

Reentry Council

City & County of San Francisco

DRAFT MINUTES

Tuesday July 16, 2013
10:00am to 12:00pm
Main Auditorium
Milton Marks Conference Center
455 Golden Gate Avenue
San Francisco, CA 94102

Members in Attendance: Robert Dunlap (co-chair, alternate for Public Defender Jeff Adachi), Paul Henderson (co-chair), Katherine Miller (co-chair, alternate for District Attorney Gascon), Sheriff Mirkarimi (co-chair), Wendy Still (co-chair), Greg Asay (alternate for Rhonda Simmons), Robert Bowden, Anthony Castellano (alternate for Yador Harrell), Kim Courtney, Armel Farnsworth (alternate for Steve Lin), Leslie Levitas, Allison Magee (alternate for Chief Siffermann), Gerald Miller, Viet Mike Ngo, Annette Quiett (alternate for Jo Robinson), Karen Roye, Deputy Chief David Shinn (alternate for Chief Gregory Suhr), Maria Su, James Whelley (alternate for Trent Rhorer).

Members Absent: Roger Mac, Eddy Zheng, Representative of the Superior Court, Representative of the Board of Supervisors.

1. Call to Order and Introductions.

Chief Still called the meeting to order at 10:07am. Members introduced themselves.

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

Chief Still asked for public comment. There was none.

3. Review and Adoption of Meeting Minutes of May 14, 2013 (discussion & possible action).

Chief Still asked members to review the minutes. Chief Still noted that Karen Roye’s name is misspelled. Chief asked for a motion to approve the minutes with correction noted. Paul Henderson moved and Armel Farnsworth seconded the motion. No public comment. The motion carried at 10:12am.

4. Staff Report on Council and Subcommittee Activities, Membership and Process to Develop Ordinance to Renew Reentry Council (discussion only).

Chief Still asked Jessica Flintoft to provide a staff report to the Reentry Council. Jessica welcomed Sara Felicia Moore-Jordan as the new Reentry Policy Coordinator, who joins the APD Reentry Division. Sara formerly worked on reentry issues in Contra Costa County for the Superior Court.

Jessica reminded members that the two year terms are expiring on July 17. She advised members that they will be asked to recommit their membership in the coming days. She noted the vacancy of the Board of Supervisors seat and that the President of the Board of Supervisors (BOS) is conducting outreach to fill the vacancy. The Superior Court seat is vacant due to a stated conflict of interest. Board of Supervisors and Mayoral appointees will need to reapply for their seats. Paul Henderson said on behalf of the Mayor that the Mayoral appointees are deeply appreciated for their contributions to the local community and to the reentry efforts citywide. Chief Still offered commendations from the BOS for the BOS Appointees. She said that change within any entity requires tenacity and dedication. She said that the Reentry Council is a national model for how to reform systems and how to convene individuals from all walks of life. Chief Still presented certificates from the BOS to its appointees. Chief Still recognized Gerald Miller, Mike Ngo, Robert Bowden and Kim Courtney. Chief Still reiterated that the recruitment process is now open.

The three Reentry Council subcommittees will reconvene in August 2013. Jessica noted that current members will be surveyed for their input about the structure and facilitation.

Jessica noted that the ordinance establishing the Reentry Council included a sunset clause, and the date is approaching June 1, 2014. Jessica recommended that the Subcommittee on Policy and Operational Practices come up with a recommendation for the future of the Reentry Council and present those recommendations at the December 10, 2013 Reentry Council meeting. This will allow council members to introduce legislation to the BOS and allow time for the legislative process.

Jessica thanked contributing agencies for their contributions to the printing of the *Getting Out and Staying Out* guide and reiterated how meaningful this guide is to individuals who are in custody and without access to the internet. Chief Still noted that a former life prisoner came to her office recently, carrying a copy of the guide which had clearly been well-used. Chief Still emphasized how important this guide is to so many people preparing for their release.

The California Reentry Council Network is an outgrowth of the Reentry Council, which is funded by the Rosenberg Foundation. The next conference call is next week and Jessica reminded members that this network provides a great resource for those interested in reentry issues across the state.

