

## **CCJBH Full Council Meeting**

Friday, December 9, 2022

2:00-4:30 PM

Zoom Meeting

### **I. Welcome & Introductions, Roll Call**

Councilmembers Present: Secretary Kathleen Allison, Christina Edens (on behalf of Stephanie Clendenin), Anita Fisher, Toby Hobson, Stephen Manley, Danitza Pantoja, Scott Svonkin, and Tracey Whitney

Councilmembers Absent: Mack Jenkins and Jim Kooler (on behalf of Michelle Baass)

Staff Members Present: Brenda Grealish, Executive Officer, Council on Criminal Justice and Behavioral Health (CCJBH), Elizabeth Vice, Kamilah Holloway, Jessica Camacho Duran, Catherine Hickinbotham, Emily Grichuhin, and Paige Hoffman

Secretary Allison welcomed participants to the meeting and shared the announcement of prison closures in California. California City Prison will close in March 2024 and Chuckawalla Valley State Prison will close in March 2025. The Spring projections were low, but the Fall projection is anticipated to be higher due to court processing delays. The current population is about 95,000 for adults and there are approximately 300 youth who will be transferred back to their home counties upon closure of the Division of Juvenile Justice on June 30, 2023. Due to the low population and the uncertainties with the court decisions, individual yards will be closed at specific institutions rather than a third prison closure. The following spaces are scheduled to be deactivated by 2024:

- Folsom Women's Facility in January 2023
- The West Facility at the California Men's Colony in December 2023
- The Security Housing Unit (SHU) at Pelican Bay State Prison in December 2023
- Facility A at the California Rehabilitation Center in Spring 2023
- Facility D at the California Correctional Institute in Summer 2023
- Facility D at the California Institute for Men will partially close in Spring 2023, with the exception of the Men's Support Facility and additional support for the new mental health crisis beds that are anticipated to be built

The Governor, workforce development, the labor agency, and economic development teams are supporting the local communities to look at options outside of CDCR for workforce development in the community. CDCR is in the process of further expanding community reentry facilities and have put out a Request for Interest. They are currently doing site visits to see if the locations are able to adequately support and house the population. CDCR is finalizing the contract for

Project Hope, which will afford housing opportunities for approximately six months for individuals releasing from prison. Secretary Allison was able to make some sentencing efforts discretionary at the opinion of the courts and 84 percent of cases referred are getting action from the courts. CDCR is currently implementing a program to get every inmate a tablet, which has been done in approximately 14 institutions and will be completed by the first quarter of 2023.

## **II. Approval of July and October Meeting Minutes**

### **a. Vote: Motion to adopt the July Full Council Meeting Minutes**

Motion to approve the vote: Judge Manley

Second: Dr. Hobson

\*No public comment on vote\*

Ayes: 6

Nays: 0

Abstains: 2

The July Full Council Meeting Minutes were approved.

### **b. Vote: Motion to adopt the October Full Council Meeting Minutes**

Motion to approve the vote: Judge Manley

Second: Dr. Pantoja

\*No public comment on vote\*

Ayes: 6

Nays: 0

Abstains: 2

The October Full Council Meeting Minutes were approved.

## **III. Alameda County Justice Restoration Project (ACJRP)**

Nancy O'Malley, *District Attorney, Alameda County*

Jason Toro, *Chief Program Officer, La Familia Counseling Services*

Oscar Benitez, *Managing Director, Third Sector*

The Alameda County Justice Restoration Project (ACJRP) began because there was a high percentage of individuals reoffending at the felony level in Alameda County, so they began examining what was not being done to give someone the opportunity to move away from the criminal justice system. They looked into the specific population in need and why there was a need to act by creating a working group consisting of community-based organizations (CBOs), law enforcement, and the District Attorney's (DA) Office. ACJRP was originally intended for younger offenders, ages 18-24, but there were not enough individuals in that age range, so it was expanded up to age 34.

The program was developed for individuals who were on felony probation and committed a new crime. The goal was to engage these individuals differently by providing individualized services that focused on the whole person. In order to evaluate the effectiveness of the program, all individuals who met the criteria were referred to the evaluator, West Ed, who then randomly decided which individuals would participate in ACJRP and which would follow the traditional path.

Those individuals who participated in ACJRP were referred to La Familia, a CBO who had experience working with individuals in the criminal justice system and individuals with mental health conditions. La Familia conducts individualized assessments to determine each person's needs and offers services either in-house or refers clients to services. La Familia utilizes Peer Support Specialists, called Reentry Coaches, who were former clients that went through the Reentry Employment Program, a collaboration between La Familia and Alameda County Probation Department that is funded by AB 109 to engage participants in services. The Reentry Coaches connect with the clients as often as necessary to keep them engaged in support services and help address common barriers, including distrust in the system, stigma of mental health in certain cultures, and any other concerns. La Familia offers a range of services, including individual, group and family therapy; employment services; educational support; housing stabilization services; Probation Compliance Assistance; intrinsic motivation enhancement; substance use disorder (SUD) treatment; transportation and referral support; and other realignment services.

