

# STANISLAUS COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

## Meeting Minutes

Thursday – January 17, 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  
MIKE TOZZI, Superior Court  
GALEN CARROLL, Chief of Police, Modesto Police Department  
MARIA DE ANDA for Patrice Dietrich, Community Services Agency  
MADELYN SCHLAEPFER, Behavioral Health & Recovery Services  
DORIS FOSTER, CEO's Office  
CINDY DUENAS, Center for Human Services  
MIKE WILSON, Behavioral Health & Recovery Services  
MIKE HAMASAKI, Assistant Chief Probation Officer, Probation Department  
KAREN CURCI, Administrative Services Manager, Probation Department  
LT. RON LLOYD, Sheriff's Department  
GAY MCDANIEL, District Attorney's Office  
MARK FERRIERA, Supervising Probation Officer, Probation Department  
DAVE 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

WILLIAM O'BRIEN, Board of Supervisors  
THOMAS CHAGNON, Stanislaus County Office of Education

### GUESTS PRESENT

DANE HELDING, Nirvana  
MIKE BAGLEY, Nirvana

#### 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, were present. Chief Silva distributed a list of definitions of the terms and acronyms used in reports and discussions at this meeting.

#### 2. **PUBLIC COMMENT**

No members of the public were present.

#### 3. **ADOPTION OF MINUTES FROM DECEMBER 7, 2012 MEETING**

A correction will be made noting that at the December meeting, Stephanie Kennedy attended for Mike Tozzi, Superior Court. MOTION: Sheriff Adam Christianson. SECOND: Mike Tozzi. The corrected version of the minutes of the December 7, 2012 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, reported on December 2012 statistics:

- In December, 46 new cases were added and 30 were projected from the State. The projected State totals through December 2012 were 715 and to date, there have been 934 actual releases to this County.
- Currently, there are 86 PRCS warrants.
- 19-20 offenders are assigned to the Integrated Forensics Team (IFT), with 5 pending acceptance into the program. BHRS will update this information in their report to this committee. Supervisor Chapman noted that there has been an increase in the number of PRCS cases needing enhanced outpatient services. He commended the BHRS team for their assistance in assessing these individuals and obtaining the required services.
- 24 flash incarcerations were utilized in December for a total of 221 flash incarcerations to date.
- Since October 2011, there have been 160 PRCS offenders successfully discharged from supervision.
- 44 PRCS offenders are on GPS and 17 of these are sex offenders.

SPO Chapman noted that he and SPO Marci Rogers met with the State Parole office staff regarding a small population of parole cases who were existing parolees and have received new charges that make them eligible for PRCS supervision. They have had approximately 4 to 5 of these cases over the last six months. They have also had a couple of cases that are known as traditional court walk-overs. SPO Chapman explained that these individuals were previously on parole (they were not PRCS eligible), they have committed new crimes, and are in custody. Based on the amount of time they have been in custody and their newest conviction, they are a paper commitment because they have done time served and will report to parole but their current conviction makes them eligible for PRCS. Therefore, they will report to parole for an assessment evaluation and then they are sent to Probation for supervision. He noted they are working with parole to streamline this process. Chief Silva questioned if there has been any communication from CDCR regarding these cases and the legality of these cases. SPO Chapman noted that there was training conducted last June where guidelines were provided for screening these cases. This screening was to be done at the Parole regional unit level and while these guidelines have been used by PRCS, they have never been formally adopted. Parole regional headquarters put the responsibility back on the field units to assess these cases and the field units are struggling with screening these cases to refer them to Probation. The State has provided very little direction and since parole staff is impacted, SPO Chapman contacted Parole in order to work with the few cases that are affected. Chief Silva and Sheriff Christianson will follow-up with CPOC, the Sheriff's Association and Police Chiefs Association to address this problem along with recommendations based on the solutions utilized to date.

Chief Silva commented that this is the highest number of bench warrants experienced to date; however, according to the statewide dashboard available from CPOC, the percentage of warrants outstanding indicates that this county is one of the lowest in the Central Valley. Probation does a good job of apprehending those on warrants and the RAT operations also help in keeping this number low.

