SAN MATEO COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Probation Department
222 Paul Scannell Drive
San Mateo, CA 94402
(650) 312-8816

John L. Maltbie, County Manager
Lee Thompson, Chief Deputy County Counsel

Members

Stuart Forrest, Chair*
Chief Probation Officer

Adrienne Tissier
Board of Supervisors

Steve Wagstaffe*
District Attorney

Grace Nelson
District Attorney's Office: Victims Representative

Jean Fraser
Health System Department

Beverly Johnson*
Human Services Agency

Stephen Kaplan
Behavioral Health and Recovery Services

John Joy
Human Services Agency: Employment Services

Beth Freeman*
Superior Court

John Digiacinto*
Private Defender

Susan Manheimer*
Chief, San Mateo Police Department

Mike Nevin
Service League

Greg Munks*
Sheriff

Anne Campbell
County Office of Education

*Executive Committee Members

COMMUNITY CORRECTIONS PARTNERSHIP
455 County Center, Room 101, Redwood City
March 8, 2012

3:00 p.m. – 5:00 p.m.

I CALL TO ORDER — Stuart J. Forrest

II PUBLIC COMMENT

III ROLL CALL — Stuart J. Forrest

IV OLD BUSINESS

A. Approval of the revised 02/09/2012 minutes (Action) — All

B. Approval of the 02/23/2012 minutes (Action)

V NEW BUSINESS

A. RDA contract amendment (Action) (Attachment I) — Melissa Wagner
- Request for approval to increase existing contract with Resource Development Associates

B. Review of revised Local Implementation Plan (Information) — Andy Riesenberg, Mikaela Rabinowitz

C. Review of LIP Budget (Information) (Attachments II – VIII) — Jim Saco

VI ADJOURNMENT — Stuart J. Forrest

A COPY OF THE SAN MATEO COUNTY COMMUNITY CORRECTIONS PARTNERSHIP AGENDA PACKET IS AVAILABLE FOR REVIEW AT THE PROBATION DEPARTMENT, HALL OF JUSTICE, 400 COUNTY CENTER, 5TH FLOOR. THE PROBATION DEPARTMENT IS OPEN MONDAY THRU FRIDAY 8:00 A.M. – 12:00 AND – 1:00 – 5:00 P.M., SATURDAY AND SUNDAY – CLOSED.

MEETINGS ARE ACCESSIBLE TO PEOPLE WITH DISABILITIES. INDIVIDUALS WHO NEED SPECIAL ASSISTANCE OR A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION (INCLUDING AUXILIARY AIDS OR SERVICES) TO PARTICIPATE IN THIS MEETING, OR WHO HAVE A DISABILITY AND WISH TO REQUEST AN ALTERNATIVE FORMAT FOR THE AGENDA, MEETING NOTICE, AGENDA PACKET OR OTHER WRITINGS THAT MAY BE DISTRIBUTED AT THE MEETING, SHOULD CONTACT MELISSA WAGNER AT LEAST 72 HOURS BEFORE THE MEETING AT (650) 312-5219 or mwagner@smcgov.org. NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE COUNTY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING AND THE MATERIALS RELATED TO IT. ATTENDEES TO THIS MEETING ARE REMINDED THAT OTHER ATTENDEES MAY BE SENSITIVE TO VARIOUS CHEMICAL BASED PRODUCTS.

If you wish to speak to the Committee, please fill out a speaker's slip. If you have anything that you wish distributed to the Committee and included in the official record, please hand it to the CCP Chair who will distribute the information.

SAN MATEO COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Hall of Justice
400 County Center, Redwood City
(650) 363-4123

John L. Maltbie, Acting County Manager
Lee Thompson, County Counsel

COMMUNITY CORRECTIONS PARTNERSHIP
February 9, 2012, 2:00 pm – 5:00 pm
455 County Center, Room 101, Redwood City

MINUTES – *REVISED*

1. **Call to Order**
   Meeting was called to order.

