

Community Corrections Partnership

MINUTES

Thursday, April 25, 2013
3:00pm - 5:00pm
City Hall, Room 305
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Members in Attendance: Chief Wendy Still (chair), Simin Shamji (alternate for Public Defender Jeff Adachi), Steve Good, Sheriff Ross Mirkarimi, Annette Quiett (alternate for Barbara Garcia), Deputy Chief David Shinn (alternate for Chief Greg Suhr), District Attorney George Gascón, Steve Arcelona, Beverly Upton.

1. Call to Order and Roll Call.

Chief Wendy Still called the meeting to order at 3:04. She welcomed members and the public to the meeting. Those present introduced themselves.

2. Public Comment on Any Item Listed Below as for Discussion Only.

Chief Still asked for public comment on any of the Agenda items listed for Discussion only. There was none.

3. Review and Adoption of Meeting Minutes of December 19, 2012

Chief Still asked members to review the meeting minutes, then offer a motion. DA Gascon moved to adopt the minutes; Annette Quiett seconded. The motion carried (9 – yes, 0 – no).

4. Presentation on the *San Francisco Women's Community Justice Blueprint*

Chief Still provided background on the *San Francisco Women's Community Justice Blueprint*. She explained that APD and the Sheriff's Department, along with community based organizations and service providers, have worked together to produce this document. She thanked the Zellerbach Family Foundation for supporting the effort and allowing the group to partner with Community Works and Drs. Barbara Bloom and Barbara Owen, who, together with Dr. Covington, wrote the report on gender responsive strategies which is known as the beginning of the knowledge base about this issue and why these strategies are important in the criminal justice arena. Chief Still listed the community partners and City agencies that worked on the Blueprint and then introduced Dr. Bloom to discuss Blueprint.

Dr. Bloom gave additional background about the Blueprint project. When Public Safety Realignment was implemented, she and Dr. Owen sent a letter to all California probation departments to urge them not to forget women in their Realignment implementation planning. They received one response to this letter – from San Francisco. This Blueprint was a collaboration of many who are here today who over the last 2 years to give Drs. Bloom and

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Owen input. The leadership of the Sheriff's Department and APD made this project possible. With this Blueprint, San Francisco is paving the way and encouraging other counties to pay attention to their women and develop Blueprints of their own in the future.

The goal of the Blueprint is to examine the situation of justice involved women, which is not to say that San Francisco may not want to also examine the situation of justice involved men. The goal of this project was to look at non-custodial alternatives for women, through the lens of gender and culture, with a focus on family. The project asked the question of how to integrate dual systems of criminal justice and community service providers, to better serve women and their families and break the cycle of incarceration, acknowledging that research shows that women are served better in their community.

Dr. Bloom went on to explain that justice reinvestment can be achieved through non-custodial alternatives. She stressed that it is important to look at use of split sentencing. Many counties are investing solely in the custody piece and ignoring the community piece. Therefore, most recommendations in the Blueprint focus on the community.

The gender responsive strategies report authored by Drs. Bloom, Owen, and Covington (NIC 2003) provides a definition and guiding principles of gender responsive approaches. The guiding principles are: gender, environment, relationships, service and supervision, socioeconomic status, and community (more detail on page 20 of the Blueprint). The Blueprint is founded on these guiding principles and an acknowledgement that gender makes a difference and that women do better with strategies that consider family and children, environment, relationships, trauma, and mental health issues, all in a strength-based way.

Dr. Bloom explained that a body of research has developed that shows that the following strategies and practices improve outcomes for women involved in the criminal justice system: having a gender responsive theoretical foundation, performing assessment and intensive case management, providing services that address women's pathways, providing transitional planning and community reintegration, providing coordinated case management, ensuring staff are trained in gender responsive practices, and addressing women's material needs.

