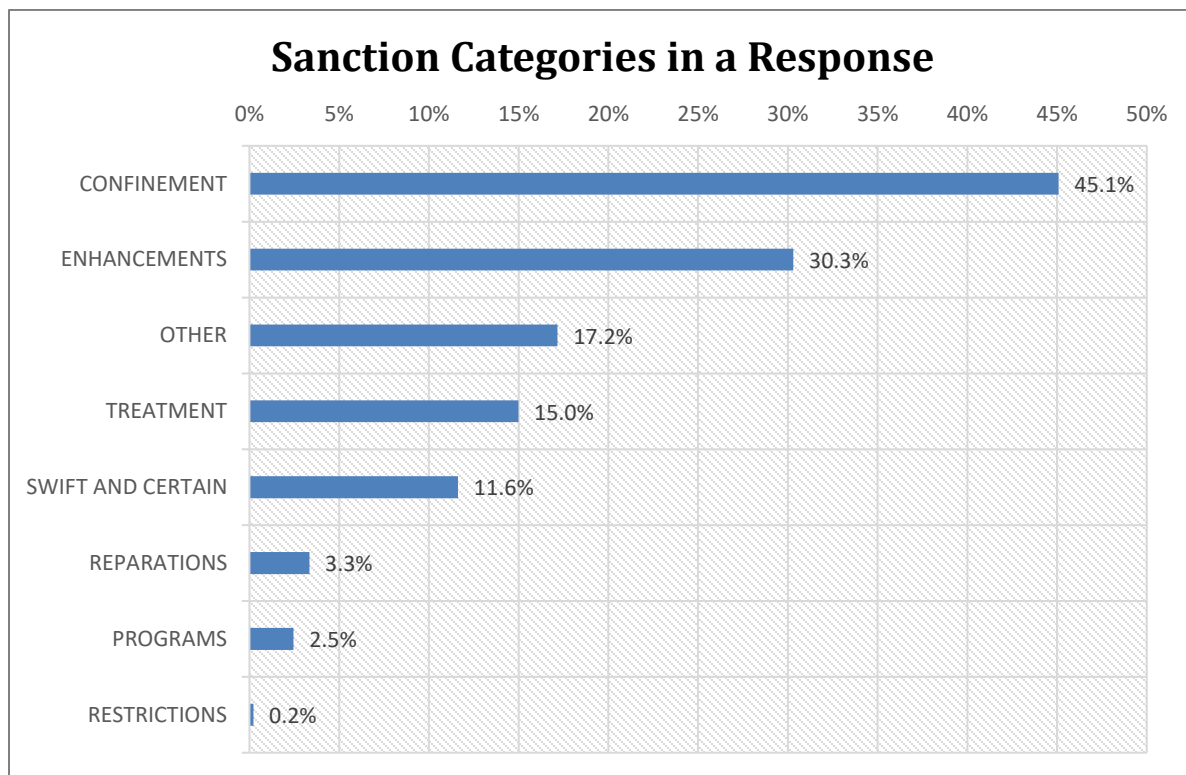
### SAC Sanction Categories

The chart below, in response to requirements of RCW 72.09.312 (1) (a) and (b), shows the SAC sanction categories for fiscal year 2023. The sanction categories overlap, as there may be more than one sanction imposed if the violation is addressed through a low-level process and nonconfinement sanctions. The percentages were calculated by dividing the number of sanctions in a given category by the total number of sanctions.

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<sup>5</sup> Excludes new criminal law violations for individuals on supervision for one of 21 underlying offenses listed in the SAC statute. New criminal law violations for that population are reflected in the “high violation” percentage, as the SAC statute specifies that those violations must be addressed through a high-level violation process.





There are two categories for confinement sanctions:

- “Confinement” represents total confinement in a jail or DOC facility of up to 15 days, imposed by a hearing officer in the department’s Hearing Unit, which operates outside the Community Corrections Division. The sanction is imposed for a high-level or low-level violation with aggravating factors.
- “Swift and certain” represents total confinement in a jail or DOC facility of up to three days. The sanction is imposed for a low-level or mitigated high-level violation, imposed by a CCO as approved by a community corrections supervisor (CCS).

