



County of San Diego

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Community Corrections Partnership Meeting Minutes February 16, 2016

CCP Executive Committee Members Present:

Mack Jenkins (*Chief Probation Officer*), Will Brown (*Commander, Sheriff's Department*) for William Gore, Alfredo Aguirre (*Director, Health and Human Services Agency*) for Nick Macchione.

CCP Committee Members Present:

Dorothy Thrush (*Group Finance Director, Public Safety Group*) for Ron Lane, Charlene Autolino (*Chair, San Diego Reentry Roundtable*), Andy Hall (*Director of Adult Programs, San Diego Workforce Partnership*)

Welcome and Introductions:

Chief Jenkins opened the meeting at 10:04am. All of the Executive and CCP Committee members in attendance introduced themselves.

Report from the Chair:

Chief Jenkins reported on the following:

- Chief Jenkins announced that he will retire effective March 3rd, 2016. Adolfo Gonzalez, currently the Chief of the Bureau of Investigations at the District Attorney's office, and formerly the Chief of Police in National City, has been appointed as Chief Probation Officer. Chief Jenkins anticipated that Chief Gonzalez would begin his new position on March 4th, 2016.
- Chief Jenkins announced that Erinn Herberman, PhD, has been appointed as the Director of Research for the Probation Department. Dr. Herberman has prior research experience with the Maricopa County Probation Department (AZ), SANDAG, and the Bureau of Justice Statistics (BJS).
- Chief Jenkins discussed Governor Brown's proposed ballot initiative for the November general election, stating that CPOC has been heavily involved in talks with the governor and his staff. Before going into detail on the ballot initiative, Chief Jenkins noted that the state prison system is currently under the targeted 137.5% of designed capacity ordered by the CA State Supreme Court. However, there is concern that the *Protect community safety, reduce crime and assist victims through offender accountability and rehabilitation.*

prison population could move above that target given that the prison population has begun to increase. Adding to that concern is the fact that there are between 5,000 and 8,000 inmates housed out of state that the CDCR will have to bring back. With that in mind, Chief Jenkins discussed some of the highlights of the upcoming initiative. These included the following:

- The proposed initiative would grant the Secretary of CDCR, Scott Kernan, the ability to give programming credits to the inmate population, which would include second-strikers. However, an administrative process would have to be outlined if the measure were to qualify. Moreover, the impact on California counties could result in the earlier release of the PRCS population.
- The proposed initiative also contains a juvenile component, which largely eliminates the district attorney's ability to directly file adult charges on a juvenile offender. The measure proposes that juvenile courts maintain the authority to decide whether to subject youth to the adult or juvenile justice system. Furthermore, there is to be no presumption that the charged individual is unfit for the juvenile system. Chief Jenkins expects an increase in fitness reports in juvenile court and an increase in commitments to the Division of Juvenile Justice if the ballot succeeds. According to Chief Jenkins, preliminary polling suggests that the proposed initiative is overwhelmingly likely to be approved by voters.
- Chief Jenkins provided an update to the CCP regarding the funding formula for Senate Bill (SB) 678, which provides revenue to probation departments around the state. Funding is based on the probationer success rate for a given county. He noted that San Diego County did not fare well for San Diego County Probation, particularly after the advent of Assembly Bill (AB) 109. Whereas San Diego County received over \$2 million in each of the first two years following SB678, it received only \$700,000 in the first year of Realignment, and then the county minimum of \$200,000 the year after. While San Diego was not the only county whose SB678 funding was adversely affected by AB109, Chief Jenkins believed that San Diego County was the most impacted. In response, Probation Chiefs around the state engaged directly with the Governor's Office and the Department of Finance to revise the funding formula. Highlights of the new funding formula include the following:
 - Probationers who fail probation and receive an 1170 sentence (local prison) no longer count against counties. The same rule applies to PRCS and MS offenders. Thus, only individuals revoked from community supervision and sent to state prison will adversely affect county funding.
 - The projected revenue for fiscal year 2016-17 for San Diego County is estimated to increase to \$3.5 million, the purposes of this are to improve outcomes for felony probationers. Chief Jenkins expressed his desire to have the upcoming funding used for treatment services, particularly residential treatment. He also noted the importance in identifying needs to be addressed to give probationers the best chance for success, citing the utility of engaging in dialogue with probation officers and probationers alike to do so.

