

STANISLAUS COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Meeting Minutes

Friday – March 29, 2013

Stanislaus County Probation Department – Training Room

MEMBERS/DESIGNEES PRESENT

JILL SILVA, Chief Probation Officer, Probation Department
ADAM CHRISTIANSON, Sheriff
BIRGIT FLADAGER, District Attorney
TIMOTHY P. BAZAR, Public Defender
STEPHANIE KENNEDY for Rebecca Fleming, Superior Court
CAPT. MICHAEL HARRIS for Galen Carroll, Chief of Police, Modesto Police Department
MARIA DEANDA for Kathryn Harwell, Director, Community Services Agency
MIKE WILSON for Madelyn Schlaepfer, Director, Behavioral Health & Recovery Services
WILLIAM O'BRIEN, Board of Supervisors
MONICA NINO, CEO
STAN RISEN, CEO's Office
DORIS FOSTER, CEO's Office
CINDY DUENAS, Director, Center for Human Services
MIKE HAMASAKI, Assistant Chief Probation Officer, Probation Department
STEVE JACKSON, Division Director, Probation Department
KAREN CURCI, Administrative Services Manager, Probation Department
GAY MCDANIEL, District Attorney's Office
ALAN CASSIDY, District Attorney's Office
KRISTIE SANTOS, Community Services Agency
SONNY SANDHU, Public Defender's Office
DAN WIRTZ, Sheriff's Department
DAVID CHAPMAN, Supervising Probation Officer, Probation Department
MARC ROGERS, Supervising Probation Officer, Probation Department
ERIC MCLOUGHLIN, IT Manager, Probation Department
KELLY YEHL, Crime Analyst, Probation Department

MEMBERS ABSENT

THOMAS CHAGNON, Stanislaus County Office of Education

GUESTS PRESENT

DANE HELDING, Nirvana
MIKE BAGLEY, Nirvana
YAMILET VALLADOLID, El Concilio
TERESA ALCARAZ, El Concilio

1. **CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order at 11:35 a.m. by Chief Probation Officer Jill Silva. Members of the group introduced themselves. Representatives from Nirvana, Dane Holding and Mike Bagley, and El Concilio, Yamilet Valladolid and Teresa Alcaraz were present.

2. **PUBLIC COMMENT**

No members of the public were present.

3. **ADOPTION OF MINUTES FROM FEBRUARY 28, 2013 MEETING**

MOTION: Sheriff Adam Christianson. SECOND: DA Birgit Fladager. The minutes of the February 28, 2013 meeting were approved unanimously.

4. CCP PLAN – STATUS OF IMPLEMENTATION AND STATISTICS / PROJECTIONS

The following is an update on the CCP programs:

a. **Post Release Community Supervision (PRCS) and Intensive Supervision Unit (ISU):** Dave Chapman, Supervising Probation Officer, advised that the statistics for February 2013 were e-mailed to the CCP members. He noted trends occurring that include:

- PRCS and ISU continue to receive more cases than the State had projected. As of the end of February 2013, a total of 1,001 cases had been received with the State projection at 934 cases. For March, case numbers are approximately 20% above projected rates with 53 cases received and 43 projected. This trend is expected to continue in April.
- Employment rates: Approximately 11% of the PRCS and ISU cases are gainfully employed.
- Approximately four search operations are conducted each month, in addition to the RAT operations. These offenders are receiving intense supervision by the Probation Department. Supervisor DeMartini accompanied the units on a search operation in Patterson on March 28th.

SPO Chapman reported that the PBS documentary filming that started last year has been finished with one of the PRCS mental health clients who has been successful with obtaining employment and transitional housing. This client shared her story and the documentary will be aired on America's Heartland during the month of May. The date of the show will be shared with CCP members when available. This show will also include interviews previously done before the project was put on hold and is now completed.