The remaining categories are nonconfinement sanctions for low-level or mitigated high-level violation sanctions:

- “Enhancement” sanctions constitute additional supervision requirements, such as increased reporting, urinalysis/breathalyzer testing and structured thinking reports.
- “Treatment” sanctions include requiring an evaluation for treatment (e.g., substance use disorder, domestic violence, mental health, anger management, etc.).
- “Reparations” include service-oriented sanctions like work crew, community service, or participation in a victim or DUI panel. Restrictions include curfew and travel/geographic restrictions.
- “Programs” sanctions include referrals for employment or educational programming, participating in a sober support group, or scheduling cognitive behavior interventions or other programming.
- “Other” includes various sanction options unique to certain populations or responses, such as facility sanctions for violations occurring while an individual is in confinement for a previous matter, as well as instances when no sanction is imposed.

## Confinement Sanctions

Confinement is the only sanction imposed for high-level violations and remains a sanction option for low-level violations as well and represented the highest percentage of sanctions imposed overall.

RCW 9.94A.737 allows a confinement sanction of up to 30 days per violation for high-level violations, however departmental policy was revised in July 2021 to reduce the maximum confinement sanction for high-level violations from 30 days to 15 days. This change was made pursuant to the legislatively approved budget, ESSB 5092, which required the agency to employ mitigation strategies to reduce the costs of community custody sanctions. Confinement sanctions for low-level violation processes may not exceed three days.

In fiscal year 2023, 45.1 percent of all violation sanctions resulted in confinement. As noted previously, approximately 99 percent of high-level violations resulted in a confinement sanction. Approximately 21 percent of low-level violations resulted in a confinement sanction.

The table below details, in further response to requirements (1) (a) and (b), the average number of confinement days sanctioned each month, by region.

| REGION           | 2022        |             |             |            |             |             | 2023        |             |             |             |             |             | Average     |
|------------------|-------------|-------------|-------------|------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
|                  | Jul         | Aug         | Sep         | Oct        | Nov         | Dec         | Jan         | Feb         | Mar         | Apr         | May         | Jun         |             |
| EAST REGION      | 10.4        | 10.5        | 10.0        | 9.6        | 10.4        | 10.0        | 10.3        | 9.9         | 9.7         | 10.9        | 10.0        | 10.1        | 10.2        |
| NW REGION        | 10.3        | 11.1        | 10.8        | 9.8        | 10.8        | 9.9         | 10.7        | 10.6        | 10.3        | 10.2        | 10.5        | 9.6         | 10.4        |
| SW REGION        | 10.5        | 10.0        | 10.3        | 9.6        | 9.7         | 10.0        | 9.9         | 10.0        | 10.6        | 9.9         | 9.8         | 10.3        | 10.0        |
| <b>STATEWIDE</b> | <b>10.4</b> | <b>10.5</b> | <b>10.4</b> | <b>9.7</b> | <b>10.3</b> | <b>10.0</b> | <b>10.3</b> | <b>10.2</b> | <b>10.2</b> | <b>10.3</b> | <b>10.1</b> | <b>10.0</b> | <b>10.2</b> |

## Nonconfinement Sanctions

A list of approved nonconfinement sanctions were added to departmental policy [DOC 460.130 Response to Violations and New Criminal Activity](#) as part of the implementation of the amendments to the SAC statute. Additional sanction options can be approved by a CCS.

Common nonconfinement sanctions generally include daily reporting, increased urinalysis (UA)/breathalyzer (BA) testing and assignment to work crew or community service. However, during the reporting period, nonconfinement sanction options that limited in-person contact between staff and supervised individuals per COVID protocols continued to be common as well, such as writing a structured thinking report.

