

# STANISLAUS COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

## Meeting Minutes

Thursday – June 30, 2016

Stanislaus County Probation Department – Training Room

### MEMBERS/STAFF PRESENT

JILL SILVA, Chief Probation Officer, Chair  
LT. MIKE DAILEY for Adam Christianson, Sheriff  
JANCY THOMPSON for Birgit Fladager, District Attorney  
BAL SINDAL, Victims Advocate, District Attorney's Office  
TIMOTHY BAZAR, Public Defender  
MADELYN SCHLAEPFER, Director, Behavioral Health & Recovery Services  
WILLIAM O'BRIEN, Board of Supervisors  
TERRY WITHROW, Board of Supervisors  
CINDY DUENAS, Director, Center for Human Services  
PAUL RODGERS for Kristie Santos, Director, Alliance WorkNet  
KATHRYN HARWELL, Director, Community Services Agency  
SONNY SANDHU, Public Defender's Office  
MICHAEL WILSON, Behavioral Health & Recovery Services  
DEBRA BUCKLES, Behavioral Health & Recovery Services  
DORIS FOSTER, CEO's Office  
JODY HAYES, CEO's Office  
PATRICE DIETRICH, CEO's Office  
SCOTT HOUSTON, Sheriff's Department  
SETH ROGERS, Sheriff's Department  
MAT HUFFMAN, Sheriff's Department  
TRISHA BIRCHARD, Crime Analyst, Modesto Police Department  
CRIS STRODE, Deputy Probation Officer III, Probation Department  
MARCI ROGERS, Supervising Probation Officer, Probation Department  
VICKI MARTIN, Accountant, Probation Department

### MEMBERS ABSENT

REBECCA FLEMING, Superior Court  
GALEN CARROLL, Chief of Police, Modesto Police Department  
THOMAS CHANGNON, Stanislaus County Office of Education

### GUESTS PRESENT

DARBY KERNAN, CSAC	MICHAEL BAGLEY, Nirvana
DANE HELDING, Nirvana	ROBERT THOMPSON, Nirvana
JOSE RODRIGUEZ, El Concilio	MARK APOSTOLON, El Concilio
YAMILET VALLADOLID, El Concilio	

#### 1. **CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order at 12:05 p.m. by Chief Probation Officer Jill Silva. Members of the group introduced themselves. Representatives from El Concilio (Jose Rodriguez, Yamilet Valladolid and Mark Apostolon) and Nirvana (Michael Bagley and Dane Holding) were present.

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

No public comment received.

3. **ADOPTION OF MINUTES FROM APRIL 27, 2016 MEETING**

**MOTION:** Timothy Bazar, Public Defender. **SECOND:** Supervisor William O'Brien. The minutes of the April 27, 2016 meeting were approved unanimously.

4. **UPDATE ON GOAL CHAMPION TRAINING**

Chief Silva advised that a process was completed to identify goals and priorities for the CCP, and subcommittees have been meeting on a regular basis to develop action steps, implementation and monitoring aspects. Chief Silva noted that Ruben Imperial from the CEO's Office is scheduled to present a training session on the **Results-Based Accountability Model** to assist the Goal Champions of the work groups to better define goals and priorities. In addition, a reporting format will be developed to provide information at the CCP meetings. An RFP work group will be formed to develop an RFP for the community-based organizations with specific parameters outlined for them to report on so the CCP members can determine that the services being provided are effective.

5. **PRESENTATION BY NIRVANA**

Chief Silva advised that she met with the representatives from Nirvana regarding their orientation meeting being provided at the Day Reporting Center (DRC). As a result, Nirvana was asked to present information regarding the evidence-based programming they are providing. Other community-based organizations will be invited to present information on their services at subsequent CCP meetings.

Dane Holding from Nirvana distributed information (report attached to original copy of minutes) with background information about Nirvana and the evidence-based programs they are providing at the Men's Jail and DRC. He highlighted the following information:

- a. The Sober Living Environments are licensed and also certified, which holds them to a higher standard.
- b. The Outpatient Treatment and Day Treatment are certified by the State of California.
- c. All curricula presented on a daily basis in the residential, day, and outpatient treatment is evidence-based curriculum.
- d. Nirvana is audited on a regular basis by DHCS, the CDCR and WESTCARE as well as financially audited on a yearly basis.

Mike Bagley noted that Nirvana is contracted for residential treatment through AB109. He highlighted the following information:

- a. Nirvana has 26 staff members and 6 volunteers who are all certified drug and alcohol specialists. They have all been DOJ background cleared and have been trained in CPR, First Aide, and Motivational Interviewing and Confidentiality.
- b. Two State licensed and certified facilities are available: the Men's Inpatient Residential and the Women's Inpatient Residential.
- c. Eight certified Sober Living Environments are available which include four men's locations, one women's location, and three father and children's locations.
- d. Outreach includes weekly Life Skills groups at the DRC and Men's Jail.
- e. Reviewed the daily schedule at the residential inpatient facilities.

Robert Thompson reviewed the evidence-based programming offered at the residential treatment facilities to engage the residents and target specific areas of their lives that need to be evaluated. One-on-one counseling is also available to the residents. Dane Holding advised that approximately 80% of their clientele is corrections-based.