Based on an analysis of San Francisco's programs and practices, the Blueprint identifies five strategies for improving outcomes for women:

1. Integrate criminal justice and community services by developing a collaborative leadership structure that plans, coordinates, and oversees the development of an evolving women-centered multi-agency system.
 - San Francisco is a service-rich community but there is fragmentation and a need for more coordination and collaboration across departments. The CCP should provide oversight of the development of a leadership plan, with Sheriff Department and APD staff to oversee its implementation
2. Develop more pre-trial alternatives, both residential and non-residential, including mother-child alternative sentencing programs
3. Develop and enhance a coordinated, intensive continuum of care with integrated case management from pre-trial, through criminal justice process and beyond. This could help reduce the fragmentation and duplication of services. This would not be site or service-specific case management. Integrating the use of an assessment tool is an important piece

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of this strategy – as the Women’s COMPAS is used more we will have better idea of the needs of this population

4. Expand and enhance programming that creates a continuum across systems, with residential and non-residential options.
5. Design an integrated data collection and evaluation process so that San Francisco can monitor what it is doing, including current programs, future programs, and the entire process and system. In order to be evidence-based, you have to prove that what you are doing works, and that outcomes are improved. In addition, the County needs more data on the status of the children – their living situations, caregivers, etc. This will provide more direction for family-focused services.

The next step for San Francisco is to create an implementation plan based on this Blueprint. Going forward, this Blueprint can serve as an example for other counties.

Chief Still added that APD is one of few pilot agencies working with Dr. Bloom to perform a self-audit of the gender responsiveness of its policies and practices. APD is using this as a baseline, to find out if the department is supervising its clients in a gender responsive way. APD is also developing a new case management system so it will be better able to collect data on clients and their children. APD is also working with judges on an alternative sentencing program for women. APD is building services out in community so that it can better match services to clients’ identified needs.

Chief Still then invited other comments from members.

DA Gascon said that this Blueprint is a good start and that the County should move quickly to create an implementation plan. DA Gascon explained that San Francisco is a leading county in using split sentencing. He added that one area that would be helpful in implementing these strategies is a risk assessment in the pre-trial setting. While it is easier to do risk assessment post-sentencing, the DA has an interest in expanding pre-trial risk assessment, especially a gender specific pre-trial risk assessment.

Sheriff Mirkarimi commented that his department is committed to expeditious implementation of the strategies in this Blueprint. A central piece of this implementation is the Sheriff’s Department Women’s Resource Center. He added that many questions have come up about how the WRC can be used to support this Blueprint, even if that takes some repurposing of the Center.

Beverly Upton commented that this Blueprint is very good work and that implementation is key and should be started as soon as possible. She added that the domestic violence community ready to help and that the County needs someone to advocate and navigate through this implementation process.

Simin Shamji reported on a case that illustrates the issues highlighted in this report regarding successful inter-department collaboration. She explained that there was a female offender with a COMPAS assessment. Traditionally, this woman would have spent some time in local custody. However, in this situation, all parties involved together to come up with an appropriate alternative. The woman will now serve her time with the WRC and will not have the type of sentence that will impact her future. This illustrates the seamless working together of all

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departments and is a good indication that we are heading in the right direction. Chief Still added that the next CCP meeting agenda will include a proposed approach to take action on regarding implementation of the strategies outlined in the Blueprint.

5. Progress Report on Implementation of Community Corrections Performance Incentives Act of 2009 (SB678).

Chief Still explained that Senate Bill 678, sponsored by Senator Mark Leno in 2009, created the Community Corrections Performance Incentive Act, charging probation departments with implementing evidence based practices in order to reduce probation revocations to state prison. The legislature incentivized these practices by awarding funding to counties successful in reducing their probation revocations. This initiative, Chief Still explained, was a predecessor to Realignment. The San Francisco Adult Probation Department (SFAPD) has been very successful in reducing probation revocation sent to state prison and made the decision to use 100% of the SB678 incentive funds for services. This is notable because prior to SB678, SFAPD had no dedicated funding for services. Chief Still acknowledged the work of 5 Keys Charter School, and the collaboration with the DA and Public Defender on the SFPAC court for contributing to the County's success. As a result of all of these efforts, San Francisco has reduced the probation population, the number of unsuccessful probation terminations, as well as reduced the number of probation revocations sent to state prison by 75% since 2009. When revocations sentenced to county jail under 1170(h) are factored in, the number has reduced by 50%. These successes are due to collaborations and to all partners at the table taking an approach that focuses on reducing recidivism and emphasizes family-focused strategies.