ACJRP is driven by the expertise and guidance of peers with lived experience of incarceration who have had a period of successful recovery. They are able to teach others the tools they learned to prevent re-incarceration. The peers employed by La Familia have a Peer Support Specialist certification, as well as in-home training on professional development and job skills such as motivational interviewing or de-escalation. The initial engagement period for ACJRP occurs in the first two weeks and consists of a meeting with the individual after they've been referred to see if they are interested in the program. Once the individual is in the program, there is an 18 month high-touch case management program where La Familia is able to assist the individual with any unique needs. When the individual is nearing the end of the program, La Familia develops a Pathway to Success document, which is a transition document that includes contact information for support services, identified triggers and how to overcome them, as well as other necessary components to ensure a successful transition to their independent life in the community.

In order for individuals to be eligible for ACJRP, they had to currently be on felony probation in Alameda County for an 1170(h) offense and recidivate by committing a new felony probation violation charged by the DA based on a felony offense that is non-violent/sex related, and/or a new felony offense that is non-violent/sex related. The individual must also have had a new offense within 18 months of their sentence date on their current felony probation. Participants were required to plead guilty or no contest,

but the judgement was not entered into the court. If the individual completed the program, the case was dismissed. The criteria of completion can vary for each individual, with some able to complete the requirements of the program within one year, while others may need the entire 18 months. Completion is assessed by examining aspects such as employment, housing, and the individual's support system.

There were some challenges to this model due to how CBOs are currently funded and what is required for reporting purposes. Third Sector, an organization that provides technical assistance at the state- and county-level on systems change, was able to help implement ACJRP using a unique opportunity the Board of State and Community Corrections (BSCC) had made available to compensate government and CBOs for services to the extent certain results were achieved, which is known as Pay for Success, performance-based contracting, or outcomes-based contracting. The objectives of this model are to increase access to less restrictive uses of funds, deliver on shared government and community goals, create a process for tracking progress on outcomes, and establish continuous improvement processes for government and CBO staff. Alameda County was one of three counties awarded a grant by BSCC to use the Pay for Success model to conduct reentry services led by peer support specialists. Third Sector assisted La Familia in documenting the long-term sustained changes of their program and sharing it with government agencies and providers. It was determined that success for ACJRP was a reduction in recidivism, which is measured by a reduction in re-arrest rates. ACJRP outcome payments were funded through a \$1.37 million investment by BSCC and AB109 County funds, and payments were based on the number of enrolled individuals and the percent reduction in arrest rates in comparison to the control group. Additional metrics that were assessed each month include the number of referrals and enrollments, the number of participants receiving 12 hours of services, and the staffing levels. Outcomes contracting created the capacity and relationships for departments to continuously improve services, such as coordination and outreach, collaboration in design, ongoing data sharing with CBOs, and continuous learning and improvement. A benefit of outcomes contracting is the flexible funding and opportunities for creativity, which was especially helpful when navigating COVID-19. For example, when the groups weren't able to be held in-person due to COVID, they were moved to Instagram Live.

To assess the impact of ACJRP, the re-arrest rates were examined after two years. It was found that the re-arrest rate for ACJRP participants was 58 percent, in comparison to the re-arrest rate for the control group which was 85 percent. There was a total of \$1.37 million in outcomes payments disbursed to enroll 150 participants. The level of engagement after enrollment varied. There was consistent engagement with many participants due to the individualized strategy, but it is being discussed if the length of engagement is appropriate or if it may need to be extended. The DA's Office is able to guide Probation and Court staff to establish peer programs given the knowledge they've gained from this program. Additionally, there have been numerous benefits to hiring

people with lived experience, both for the employee and the participant. The DA's Office currently employs six individuals with lived experience, two of whom are assigned to the court to assist the individual in navigating any barriers they may have. The Peer Support Specialists are available to the participant by phone whenever they are in crisis and are able to talk them through challenges or pressures they may be feeling in that moment. The individuals who are employed through the DA's Office went through a certification program from a company in Arizona about three years ago and are now able to be grandfathered in to California's certification, which allows for their services to be billed against insurance. The DA's Office has produced a podcast series called [Justice For All](#), which features two episodes that outline the experience of the Peer Support Specialist and their journey.