## Elevated Violations

Prior to the 2020 amendment of the SAC statute, once an individual committed and was sanctioned for five low-level violations, all subsequent low-level violations were to be addressed as high-level violations and subject to a confinement sanction of up to 30 days unless mitigated, per departmental policy. The statute no longer requires a high-level response for these subsequent violations, though it allows the sanction to be elevated to high-level as outlined in departmental policy. Pursuant to the requirement in ESSB 5092 that the agency employ mitigation strategies to reduce sanction costs, the maximum confinement sanction for these elevated high-level violations was reduced in July 2021 from 30 days to 15 days.

Per the SAC statute, the department established three new aggravating factors to consider when elevating a low-level violation to a high-level violation for individuals with five prior violations:

- Ongoing refusal to comply with case plan;
- Refusal to comply with prior interventions to address the violation behavior; and
- Posing a significant risk to public safety while failing to comply with a departmental directive.

The table below shows, in response to requirement RCW 72.09.312 (1) (c), the frequency at which low-level violations were elevated using one of these approved aggravating factors.

| <b>Elevating Factor</b>  | <b>Count</b> | <b>Percent of Total High-Level Responses</b> |
|--|--------------|--|
| Ongoing Refusal to Comply with Case Plan   | 111          | 0.5%   |
| Refusal to Comply with Prior Interventions to Address the Violation Behavior                   | 65           | 0.3%   |
| Posing a Significant Risk to Public Safety While Failing to Comply with a Department Directive | 10           | <0.1%  |
| <b>Total</b>   | <b>186</b>   | <b>0.8%</b>                                  |

## Warrants Issued for Violations

The table below shows, in response to requirement RCW 72.09.312 (1) (d), DOC warrants issued for violations in FY 2023, by region, for the SAC-eligible population, along with some additional populations as noted below.

| REGION             | WARRANT-DETAINER                    | COUNT         |
|--------------------|-------------------------------------|---------------|
| EAST REGION        | CCI ESCAPE                          | 1             |
|                    | COMMUNITY CUSTODY FAILURE TO REPORT | 4,437         |
|                    | MCC FAILURE TO REPORT               | 26            |
|                    | <b>EAST REGION Total</b>            | <b>4,464</b>  |
| NW REGION          | COMMUNITY CUSTODY FAILURE TO REPORT | 4,081         |
|                    | MCC FAILURE TO REPORT               | 299           |
|                    | <b>NW REGION Total</b>              | <b>4,380</b>  |
| SW REGION          | CCI ESCAPE                          | 1             |
|                    | COMMUNITY CUSTODY FAILURE TO REPORT | 4,703         |
|                    | MCC FAILURE TO REPORT               | 156           |
|                    | <b>SW REGION Total</b>              | <b>4,860</b>  |
| <b>Grand Total</b> |                                     | <b>13,704</b> |

“CCI escape” represents DOC warrants entered for community custody inmate (CCI) cases that began before SAC was implemented. Upon apprehension, the related violations are addressed as high-level violations in a departmental violation hearing.

“MCC failure to report” represents DOC warrants that were issued for both SAC-eligible misdemeanor community custody (MCC) cases.

Apprehending supervised individuals with an active warrant often involves a collaborative effort between the department and local law enforcement. For supervised individuals who are known to pose a high risk to public safety, a referral is made to the department’s Community Response Unit (CRU) for assistance in locating and arresting the individual. CRU is comprised of teams of specialists, several of whom are assigned to a U.S. Marshals Service (USMS) task force. The primary mission of the USMS is to investigate and arrest, as part of joint law enforcement operations, individuals who have active warrants for their arrest.

## Underlying 21 Offenses

[RCW 9.94A.737\(5\)](#) requires a heightened response to violations that constitute a new crime for individuals with certain underlying felony convictions listed in the statute, often referred to as the “underlying 21” or “U21” offenses. In these instances, the individual must be held in total confinement pending the sanction hearing and remain there until the sanction expires or the prosecuting attorney files charges or notifies the department in writing that charges will not be filed, whichever occurs first.

During the reporting period, in response to requirement RCW 72.09.312(1)(e), no individuals with a specified underlying felony conviction had a violation for allegedly committing a new crime and requiring the sanction outlined in RCW 9.9A.737(5).

