



OFFICE OF COUNCILMEMBER JOHNNY KHAMIS
SAN JOSE, DISTRICT 10

District 10 Mid-May Newsletter

Dear Ray,

Last month, my office partnered with Senator Jim Beall, and Assemblymembers Evan Low and Mark Stone, in hosting a public safety forum for our residents to discuss the effects of Proposition 47, AB 109 and AB 117 Realignment, and recidivism on the safety of our neighborhoods. As promised, below are some of the questions asked by attendees, along with the answers given from not only our elected officials, but the director of realignment services from the county, and local law enforcement personnel. In addition, [here is a link to the video of the entire event](#). While the video is lengthy, I encourage you all to take some time to view it, to learn more about how state legislation trickles down to the local level.

1) Can you explain the difference between the recidivism rate used by Santa Clara County and the rate used by the State?

a. State: Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

b. Santa Clara County: Recidivism is the occurrence of convictions or sustained petitions of new law violations (both misdemeanors and felonies) within five years of exiting custody or entering supervision, whichever is later.

2) From the money saved from Realignment and Prop 47, can you tell us how much is being earmarked for mental health?

a. State savings annually transferred to Safe Neighborhoods and Schools Fund (SNSF).

b. 65% for mental health and drug abuse treatment.

c. 25% for school truancy and drop-out prevention.

d. 10% for victim services.

3) Does the Community Watch Program have legal authority to install surveillance systems on private property to video tape private citizens and/or broadcast to the public?

a. [Neighborhood Watch Programs](#) are all about organizing the neighborhood to be aware of best practices in keeping the neighborhood safe.

b. They cannot install surveillance systems in the public domain, but individual owners can install those systems on their property and train the cameras onto the public street.

4) Of the 3,300 prisoners released since Prop 47 passed, how many have been re-arrested?

a. Statewide crime rates have generally been on the decline since the 1990's, and currently at historic lows. However, in the months immediately following realignment both property and violent crime increased.

b. Specifically, between 2011 and 2012 the violent crime rate increased by 3.4 percent, the property crime rate increased by 7.6 percent.

c. Given that one of the goals of realignment was to improve correctional outcomes, the increase in the crime rate following its implementation has been pointed to by many as a clear sign of its failure to do so. However, an analysis done by the Public Policy Institute of California indicates that realignment may only be responsible for part of this crime increase, and that other factors may also play a role in the crime increase.

d. Specifically, after controlling for other variables that can affect crime as well broad national crime trends, PPIC concluded that:

- California's overall increase in violent crime appeared to be part of a broader upward trend also experienced in other states. PPIC suggests that there is some evidence that realignment may have played a role in the increase in robberies. However, evidence of this effect goes away when crime trends outside of California are included in the model.
- However, the increase in property crime—particularly the increase in motor vehicle theft that occurred—may be connected to realignment. At most, realignment increased property crimes by two per year for each realigned offender no longer incarcerated. This number is probably more on the order of 1 to 1.5 in additional property crimes limited to auto theft.
- Although both violent and property crime decreased in 2013, PPIC found that the decrease in property crime in California was not as large as comparable states and that this could be related to realignment.

e. It will likely take years before we are in a position to assess whether counties were able to better handle realigned offenders than the state and analysis done at that time could come to different conclusions about realignment's effect on the crime rate. Counties are still in the process of refining their response to realignment. It is also likely that the impact will vary across the state because the success of realignment depends on decisions made at the county level.

5) How does redefining crime from felony to misdemeanor make us safer when most convictions are the result of a plea bargain to a lesser crime in the first place?

a. This change in policy, alone, does not make us safer, it only creates the opportunity to keep prisoners at the county level where they will receive better rehabilitation practices than they get through the State prison system. Plea bargains will continue and the judges will have more time to focus on the serious offenders as opposed to property crime offenders.

6) What options do families have when dealing with a mental health crisis, other than calling SJPD?

a. Families need to not take “no” for an answer when it comes to mental health treatment for their loved ones. We recommend that family members seek out conservatorship proceedings and hold the patient accountable to follow a healthy treatment plan. Calling SJPD is a last resort and sometimes ends in tragic outcomes.