Marci Rogers, Supervising Probation Officer, reported that a RAT operation is scheduled for January 25<sup>th</sup> with the Modesto Police Department. In addition, a RAT operation will be scheduled for February in the Patterson-Newman area and for March in Oakdale and Riverbank.

SPO Chapman advised that, effective January 29<sup>th</sup>, an on-call after-hours PRCS officer will be available for phone calls from local law enforcement. DPO's will work in seven-day shifts on-call. An information sheet and procedures is being developed for implementation on January 29<sup>th</sup>. The Sheriff will disperse this information to the LEX group. Chief Silva explained that during after hours, in order to do flash incarcerations for the PRCS offenders, DPO approval is required. Before the on-call agreement, DPO's were only available during regular business hours to approve the booking.

- b. **Day Reporting Center (DRC):** Mark Ferriera, Supervising Probation Officer, reported several meetings have occurred with the CEO's office and the Sheriff regarding the relocation of the DRC to the Adult Probation office in downtown Modesto on/about March 4<sup>th</sup>. The DRC will be occupying the 3<sup>rd</sup> floor for programming and staff will be housed on the 4<sup>th</sup> floor. DRC staff will provide security on the 3<sup>rd</sup> floor when programming has been scheduled. Contracts have been signed with the providers for the programming. Some classes have started and some classes will start in the next few weeks.

Supervisor Ferriera reported that his unit has had 620 1170(h) cases sentenced locally since implementation of AB109:

- 527 have a split sentence with a combination of jail and supervision tail
- 93 cases were sentenced to no supervision tail and jail time only
- Of the 527 with a split sentence, 171 are currently being supervised by Probation.
- 21 of the 171 released to Probation supervision are currently on warrant status.

- c. **Bed Space:** Lt. Ron Lloyd, Sheriff's Department, reported the following numbers for the month of December:

- 3056 (State parole violators): 108 in custody, with approximately half of these as holds-only and half with sentences.
- 3455: Total of 30 in custody.
- 3454: Currently have 6 in custody.
- For 1170(h), there are 164 in the facilities with another 122 on AWP or home detention.
- Flash incarcerations: Early-release procedures have been changed and are applied to flash incarcerations. Currently a 10-day flash incarceration will probably do three days.

- d. **Integrated Forensics Team:** Mike Wilson, BHRS, reported that there are 20 clients in the PRCS IFT program. He explained that discrepancies in numbers occur because BHRS will usually hold onto individuals past their term. Past experience with the MIOCR grant has shown that these individuals generally need longer than a year in order to avoid having them end up in the hospital or back in custody. Of the 20 individuals in the program, one is homeless and resistant to help, 11 are in assisted living, and 8 are independent and living with family. Only one has been hospitalized in December. Referrals have increased for December with 9 referrals. Two have been assessed with one being admitted. To help with referrals, BHRS is in the process of hiring more staff with two candidates in the background process and two have been offered positions which should allow for an increase in the capacity of the IFT program.

In the DRC, currently there are 11 clients in the substance abuse treatment program with two more scheduled to start next week. There are 6 to 7 clients who have graduated from the Destination Recovery program and one more scheduled for graduation. The assessment process has been improved with a walk-in period that overlaps with screenings and more successful screening results have been experienced.

- e. **CSA:** Maria De Anda, Manager, reported that only four applicants for services have been seen by the two CSA staff members located with BHRS at the Adult Probation office. It is suspected that this is the result of unfamiliarity with the referral process since this is a new program. SPO Rogers advised that Danielle Cardwell, the Family Services Specialist, has been introduced to Probation staff in order to increase the number of referrals. In addition, when the DRC has moved to the Adult Probation location, more offenders will be available to the Family Services Specialist for assistance.

#### 5. **INVOICING/BUDGET UPDATE**

Karen Curci, Administrative Services Manager, Probation Department, reported that \$4.6 million has been spent to date with approximately \$1.2 million spent by Probation and the remainder by the Sheriff's Department. She advised that the contracts at the DRC and with CSA and BHRS are just getting started and money will be dispersed to these services. Chief Silva advised that meetings have been held with representatives from the area, including Senator Canella and Kristin Olsen, and they have been informed that fund balances are the result of hiring difficulties in both the public safety agencies and mental health.

