

Community Corrections Partnership Executive Committee

MINUTES

Thursday, August 25, 2011
1:00pm-3:00pm
Delancey Street Foundation
600 Embarcadero
San Francisco, CA 94107

Members in Attendance: Chief Wendy Still (chair), Erin Hirsch, Undersheriff Jan Dempsey (alternate for Sheriff Michael Hennessey).

1. Call to Order and Welcome.

Chief Wendy Still introduced herself and welcomed members and the public to the meeting. Those present introduced themselves.

2. Overview of Support for Data Collection and Performance Measurement to Support Implementation of Realignment in San Francisco by Lani Kent, Office of the Controller. (discussion only).

Chief Still provided a brief overview of developments related to SB678, the Community Corrections Performance Incentive Act, and AB109, Public Safety Realignment. She then introduced Lani Kent from the Controller's Office. Lani explained that the role of the City Services Auditor at the Controller's Office is to provide technical assistance to city departments. This office will be involved in realignment during the initial phase by tracking impacted individuals and inventorying data systems.

Jessica Flintoft explained that the benefit of the controller's work will be to create a single set of data about this population. This information will provide a better sense of what funding levels are needed to best serve this population.

Karen Roye asked whether peripheral departments will be given some of the controller's attention through this process.

Lani said that her office will flag individuals as they enter the system and access different services across the city.

Terry Anders expressed concern that workforce development was at the bottom of the list of funded services and agencies.

Chief Still said that the allowance for workforce development is higher than the state recommendation, but lower in the current version of the plan than was originally recommended to the Board of Supervisors by city departments. The planned Community Assessment and Service Center will provide some additional supports and services.

Terry Anders said that he wants the agencies to do outreach in the impacted communities.

Mindy Kenner said that barrier removal is important.

Erin Hirsch of Goodwill noted that much of this work that's going on under other names and this body is mandated by law.

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3. Presentation and Discussion of *Probation Revocations in the City of San Francisco: A Study of San Francisco Probationers Sentenced to State Prison in 2010* by Rebecca Silbert. (discussion only).

Rebecca Silbert presented her findings on the 190 individuals on probation in San Francisco in 2010 whose probation was revoked and who were sent to state prison (full report available at <http://sfreentry.com>). One third of people going to state prison from San Francisco are probation violators. All of the cases studied were on probation for a current felony offense; priors could have been misdemeanors. Rebecca suggested that one issue for San Francisco to consider is that more than half of the people who were revoked to state prison were already on probation at the time of their current probation case.

Chief Still agreed that this is an important issue to examine. She pointed out that one problem is that most probation officers have caseloads of more than 200:1. Some have caseloads of 1000:1.

Craig Murdock asked whether the report tracks co-occurring disorders. Rebecca said that she tracked the data but did not include it in the report.

Undersheriff Jan Dempsey asked whether the District Attorney dropped charges in exchange for revocation to state prison because there was an absence of probable cause or because many of the cases wouldn't have proceeded. Rebecca said that she was unable to track this.

Rebecca observed that individuals in this group generally were not charged with more serious crimes than the original crime for which they were sentenced to probation. She tracked the offense that was charged, rather than the conviction because she was not confident that the statute was categorized consistently using the FBI scale.

A member of the public asked where the data came from and what the review process was.

Rebecca explained that she looked at the probation file, court record, notes of probation officer, internal probation documents, and arrest reports. These were largely paper files with handwritten text. She observed a number of references to the difficulty probation officers had in helping probationers find jobs.

Chief Still said that the Adult Probation Department learning center and the future Community Assessment and Service Center will help with this. A workforce development grant from the Department of Labor to the Office of Economic and Workforce Development and the Department of Child Support Services (DCSS) will help, too. Karen Roye, Director of DCSS, said that 65% of the parents that haven't paid child support in 120 days have been incarcerated at some point. Karen emphasized that DCSS and Goodwill will do outreach in the community to get the word out about the services available through this grant.

4. Update on the Implementation of SB678 California Community Corrections Performance Incentives Act (2009), AB109 Public Safety Realignment Act (2011), and Implications for Funding and Services Gaps. (discussion only).

Chief Still recommended moving to the next agenda item.