7) How many welfare checks are done by SJPD in a given month?

a. SJPD averages 1,132 welfare checks in any given month.

8) I am interested in solutions that can break cycles. To this end, please discuss any new approaches that are being implemented or considered to divert high school and younger ages away from crime-particularly as the solutions relate to the education system?

a. One of the best diversion programs we have in our county is the Parent Project supported by our District Attorney’s Office. This is a 12 week program where parents are introduced to best practices in dealing with challenging adolescents. [Click here to view the link for this effective program.](#)

9) The savings from Prop 47 seems to be slated for politically correct purposes as exemplified by the use of these funds for mental health programs. How about spending all of the savings on initiatives that will directly reduce crime? Such as hiring more law enforcement officers and community service officers?

a. The Chief’s Association has been making that argument in Sacramento. Legislators say they are looking at ways of supporting local police departments through the savings garnered from Realignment and Prop 47.

10) How are you helping the Mental Health patients who don’t take their medication and also commit violent acts? Case in point: serve out their sentence to avoid domestic violence program and are no longer accountable. The victim is not being informed.

a. In Santa Clara County, receiving mental health treatment is voluntary. Even if an individual commits a violent act; he/she is subject to arrest and incarceration, but can refuse to take their medication.

b. Peace officers can utilize a 72 hour hold if the subject is a threat to themselves or others.

c. Current laws require notifications to the victims of domestic violence when the perpetrator is ready for release.

11) How many arrests/incarcerations will it take to combine mental health services and domestic violence?

a. Currently, if a domestic violence event involves mental health illness, the court of jurisdiction will require mental health treatment. In the end, even court ordered treatment requires the cooperation of the offender.

12) Is saving money worth the abuse of victims?

a. No, however, the problem is never as simple as locking up the offender will, therefore, stop the abuse of victims. Unless it's a heinous crime a great majority of offenders always get back to the community. There are many factors that affect crime rates. We need to become "smart on crime" and utilize best practices when it comes to rehabilitating ex-offenders.

13) Do we have a plan to provide job skills, training programs for these individuals after spending their years in prison?

a. Yes. The County of Santa Clara is currently being recognized for putting together one of the best responses, statewide, to the Realignment Initiative. The County has opened a one-stop- shop style Re-Entry Center located at 151 W. Mission Street, San Jose, CA 95110. [Here is the link for the Re-Entry Center.](#)

14) You mentioned that crime has dropped in the past few months. Has this been in any way related to private security patrols which have been instituted in this area?

a. There are many factors associated with the drop in crime, including media reports that neighbors are hiring private security. As the word gets out that neighborhoods are organizing and being proactive, criminals move to a different neighborhoods.

b. Our police department can certainly take credit for the drop in burglaries.

- They brought in burglary suppression units into the area; marked vehicles assigned to only burglary suppression.
- TABS (Truancy Abatement/Burglary Suppression) units; who are assigned to pick up juveniles who are of age to be in school and transport them to the TABS office where their parents are called.

c. Neighborhood Watch Groups increased during the spike. [This crime prevention tool is extremely effective:](#)

d. [Nextdoor.com](#) get credit for being useful in allowing neighbors to notify one another of what kind of crimes are occurring throughout the neighborhood.

15) You said that decisions regarding law enforcement are being handed down to County Government. Santa Clara County is a unique community and, as such, requires unique strategies. Who is making decisions regarding law enforcement policies? Are they local or federal? San Jose PD has a past reputation for excellence, what are we doing to keep law enforcement planning local?

a. Actually, each jurisdiction makes decisions effecting their prospective agencies. The Federal Government decides policy for the FBI, ATF, US Marshalls, Customs, etc. The State of Calif. handles the Office of the Attorney General and the Highway Patrol. Santa Clara County decides policy on the Sheriff's Office which includes the courts and the jails, the DA's Office, and Juvenile Justice. The City Council sets policy effecting our local police department.