2. **Public Comment**
   Speakers recognized by the Chair
   Jay Laefer, ACLU, North Peninsula Chapter
   Martin Fox, Veterans Advocate

3. **ROLL CALL**

4. **OLD BUSINESS**

   A. **On Partnership consensus, minutes for the 01/26/2012 CCP meeting were approved as submitted.**

5. **NEW BUSINESS**

   A. **Resource Development Associates (RDA)**
   Andy Riesenberg/Mikaela Rabinowitz

   - Andy Riesenberg moderated a discussion on the draft Local Implementation Plan (LIP)—the discussion focused primarily on expressed disagreements and/or concerns including budget related issues.
   - Fiscal Worksheets were distributed to aid in the decision-making discussion to develop a budget that supports the LIP.
   - Mr. Riesenberg outlined three domains in which strategies would be implemented: 1) Systems-Level Strategies; 2) Post-Release Community Supervisee (PRCS) Strategies; 3) Locally-sentenced (1170(h)) Strategies for Individual Interventions.
   - RDA compiled a list of all the comments/feedback received from individual CCP members and their relevant departments on the draft LIP that was presented on January 26. A handout of the comments/feedback as well as RDA's responses was distributed to the CCP.
   - Mr. Riesenberg moderated a decision-making discussion on the comments/feedback lacking a consensus within the CCP.
   - The comments that RDA determined more discussion was necessary were:
     1. The LIP should include more law enforcement centered strategies – Susan Manheimer
     2. Local law enforcement should be involved in supervision including compliance checks and home visits – Susan Manheimer
     3. The CCP should not fund a Crime Analyst – Chief Forrest
     4. Local law enforcement should participate in Multi-Disciplinary Teams (MDT's) – Susan Manheimer

5. The discussion of MDT's and CAIS planning must clarify that probation has statutory responsibility for supervision and sanctioning – Chief Forrest
6. Provision of services should be tied to supervision compliance including chemical testing – Chief Forrest
7. Include subgoal of decreasing the number of jail days for this population being served – HSA
8. Include an additional subgoal the percentage increase the number of people being employed – HSA
9. Include an additional subgoal the percentage of successful completion of treatment for substance abuse and mental health and the number of people in recovery – HSA
10. Include more discussion of parole revocators – HSA
11. Clarify the relationship between reentry planning and post-release services – HSA

- Beth Freeman emphasized that names and titles are important—they set out responsibility for individuals and expectations and hope. She stated that the report refers to individuals who are on mandatory supervision or on PRCS supervision as "client." Judge Freeman stated that she finds "client" to be a non-neutral term and inappropriate, and she would like the word changed.
- John Maltbie commented that the LIP lacked a single point of entry that is based on an evidenced based model—the plan has four points of entry.
- Mr. Maltbie stated that there needs to be discussion on an electronic data system to collect, monitor, track and evaluate participants in the program.
- Mr. Maltbie stated that the plan needs to have very specific timelines in the action steps, which would facilitate the ability to monitor and make adjustments as necessary.
- Adrienne Tissier emphasized that the LIP appears to reflect a duplication of efforts regarding MDT assessments. She suggested one MDT assessment at the beginning.
- Supervisor Tissier commented that the plan seems to be weighted too much on law enforcement and not enough on service. She stated that the whole purpose of AB109 is to help get people out of the system, and one of the main ways of doing that is by programming and services.
- Mr. Riesenberg announced that the public comment period had been extended due to the revised CCP meeting schedule.
- John Joy suggested vocational rehabilitation services added to the list of collaborative efforts in the county because there are several programs that would be adaptable to the AB109 population.
- Stephen Kaplan expressed support for a more integrated front end approach. He stated that it would behoove the CCP to explore other county's programs that are working well.
- Mr. Kaplan expressed concern about the lack of reentry planning for the 1170(h) population in the LIP—there is no coordinated, case management driven, multi-disciplinary team approach.
- Mr. Kaplan indicated that he did not see anything in the LIP that talks about the philosophical approach—the values stated in the plan are generic.
- John Beiers, County Counsel, stated that if it is the intent of the CCP to extend the public comment period, the Board of Supervisors (BOS) would like to review those comments prior to making any decisions or recommendations.
- Andy Riesenberg reiterated that RDA would compile all of the public comments received and present them to the CCP first and then to the BOS.
- Beth Freeman emphasized that there has been debate on whether or not judges have the authority to modify sentences after it has been imposed—the plan should not rely entirely on the belief that modifiable sentencing is allowed. She also stated that there is no leverage for the required services once the individual has completed their custodial time.