Karen Roye mentioned that many of her staff and providers of the Department of Child Support Services (DCSS) rely on the Resource Guide and thanked staff for their ongoing commitment to updating the guide.

5. Regular Update on Reentry Related Funding, and Update on Implementation of the Second Chance Act funded projects (discussion only).

Jennifer Scaife presented the Reentry Related Funding and Second Chance Act funding projects memos in the packet. San Francisco has applied for two new grants, including one with the Sheriff's Department for adults with co-occurring disorders. This would provide ongoing support to cover project in County Jail 5 which is ending Sept. 30th of this year. The report also covered implementation of the Women's Community Justice Reform Reentry Blueprint. The project emphasizes community based alternatives for women particularly pregnant and parenting mothers.

Allison Magee gave a presentation on the Juvenile Collaborative Reentry Unit (JCRU), formerly called the Juvenile Collaborative Reentry Team. The JCRU was a three year pilot that focused on youth returning from out of home placement. Recidivism in that program was reduced by 60% and the program focused on reentry planning and aftercare. Upon the success of this project, JPD decided to systematize this process through the application for a second grant, which now establishes the JCRU providing the same level of support for all juveniles returning from long term placement. It also provides that juveniles are represented by public and private defense attorneys. Allison said that they are seeing the same levels of success in this version of the program. JPD has formally codified these partnerships, and recognizes it as formal structural change.

6. Regular Update on Implementation of the Justice Reinvestment Initiative

One of the major goals of JRI is to reduce disproportionate representation of African Americans in the criminal justice system. Departments represented on the Reentry Council are undergoing cultural competency training as one strategy for addressing this issue. Karen Roye presented on her Department's efforts. DCSS recognized that it needed to understand who its clients are in order to understand why there were so many noncustodial parents who were not paying their child support. 80% of the caseload is either on or formerly on a form of public assistance. 97% of those parents paying child support are fathers. In 2012 DCSS collected \$27million, 80% of which went directly to families. Today 73% of the caseload is paying child support. Once DCSS understood that parents wanted to help their children but were unable due to economic challenges, DCSS recognized that interpersonal communication and relationships between clients and staff was critically important. DCSS reached out to CBO providers for input and then started modifying orders that were reasonable. DCSS implemented debt forgiveness, started conducting outreach in the communities, and implemented pilot programs to test cultural competency programs. DCSS is working with other cities that have had success to adopt best practices. DCSS prioritizes one-on-one communication over third party or electronic communications. DCSS has also noted that domestic violence is a recurring issue in families served by the agency, and so has reached out to the Domestic Violence Consortium for input and support. They are looking to strengthen outreach and to stay relevant. Gerald Miller asked how

many clients are incarcerated. Karen said that 62% have had involvement in the criminal justice system. DCSS looks for ways to work with clients who are incarcerated in order to find ways to reduce debt that accumulates while a parent is incarcerated. Chief Still thanked DCSS for their ongoing presence at APD.

Chief Still noted that the other two JRI priorities are to shorten the standard length of probation in San Francisco and to maintain and expand pretrial alternatives to incarceration.

Chief Still asked members to skip Agenda 7 because the presenter, Ivy Lee was not yet present.

8. Update on Implementation of New Parole Violation Process and Review of Existing Services for People on State Parole (discussion only).

Chief Still asked Armel Farnsworth to provide an overview of the new process of parole violations now being held by the Courts. The Board of Parole Hearings no longer adjudicates charges for individuals facing a parole violation. Parole is meeting with relevant agencies in San Francisco in order to ensure timely services to the parole population. They are investing in training for Evidence Based Practices (EBP), motivational interviewing. Parole is trying to bridge the gap between where it has been and where it wants to go in the future in order to reduce recidivism. Parole is now utilizing Community Based Organizations (CBO) resources like never before, due in part to changing policies and laws that allow parole agents more flexibility in addressing potential violations. Parole agents administer the COMPAS and attempt to address needs identified through the assessment in order to address the client's behavior.