16) I don't see many police officers around. What has been done to increase the police force in San Jose? Also, do we have a specific department in the police force for theft?

a. Currently, SJPD is budgeted for 1250 police officers. We are currently at approximately 950 police officers. The police department is running three academies a year with a capacity of 60 officers per academy. We are having difficulties maintaining full academies and are working with the SJPOA (police union) to address compensation issues in an effort to increase our police force. Last year we hired 28 Community Service Officers (CSOs) and are planning on hiring an additional 26 next fiscal year (22 CSOs and 4 supervisors). CSOs are new to the police department and are charged with handling duties that do not require full peace officer powers. They free up our sworn staff to focus on serious crime issues throughout the city.

b. Due to our staffing challenges, property crime investigators have been transferred to patrol in order to maintain minimum staffing. We have one dedicated burglary detective within the SJPD but each patrol officer is empowered to follow up on leads connected with their burglary investigations in a process called Contact to Completion.

17) In High School data there is a huge correlation between students who drop out and lack of pre-school education. Has there been, or will there be any extra dollars available for those who cannot afford pre-school costs?

a. The Mayor has earmarked \$2 million one-time funding, over two years, for his initiative "San Jose Learns" which will support the reading efforts for our highest needs students (K thru 3rd).

b. He has also earmarked over \$1 million for his initiative "San Jose Works" which will support job creation for high risk youth during the summer months.

c. Pre-school efforts come from First Five and Head Start Programs which are supported by state and federal funds. Preschool education is primarily the responsibility of parents and of other levels of government and not within the City's core areas of responsibility.

18) What have other states done in order to cut the costs of prisons? Do

prisons run by private companies cost less to operate?

a. Every state is grappling with prison costs. While costs to operate state prisons rose dramatically in the past decade and some other states operate their prisons more cheaply, there is not one simple explanation. The context surrounding the 2011 Realignment is very important in understanding why the legislation was enacted.

b. At the time CDCR was dealing with significant prison overcrowding. Specifically, the state had around 144,000 offenders in its prisons—about 180 percent beyond the design capacity of its institutions.

c. A federal three-judge panel ruled that this overcrowding was the primary reason that the state was unable to provide inmates with constitutionally adequate health care and ordered the state to reduce its prison population to no more than 137.5 percent of design capacity. The court's ruling was upheld by the U.S. Supreme Court in May 2011. The state was initially given until June 2013 to reach the population cap.

d. In addition, the state was in the midst of a significant fiscal crisis. Specifically, it experienced a \$3 billion deficit at the end of 2011-12 and our office projected that the state would face a \$10 billion operating shortfall for the 2012-13 fiscal year. In other words, at the time the state needed to make major reductions in spending.

e. This meant that spending more to house offenders in contract beds (which are not counted toward the court ordered population cap) or building additional prison capacity was not a viable option. As a result, the state primary options were realignment, sentence reductions, or early release.

f. In addition, it meant that the state was interested in reducing the amount it spent on prison and parole. It was thought that counties could handle these offenders in a less costly manner than the state—particularly because realignment included changes, such as split sentencing, intended to reduce the cost of housing and supervising felons.

g. Other examples of cost reduction measures is the fact that felons that complete their sentences at the local level do not need community supervision, allowing flash incarceration, and allowing early discharge from PRCS.

h. Finally, there were concerns about how effective CDCR was at handling the offenders that were its responsibility. It was thought that counties might be in a better position to rehabilitate offenders since they could better coordinate with county social service agencies and may be in a better position to innovate new ways to deal with these offenders. It was also thought that the shift would incentivize counties to invest in efforts to prevent offenders from committing felonies.

19) Every night, every (news) network focuses on increasing crime, often highlighting the very worst of them. This constant barrage increases the level of concern in the community and perhaps even encourages perpetrators to continue their activities. What can be done to shift news focus to positive things that are happening in our community to let people know about the

very kind of information we heard today?

a. Unfortunately, violence gets people's attention and the media capitalizes on that in order to drive up their ratings. We encourage the community to send in stories that lift up instead of tear down. The media is always looking for positive stories as well, but the negative stories seem easier to come by.