Chief Silva distributed the Governor's proposed budget for the realignment estimates (attached to original copy of minutes) noting that the Community Corrections subaccount has \$842.9 million statewide for 2012-13 to fund realignment. In September, approximately \$77 million in growth funding is scheduled to be distributed statewide. CSAC determined the formula utilized for the base allocation and the growth allocation disbursement will be determined by the Department of Finance. Efforts have been made to educate the Department of Finance regarding the negative impact of the base allocation funding formula to the Central Valley counties. The growth funding is just one-time funding. Chief Silva noted that the 2013-14 funding is projected to go up, but the 2014-15 funding is scheduled to decrease because it is expected that population numbers will decrease. Chief Silva reported that the Central region CPO's, Sheriffs and CEO's are working together to fix the base allocation funding formula. .

#### 6. **MODIFICATIONS TO PHASE II CCP PLAN**

Chief Silva reviewed that in the Phase II CCP Plan, the CCP Executive Committee, with Board approval, recommended that \$1 million be set aside to purchase portable buildings for the Day Reporting Center and BHRS medication annex to be temporarily located at the Public Safety Center (PSC). This plan has been changed because of the new construction plans going on at the PSC. Since the Courts and Department of Child Support Services are vacating their space at the Adult Division Probation building, it has been determined that this space could be re-configured for the DRC to temporarily utilize. The medication annex, where BHRS will place a team to assess PRCS offenders for the medications they were using in prison, will be located in a building next to the jail in an existing portable building. The modifications for the DRC and lease for the medication annex will cost approximately \$300,000. The Executive Committee of the CCP must evaluate and approve this change in the CCP Plan and then later this month, an agenda item will be presented to the Board of Supervisors.

**MOTION:** Mike Tozzi. **SECOND:** Sheriff Adam Christianson. The Executive Committee members of the CCP unanimously approve modifying the Phase II CCP Plan to reduce the \$1 million allocation to \$300,000 for costs associated with the temporary relocation of the Day Reporting Center to the Adult Division Probation Department building along with the necessary modifications to the space there, and the lease to relocate the BHRS medication annex to an existing portable building located near the downtown jail facility.

Chief Silva stated that the remaining \$700,000 will become part of the AB109 fund balance. She also advised that the SB678 funding will be drastically reduced next year from \$130 million to \$35 million. The group discussed the probation population being served by these programs.

**7. TOP TEN QUESTIONS – PRESENTATION FROM SECOND ANNUAL CONFERENCE ON PUBLIC SAFETY REALIGNMENT**

Chief Silva introduced Kelly Yeh, Crime Analyst, who was hired by the Probation Department and started on January 14<sup>th</sup>. This position will assist the CCP in determining their effectiveness and impact in working with the AB109 population. At last month's meeting, Chief Silva mentioned a presentation given by Joan Petersilia, Stanford Law School, which offered ten questions that every CCP should be addressing about realignment. The ten questions were distributed (attached to original copy of minutes) along with an outline of proposed report data developed by Ms. Yeh to address these questions. Chief Silva requested that the group review the proposed reports to determine if any other areas that should be evaluated are missing. This information will be shared with the Law Enforcement Executive (LEX) group for their input. Each question was reviewed regarding how to address these issues both within the County and the State. Comments included the following:

- a. Question 2: Impact on victim safety and victim rights: Include tracking of restitution payments.
- b. Question 4: Compare Stanislaus County to other counties of the same size and type and/or with similar funding. The suggestion was made to research historical data to determine if patterns have been established in the counties. The group emphasized that when researching this area, the data should address what is relevant to this county in comparison to similar counties.
- c. Question 6: Impact on police, prosecution, defense, judges: The suggestion was made to possibly study a sampling of AB109 offenders to assess over a determined time period.

Chief Silva requested that the group examine these proposals with their staff members and offer input and suggestions either by e-mail or for discussion at next month's meeting.

**8. COMMENTS.**

No comments made.

**9. MEETING SCHEDULE**

The next meeting will be held on Thursday, February 28<sup>th</sup>, 2013 at 11:30 a.m. in the Probation Department. The meeting adjourned at 12:40 p.m.