- Chief Forrest reiterated that discussions around teams or conditions must fall within the perimeters of statutory law—there are certain revocation decisions that cannot be shared with others.

Andy Riesenberg facilitated a structured conversation to understand the reasoning behind a particular comment and/or concern. The person who articulated the comment or concern was given 90 seconds to share the underlying reason for their concern. Each CCP member was given 90 seconds to respond to the particular comment that was addressed. The responses were assigned a voting system value of 1, 2, or 3:

1. I agree with or am comfortable with including this item in the plan;
2. I would prefer some changes, but overall I am ok with including this in the plan;
3. I do not agree with this item at all.

- **Issue #1** – The LIP should include more law enforcement centered strategies – Susan Manheimer.
  ➔ Vote: Supported
- **Issue #2** – Local law enforcement should be included in supervision including compliance checks and home visits – Susan Manheimer.
  ➔ Vote: Supported—but needs rewriting
- Supervisor Tissier expressed the importance of avoiding duplication of services, and emphasized the necessity of a coordinated multi-disciplinary effort.
- Beth Freeman emphasized the importance of Probation retaining its clear authority, and that it not to be shared.
- John Beiers suggested that the CCP review the legal authority as it relates to separation of powers should the CCP move towards a model of having law enforcement involved in supervision including compliance checks and home visits.
- **Issue #3** – The CCP should not fund crime analyst – Chief Forrest
  ➔ Vote: Item removed by Chief Forrest
- Chief Forrest recommended that the scope of work for the crime analyst be revisited at a future meeting for possible revisions.
- On consensus, the CCP agreed that the remaining comments that no longer needed to be discussed or presented to the full CCP be tabled in the interest of saving time.
- **Issue #4** – Local law enforcement participating in MDT's – Susan Manheimer.
  ➔ Vote: Tabled
- **Issue #5** – MDT and case planning must clarify that Probation has statutory responsibility for supervision and sanctioning – Chief Forrest.
- Chief Forrest stated that he will not sign any MOA that does not include that understanding.
  ➔ Vote: Needs further discussion
- Chief Forrest reiterated that it is very clear that Probation has statutory authority over a particular case; Probation is responsible for its outcomes or returning the case to Court for its revocation decisions.
- Beth Freeman commented that the MDT's have to be assembled within the first couple of weeks after a plea or verdict to applicably develop the recommendation to the Court for the development of the mandatory conditions that then become obligations of the defendant.

- Mikaela Rabinowitz acknowledged that the issue of MDT's tie into many of the issues that were brought up when the CCP was tasked to bring in other issues including:
    1. What is the model?
    2. What is the point of entry into the model?
    3. What is the role of the MDT and has it been determined that it is not effort duplication in the model?
    4. What is the model that the CCP wants to employ?
    5. What are the principles of the model?
    6. Does the principles within that model fall within the statutory guidelines?
- Adrienne Tissier suggested that a flowchart would be helpful in demonstrating how a person enters the system and knowing when MDT's get involved.
- Stephen Kaplan suggested that the CCP clarify the functionality of the single point of entry.
- Grace Nelson stated that it is important that the point of entry be defined, and how often MDT's can meet to discuss case planning—the whole point of MDT's is collaboration.