COMMUNITY BUDGET MEETING UPDATE

On Tuesday evening, May 5th, about 50 members of the community came out to hear Mayor Liccardo and I discuss our respective plans for the 2015-2016 budget and to hear an overview of the City Budget from Assistant City Manager Julie Edmonds-Mares. Thank you to all who attended, as well as to the City Staff that was there to answer questions, including SJFD Acting Chief Curtis Jacobson, SJPD Deputy Chief Hober, Kevin O'Connor from DOT, City Librarian Jill Bourne, and many others. To take a look at the proposed budget, [visit the city's Budget page](#). To hear City Staff presentations, along with the questions asked by City Council, you can view the Budget Study Sessions on the City's website (use with Windows Explorer browser or best results). Scroll down the page and click on the links to the City Council Budget Study Session items to watch video or listen to the audio recording of each meeting.

A very diligent member of City staff, Jon Reger, volunteers to take notes at the community budget meetings and was kind enough to provide a copy of his raw notes from the D10 meeting for our reference. If you would like a copy, please contact Shane Patrick Connolly at district10@sanjoseca.gov.

In the next newsletter I will have more information on the proposals I am developing to ensure that the City devotes enough money to pavement maintenance to, at a minimum, maintain our priority streets network, to open Almaden Lake Park on Mondays, to increase the City's financial transparency, and to put better tools in the hands of our police officers!

SAN JOSE BUILDING PERMITS & HOME SAFETY EVENT

After hearing story after story from homeowners who were discouraged by not only the cost of permits, but the long waits involved in obtaining a permit, I knew something had to be done. So, shortly after I took office, I obtained the support of my colleagues on the City Council for my initiative. I then partnered with the Planning, Building, and Code Enforcement Department (PBCE) to address the issues of cost and timeliness. Together, we succeeded in finding ways to reduce the cost and reduce wait times involved in obtaining permits for small home-improvement projects and remodels. It is now more affordable and less time consuming for residents and contractors to complete projects legally and safely.

Fee reductions in permit costs were approved as part of last year's City Budget. In addition to the reduced permitting fees, PBCE implemented a small-projects desk. This desk, dedicated to only small-scale projects, allows for considerably faster processing of permits for home improvement projects. What used to take days is now completed in a matter of minutes!

Another PBCE improvement that has been implemented is that they can now accept plans for large projects on a USB drive (thumb drive). This allows the

Planning Department to do electronic plan review rather than needing multiple large-format printouts of plans. This initiative not only saves large amounts of paper, but provides far more consistency and accuracy around plan checks.

If you were discouraged in the past to go through the proper avenues when putting on that small addition or undertaking a small remodeling project in your kitchen or bathroom, you can be assured that the process has been improved - it is now quicker and much more affordable. Be sure to get your permits so that your work is done safely and legally! Obtaining permits and getting the work inspected is essential if you someday choose to sell your home. It will ensure that the work completed conforms with the latest building codes, which will maximize safety for you and your loved ones

With that said, PBCE is hosting a FREE Building Permits and Home Safety Event on May 20th! May is National Building Safety Month, and the City of San José wants people starting their remodeling projects to learn how permits and inspections will help protect your family and home. At this special, free event, our experts will take you through the permit and inspection steps for a typical kitchen and bathroom remodeling project.

When: Wednesday, May 20, 2015 6:00–8:00 p.m.

Where: San José City Hall, Rotunda | 200 E. Santa Clara Street. Validated parking provided. Park under the City Hall Tower and bring your stub to the event. Garage entrance is on South 6th Street between Santa Clara and San Fernando streets.

For more information about permits in San José, visit www.SanJoseCa.gov/building.

JULY 4th FUN FESTIVAL

We are getting closer and closer to the 2nd Annual District 10 July 4th Family Fun Festival! As many of you know and remember from last year, this patriotic, fun-filled, family-friendly celebration is held at the beautiful Almaden Lake Park. Bob Vonderwerth, a District 10 resident of the Blossom Valley area of San Jose, will produce the fantastic firework display. Given the City's safety-related ban on the use of personal fireworks, this event offers families and people of all ages and backgrounds a safe place to celebrate the birth of our nation.

We will have MANY opportunities for volunteers to help out with this wonderful event. In order to volunteer, you must send us your contact information on or before June 20, 2015 (the sooner the better!) and share with us how you would like to volunteer. My staff will provide information, training, and expectations with regards to the different options listed below so that you are informed ahead of time.

