

**COMMUNITY CORRECTIONS PARTNERSHIP
SPECIAL MEETING
PUBLIC SAFETY LOCAL PLAN DEVELOPMENT
WORK SESSION #1**

AGENDA

**August 22, 2011
10:00am-2:30pm**

County Administrative Center
675 Texas Street, Fairfield
6th Floor Conference Room (Room 6004)

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please call staff to the Community Corrections Partnership at 707-784-7611 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

- Call to Order—Welcome and Introductions

- Public Comment
Chair Isabelle Voit will provide an opportunity for members of the public to address the Committee on matters listed on the Agenda.

- Public Safety Local Plan Development
 - Consultant Suzie Cohen will provide a summary of stakeholder focus groups that took place during the week of August 14, 2011
 - Consultant Suzie Cohen will facilitate the Committee's development of the local realignment plan required by AB109/AB117

- Adjourn to Public Safety Local Plan Development Work Session #2 on August 30, 2011, 10am to 2:30pm, 675 Texas Street, 6th Floor Conference Room 6004

ATTORNEYS FOCUS GROUP – August 19:

Attendees:

John Kealy, DA's Office

Eric Charm, DA's Office

Lesli Caldwell, Public Defender

Elena D'Agustino, Public Defender's Office

Brandon L. Berks, Conflict Defender

Leslie Ray, Private Criminal Defense Attorney:

Andrew Ganz, DA's Office

Terry Ray, DA's Office

Pamela Boskin, Public Defender's Office

Oscar Bobrow, Public Defender's Office

Patrick Cannon, Conflict Defender

Issues and Concerns:

Protocols, Procedures and Questions:

1. Both Pub. Def. and DAs want pretrial release information in time to review it prior to Court – preferably prior to the Court receiving it – so can get a re-referral or address changes in circumstances prior to hearing
2. Would like a protocol developed for cases in which there is a violation of PRCS and a new offense whereby, if the new case is dismissed, the violation is dealt w/ via the Sanction Grid, not by the Court
3. Needs to be common understanding as to **when**, in violation / revocation cases, the Public Defender is reappointed if the P.D. defended the person in the original case. Rules of Court say before the petition is filed. Will this be followed?
4. At the 30-day (for misdemeanants) or 60-day (for felons) release dates:
 - Defense wants to be able to address the release / not release question;
 - Would like an appeal process w/ ability to correct information errors;
 - DA would also like to review release decisions
 - Defense would like a mechanism to ensure the release of those who reach the 30 and/or 60-day marks, even if the Court is not in favor. Can there / should there be such a mechanism? What would it look like?
5. Need clarification as to whether AB 109 allows the Sheriff to release a non non non prior to the 30 or 60 days described in the law? *[Ask CPOC, AOC for interpretation?]*
6. Would prefer that all judges hear violations / revocations, rather than only one.
7. Will court and other procedures / processes be in place for people sentenced as of October 1? What needs to be done to ensure that they are?

Other Issues and Concerns:

1. Training: Need training ahead of time for jail records and court records personnel, as well as Public Defender, District Attorney and Probation personnel, to ensure that all

have the same understanding and are using the same language re: 1170(h) felonies not going to prison; how will these cases be designated and how treated at intake to the jail? (667.5(b) describes the prison sentence served in jail)

2. Information (Training) About EBPs and Programs: It would be very helpful if Probation were to establish a list or directory of EBPs and programs which might be used in lieu of and/or in support of jail, i.e., what is available / acceptable as alternatives to custody, etc.

3. Program Coordinator: It would be very helpful for there to be a single point of contact to whom attorneys could go for information about programs and resources that might be useful for recommendations, referrals, etc.

4. Evaluation and Updating: Suggest developing a process for ongoing evaluation and modification of protocols, etc. to ensure things are working as intended and enable changes if necessary; partners revisit the plan and protocols in 12 – 18 months

JUDGES FOCUS GROUP – 8/15 (amended 8/19)

Attendees:

Robert Bowers	Robert Fracchia	William Pendergast	Dan Healy
John Ellis	Peter Foor	Scott Kays	Paul Beeman
Mary Carnahan	Brad Nelson	David Power	Sharon Hoover
Tim Kam	Mike Mattice	Brian Taylor	

Issues and Concerns:

1. Will the courts be overwhelmed – given the anticipated PRCS, non non nons and parole revocations? Will the courts be overwhelmed by cases that were formerly pled now going to trial, and those trials being extended?

2. Some expressed the notion that sentences in the new law are inappropriate – not long enough, not tough enough, e.g., PRCS revocations being 180 days w/ day for a day credit. The fear is that these offenders will get right out and commit new crimes. Also said defendants will want to go to jail rather than participate in any programs where they might have to do some work.