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5. Update on Progress of the San Francisco Probation Alternatives Court. (discussion only)

Chief Still said that the San Francisco Probation Alternatives Court was created as a national model. Instead of waiting until people failed on probation and were admitted to state prison, this court offers a pre-entry solution. Built on evidence-based practices, the court includes case management and connections to services. There are 26 probationers involved in the court with a goal of 80. Not one person has failed and been sent to state prison.

Simin Shamji of the Public Defender's Office agreed that the court is working very well. Without this court, most of these individuals would have ended up in prison not necessarily because of the severity of the offense, but because they have been through the revolving door already. This population has a high level of need. The court is a collaborative effort.

Karen Shain asked how people are chosen to participate.

Chief Still said that clients are referred by a judge, district attorney, public defender, or probation officer. Individuals can also self-refer. Anyone on probation whose case can't be disposed in a less severe way is eligible. There must be an actual state prison offering in order to be eligible. The court is in Department 29 with Judge Charles Haines.

Chief Still said that the small size allows for a complete assessment of the clients' needs. The court will likely be funded for another two years through a Second Chance Act grant.

6. Presentation and Overview of the San Francisco Justice Reinvestment Initiative by Peter Ozanne, Crime and Justice Institute. (discussion only)

Peter Ozanne of the Crime and Justice Institute (CJI) gave an overview of justice reinvestment, which is a data driven process for reducing spending on corrections and incarceration. Peter said that San Francisco has begun the process of formulating data agreements between the affected agencies and CJI. By the end of this year or the beginning of next year there will be a rigorous analysis of where to look for reinvestment. The oversight group is the Reentry Council. The application focused on the high rate of recidivism in San Francisco; a disproportionate level of incarceration of African Americans; and the significant number of non-serious, nonviolent offenses ending up in state prison. Peter explained that technical assistance provided through the grant includes research capacity, information about what else is going on around the country, and assistance in developing policy recommendations. Phase 2 of the award promises funds for implementation. The Bureau of Justice Assistance is offering the most successful counties bridge funds for achieving some of the short term savings.

Jessica Flintoft asked audience members to let her know if anyone else would like to talk with Peter on his various trips out to San Francisco.

Simin Shamji asked whether this project would make recommendations about sentencing reform.

Peter said that sentencing reform is more of a state level issue. Chief Still said that sentencing reform is being addressed by other initiatives in San Francisco.

7. Review and Approval of Community Corrections Partnership By-Laws (discussion and possible action)

Because the body did not have quorum, it did not consider the draft by-laws.

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8. Members' comments, questions, and requests for future agenda items (discussion only).

Seeing none, Chief Still invited public comment.

9. Public comment on any item listed above, or other items within purview of Community Corrections Partnership.

Mindy Kenner asked about the Community Service and Assessment Center that will be up for bid in October or November.

Chief Still explained that realignment funds will be put out for bid for reentry and realignment services starting January 2012. The Adult Probation Department will partner with the Department of Public Health to augment services immediately available.

Jessica pointed out that San Francisco has been on the fast track in this process. Community based organizations may be concerned about the delay, but it's being minimized as much as possible.

A representative from the Hospital Council said they would like to be included in this group.

Karen Shain said that she was not able to find realignment plans for other counties. She observed in San Francisco's plan a heavy reliance on home detention and electronic monitoring. She asked whether there were alternatives.

Chief Still said that these sanctions are provided for in the legislation. The intent is to provide the litany of options that are available. Risk assessments will be carried out prior to imposing these sanctions. The Sheriff already uses electronic monitoring, as does Adult Probation in select cases.

Karen said she was concerned that electronic monitoring in lieu of bail disadvantages people who can afford bail.

Undersheriff Dempsey said that this law allows the Sheriff the authority to release on bail whereas currently only a judge may make that determination. The law is trying to help Sheriffs better coordinate with probation departments.

Karen said that there will be a number of pregnant women on post-release community supervision. She wondered if there is a plan for these women.

Chief Still said that they will create a plan for female offenders and create a gender responsive strategy.

Karen asked if there have been discussions about expanding Transitions Clinic to accommodate the health needs of this population.

Craig Murdock said that the Department of Public Health will expand Transitions to bring on an additional doctor.

Allen Hopper of the American Civil Liberties Union raised the issue of release prior to charging.

Chief Still said that the next meeting would be held in early 2012.

10. Adjournment.

The meeting adjourned at 2:50pm.