Andy Riesenberg facilitated a discussion on MDT's and case planning.

- **Topic #1** – Should there be a single point of entry?
- Chief Forrest stated that he is not sure a single point of entry can be decided by the CCP. In some instances it starts with the Court, and the Court mandates that Probation provides certain levels of supervision.
- John Maltbie commented that the notion of a single point of entry is obscuring the discussion. Mr. Maltbie stated that a single point of entry is a common evidenced based assessment tool that is being utilized by the MDT that has the same responsibility and philosophy.
- Stephen Kaplan commented that the CCP must have provisions for the exceptions. He said other counties are doing a limited version of reaching out to people in prison.
- Susan Manheimer suggested the CCP come up with the type of assessment tool it wants.
- Andy Riesenberg polled the CCP on the following key questions:
    1. Do all supervisees get MDT's?
    2. When do MDT's start?
    3. How often does MDT's meet?
- Chief Forrest emphasized that Probation has a CAIS instrument scientifically validated that guides Probations caseload and risk management for multiple years, which should guide the MDT's decision.

- **Topic #2** – How often do MDT's meet?
- Melissa Wagner encouraged the CCP to review what has been agreed to and what the body has been doing since October 1. She stated that the CAIS assessment is the first thing that is done in Probation, and when the clients who have high needs or are immediately available to go to Service Connect on the first floor, that begins a type of MDT. MDT are currently structured weekly and/or bi-weekly.

In response to a question from Stephen Kaplan, Chief Forrest indicated that 90% of the CAIS report information is sharable; however, rap sheet information cannot be shared outside of law enforcement. The Chief stated that he will rely on the probation officer to make a case-by-case assessment as to whether there is information contained in a report that could not be shared.

- Andy Riesenberg clarified that regarding the *Collaborative Services Diagram: Post Release Community Supervisees (PRCS)* flowchart (p.54) and the *Collaborative Services Diagram: 1170(h) Supervision and Services for Clients not Placed in Custody Alternatives* flowchart (p.65) in the draft LIP, the language affirming that that confidential information will not be shared will be specified in the MOA respectively.

B. Chair Memo to the Community Corrections Partnership

- Chief Forrest stated that there are two processes at work with the LIP and the budget. He said by statute, the LIP is accepted unless there is a 4/5-vote against it. However, the County requires a 4/5-vote to pass a budget—these are two separate voting processes. If the LIP and budget were linked together (meaning the budget in the plan), it limits the BOS ability to reject or accept either the plan or the budget independently of each other.
- Chief Forrest recommended that the budget and the LIP be submitted to the Board of Supervisors as separate documents at the same time.

Motion made and seconded. All ayes.

6. Adjournment

SAN MATEO COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

Hall of Justice
400 County Center, Redwood City
(650) 363-4123

John L. Maltbie, Acting County Manager
Lee Thompson, County Counsel

COMMUNITY CORRECTIONS PARTNERSHIP
February 23, 2012, 3:00 pm – 5:00 pm
455 County Center, Room 101, Redwood City

MINUTES

1. **Call to Order**
   Meeting was called to order.

2. **Public Comment**
   Speakers recognized by the Chair
   Jay Laefer, ACLU, North Peninsula Chapter
   Martin Fox, Veterans Advocate
   Manuel La Fontaine
   Betty Bernstein
   Dorsey Nunn

3. **ROLL CALL**

4. **OLD BUSINESS**

   Motion was made by John Joy and **seconded** by John Digiacinto to postpone approval of the minutes for the 02/09/2012 CCP meeting. **All ayes.**

5. **NEW BUSINESS**

   Resource Development Associates (RDA)
   The RDA consultants facilitated a discussion on moving forward with the process of developing the draft Local Implementation Plan (LIP). They moderated the discussion by reviewing the items of consensus from the February 9 meeting as well as those items requiring further discussion.