6. **AB109 FUNDING FORMULA PRESENTATION: DARBY KERNAN, CSAC**

Chief Silva introduced Darby Kernan from the California State Association of Counties (CSAC) who presented information on the AB109 growth funding (handout distributed attached to original copy of minutes). Ms. Kernan noted that one of the key areas about the funding formula for realignment is that the legislature has no role in the process and the Department of Finance (DOF) develops the funding formula based on needs and resources. The DOF instructed CSAC to get the county CAO's together to figure out how to incentivize counties to change their behavior by sending fewer offenders to prison. As a result, the growth formula has been in effect since 2014. Ms. Kernan presented information on the 2015-16 growth estimates for Stanislaus County and the State of California overall.

The growth formula was focused on trying to give a larger portion based on incentivizing on probation and a smaller portion based on incarceration. Ms. Kernan noted that the growth formula is not permanent because of other reforms, such as Prop 47, that have occurred. She advised that State data is utilized in the formula which comes from the DOF, who get their data from the CDCR and the Courts. Data from past years is considered, i.e. for 2014-15 growth, data from 2013 and improvements from 2012 were used. For 2015-16, data from 2014 and 2013 improvements are utilized. Prop 47 was passed at the end of 2014 which will impact this formula in the future. Ms. Kernan advised that the growth is focused 80% on probation and rewarding success on improvement of probation outcomes, and 20% on success and improvements in incarceration. Ms. Kernan discussed the following:

- a. **2<sup>nd</sup> Striker Population** of \$28,726 per is the contracted rate used by the State and is also the formula used for SB678. After realignment passed, 2<sup>nd</sup> strikers spiked in prison and this became one of the target populations to address in realignment. For Stanislaus County, 2<sup>nd</sup> strikers in 2014 was 190 and in 2013 there were 199. The reduction was 9 which calculated to \$258,534. Growth money is usually allocated in October in one payment. For California overall, the 2<sup>nd</sup> strikers in 2014 numbered 10,311 and in 2013 they numbered 9,883 for a reduction of -428 which resulted in a growth allocation of \$12,007,468. She advised that overall 15 counties had a reduction in 2<sup>nd</sup> strikers.
- b. **Incarceration Reduction (10%) and Low Incarceration Rate (10%):** For the incarceration reduction, counties who send fewer felons to prison on new convictions from one year to the next qualify for these funds. This number is separate from the 2<sup>nd</sup> strikers. There is a set amount of money in this account and the counties who qualify split the money in this account. For Stanislaus County, there were 709 incarcerated in 2013 and 646 in 2014 for a reduction of 63 or 8.89% which was 5.25% of the statewide share. This was a high reduction number and the group discussed possible reasons for the reduction number in Stanislaus County. Stanislaus County did not qualify for the low incarceration rate funds because a county must have a lower rate of incarceration per capita than the statewide rate to qualify for these funds. The rate is calculated by taking the number of felon admissions for new convictions from a county and dividing it by the county's adult population (aged 18 to 64) and multiplied by 100,000. That rate is then subtracted from the statewide rate to determine how many more people would be in prison if the county's rate were not lower than the statewide rate. That number is compared to the total of all the counties that qualify for these funds.
- c. **Felony Probation Success (60%):** Some data points were utilized from SB678. The data is determined by taking the annual felony probation population for a county and subtracting the number of those revoked prison or jail. Each county's number of non-fail probationers is then calculated as a way of a share of the statewide number and the county receives that share of those funds. The number does not look at PRCS, split sentences or mandatory supervision. It is only the felony probationers and the revocation data is received from CDCR or the Courts. Stanislaus County has performed very good with a 2014 Probation population of 5,874, with 396 revoked to jail or prison, for a total of 5,478 successes which was 1.9% of the statewide share. This amounts to \$832,570.

- d. **Felony Probation Failure Rate Improvement (20%):** Counties that improve their felony probation failure rate from one year to the next qualify for these funds. The failure rate is determined by dividing the total felony probation population by the number revoked to prison or jail. If that rate decreases from one year to the next, then the difference from the two is multiplied by the County's total felony probation population to determine how many more people would have been revoked to prison or jail if the County had not improved its failure rate. The County's numbers are then calculated as a share of the total number among all the counties that qualify and the county will receive that share of the funding. For the State, \$14,608,347 was available and Stanislaus County received 2.63% or \$384,085. Stanislaus County had a 2013 failure rate of 8% and 2014 failure rate of 6.74% for an improvement of 1.26%.

Ms. Kernan advised that the total growth fund for Stanislaus County is approximately \$1.8 million or 2.1% of the statewide share of the growth money. She noted that these factors will remain at 80% focused on probation and 20% focused on incarceration or the second strikers in the growth formula. In the future, the State will evaluate if statewide data exists for recidivism and will they start to collect this information and use it to get a better estimate of growth money for counties. Other factors, such as Prop 47 and the Governor's criminal justice initiative, will somehow impact what is being accomplished at the county level. The Department of Finance will make the final decision of what to include in this formula; however, they do consult with CSAC on this issue. The goal is to provide stability for this funding. This growth funding does not affect the base funding, which will not go lower than what is already being allocated. All of the reports from the realignment allocation committee can be found on the CSAC website (counties.org and search for the AOJ Committee).

Chief Silva noted that the CCP Committee appreciated Ms. Kernan presenting this information for Stanislaus County.

**7. NEXT MEETING:**

The next meeting will be scheduled for Friday, August 26<sup>th</sup>, at 11:30 a.m.

The meeting adjourned at 1:30 p.m.