Chief Silva advised that Crime Analyst Kelly Yeh and Probation IT Manager Eric McLoughlin have been working with other partner agencies on obtaining outcomes which has been difficult. She explained that even though an integrated system is available, it is not configured in a way to allow for layering of information to do an analysis of impacts. A subcommittee is working on this issue with the Public Defender, District Attorney, Sheriff and Probation departments to put some programming towards ICJIS in order to obtain the information. A report was distributed (attached to original copy of minutes) titled *Measures of the Impact of Realignment*, which outlined information on 1170 recidivism:

- 15% of 1170's have been convicted of a new law violation while on supervision.
- Of those cases on supervision, there were 94 on bench warrant status with 5 convictions from those on warrant status.
- Prior to supervision, 13% recidivated while doing alternative programs.
- After supervision has been terminated, 2 cases, or 6%, have received a new conviction.

Chief Silva noted that as part of crime analysis for this county, arrest rates will be analyzed and not only convictions. The above information on convictions was gathered according to CPOC's definition of recidivism adopted prior to realignment, which was a conviction while under supervision of Probation. This report was utilized during the March CPOC meeting so a comparison could be made on recidivism rates county to county.

Also included in Ms. Yeh's information were the results of the CCP and LEX surveys on the questions receiving the most votes for future crime analysis reporting:

- Impact on crime rates and community life - 13 votes.
- Impact on police, prosecution, defense, judges - 12 votes.
- Impact on jails—crowding, staff, conditions, pre-trial, litigation - 10 votes.
- Impact on probation and parole – 9 votes.

- b. **Day Reporting Center (DRC):** Marci Rogers, Supervising Probation Officer, reported on sentencing trends that have been noted at the DRC:
- Since January 2013, 25% of the split sentences have been sentenced to more than two years of supervision.
 - Employment rate is 8%.
- The Day Reporting Center will be up and running at their new location at the Probation Department's Adult Division building on April 8th.
- c. **Bed Space:** Sheriff Christianson noted that his team who usually presents statistics is not present due to a scheduling conflict. He reported there have been no significant changes in programming other than the ongoing active pursuit of funding opportunities for the public safety infrastructure.
- d. **Integrated Forensics Team:** Mike Wilson, BHRS, reported that candidates have passed background and new staff will be added to the mental health team in order to offer more services. One more staff member will be added to the DRC and approval has been received to hire in-custody staff. The medication annex is available, has had a few referrals and is enrolling clients, but does not have a permanent location at this time.
- e. **Nirvana:** Michael Bagley reported that in February 2013, a presentation was given to the inpatient treatment program drop-in center staff regarding the history and treatment philosophy of Nirvana. At that time, grant beds were offered to people on probation in their county. A presentation was also done for Stanislaus County Adult Probation on March 6, 2013 on Nirvana's treatment philosophy and five grant beds were offered at that time. Since the presentations, one person has been referred to Nirvana by the drop-in center. This person was admitted into the residential treatment program and is still actively engaged in the program. Adult Probation has referred three clients. One was admitted and is actively engaged in the residential treatment program; one was admitted and chose to leave after a couple of days; and the other is scheduled to be admitted next week.
- f. **Community Services Agency:** Kristie Santos reported that 18 cases have been signed up for services in February, with a total of 68 from when workers were on site at Probation. Numbers are low, but it is anticipated that after January 1st, 100% of the people will be eligible for Medi-Cal due to the changes because of healthcare reform. CSA is continuing to evaluate the numbers. Ms. Santos noted that other counties are experiencing the same issues with the case numbers because of the obstacle that the client must be actively parenting in order to be eligible for services. After January 1st, individuals coming out of prison should be eligible for the new Medi-Cal.
- g. Cindy Duenas, Center for Human Services, reported that the moral reconnection therapy (MRT) class and parenting groups are continuing. Feedback from the facilitators is that the participants are very engaged and retention is good. Nine to ten individuals are attending the program on a regular basis.

5. **INVOICING/BUDGET UPDATE**

Karen Curci, Administrative Services Manager, Probation Department, reported that invoices are regularly received from Probation and the Sheriff's Office. When determining the fund balance, BHRS is an unknown because of their slow start. Invoicing has not been received from CSA.