Presentation: SB 678 Plan Update

Jason Druxman, Probation Division Chief provided an update on the SB678 Plan. He reiterated Chief Jenkins' comments about how funding from SB678 results from state savings in prison expenditures when counties send fewer probationers to state prison. Division Chief Druxman also reiterated Chief Jenkins' earlier comments about how the funding formula for SB678 revenue has changed over the last few years, particularly how San Diego was adversely impacted after Realignment.

With the new funding formula in mind, Division Chief Druxman explained how exactly the funding distribution is calculated. He stated that a baseline failure rate is established for each county, and that counties receive funding based on the difference between their most recent failure rate and that established baseline. San Diego County, in particular, benefitted from the new formula's removal of revocations to local prison (1170h). As a result, the failure rate for the county significantly improved, leading to the projected increase in funding.

Division Chief Druxman explained how the Probation Department has changed its manner of operating over the past few years in regards to incentives and sanctions, noting that the Department began statistically tracking incentives and sanctions since the beginning of FY2015. And while the data infrastructure is still under construction, Division Chief Druxman stated that the department was able to track 5,300 incentives and 2,000 sanctions, along with 1,200 referrals for services.

Chief Jenkins asked Division Chief Druxman to elaborate on the types of incentives and sanctions used by the Probation Department. Division Chief Druxman stated that incentives can include an award, less frequent reporting, a bus pass, movie tickets, or something more intangible, like encouraging words or recognition of compliance. He stated that the focus leans more towards recognizing success than simply searching for motives to punish. However, because the tracking system is still being fully developed, Division Chief Druxman could not specify figures for each particular type of incentive used.

Division Chief Druxman reiterated Chief Jenkins' statement regarding the projected SB678 revenue stream for FY2016-17. He stated that currently, and prior to the newest projections, \$1 million has been allocated for employment services, contracted through CEO (Center for Employment Opportunity), \$250 thousand has been allocated for cognitive behavioral therapy, contracted through SAY San Diego, and \$200 thousand has been allocated for residential substance abuse treatment. Division Chief Druxman mentioned that the residential substance abuse treatment services are still under procurement.

Division Chief Druxman provided figures for SB678 services provided in 2015. These figures included 391 referrals for employment services, of which 96 individuals were engaged, and 167 referrals for cognitive behavioral therapy (CBT), of which 57 individuals were engaged. Division Chief Druxman expressed concern over the low number of individuals engaged in CBT and that the department would continue to inquire as to the reasoning. Division Chief Druxman stated that attempt to build a workgroup to evaluate the current allocation of SB678 resources and any opportunities to expand the types of services offered to probationers, specifically transitional housing services. The workgroup includes the Public Defender's Office, the District Attorney's Office, the San Diego Sheriff's Department, the Superior Court, the Health and Human Services Agency, and community partners.

Chief Jenkins encouraged the workgroup to consider the geographic location and assessed needs of probationers when evaluating the allocation of SB678-funded services, as well as what line-level officers suggest. Chief Jenkins also encouraged Dr. Herberman to evaluate the individuals that have failed probation in the past, paying particularly attention to services received and not received.

Commander Brown asked Division Chief Druxman to coordinate with Christine Brown-Taylor to ensure that the Sheriff's Department's assets are in sync with the Probation Case Management System (PCMS), which Division Chief Druxman mentioned had been upgraded recently.

Chief Jenkins expressed concern over the low number of individuals engages in CBT in relation to the number of referrals for CBT. He suggested that there should be a tracked response every time a referral is made, which would consist of either a sanction (for a failure to report for treatment) or an entry from SAY San Diego.

Division Chief Druxman added that there may be instances in which service providers are duplicating services, meaning that some services received by probationers may not be reflected in case management system. Chief Jenkins suggested to Division Chief Druxman to prioritize an inquiry into the matter. Director Hall asked Division Chief Druxman to maintain a continued dialogue with the San Diego Workforce Partnership regarding all of the issues discussed.

Julie Gibson of the Public Defender's office asked if the Probation Department was using the mental health component of the COMPAS assessment, noting that a significant population is being underserved for mental health issues. Supervising Probation Officer Karna Lau stated that the Realignment population is receiving mental health screenings.

For more information about the presentation, refer to the following link:
<http://www.sandiegocounty.gov/content/sdc/probation/ccp.html>

Presentation: Prop 47 Probation Impact Update

Probation Business Intelligence Manager Jennifer Effie began her presentation regarding Proposition 47 and its impact on the probation population. Ms. Effie reminded the audience that Prop 47 was approved by California voters in November 2014, reclassifying most non-serious and non-violent property and drug crimes as misdemeanors (as opposed to felonies). Moreover, it allowed individuals already serving a sentence for a reclassified offense to seek to reduce their conviction to a misdemeanor, taking them off of probation supervision. An early analysis following Prop 47 estimated that between 25% and 28% of Probation's adult population could be affected. The District Attorney's office began processing relief petitions, beginning with in-custody offenders. Case reviews of probationers, PRCS offenders, and MS offenders began in April 2015 and concluded in January 2016. Probation staff was expected to finalize the case closure process by March 2016.