Chief Still added that it is important to look at the whole picture of the criminal justice system when looking for success and that when this is done all of the indicators show success. She expressed appreciation for the DA, stating that it is through his leadership that San Francisco has been able to make the progress it has, because sentencing is a key part to being able to employ alternatives. She added that while it is a collaborative process, one person could stop the whole process of reform. Chief Still thanked DA Gascon.

Chief Still then proposed that the CCP begin to create an inventory of services offered in community. At a future CCP meeting, she would like to present an inventory of services and discuss what actions might come from examining what services exist and what the gaps in services are. She will ask staff to develop a survey tool and then will bring it to the whole body.

Beverly Upton added that she would like the survey to include language access issues.

Chief Still then invited member and public comment. There was none.

6. Overview of Affordable Care Act and Consideration of Local Opportunities.

Chief Still invited Annette Quiett of DPH to provide an overview of the Affordable Care Act and its impact on those in the criminal justice system. Annette Quiett responded that she has not been a part of the meetings on that issue, so she was unable to personally provide the overview, but that others at DPH would be well equipped to do so at future date. Chief Still thanked Annette Quiett, and shared that CSAC has been holding trainings on this subject. As of October, the

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health insurance exchanges will be open for individuals to decide how to enroll. Some activities that are reimbursable include when someone in jail has an overnight hospital stay for a physical or mental health issue. She added that there is a small amount available to reimburse for substance abuse treatment, mostly for dual diagnoses. Chief Still went on to explain that there are discussions around this currently happening in Sacramento and that she is trying to see if sex offender treatment is also reimbursable. If the state changed its practice on these items, San Francisco would benefit. She added that the next CSAC training is in June and offered to share information about the upcoming training with CCP members who are interested.

Steve Arcelona added that HSA has been involved with this issue and has worked with DPH to estimate that 30,000 individuals that may be eligible for this. The state is setting up three call centers. Beginning in October, individuals can call and be referred to the counties. HSA will be accepting those calls and processing the enrollments for the increased numbers of people eligible for MediCal. He added that funding has not yet come down for any of these activities, but there has been a lot of discussion ongoing at the state level about this. He added that as he hears more, he will update the group.

Chief Still added that the navigators are a reimbursable cost and that SFAPD will be using these at the CASC and Reentry Pod.

Karen Roye added that DCSS is also looking into this, taking into consideration medical support orders for children in the system. Funding has not yet been discussed for this. As she has more information, she will update the group.

Chief Still commented that communication is important as policies are set and as members become aware of what activities will be reimbursable.

DA Gascon asked whether there an interest in having someone from the Justice Center to come to a future CCP meeting to provide an update on this. Chief Still responded that that would be great.

Sheriff Mirkarimi stated that the Sheriff's Department is seeing increased needs for services for the mental health population. He added that it would be great for the CCP and Board of Supervisors to discuss what is happening with the steady increase of those with mental illness coming into the jail system and then cycling through public hospitals. While the overall jail population is dropping, this population is not decreasing. He added that the County should address this and hold a forum on this issue either through the CCP, with the Board of Supervisors, or through the Reentry Council.

Chief Still then invited public discussion on this item.

A member of the public commented that there is concern about methadone being covered by the Affordable Care Act when it is offered in the community and that we all want to see people get their addictions treated in community.

7. Update on Plans to Replace San Francisco County Jails #3 and #4.

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Sheriff Mirkarimi provided an update. He stated that there have been ongoing meetings about replacing these county jails #3 and #4 because the Hall of Justice is seismically unsound. These jails together have 828 rated beds. In the discussion of jail replacement, the conversation has been about replacing between 500 – 700 beds. He added that the Sheriff's Department has requested a needs assessment projecting the future needs for jail beds and that the Controller's Office is working on this. He added that there will be a resolution with the Board of Supervisors on this in the next few months. The County's grant application for the jail replacement has to be in in the fall and will be for \$80 million from the state. The largest counties in the state are competing for \$240 million under this grant. He added that the cost for San Francisco's jail replacement project will be approximately \$290 million and that the rest of the money needed would come from Certificates of Participation. DPW, Real Estate, and other County agencies involved in the discussions are confident that the County can meet the funding need. The Sheriff then stated that the focus of the replacement jails will be on rehabilitation, that the old style of linear jails makes it hard to do the kind of programming the Sheriff's Department is now known for. Therefore, the new jail design will allow more integration of service providers. The Sheriff also stated that he sees the value of replicating the Reentry Pod strategy in the new jail and that he wants to emphasize vocational programming. These issues will be included in the needs assessment for the new jails.