6. **PHASE 3 DISCUSSION**

Chief Silva reviewed the funding for AB109:

Revenue for 2013/14:

AB109	\$14,504,023	base allocation
DA/PD	284,151	
Municipal Law Enforcement (not tied to AB109)	507,011	
Courts – to hear parole revocations	146,412	

FUND BALANCE \$4,093,647 - all years included

Growth Funding (to be received in September 2013)

AB109	\$1.12 million if 1.4525% used
DA/PD	\$86,408 if 1.6617% used

The Department of Finance will be determining the growth funding amounts.

Training and Planning money is not included in these amounts. Training was received for year one only. Planning money was received for both years one and two.

Chief Silva discussed that parole revocations could be approximately 113 to 133 per month. She advised that the State is saying that these numbers were based on historical trends of cases that were returned to custody and that these numbers should not be followed because not all parole violations will result in a hearing that requires court involvement. Before these cases get to a parole hearing, all intermediate sanctions should have been exhausted and a hearing should be the last resort. Flash incarcerations should be utilized by parole in order to satisfy the parole violation. Parole should be conforming to Probation's 1203.2 processes. Chief Silva and Sheriff Christianson will address this issue with the regional parole office.

Probation Department – Phase III

Chief Silva advised that the Probation Department is requesting Year 3 costs of approximately \$4.3 million with continuance of Phase I and Phase II programs (handout distributed and attached to original copy of minutes). The following increases are requested:

- 5 current Deputy Probation Officer II salaries be transferred from SB678 funding to being funded under AB109 at \$534,765. SB678 funding was received to start up the Day Reporting Center to address and supervise felony probationers. It is anticipated that SB678 funding will be reduced by 75%. These five officers are no longer supervising felony probationers because of the numbers of split sentences
- Adding Computer Aided Dispatch (CAD): approximate cost of \$200,000. The role of Probation has significantly changed. Law enforcement agencies are asking that Probation do their new law violation arrests. Officers are encountering difficult and violent offenders and the Probation Department requires a separate channel on the CAD system which will require the addition of dispatcher time.
- SPSS – Statistical Data tracking program for the Crime Analyst to utilize: Cost of \$5,200.
- Equipment costs of ballistic vests at \$1,545 and 7 MDT's and mounts for a cost of \$40,000.

Sheriff's Department – Phase III

Sheriff Christianson advised that their budget is conservative for AB109 funding and the only increase requested for Phase III is the addition of a Director of Programs and Volunteer Services at a cost of \$75,000.

Dan Wirtz, Business Manager, reviewed the funding information for the Sheriff's Department (handout distributed and attached to original copy of minutes):

- Phases I and II recap of staffing along with a list of the programs and services being offered.
- AB109 Average Daily Population: Recap of census since inception of AB109 indicates that as of February 2013, 29% of inmates are AB109 offenders.
- Phase III request for \$8,000,000:
 - \$75,000 – Director of Programs and Volunteer Services
 - \$400,000 – Continue funding programs
 - \$7,575,000 – Average Daily Jail Rate for housing AB109 offenders: This amount will fund 231 AB109 offenders ($\$89.39/\text{day} * 365 * 231 \text{ ADP} = \$7,536,918$). The ADP for the past 17 months was 254 offenders.

Mr. Wirtz noted that an additional 106 beds will be added when the Honor Farm replacement is opened in August.

District Attorney's Officer – Phase III

DA Fladager reviewed her memo addressed to the CCP (memo attached to original copy of minutes) outlining a request for funding for additional staff based on a significantly increased workload to include the following:

- For 2013, the DA's office is expecting to review approximately 9,328 felonies and 11,168 misdemeanors for a total of 20,496 cases reviewed.
- The DA's office must now appear on PRCS revocations for so-called "non-serious, non-violent" parolees which would previously have been handled by the parole board. These cases will number between 1,200 and 1,800 court events in 2013.
- Prosecuting the same defendants over and over again for crimes they would not have been able to commit if they had actually gone to State prison:
 - 850 cases (874 defendants) since inception of AB109
 - 644 unique defendants
 - 187 defendants with multiple local prison or mandatory supervision sentences. One offender had 7 cases and 135 offenders had 2 cases.
- Felony cases for 2012: A total of 6,300 felony cases were filed. Of those felonies issued, approximately 81% were for 1170(h) offenders. This indicates that a vast majority of the felony cases being issued are AB109 or will be AB109 offenders and will not be able to go to State prison.