3. Very concerned about pre trial release / alternatives to custody for pre-adjudicated offenders.

- The Sheriff can release any felon or misdemeanor on whom bail has been set, i.e., the Sheriff can go around the court
- Alternatives (what was described as allowing defendants to ‘take classes’ instead of being in jail) will not be effective. [Did not seem to acknowledge the requirement of AB 109 to use proven, evidence based alternatives in lieu of and in support of incarceration.]
- Pretrial credit for time served will enable defendants to stall felony sentencing and get out w/out serving any post adjudicated time
- If defendants are to get pretrial release, victims should be notified – and perhaps even given a chance to comment per Marcy’s Law and/or the Victims’ Bill of Rights
- Also want to ensure the sentencing judge would get notice of pretrial releases
- Noted the Sheriff has said, relative to pretrial release, that he’ll “try to abide by the wishes of the court.”
- Releases must not occur in unpredictable and inconsistent ways – there must be clear and consistent processes including: procedures to provide information

4. The concern was expressed that “all the money” is going to hire POs and Sheriff’s personnel, so there won’t be any to create and/or sustain needed programs and services. It was suggested that the County increase funding for counseling programs, including (but not limited to) drug and alcohol testing; group and individual counseling for defendants with drug, alcohol and mental health issues; meaningful case management; residential treatment programs; and meaningful supervision of probationers to both motivate good behavior and immediately sanction non-compliance

5. Re revocation hearings, wanted to know:

- If they could do sequential 180/90 day revocations (*I didn’t know the answer but have since learned they can. May need to convey that to the court*)
- If revocation hearings should be conducted by a judge, pro tem or commissioner
- If person has the right to an attorney
- Who moves for the violation and/or who brings the action
- Whether all revocation hearings should be assigned to one judge or court, be put on the rotation or go back to the judge who sentenced initially
- If there is a new case / new law violation, should the VOP/revocation go with the new case? If not, a commissioner could hear the violation.

6. Also had questions about:

- whether judges are involved in flash incarceration [*they are not*]
- whether, since suspended state prison will not be available after October 1, they can suspend portions of state prison sentences – Brian said new sentencing rules are continuing to be forthcoming from the AOC
- whether the court will be able to review petitions and supporting reports w/in the prescribed time frames – Brian said the AOC is be working on forms and new rules for this
- who is responsible for notifying the court of parole/probation violations – These are to be filed by Probation as they are now; however, Court Clerk’s office will have to have new codes for these violations. Brian said AOC Rules of Court calls these Petition for Revocation.

7. There was discussion of Reentry Courts, as are operating in San Joaquin and Santa Clara Counties, but it seemed more a matter of curiosity than something Solano County’s Bench would be interested in exploring.

8. The question was raised whether the County is considering returning to weekend road crews / weekend commitments and furlough programs.

The judges said they would put together a committee to develop protocols for how realignment cases will be handled.

LAW ENFORCEMENT COMMANDERS FOCUS GROUP – 8/18

Attendees:

Steven Bird, Dixon PD
Walt Tibbet, Fairfield PD
Kurtis Cardwell, DA
Ian Schmutzler, Vacaville PD
Don Bevins, Solano SO
Tim Mattos, Suisun PD

Terry Cates, Vacaville PD
Darrin Moody, Fairfield PD
John Carli, Vacaville PD
Mitch Mashburn, Solano SO
Tom Ferrara, Solano SO
Bill Fenton, Solano Probation Dept.

Issues and Concerns:

1. Need to educate the public
 2. Need to continue collaborative problem solving going forward
 3. Need to train line officers, including dispatchers and records personnel, across all law enforcement agencies about the full scope of AB 109; suggest Probation and Sheriff develop training for trainers, then L.E. agencies will be able to do ongoing training for their personnel; use existing training and start up money to fund. Address such issues as wh/ agency is responsible for what, what services and interventions are being used for what kinds of offenders, what case loads will be, how flash incarceration works and who can use it, who to contact about various programs, etc. [Bill Fenton and Tom Ferrara point people on this.]
 4. Need to develop systems and procedures to share information, i.e., data / i.t. systems to collect the necessary information and make it available to all L.E. agencies so, among other things, officers on the street will know when they're dealing w/ AB 109 offenders.
 - Use Law and Justice Share Point
 - Sheriff continue to enter data into CLETS
 - Sheriff continue to input into CJIS
 - Seek to have photos available electronically
 - Need notification process re: who's being released from jail
 - Need way to enter individuals' contacts w/ L.E. on an ongoing basis
 - Look into instant mapping via or along w/ GPS and E.M.
 - Need names of on-call SO and PO for contact 24/7 if necessary
 - Also need data to track folks 12-24 months out for evaluation and program modification, i.e., what worked
- Want to get this going as soon as possible so can be included in the training described in item 3, above. [John Carli, Vacaville PD, is the point person and will put together a sub-committee to work on this.]
5. Need to ensure 'boots on the street' for supervision and surveillance collaboratively between SO and police departments. All PDs are struggling with staffing issues, but will

cooperate as much as possible to enable announced and unannounced checks of people on community supervision.