Chief Still added that phase two funds will be based on alternatives to incarceration and will be dependent on the state budget.

Simin Shamji asked for clarification on the total number of replacement jail beds. The Sheriff responded that the discussion has been between 500 – 700 rated bed, which would represent a decrease from the current number of beds.

Chief Still invited other member and public comment. There was none.

CCP Executive Committee Business

8. Progress Report on Implementation of the Public Safety Realignment Act of 2011 (AB109), including Compliance of those under AB109 Supervision, and Opening of the Reentry Pod and Community Assessment and Services Center

Chief Still invited members to refer to the listing in the agenda packet for details on how SB678 funding has been used.

Chief Still provided an overview of AB109 compliance stating that 52% of AB109 clients under community supervision have remained in compliance. When compared with the high risk of the population, this compliance rate is phenomenal, she added. In addition, 63% have had no new law violations. She stated that this is important to note when talking about whether San Francisco has been successful in implementing AB109. The subset of the AB109 population that is being arrested is being arrested more than once. Therefore, she added that the County must ask the question: what programs need to be offered to address these individuals' needs? The CASC will allow SFAPD to offer more programs. Chief Still then reviewed the types of crimes AB109 individuals have been arrested for and the sanctions imposed.

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Chief Still then stated that, with over a year into Realignment, she is pleased with San Francisco's progress but that there is more that needs to be done. She thanked the Sheriff for being a partner on the Reentry Pod and then provided an overview of the Reentry Pod. While the City/County has moved forward on the Pod, the State is trying to catch up. CDCR wants to send PRCS individuals to the Pod, but there have been a lot of barriers. She stated that she is trying to work through those barriers with the State and Legislators and hopes to report on progress on this at the next CCP meeting. Right now those in the Pod are Mandatory Supervision clients and probation and PRCS violators.

Sheriff Mirkarimi stated that it is great to work with APD and all of the service providers on the Reentry Pod. He stated that it is sobering to be with other sheriffs from around the state in discussions about whether Realignment should move forward or not, as many other sheriffs do not believe in its merit and successes.

Chief Still added that there are over 40 bills introduced in the State Legislature attempting to roll back Realignment. These bills and the sentiments behind them are what are presenting barriers to being able to get PRCS individuals into the Pod. She then provided an overview of the Reentry Pod Status Report and stated that she will continue to report on this and look at what course corrections are needed.

Karen Roye commented that the Reentry Pod has been a great way for DCSS to reach out to this population. She thanked the Sheriff for allowing her department to do outreach in county jail #5. She added that, since starting this program, over \$21 million in debt has been avoided for those parents coming out of jail, which ensures that debt in and of itself doesn't become a barrier to reentry.

Chief Still stated that she very much appreciates the work of DCSS and that reducing these barriers is very important to family focused supervision. She added that HSA is also a critical partner in developing a process for accessing benefits and that together SFAPD and HSA have been looking at the system to identify any gaps.

Beverly Upton asked what the relationship is of women and the Pod and whether there a place where women could receive similar services?

Chief Still answered that the Pod has not been replicated for women, but that conversations about this have begun. The population of women is a lot smaller. She added that she wants to give the Pod another 30 days to see what the challenges are before opening one for women.

Sheriff Mirkarimi added that the Pod was pitched to CDCR as being for men and women, but that the population of women in the jail is so small, it wasn't feasible. However, because the population of women in San Francisco's jails is so low, he has been pitching to other counties that they bring their inmates here to a Women's Reentry Pod.