Funding is being requested for three prosecutors for \$181,082 per DDA and a Victim Advocate at a cost of \$66,184. The total amount of funding requested for the DA's office in Phase III is \$609,430.

Public Defender's Office – Phase III

Public Defender Bazar reviewed the felony cases assigned to his office for the past four years (handout attached to original copy of minutes):

- New felony cases assigned in 2012: 4,954
- Total felony cases opened with VOP and 1170(h) in 2012: 7,437
- In 2009, the Public Defender's Office had 30 attorneys with a total staff of 49 and by the end of 2012, there were only 24 attorneys out of a total staff of 37 allocated positions.

For Phase III, the Public Defender's Office is requesting two attorneys and one support person for a cost of \$412,164.

BHRS – Phase III

Mike Wilson noted that BHRS is proposing to continue with the present services being provided and add a Performance Outcomes Software Developer in Phase III at a cost of \$120,000. The total cost being requested for Phase III is \$1,586,459.

Community Services Agency (CSA) – Phase III

Kristie Santos reported that CSA anticipates no increases needed in Phase III; therefore, CSA is requesting their previous funding allocation be continued in the amount of \$132,904.

EI Concilio – Phase III

Yamilet Valladolid, Site Director for Elconcilio, reviewed information about this organization and the programs available (handout attached to original copy of minutes). Ms. Valladolid highlighted that their Re-Entry Program provides intensive case management and wrap around services to empower clients to become productive members of society. The primary goal is to challenge participants to become self-sufficient utilizing a “safety net” of resources and opportunities for their transition into the real world and reduce recidivism. This program consists of two case managers who will conduct assessments for 120 participants; conduct weekly follow-up meetings with clients; and maintain documentation of participants progress. In addition, the case managers will collaborate with probation officers to coordinate services to meet clients needs; coordinate a Mentoring Program to assist participants with positive community involvement; advocate and support family integration and children reunification; and focus on promoting pro-social behavior to minimize gang affiliation and substance abuse. The budget for the Re-Entry Program is \$150,000. Ms. Teresa Alcaez, the Program Lead, outlined some cases handled through this program and the outcomes.

Nirvana – Phase III

Michael Bagley, Nirvana, stated he would make a presentation to this group at next month’s meeting.

Chief Silva reported that a discussion was held at the ICJIS Committee meeting regarding additional programming needed on ICJIS to run analysis reports which might require at least six months’ worth of programming costs.

Summary of Expenses for Phase III presented so far:

Probation Department	\$4,371,468
Sheriff’s Department	8,000,000
Jail Medical	500,000
District Attorney’s Office	609,430
BHRS	1,586,459
CSA	132,904
RAT Operations	100,000
Second Chances Program	85,750
Public Defender’s Office	412,164
ICJIS Development	100,000
Other Data Programming	150,000
 TOTAL EXPENSES	 \$16,048,175

Summary of Revenue for Phase III

\$15,629,023 projected for Phase III

Chief Silva mentioned information presented to CPOC by Diane Cummins, Department of Finance, regarding the growth funding and the flexibility of this funding. Future plans for this funding are flexible and Ms. Cummins advised that the growth funding should be used for expenses other than personnel expenses.

All proposed expenses will be evaluated by the CCP Committee to submit a Phase III CCP Plan to the CCP Executive Committee and, ultimately, the Board of Supervisors for review and approval. Supervisor O'Brien advised that the Board of Supervisors will require that the money being requested is directly attributable to AB109; written documentation will be necessary from each requestor; and measurable outcomes from previous year(s) must be outlined.

7. **COMMENTS**

Sheriff Christianson advised that the Second Chances program will present information to the CCP at next month's meeting.

8. **NEXT MEETING SCHEDULE**

The next meeting will be held on Friday, May 3, 2013 at 11:30 a.m. in the Probation Department. The meeting adjourned at 1:15 p.m.