## Attachment A

The table below shows SAC sanctions imposed for violations in fiscal year 2023 (July 1, 2022, through June 30, 2023), and is responsive to requirement RCW 72.09.312(1) (a) and (b).

| REGION             | RESPONSE TYPE            | HIGH LEVEL    |                 |               | LOW LEVEL    |                 |               | Grand Total   |
|--------------------|--------------------------|---------------|-----------------|---------------|--------------|-----------------|---------------|---------------|
|                    |                          | CONFINEMENT   | NON-CONFINEMENT | TOTAL         | CONFINEMENT  | NON-CONFINEMENT | TOTAL         |               |
| EAST REGION        | LOW LEVEL HEARING        | 588           | 22              | 610           | 793          | 21              | 814           | 814           |
|                    | NEGOTIATED SANCTION      | 2,856         | 4               | 2,860         |              |                 |               | 610           |
|                    | STIPULATED AGREEMENT     |               |                 |               |              | 4,207           | 4,207         | 2,860         |
|                    | <b>EAST REGION Total</b> | <b>3,444</b>  | <b>26</b>       | <b>3,470</b>  | <b>793</b>   | <b>4,228</b>    | <b>5,021</b>  | <b>8,491</b>  |
| NW REGION          | LOW LEVEL HEARING        | 919           | 25              | 944           | 791          | 18              | 809           | 809           |
|                    | NEGOTIATED SANCTION      | 2,405         | 5               | 2,410         |              |                 |               | 944           |
|                    | STIPULATED AGREEMENT     |               |                 |               |              | 2,553           | 2,553         | 2,410         |
|                    | <b>NW REGION Total</b>   | <b>3,324</b>  | <b>30</b>       | <b>3,354</b>  | <b>791</b>   | <b>2,571</b>    | <b>3,362</b>  | <b>6,716</b>  |
| SW REGION          | LOW LEVEL HEARING        | 640           | 45              | 685           | 1,093        | 31              | 1,124         | 1,124         |
|                    | NEGOTIATED SANCTION      | 2,916         | 18              | 2,934         |              |                 |               | 685           |
|                    | STIPULATED AGREEMENT     |               |                 |               |              | 3,060           | 3,059         | 2,934         |
|                    | <b>SW REGION Total</b>   | <b>3,556</b>  | <b>63</b>       | <b>3,619</b>  | <b>1,093</b> | <b>3,091</b>    | <b>4,184</b>  | <b>7,803</b>  |
| OTHER              | LOW LEVEL HEARING        | 117           |                 | 117           | 6            |                 | 6             | 6             |
|                    | NEGOTIATED SANCTION      | 11            |                 | 11            |              |                 |               | 117           |
|                    | STIPULATED AGREEMENT     |               |                 |               |              | 1               | 1             | 11            |
|                    | <b>OTHER Total</b>       | <b>128</b>    |                 | <b>128</b>    | <b>6</b>     | <b>1</b>        | <b>7</b>      | <b>135</b>    |
| <b>Grand Total</b> |                          | <b>10,452</b> | <b>119</b>      | <b>10,571</b> | <b>2,683</b> | <b>9,891</b>    | <b>12,574</b> | <b>23,145</b> |

## Attachment B

The table below shows the percentage of the SAC eligible community supervision population that violated each month and the associated sanction, by region for fiscal year 2023 (July 1, 2022, through June 30, 2023). This is responsive to requirement RCW 72.09.312(1)(f).

