

## SAN DIEGO MISDEMEANANTS AT-RISK TRACK (SMART)

### *The SMART Approach to Addressing the Chronic Misdemeanor Offender*

April 2016

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**Background:** The challenge for the criminal justice system is to address the revolving door syndrome wherein low-level misdemeanor offenders cycle through the system without access to services, coordination of care, or meaningful incentives to engage with social service providers. To address this challenge, the City Attorney, in collaboration with the San Diego Police Department (SDPD) and the San Diego County Sheriff's Department, created the San Diego Misdemeanants At-Risk Track (SMART) pilot program. SMART will safely divert non-violent chronic misdemeanor offenders, particularly those who are otherwise resistant to intervention, into treatment and housing.

**Priority Population:** SMART prioritizes chronic misdemeanor offenders with acute drug addictions, mental health needs, and/or complex social service needs. These offenders have one or more drug arrests since Proposition 47 took effect in 2014, and have been arrested at least twice in the past six months for a quality-of-life offense. The City Attorney's Office retains prosecutorial discretion in determining eligibility. The pilot program will begin in SDPD's Central Division with the long-term goal of expanding citywide.

**How will the program work:** The chronic offender may receive an offer for treatment and housing at four stages in the criminal justice continuum.

1. Upon being contacted by a community-based outreach worker as a result of their chronic history.
2. At the point of contact by SDPD in a non-enforcement capacity.
3. At arraignment for a quality-of-life or drug offense.
4. At sentencing as an alternative to incarceration.

Under the pilot program, offers made at arraignment and sentencing will utilize progressive custody, with custodial sanctions increasing with each subsequent offense. The maximum penalty for quality of life offenses is 180 days in jail and for most drug offenses is 364 days in jail.

If the offender accepts the SMART offer, a service provider will provide intensive case management and care coordination along with tailored housing placements. The service provider will have access to a variety of community-based supportive housing options, including a block of apartments specifically designated for these chronic offenders.

**Proposed Budget:** An FY 2017 budget allocation of \$158,186 will provide 28 beds to support the housing component of the SMART pilot. The service provider will coordinate the treatment services through its partnerships.

**Implementation Timeline:** The SMART pilot will launch on or before May 1, 2016. Recently, the City Attorney's Office began reviewing select cases submitted by SDPD to assess eligibility. With funding support, the case review process will expand to encompass a greater number of eligible participants.

For more information about the SMART pilot, please contact Jamie Ledezma, Chief Deputy City Attorney, at (619) 533-5500 or <a href="mailto:jledezma@sandiego.gov">jledezma@sandiego.gov</a> .
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