Chief Still then provided an update of the Community Assessment and Services Center (CASC). The CASC is anticipated to open on June 6th. Jessica Flintoft (Reentry Division, SFAPD) then provided an overview of the CASC. Chief Still explained that there have been discussions with Parole about doing a pilot program where they use the CASC as well.

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9. Review and Discussion of Status of Recommendations of the Performance Audit of the Adult Probation and Sheriff Department's Implementation of Public Safety Realignment

Chief Still provided an overview of the audit. She acknowledged what a stellar job all partners have done in light of the massive changes under Realignment, as well as the leadership role San Francisco has provided to other counties, adding that San Francisco was the first county to put out a Realignment Plan and that many counties used it as a framework. She added that she knows the process could not have moved faster or been implemented better and that the individuals conducting the audit did not understand the process, the roles of the agencies, or the law. She stated that all partners spent a lot of time working with the auditors throughout the process. The resulting report will be heard at the Board's Government Audit and Oversight committee, where there will be an opportunity to provide the CCPEC members' perspective. This is an opportunity also to identify what could improve the CCPEC's efforts. She suggested that the CCPEC members take the template of recommendations provided by the Budget Analyst and fill it out, through the Realignment Working Group, to present to the Board suggestions for improving our collaboration. She asked if CCPEC members agree with this approach and they all noted agreement.

Chief Still stated that the tentative date for the hearing is May 9th with the GAO committee and that she will send an email out to confirm the date when it is confirmed.

Chief Still invited public comment. There was none.

10. Review and Approval of 2013 Realignment Planning process

Jessica Flintoft provided an overview of the 2013 Realignment Plan process and timeline. She explained that the proposal is to update and refresh the 2012 plan for 2013. She stated that she will work with staff of each CCPEC member department to draft the Plan, then will provide opportunities for public comment through public forums. At a future CCPEC meeting, the Plan will be considered for approval.

Chief Still commented that the plan and process is good but that the timeline may need adjusting based on the Board's budget timeline. Jessica Flintoft added that the CCPEC will come to agreement on the process and strategies to include in the draft Plan, then make adjustments based on the final budget determinations.

DA Gascon moved to approve Planning Process with the changes noted. Sheriff Mirkarimi seconded. No public comment. All in attendance approved (9 – yes, 0 – no).

11. Discussion of Mental Health treatment available in County Jail and in Community

Chief Still stated that DPH has been tracking the mental health needs of the realigned population and tracking reimbursement issues through the affordable care act. She asked if there was a proposal for how to move forward on this issue.

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Sheriff Mirkarimi commented that this is under the purview of DPH. He stated that he thinks a hearing on this issue is needed.

Craig Murdock (DPH) commented that those in DPH who could speak to this are not here, so the discussion cannot happen at this time. He stated that the appropriate people can attend the next CCP or CCPEC meeting and that the discussion can happen then.

Chief Still stated that she would like to have that discussion at the next CCPEC meeting and have DPH start that conversation internally to explore what can be done to address these needs and what opportunities exist under the Affordable Care Act.

Craig Murdoch added that if that is on the agenda for the next meeting, the appropriate people from DPH will attend the meeting. He then named the appropriate individuals.

Chief Still asked for additional public comment. There was none.

12. Members' comments, questions, and requests for future agenda items Chief Still

asked members for any additional comments or requests for future agenda items.

Simin Shamji suggested having a discussion about funding. If all of the SB678 funding went to services, she asked how these services will be funded in the future, especially in relation to mental health services.

Chief Still provided an overview of the funding formula under SB678 for the coming year and San Francisco's future allocations. She stated that she will have a better idea of the County's allocation when the May budget revise is released, and that the CCP should discuss this in the future. Simin Shamji stated that while we will know the state's allocation then, we should ensure that the county does a great job allocating money to services. Chief Still agreed that service needs should be discussed, as well as the funding gaps for FY 2013-14.

No other future agenda items to request. No other public comment.

13. Public comment

Chief Still invited public comment. There was none. She thanked everyone for their time. She added that she is proud to work with all of the partners here.

14. Adjournment

Sheriff Mirkarimi moved to adjourn. DA Gascon seconded. All present voted yes. (9 – yes, 0 – no).

Meeting was adjourned at 4:44 pm.