| REGION      | RESPONSE LEVEL  | 2022  |       |       |       |       |       | 2023  |       |       |       |       |       | Average |
|-------------|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------|
|             |                 | Jul   | Aug   | Sep   | Oct   | Nov   | Dec   | Jan   | Feb   | Mar   | Apr   | May   | Jun   |         |
| EAST REGION | HIGH-LEVEL ONLY | 6.6%  | 8.2%  | 6.7%  | 7.5%  | 7.3%  | 6.0%  | 7.2%  | 6.9%  | 7.8%  | 7.3%  | 8.4%  | 8.1%  | 7.4%    |
|             | LOW LEVEL ONLY  | 9.7%  | 9.4%  | 10.2% | 10.2% | 10.0% | 8.9%  | 10.3% | 8.3%  | 9.7%  | 9.6%  | 10.3% | 11.2% | 9.8%    |
|             | BOTH            | 0.6%  | 0.8%  | 0.6%  | 0.7%  | 0.6%  | 0.8%  | 0.8%  | 0.8%  | 0.7%  | 0.9%  | 1.0%  | 0.7%  | 0.8%    |
|             | NO RESPONSE     | 83.2% | 81.6% | 82.5% | 81.5% | 82.1% | 84.2% | 81.6% | 84.0% | 81.8% | 82.2% | 80.3% | 79.9% | 82.0%   |
| NW REGION   | HIGH-LEVEL ONLY | 8.9%  | 8.7%  | 8.6%  | 8.2%  | 8.8%  | 7.2%  | 9.5%  | 8.0%  | 8.8%  | 8.6%  | 8.5%  | 8.4%  | 8.5%    |
|             | LOW LEVEL ONLY  | 8.1%  | 8.1%  | 7.8%  | 7.5%  | 6.3%  | 7.9%  | 7.5%  | 6.4%  | 7.7%  | 7.4%  | 8.4%  | 8.3%  | 7.6%    |
|             | BOTH            | 0.7%  | 0.8%  | 0.7%  | 1.1%  | 0.7%  | 0.9%  | 0.6%  | 0.7%  | 0.7%  | 0.8%  | 1.1%  | 0.9%  | 0.8%    |
|             | NO RESPONSE     | 82.2% | 82.4% | 82.8% | 83.2% | 84.2% | 84.0% | 82.4% | 84.9% | 82.8% | 83.1% | 82.1% | 82.4% | 83.0%   |
| SW REGION   | HIGH-LEVEL ONLY | 7.2%  | 8.4%  | 8.0%  | 7.5%  | 6.8%  | 6.7%  | 7.1%  | 7.0%  | 8.4%  | 7.3%  | 8.1%  | 7.9%  | 7.5%    |
|             | LOW LEVEL ONLY  | 7.3%  | 8.0%  | 7.5%  | 8.4%  | 8.3%  | 7.9%  | 7.9%  | 7.7%  | 7.3%  | 7.0%  | 7.8%  | 6.9%  | 7.7%    |
|             | BOTH            | 0.4%  | 0.7%  | 0.5%  | 0.7%  | 0.4%  | 0.8%  | 0.8%  | 0.8%  | 0.9%  | 0.8%  | 0.8%  | 0.8%  | 0.7%    |
|             | NO RESPONSE     | 85.0% | 83.0% | 84.0% | 83.5% | 84.4% | 84.6% | 84.2% | 84.5% | 83.4% | 84.9% | 83.3% | 84.4% | 84.1%   |
| STATEWIDE   | HIGH-LEVEL ONLY | 7.5%  | 8.4%  | 7.8%  | 7.7%  | 7.6%  | 6.6%  | 7.9%  | 7.2%  | 8.3%  | 7.7%  | 8.3%  | 8.1%  | 7.8%    |
|             | LOW LEVEL ONLY  | 8.4%  | 8.5%  | 8.5%  | 8.8%  | 8.3%  | 8.3%  | 8.6%  | 7.5%  | 8.3%  | 8.0%  | 8.8%  | 8.8%  | 8.4%    |
|             | BOTH            | 0.6%  | 0.8%  | 0.6%  | 0.8%  | 0.6%  | 0.8%  | 0.7%  | 0.8%  | 0.8%  | 0.8%  | 1.0%  | 0.8%  | 0.8%    |
|             | NO RESPONSE     | 83.6% | 82.3% | 83.1% | 82.7% | 83.6% | 84.3% | 82.8% | 84.5% | 82.6% | 83.4% | 81.9% | 82.2% | 83.1%   |

## Attachment C

The table below shows the average monthly community custody population<sup>6</sup> and SAC eligibility, by region for fiscal year 2023 (July 1, 2022, through June 30, 2023). “SAC” is the SAC eligible population covered by this report and includes individuals with only SAC eligible causes; all other individuals are included in “Other”.