- Perhaps AB 109 funds could pay for overtime;
- Consider developing interagency task force
- Have done successful team sweeps and can do them again
- Sheriff's Alternative Program does regular checks of offenders on programs; will team with PDs
- Need coordination / liaison among all agencies to keep them on top of how this is developing

6. Re Pretrial Release – aka Pre Adjudicated Alternatives to Incarceration – PDs would like the ability to weigh in on who should not be released.

7. Re Booking Fees – who pays for bookings? When cities arrest, do they have to pay booking fees? [*T. Ferrara says no unless there's a new offense. No fees for flash incarceration.*]

8. Re Flash Incarceration – can PDs use flash incarceration to hold offenders during investigations? (This needs to be conveyed to departments and covered in training.) Also what kind of reports will Probation want from Police when wrapping a person up for flash incarceration?

9. Re Programming – suggest Clay Bank would be a good site for programming including both alternative and reentry programs. Would be a good location for Day Reporting Center or Multi-Service Center – has capacity for educational and vocational training. For Reentry, people are going to need help with education, housing, employment and transportation. For the latter will look for possible federal money – will get in touch w/ Ron McClain; Fairfield PD will help.

10. The L.E. Commanders will meet quarterly to review AB 109 progress and issues and develop collaborative solutions to whatever problems may be emerging. In addition, they will put this as a regular agenda item for their monthly meetings.

REENTRY COUNCIL FOCUS GROUP – 8/15

Attendees:

Lesli	Ruth	Lloyd	Susie	Pat	Pam	Raymond
Rosemary	Mitch	Tanya	Steffan	Kit	Tom	Andy

Issues and Concerns + Recommendations for the Plan:

1. Reentry Coordination / Reentry Coordinator in Jail -- Do LSCMI at intake – either probation officer or jail staff – share the risk and needs findings w/ jail staff and court and link to needed services as soon as possible. Want screening and assessment for physical health, mental health and substance use issues as early as possible – link to services in custody and after custody.

Reentry Coordinator meet w/ inmates early in their stay, preferably day one of incarceration, to identify needs and strengths (get information from LSCMI) and refer to appropriate local services.

Want program providers to have access to inmates while still in custody so as to develop individualized case plans prior to release.

Perhaps have PAC - like meetings in the jail to prepare inmates for release and to introduce them to available services and resources. Bring service providers into the jail to meet w/ inmates who need their services.

Perhaps also have a Reentry Facilitator (they suggested a second staff person but this could be the Probation Officer who will supervise the offender after release) who will work with the individual and his/her family to link to needed programs / services and support positive reentry.

2. Want to ensure screening and assessment where indicated for mental health and substance use issues so can follow up with in-custody and post custody services and treatment. Jail has CFMG and Cathie Wright Institute interns to provide in custody services. Linkage to post custody needs to be developed for follow up and medication provision. Medication at release should be enough to carry the person until he/she can get to doctor or clinic in the community.

3. Develop strategies and processes to include families and children of incarcerated people in reentry planning and service delivery.....family focus rather than focus only on the offender.....assess family strengths and needs as well as offender's.

4. Help people being released get identification cards. (Mission Solano will do this for \$7/person thru their existing link w/ DMV. Sheriff's Dept. could get the \$7 from the inmate's account or perhaps use IWF to pay for those who don't have money on the

books. CDCR is currently providing ID cards for inmates 90-120 days prior to release – thru DMV.

5. Line up or arrange for transportation for people being released who have a place to go and no way to get there. Also transportation is needed to get releases to doctors' appointments, job interviews, etc. Look into possibility of procuring bus passes – look to Bd. of Supervisors and/or Federal Govt. for transportation help.

6. Continue to work on housing issues, to provide housing for homeless parolees / releases -- develop or expand housing opportunities such as supported housing, transitional housing, etc.

7. Create a 'small needs' fund to provide essentials for reentering folks (like clothes for job interviews, or bus vouchers, tools for job, adult school fees, or etc.)

8. Develop place where ex inmates can go for services or at least support – a one stop service center or DRC, or Reentry Center to address the need for a "Sense of Place" – somewhere they can share experiences and perhaps help each other out. Day Center could also provide family support and/or counseling, NA/AA, support groups, etc. Give reentering people something to do that provides a sense of purpose by helping others / being of service.

9. Would like County Govt. to mount a campaign to encourage businesses to hire ex offenders – support employers who do hire ex offenders, etc. Are anxious to invite E.J. Lily Corp. Foundation to bring its Community Conversation Program speakers to Solano to help build public awareness and volunteer support for those reentering community after custody.

10. Also important to make it possible for inmates to have documents notarized while in custody.

11. Not necessarily part of plan, but Reentry Council should sponsor and/or conduct surveys and Focus Groups w/ inmates and probationers/releases to get their ideas of what's needed and what services might make things easier for them / keep them out of trouble.

12. It is essential to continue the dialogue in and through the 3-5 year plan. The Reentry Council wants to be included in planning going forward, wants to partner w/ Probation and the Sheriff's Dept. not be in competition with them or a problem to them.