The day of the event, you will check in and work with one of my team members when volunteering. It is an opportunity to help with and promote a popular District 10 event and another great way for students to gain experience and volunteer service hours. Please sign up!

Another great way you can participate is by attending the Playa Del Rey Neighborhood Association Fundraiser for the July 4th festivities at Buffalo Wild Wings on Blossom Hill Road on June, 24th. From 5:00pm to close, the restaurant

will be donating 10% of their proceeds to our great fireworks show!

We hope to hear from you! Please contact my office TODAY to sign up to volunteer! Please contact Denelle Fedor at denelle.fedor@sanjoseca.gov or Rayshelle Edmunds at Rayshelle.edmunds@sanjoseca.gov or call 408-535-4910.

If you have any questions or comments regarding what you've read in this newsletter, please feel free to contact me at 408-535-4910 or email my office at district10@sanjoseca.gov. You can also check out my [Facebook page](#) or [follow me on Twitter](#). Continue reading for more important announcements and upcoming events throughout District 10 and the City of San Jose.

Sincerely,

Johnny

City of San Jose is Hiring 22 Community Service Officers

The Police Department is seeking to fill 22 civilian positions for Community Services Officers. Under close supervision by a sworn officer or supervisor, this position will assist the Bureau of Field Operations in non-hazardous police functions, including, but not limited to, assists at one of the information centers, community policing centers, conducts investigations and performs non-enforcement related work. Minimum Salary: \$55,702.40 Maximum Salary: \$74,651.20

Minimum Qualifications:

- H.S. Graduate or equivalent
- One (1) year of substantial community experience
- 20½ years of age at the time of application
- Possession of a valid CA Class C Driver's license

Benefits:

- Paid vacation and accrued sick leave
- Uniform allowance
- Bi-weekly bilingual pay
- Domestic partner benefits
- 15.34% employer and 14.69% employee retirement

[For more information check the City's website](#) or contact Sgt. Andrew Harsany at (408) 537-9785 with questions.

San Jose Jazz Camp June 15-26

UNLOCK YOUR POTENTIAL in our two-week learning lab led by some of the region's best teaching artists. Designed for middle and high school students with

backgrounds ranging from intermediate to advanced, our camp offers all-day immersion in every aspect of jazz-from theory to performance. Each student participates in both a small ensemble and a big band, and will perform in a gala concert for family and friends. Additionally, one ensemble will be chosen to play on the Main Stage of the 2015 San Jose Jazz Summer Fest, August 7-9.

In 2015, Summer Camp Moves to the state-of-the-art facilities of the Valley Christian Schools Conservatory of the Arts in south San Jose. Easily accessible by highways 87, 85 and 101, the multi-million dollar facility offers rehearsal halls, a fully-equipped piano lab and a proscenium-style theater, creating an unparalleled environment for developing artists.

San Jose Jazz members receive a \$50 discount; join today at sanjosejazz.org/membership

Multi-child discounts are also available: contact wallys@sanjosejazz.org

You'll gain extraordinary experience in performance, music theory, improvisation, composition, ear-training, performance, music tech and more. Register today!

Join Supervisor Dave Cortese on a Bus Trip to Sacramento

Wednesday, May 20th • 6am - 5pm

The Sacramento Bus Trip for Education is free and food/refreshments will be provided. Education Advocates, Parents, and Students to participate in our annual Sacramento Bus Trip for Education!

Participants will gain an in-depth knowledge of current public education issues.

For more information or to register, please visit our website at <http://www.sccgov.org/bustrip> or contact Mario Lopez at 408.299.5030 or Mario.lopez@bos.sccgov.org

Los Alamitos Tree Planting Project

On Saturday, May 23rd the Almaden Kiwanis will be hosting a tree planting project at Los Alamitos Elementary School. They are looking for volunteers to help them with this project. If you are interested in participating, contact Michele Dexter at Michele.dexter@sanjoseca.gov or call 408-535-4910.

PRNS Summer Class Registration Opens May 5th

Parks, Recreation and Neighborhood Services has a variety of programs and activities for all ages and interests. [Start browsing now by clicking here.](#)

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