   - Beth Freeman expressed concern with the timing of the single point of entry MDT for 1170(h) cases, and the timely completion of the pre-sentencing report by the probation officer. The pre-sentencing report is instrumental in aiding the judge's decision in reaching the proper split between incarceration and supervision time based on recommendations contained in the report.
   - Chief Forrest stated that it is important that the time sensitivity of getting the reports to the Court should be factored into the process. He said the current population AB109 population of 144 along with the MDT's ability to mobilize will look differently when that population increases significantly; that operation is going to require some customization in order to get the work done. Additionally he stated that as practical a matter, the one 1170(h) officer may not be able to efficiently handle the growing caseload in timely manner.
   - Stephen Kaplan commented on having a broader view of the 1170(h) process after the Court's decision, and how to provide the case management transition; assessment while they are in custody; hooked to services in custody and moved to the community. He said that process needs to be spoked out in greater detail in the plan based on the conversations from the last CCP meeting.

- Beth Freeman commented that the CCP is lacking a consensus on a philosophy. She stated that she envisions the plan to be front loaded significantly. She stated that the CCP will benefit from a sentencing judge's ability to authorize the Sheriff's Department to move someone into alternative sentencing options at some stage during the incarceration.

In response to a question from Chief Forrest, Beth Freeman indicated that in terms of philosophy, she is referring to 1170(h) population. She stated that the judge does not control the terms of PRCS supervision. Secondly, these individuals are scattered all over the state until they arrive.

- Stephen Kaplan commented that philosophy can tolerate changes in how the operation is implemented.

Andy Riesenberg facilitated a discussion on the guiding philosophy of San Mateo County's plan.

- Mr. Riesenberg referred to the ½ Day CCP Workshop on November 30 where there was discussion related to the mission, principles and values of the CCP. During the final half of the workshop, there was a discussion related to "How can public safety and services work together to effectively meet the goals that align to reduce recidivism?" Throughout the discussion at the workshop, RDA determined that the CCP must have a philosophical statement that becomes the foundation for the strategies that are in the plan, and also help communicate budgetary priorities.
- Mikaela Rabinowitz reiterated that based on the discussions around mission, vision, values of the CCP at the workshop, RDA has worked on a plan that San Mateo County would operate on a philosophy that would use a mix of services and sanctions to reduce recidivism and ensure public safety.

Mikaela Rabinowitz posed the question "What else do people think a philosophy should encompass?"

- John Maltbie – A philosophy has to be to assist people that are in a program to succeed, and to apply the resources available to decide when and where they will achieve the best results. Identifying the appropriate performance matrix and be willing to review and make adjustments in the program.
- Chief Forrest – Without compromising public safety, to look first for non-detention solutions. He stated that a cursory reading of AB109 clearly focuses on non-custody solutions as well as evidenced based solutions.
- John Joy – There needs to be some tolerance for failure in system so that people are given the opportunity to succeed.
- John Digiacinto – Any fair reading of AB109 clearly points to business has to be done differently as opposed to stacking people up in custody situations. He stated that the philosophy has to focus on looking elsewhere first—understanding that you have to pay attention to public safety—there are other ways to do things.
- Beverly Johnson – Community involvement, community engagement, community based services. Community involvement primarily because as these individuals are returning to their communities, the community needs to offer support and services should be provided close to home.
- Stephen Kaplan – Support the community—recognition of issues of culture/language differences. Not all evidence-based practices are applicable across different groups—not everything the CCP does is going to be evidenced based.

Andy Riesenberg commented that the majority of the strategies are in the draft LIP. The PRCS and 1170(h) populations are very individually oriented—the CCP challenge is to find the right balance between individual level and community based strategies.

- Grace Nelson requested clarification on "tolerating failure." She stated that to relapse is one thing, but somebody committing a new crime is completely different. "Tolerating failure" needs to be better defined.
- Bob Lotti commented that there needs to be a victim's perspective captured in the philosophy especially when considering the types of programs.