Chief Still asked for a future agenda item comparing the old parole revocation process with the current process. There have been 25 arrests the last three weeks and one referral to the court; the rest have been referred to community based services. Previously, there were 60 hearings per week on average. Parole is changing everyday practices to be more responsive to clients' needs.

Sheriff Mirkarimi noted that his Department appreciates working with Parole in this different capacity. The Sheriff asked how other counties around the state have responded to the shift from the Board of Parole Hearings to the Courts. Armel said that many counties are experiencing challenges with this new process because they relied on the parole revocation process as a shortcut to charging offenders with new crimes. Other counties are welcoming the difference. Armel noted that San Francisco justice partners work extraordinarily well together, unlike the dynamics in some other counties.

Chief Still observed that the time is coming when we will no longer consider the form of supervision that individuals are on. Rather, we will consider everyone as part of a reentry process.

Sara Felicia Moore-Jordan called members' attention to the graphic prepared by the Administrative Office of the Courts which delineates the parole revocation hearing process and

the roles of involved agencies. Sara highlighted that the maximum length of the parole violation will be 90 days, including good time credits.

Armel reinforced that Parole hopes to improve their outcomes.

Katherine Miller added that the Commissioners who were re-hired to adjudicate these hearings have lengthy experience with Family Court and Truancy Court and are therefore well-informed about services available in the community.

Bob Dunlap noted that he is elated to hear the discussion about new approaches to changing people's behavior. His one concern is the lack of access to counsel of the pre-petition phase of the process. He noted that it seems as though the vast majority of parolees are resolving their cases without access to counsel. He noted that the pre-filing phase is a critical one. There is no statutory requirement that PRCS clients be provided access to counsel prior to a flash incarceration, for example, but San Francisco's leaders have implemented that option for PRCS clients facing a flash incarceration. Bob urges CDCR to consider instituting a similar option for individuals facing a parole revocation or adjudication.

Chief Still added that APD has conducted 350 flash incarcerations and only three clients have requested consultations, and only one of those has resulted in an actual hearing.

7. Regular Update on Legislative and Policy Issues Related to Reentry (discussion only).

Chief Still asked Jessica to return to the podium for an update on the local legislation which would regulate the use of criminal records in decisions about employment and housing. Jessica shared that since the last meeting, Sheriff Mirkarimi has introduced legislation and Supervisor Kim has drafted legislation to address this issue. The Sheriff projected that ultimately one piece of legislation would move forward thanks to collaboration across groups. Sheriff Mirkarimi summarized past efforts to pass similar legislation and emphasized how dearly these changes are needed by individuals exiting the system in order to obtain housing and employment.

Ivy Lee introduced herself and stated that the draft legislation would be ready in August and Supervisor Kim hopes to introduce it during the first or second session following the summer recess. Ivy noted that her office has worked hard to identify best practices, be thoughtful about enforcement, and ensure that this effort is community led. Ivy thanked the Sheriff for taking time to meet and share lessons learned.

The legislation will cover contractors with the city, affordable housing agencies, job advertisements, job applications, and the timing of the criminal background check. It would not apply to law enforcement or crime prevention positions or to jobs that work with minors or vulnerable adults. Legislation would empower the Office of Labor Standards and Enforcement with enforcement due to their track record in addressing these issues. The office wants employers to be actively engaged in this process, rather than wait for enforcement. Ivy

mentioned that this legislation would help those reentering the workforce, but also those who are already employed and seeking promotional opportunities.

Gerald asked how it can be proved that someone was not hired due to a criminal history. Ivy said that technical assistance would be provided to housing providers and employers to help define what it means that a conviction is related.

Armel asked what kind of preliminary support Supervisor Kim is finding among her fellow members of the BOS. Ivy said that a critical mass of Supervisors is in support, and looks forward to the vote of confidence from the Reentry Council in order to push the legislation forward. She sees this as a public safety measure, and also as the right thing to do.

Sheriff Mirkarimi said that in the past, the legislation suggested that those with criminal records be considered a protected class in San Francisco. This implication caused concern among the Department of Human Resources and other bodies, and ultimately caused the legislation in its previous iteration to fail.