Since the passage of Prop 47, the Probation Department began to review and report its adult population trends on a weekly basis. It also remained in constant communication with the District Attorney's office. Ms. Effie stated that approximately 50% of reviewed cases were granted relief according to the DA. Furthermore, she stated that roughly 7% of PRO offenders (PRCS and MS combined) and 25% of formal probationers granted relief remained on some form of supervision due to multiple cases, some of which were not eligible for relief. As of January 2016, the Probation adult population declined by 13% overall since the passage of Prop 47, or about half of the projected decline. Ms. Effie estimated that decline to conclude at 17% by the beginning of March.

Ms. Effie stated that the Probation department will plan to continue the process of case closures and continue to engage with the DA regarding Prop 47 relief efforts, as well as in the reconciliation of data-based discrepancies. She stated that the department will also continue to monitor its adult population trends and proposed legislation with the potential to impact the Probation population.

Chief Jenkins asked Ms. Effie what percentage of the Probation population is currently assessed as high risk. Division Chief Huizar stated that about 70% of the realigned population was designated as such. Ms. Effie added that the percentage of formal probationers designated as high-risk was about 24%. Behavioral Health Director Aguirre noted that there has been some concern about the impact of Prop 47 on Drug Courts. He asked if the number of Drug Court enrollees in San Diego is expected to remain stable. Treatment Director Dr. Geoff Twitchell stated that he believes it will. Superior Court Special Projects Manager Scott Brown stated that enrollment figures for Drug Court peaked during prior summer and dropped thereafter. Mr. Brown stated that some courts have experienced as much as a 25-30% decrease in enrollments.

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Presentation: Post Release Offender Division Recidivism Update

Probation Division Chief Scott Huizar updated the CCP on the most recent recidivism figures for the Probation Department's PRO Division, which includes PRCS and MS offenders. The Probation Department defines recidivism as the percentage of individuals under Probation supervision that are convicted of a felony or misdemeanor prior to the completion of their supervision term. Conversely, the percent of individuals who complete their term of supervision *without* a conviction constitute the success rate. Division Chief Huizar informed the audience that the PRO Division success rate was 70% in fiscal year 2014-15, increasing from 64% in FY 2013-14. Put in a different manner, the recidivism rate for the PRO Division decreased from 36% in FY 2013-14 to 30% in FY 2014-15.

Individually, the Post-Release Community Supervision (PRCS) and Mandatory Supervision (MS) populations experienced similar trends. The PRCS success rate increased from 61% in FY 2013-14 to 64% in FY 2014-15. Likewise, the MS success rate increased from 76% in FY 2013-14 to 86% in FY 2014-15. Division Chief Huizar credited the following for the increase in success rates: intensive court oversight, collaboration with judicial and law enforcement partners, partnership with treatment providers, intradepartmental collaboration, probation officer engagement with offenders, and adherence to evidence-based principles.

Chief Jenkins asked if the data presented had been shared with the Superior Court. Division Chief Huizar stated that he had. Chief Jenkins also suggested to Dr. Herberman that it would be useful to be able to track the Realigned populations after release from supervision so as to evaluate recidivism post supervision. Commander Brown asked if San Diego Probation's definition of recidivism is the standard definition across the state. Chief Jenkins answered in the affirmative, noting that the definition is the definition approved by CPOC (Chief Probation Officers of California).

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Presentation: Treatment & Intervention Services Referrals, Community Resource Directory (CRD)

Probation Treatment Director Geoff Twitchell, PhD, began his presentation regarding community treatment, referrals for service, and the Community Resource Directory (CRD). He stated the Probation Department relies on data to identify needs and gaps in treatment, as well as to provide the appropriate treatment and interventions for offenders. An important component to treatment and intervention is to ensure that services are vetted according to rigorous standards of quality established by research literature. This ensures that treatment and intervention efforts actually produce the effects that they are expected to produce. Dr. Twitchell also noted the efforts of the Probation Department to engage with treatment providers and county partners in educational discussions, to ensure the recognition and understanding of best practices identified in research literature.