Mikaela Rabinowitz suggested that the philosophy contain a statement regarding an appropriate response to non-compliance issues such as missing appointments.

Andy Riesenberg commented that the list of suggestions for reentry is not very specific to the AB109 population—the CCP needs to dig deeper in developing the philosophy for AB109.

- Chief Forrest commented that he thinks there is an assumption that most people coming back to the community via AB109 are somehow special. The bottom line is the state needed to reduce the prison population. Of the 144 people returned to San Mateo County, many of them have not been gone very long—they are really probation failures. They are, in fact, of the 5500 regular probationers, more unstable and violent than people on regular probation that the county has seen so far. A significant difference is that 50% of regular probationers are substance abusers versus 90% of the AB109 population are substance abusers.
- Beverly Johnson commented that the feedback she is getting from the returning population is that they have never before experienced an immediate connection to a coordinated one-stop service approach that has helped them to launch more successfully.

Mikaela Rabinowitz suggested that the CCP philosophy state that custodial time should include an opportunity for rehabilitative services.

Andy Riesenberg facilitated a discussion on the role of local law enforcement and multi-disciplinary teams (MDT) based on the feedback from the February 9 CCP meeting. That meeting revealed that overall the CCP supported local law enforcement participating in the MDT's.

- Bob Lotti reiterated that the Police Officers Association (POA) does not want to be involved in the MDT's as designed right now—the POA needs some sort of connection with the services that are being provided. He stated that there must be a structured avenue to get information about the offender back to the probation officers very quickly and vice versa.
- Grace Nelson commented that Chief Manheimer had previously stressed the importance being a part of the intelligence aspect of the population released by CDC. This would be important because the officers have knowledge of those individuals and their families.
- Bob Lotti stated that the operations group would be best poised to disseminate valuable intelligence to probation and vice versa.

Andy Riesenberg facilitated a discussion on the use of the term "client" to define the AB109 population.

- Beth Freeman stated that she would like to find a word that is more appropriate—she would be happy with the term "supervised person" because that is their role in this program. Judge Freeman reiterated that a large aspect of what [the CCP departments do under AB 109] is non-voluntary for the "supervised person".

On partnership consensus, for the purposes of the LIP, the term “supervisee” will be used to refer to the AB109 population.

Andy Riesenberg facilitated a discussion on the LIP, which RDA had streamlined in terms of defining the AB109 population within San Mateo County, funding for AB109, the philosophy, the mission, the values, the goals, and the strategies. Mr. Riesenberg reiterated that the revised LIP (version 2.0) will be posted online on March 2. He stated that the information has not changed, it has been repackaged to include the strategies in the main part of the document. The action steps have been moved to the appendices.

In response to a question from Stephen Kaplan, Andy Riesenberg stated that the example before the CCP is to indicate where there is a lead agency and/or a supporting agency; the specific agency and/or agencies will be identified in the LIP.

Mikaela Rabinowitz reported that to date RDA has received 85 public comments on the draft LIP. The comments breakdown into various categories, however, the most prevalent category was related to alternative sentencing/alternative custody—that was for both the pretrial population and/or the sentence population. She stated that there were a number of comments asking that the plan put a greater emphasis on providing more alcohol, drug, mental health, and treatment services as well as crime prevention.

- John Digiacinto suggested that new information/edits to the plan be displayed via the track changes feature or highlighted to minimize the reading time for future updated reports.
- RDA agreed to post a log of the edits in future reports.
- RDA stated that the revised LIP will reflect the current conversation and will be posted on March 2.
- The public comment period will continue to remain open.
- The next CCP meeting on March 8 will be a full CCP discussion on the plan and budget.
- CCP will meet on March 15 and March 29.
- The final plan will be presented to the Board of Supervisors on April 24.

6. Adjournment