Paul Henderson asked about the timing of the draft. Ivy said that the draft is currently with the City Attorney, and that they will share it when the County Administrators Office has finished its review.

William Gandy introduced himself and stated that he has been gathering signatures and conducting outreach on this issue. Campaign goals are being met. He held a teach in last month with over 70 attendees. They have gathered 900 signatures so far. Individuals they meet on the street tell them heartwarming stories about how their records have limited their opportunities and how this legislation would deeply impact their lives and the community as a whole.

Ms. Nixon introduced herself and discussed her involvement in this issue to collect signatures. She works hard throughout the day across the city to gather support for this initiative.

Chief Still asked for public comment. Derrick Rudolph stated that he volunteers at San Quentin and uses the resource guide regularly. He also works at the Community Justice Center and advocates for the use of the RAP sheet for clients to use in discussion with prospective employers.

A member of the public who worked for two decades in vocational rehabilitation lauded the effort of the draft legislation previously discussed.

9. Regular Update on Activities of the Juvenile Justice Coordinating Council, Sentencing Commission, Workforce Investment Community Advisory Committee, and Community Corrections Partnership (discussion only).

Allison Magee mentioned that the JJCC will meet next week July 23 at 2pm. Karen Roye provided a summary of the recent Sentencing Commission meeting. San Francisco ranked

second to last in commitments to state prison. The next meeting will cover drug law reform and will take place at the Delancey Street Foundation. Sara mentioned that Macio Lyons, representing the WICAC, is not present but announced upcoming meeting dates for the WICAC. Chief Still announced upcoming meeting dates for the Community Corrections Partnership and its Executive Committee. She mentioned that the implementation of the Women's Community Justice Reform Blueprint is a major priority, along with implementation of services funded by AB109.

Karen Roye thanked Chief Still for all the work she has done on the management and implementation of realignment.

10. Regular Update on the Implementation of Public Safety Realignment (discussion only).

Chief Still provided an update on the implementation of the Public Safety Realignment Act. Individuals supervised by APD under Realignment total 700 per year, or 550 at any given time. The CASC is the linchpin of the strategy and is the hub for all the services that APD clients need. Chief Still also acknowledged Sidarth Misra of America Works.

Melissa Gelber summarized some of the highlights of the first few weeks of the CASC. The grand opening was a great success. LCA also recently held a community partners meeting which was well-attended. All staff have received an intensive two week EBP training. LCA began providing services in the Reentry Pod in February and see this as an opportunity to connect clients and create a synergy between pre- and post-release service engagement. Working to implement the individualized rehabilitation and treatment plans with clients and DPOs. LCA has received 250 referrals for Thinking for a Change (T4C) and has led seven T4C groups.

Sheriff Mirkarimi noted the leadership of Chief Still in imbedding Adult Probation Department staff in a jail setting to impart services for clients in custody. Sheriff noted that San Francisco is very much the "beta site" for all of these reforms. The Sheriff noted that other counties are interested in following suit and replicating the Reentry Pod in their own jurisdictions. Sheriff also noted that at the last graduation, 65 graduates received a high school diploma or GED, which is the largest graduating class to date. He noted that the Five Keys Charter School has now started offering education to incarcerated students in Los Angeles.

Chief Still described the process by which legislation was introduced in order to allow for a three year pilot project to institute a Reentry Pod program in San Francisco. She sees this as another example of the collaborative spirit in San Francisco.

11. Council Members' Comments, Questions, and Requests for Future Agenda Items

Sheriff Mirkarimi noted yesterday's article in the Examiner about individuals suffering from mental health disorders who are also involved in the criminal justice system. Arnel Farnsworth echoed these concerns. Chief Still asked that this agenda item be added to a future meeting.

12. Public Comment on Any Item Listed Above, as well as Items not Listed on the Agenda.

Chief Still then asked for public comment. Seeing none, she thanked everyone for a great meeting. The next meeting is scheduled for September 17, 2013.

13. Adjournment.

Chief Still asked for a motion to adjourn. Paul moved and the Sheriff seconded the motion. The meeting adjourned at 11:59am.