Dr. Twitchell presented statistics representing the number of referrals for services made by Probation Adult Field Services in calendar year 2015. In 2015, there were 2,528 referrals for treatment services made for high-risk adult probationers, and 5,745 referrals made for Realignment offenders (PRCS and MS). Of the referrals made for Realignment offenders, 4,417 (77%) referrals were made for individuals on PRCS and 1,328 (23%)

were made for individuals on MS. Dr. Twitchell noted the MS population is smaller in comparison to the other populations supervised by Probation, and that their supervision is highly intensive.

Substance abuse services were the highest referred services for both the Realignment (54% of referrals) and the high-risk formal (41%) populations. Employment/vocational services were the second highest service for which individuals were referred, for both the AB109 (14%) and high-risk formal (22%) populations. However, Dr. Twitchell noted that the figures he presented measured only the referrals made by probation officers and not the number of individuals referred for services. Thus, some individuals may be represented in multiple instances, depending on whether or not they were referred for more than one type of service. In addition, Dr. Twitchell noted that referrals for CBT services were lower than expected (697 referrals for AB109 offenders and 131 for high-risk formal). He stated that there is a high-fidelity requirement for CBT services to function as designed and that the Treatment Division has been engaged with treatment providers and probation officers to ensure that these services can be provided correctly. The Treatment Division is also meeting with probation officers to discuss ways to increase the level of engagement individuals have with CBT services. One of the issues identified has been the recognition that many individuals receive CBT treatment while incarcerated and that they may not want to engage in CBT services again once they are released into the community. One solution may be to use different modalities of treatment, meaning that the same constructs are targeted using different means.

Division Chief Huizar commented that relatively low number of housing referrals reflected in Dr. Twitchell's presentation was the result of a processing error. Division Chief Huizar stated that many of his staff referred individuals for housing services outside the Community Resource Directory (CRD) system. He added because Dr. Twitchell's statistics were based of the CRD system the number of housing referrals listed were underreported. Division Chief Huizar stated the error had been corrected and future data should reflect a higher number of housing assistance referrals. Chief Jenkins noted high levels of transience reported among the Realignment population, suggesting that there is a high need for appropriate services. Division Chief Huizar stated individuals do receive transitional housing assistance if they are identified with that need, irrespective of substance abuse treatment needs.

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Presentation: Correctional Program Checklist (CPC)

Dr. Twitchell began his presentation on the Correctional Program Checklist (CPC). He stated that the use of the CPC is a testament to Probation's commitment to the use of evidence-based practices because it is an instrument used to evaluate the fidelity of a treatment service, according to the best clinical practices identified in research. Put another way, the CPC determines if a given treatment program is administered in the manner it was designed. This is a particularly important function because a treatment service can only maximize its effect if the program is run as it is designed. Conversely, if a treatment service is run with a low fidelity to the treatment model, it can actually damage participants and increase the risk of recidivism.

Dr. Twitchell stated that the adoption of the CPC instrument stemmed from CCP members' recognition of the importance of maximizing the efficiency of treatment funding. Furthermore, the CPC, developed by Edward Latessa, PhD, of the University of Cincinnati, was chosen in particular because of its simplicity and user-friendliness (it is only a 77-item checklist). However, as Dr. Twitchell noted, the CPC is an empirically-validated instrument, meaning that there is statistical support for the CPC's design.

Each of the CPC's 77 items evaluates an aspect of a given treatment program that is correlated with recidivism reduction. Furthermore, it focuses on five core areas. They are as follows: leadership development, staff characteristics, quality assurance, offender assessment, and treatment characteristics. The CPC process itself involves a site visit to the treatment service, where each of the above-mentioned focus areas are scored according to the level of adherence to best practices in offender research literature.

Dr. Twitchell stated that eight individuals were originally trained in administering the CPC at the beginning of 2015. Some of the individuals trained were from Behavioral Health Services and others were from the Probation Department. These individuals completed a four-day training course from University of Cincinnati trainers as well. Dr. Twitchell stated the decision was made to complete another round of training, which included representation from a wider variety of community partners, including the Sheriff's Department, the District Attorney's Office, the Public Defender, the City Attorney, and the Superior Court. The training resulted in an additional 12 individuals trained in the administration of the CPC, bringing the total to 20.

According to Dr. Twitchell, CPC evaluations conducted on some of the adult probationer treatment programs indicated that several of the program components are performing below the national average. Dr. Twitchell stated that those areas would be prioritized in order to increase their program fidelity, which would lead to greater performance in recidivism reduction. Dr. Twitchell added that with modifications to current processes there would be immediate opportunities for improvement in some areas. CPC evaluations of youth treatment programs, on the other hand, were mostly comparable to national averages. However, CPC evaluations of both adult and juvenile treatment programs involved a small sample of treatment programs. Dr. Twitchell cautioned that a more comprehensive evaluation might produce different results.