| REGION      | RESPONSE LEVEL           | 2022          |               |               |               |               |               | 2023          |               |               |               |               |               | Average       |
|-------------|--------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
|             |                          | Jul           | Aug           | Sep           | Oct           | Nov           | Dec           | Jan           | Feb           | Mar           | Apr           | May           | Jun           |               |
| EAST REGION | SAC                      | 3,188         | 3,187         | 3,206         | 3,195         | 3,207         | 3,197         | 3,201         | 3,212         | 3,319         | 3,359         | 3,404         | 3,462         | 3,261         |
|             | Other                    | 817           | 840           | 858           | 867           | 866           | 876           | 889           | 883           | 887           | 892           | 937           | 961           | 881           |
|             | <b>EAST REGION Total</b> | <b>4,005</b>  | <b>4,027</b>  | <b>4,064</b>  | <b>4,062</b>  | <b>4,073</b>  | <b>4,073</b>  | <b>4,090</b>  | <b>4,095</b>  | <b>4,206</b>  | <b>4,251</b>  | <b>4,341</b>  | <b>4,423</b>  | <b>4,143</b>  |
| NW REGION   | SAC                      | 2,998         | 2,950         | 2,858         | 2,809         | 2,802         | 2,759         | 2,748         | 2,724         | 2,750         | 2,772         | 2,802         | 2,795         | 2,814         |
|             | Other                    | 1,058         | 1,084         | 1,087         | 1,090         | 1,098         | 1,095         | 1,106         | 1,119         | 1,138         | 1,145         | 1,167         | 1,165         | 1,113         |
|             | <b>NW REGION Total</b>   | <b>4,056</b>  | <b>4,034</b>  | <b>3,945</b>  | <b>3,899</b>  | <b>3,900</b>  | <b>3,854</b>  | <b>3,854</b>  | <b>3,843</b>  | <b>3,888</b>  | <b>3,917</b>  | <b>3,969</b>  | <b>3,960</b>  | <b>3,927</b>  |
| SW REGION   | SAC                      | 3,553         | 3,568         | 3,543         | 3,500         | 3,514         | 3,447         | 3,440         | 3,396         | 3,447         | 3,421         | 3,433         | 3,493         | 3,480         |
|             | Other                    | 1,295         | 1,289         | 1,312         | 1,328         | 1,330         | 1,352         | 1,350         | 1,366         | 1,368         | 1,370         | 1,383         | 1,382         | 1,344         |
|             | <b>SW REGION Total</b>   | <b>4,848</b>  | <b>4,857</b>  | <b>4,855</b>  | <b>4,828</b>  | <b>4,844</b>  | <b>4,799</b>  | <b>4,790</b>  | <b>4,762</b>  | <b>4,815</b>  | <b>4,791</b>  | <b>4,816</b>  | <b>4,875</b>  | <b>4,823</b>  |
| STATEWIDE   | SAC                      | 9,739         | 9,705         | 9,607         | 9,504         | 9,523         | 9,403         | 9,389         | 9,332         | 9,516         | 9,552         | 9,639         | 9,750         | 9,555         |
|             | Other                    | 3,170         | 3,213         | 3,257         | 3,285         | 3,294         | 3,323         | 3,345         | 3,368         | 3,393         | 3,407         | 3,487         | 3,508         | 3,338         |
|             | <b>STATEWIDE Total</b>   | <b>12,909</b> | <b>12,918</b> | <b>12,864</b> | <b>12,789</b> | <b>12,817</b> | <b>12,726</b> | <b>12,734</b> | <b>12,700</b> | <b>12,909</b> | <b>12,959</b> | <b>13,126</b> | <b>13,258</b> | <b>12,892</b> |

<sup>6</sup> The field population was calculated using the active flag and active field body status at the end of the month, and includes a small number of individuals with a SAC hearing who were not in the population at the end of the month, therefore these numbers may be different than other field population numbers reported by the Department.