Dr. Twitchell mentioned the benefits of the CPC, which included the ability to meaningfully assess the process of treatment, or the so-called "black box of treatment." Moreover, the CPC involves an extensive opportunity to educate all involved in the best clinical practices according to Evidence-Based Practices (EBP), including both treatment providers and public safety partners. The CPC is also cost-effective and allows public safety and community partners to more appropriately allocate time and resources to those areas that require it most. In short, it allows for data-driven decision-making.

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Presentation: Treatment Unit Community Education

Dr. Twitchell reiterated the Probation Department and Chief Jenkins' commitment to ensuring the utilization of EBP to protect communities and improve the lives of justice-involved individuals. To help accomplish this goal, the Treatment Division holds educational trainings on a quarterly basis with community treatment providers and with county partners. The trainings allow community and county partners to develop a core competency of the particulars of treatment unique to the justice-involved population. Dr. Twitchell noted that there are particular nuances to treating the justice-involved and that those nuances are not widely understood. And while some treatment providers may have experience with that population, it is not a given that a treatment program will have the appropriate structure and training in place to treat those individuals. However, the trainings also allow public safety partners to learn from front-line workers in treatment, creating an ongoing forum.

The most recent training focused on the subject of criminogenic needs. The Treatment Division provided an overview of the Risk-Needs-Responsivity model of treatment, which involves an understanding of the top 8 criminogenic needs according to EBP. The training also allowed the Treatment Division to gather feedback

from treatment providers and community partners present. Chief Jenkins encouraged the continuation of these meetings.

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Public Comment: Non-Agenda Items

Lauren Abrams (*Council of Community Clinics*) stated that she was representing the Healthy and Safe Communities Initiative. She was pleased with the progress that the initiative had made and thanked the CCP for their support. Ms. Abrams stated that the initiative is moving forward with a focused effort on evidence-based model of health navigation for people post-incarceration.

She introduced the conceptualization of the Transitions Clinic Network, a network of medical homes for individuals with chronic diseases recently been released from prison. Ms. Abrams stated that this network would link these individuals with a community health worker who has a personal history of incarceration. The worker would help provide case management support, medical and social services navigation, including accompanying patients to appointments, and practicing self-management support, which involves health education and medication adherence support.

Ms. Abrams stated that the program in San Francisco, where it was originally established, saved \$2.00 for every \$1.00 invested. She stated that there have been similar findings elsewhere across the country. She stated that her group has spoken with Dr. Shira Shavit, the Associate Professor at the UCSF School of Medicine and Executive Director of the Transitions Clinic Network, about potentially implementing the model in San Diego. Ms. Abrams stated that Dr. Shavit was supportive of the idea.

Ms. Abrams stated that her group has been exploring potential funding sources for implementing the Transitional Clinical Network model, including the Whole Person Care pilot that is part of the Medi-Cal 2020 waiver, as well as the Health Homes program. She hoped that CCP would support this effort and work with her to implement the model in San Diego. Chief Jenkins referred Ms. Abrams to Division Chief Huizar for further dialogue regarding the program.

Clovis Honoré (San Diego Area Congregations for Change) expressed his desire to speak at the CCP, noting that he may not have another opportunity to speak with Chief Jenkins prior to his retirement. He stated that he was able to sit in at the Public Safety and Livable Communities Committee of the City of San Diego City Council, and that the Chief of the San Diego Police Department, Shelley Zimmerman, made a presentation to that committee regarding the impact of Prop 47 on her police department.

Mr. Honoré expressed concern that City Council member did not understand the impact and reality of Realignment (AB109) in the same manner that CCP members understand it. He noticed that the San Diego Police Department was not listed as a CPC training participant and partner on one of the presentations. Mr. Honoré recognized that the Sheriff's Department and SDPD are in frequent communication with one another, but there was still disconnect between what CCP members understand about Realignment and what San Diego Council members and the SDPD understand. Mr. Honoré suggested that there be stronger dialogue between City of San Diego entities and the CCP to prevent the dissemination of misinformation, particularly as it relates to city plans to address issues that are understood on the basis of misinformation. Chief Jenkins empathized with Mr. Honoré's concerns and indicated that many of the conversations he suggested are already underway.

Meeting Conclusion:

The meeting was adjourned at 11:45 am.

VM/GW/SR