Through the duration of the program, Alameda County learned many lessons to share with other California counties seeking to establish outcomes contracting:

1. A focus on outcomes allows government to steer resources where they are needed most. Ensuring that the County Administrator's Office is a part of initial conversations and that funding and program design are being developed together is essential.
2. Counties can begin implementing this model today by using the traditional cost reimbursement model and layering on bonus payments as an outcome payment for the work. This will not only provide an incentive, but also bring partners to the table to collaborate and achieve the end goal.
3. Clear lines of communication are needed between system partners, as well as the various entities that are collecting data. Time should be invested in understanding roles and responsibilities and performance.

Alameda County also applied for a grant under the Prop 47 Reinvestment Money to create a CARES Navigation Center, which is an alternative location that police can take an individual who is struggle with mental health or substance use disorder and has committed a low-level crime. Alameda County is partnering with La Familia for these services and hopes to open two more CARES Navigation Centers in the near future. A [video](#) explaining the CARES Navigation Center was shared. The center has been open for two years and has had over 400 referrals, primarily from law enforcement and probation. They have been very successful in placing individuals into programs, especially Board and Cares for individuals who need more intensive services.

#### **Councilmember Q&A:**

**Q:** Dr. Hobson praised the program for focusing on social determinants of health and meeting the participants where they are. He stated that the California Mental Health Services Authority (CalMHSA) is currently developing a peer support certification curriculum and asked if DA O'Malley is able to share the curriculum they used in their program. He stated that this work will be able to be sustained long-term through Medi-Cal billing for jail in-reach and Enhanced Care Management.

- A:** DA O'Malley stated that peers will need to be certified in order to bill for Medi-Cal. Alameda County worked with [RI International](#), an Arizona-based company who has a grant from California to provide the Certified Peer Specialist Training.
- A:** Mr. Toro said the California Department of Health Care Access and Information provides training and certifies providers who want to provide the training. There are different emphases and the criminal justice one will be released soon.
- Q:** Judge Manley asked what percentage of the 150 participants have a mental illness diagnosis.
- A:** Mr. Toro stated he didn't have the data with him, but approximately 25 percent have a serious mental health diagnosis and over 50 percent have other mental health diagnoses.
- Q:** Judge Manley asked if the peer specialists also have mental illness or SUD backgrounds.
- A:** Mr. Toro stated all of the peer specialists have SUD background and are in recovery, and many have mental health backgrounds.
- A:** DA O'Malley stated that the training the Peer Support Specialists received was for both mental health and criminal justice.
- Q:** Judge Manley asked, what is the ratio of Peer Support Specialists to clients? Is it a good ratio?
- A:** Mr. Toro stated that there are 50 peer support specialists working within La Familia across the different departments. The ratio of peer support specialist to client in ACJRP is 12 to 1, which is a good ratio. It could be lower for individuals with higher needs. Generally, the clients need more support in the beginning of the program and become more independent as they continue.
- Q:** Judge Manley asked what the Peer Support Specialists are paid.
- A:** Mr. Toro stated everyone is paid union wages with benefits and the starting pay is \$23 an hour. La Familia is in the process of creating a trajectory for people to move up the career ladder (e.g., general peer, certified peer, lead peer, program supervisor, program manager).
- A:** DA O'Malley stated three of the peers in their office start at \$55,000 a year and go up to \$70,000, two of them make close to \$90,000, and one is making \$95,000.
- Q:** Judge Manley asked if the organization that did the peer certification was reimbursed or if the service was free since they have a contract with the state.
- A:** DA O'Malley stated it was free for Alameda County. They do have a contract with the state and the only requirement is that the Peer Support Specialists provide a report afterwards detailing the skills that were utilized.

- Q:** Ms. Fisher asked if finding supportive housing for individuals with serious mental illness was a barrier.
- A:** Mr. Toro stated that it was a barrier. The stock of housing is very low across the State and permanent supportive housing is extremely limited.
- A:** DA O'Malley stated that the Assistant DA in her office, L.D. Lewis, has done a lot of exploration on the availability of supportive housing and was able to locate a new facility in Contra Costa County that they could connect individuals to using the CARES Navigation Center.
- Q:** Ms. Whitney asked how peers were effectively employed at the DA's Office. There has been hesitation from prosecutors and defense attorneys to have clinicians or Peer Support Specialist work for the DA's Office due to defense counsel not wanting them to talk to the clients.
- A:** DA O'Malley stated there was no push back from the private defense bar; in fact, they were looking for a similar program for their clients on felony probation. There was some initial pushback from the public defender leadership, but the court deputies realized this was an important project and that the peers weren't discussing the case with the clients. Alameda County has 11 different collaborative courts and the judges call for the Peer Support Specialists to come into the courtroom and talk with the clients. The Peer Support Specialists don't discuss the case with the clients because they are instructed not to and also because they don't want to become a witness in the case.
- A:** Mr. Toro said the collaboration between La Familia peers and the DA peers has been great. Although it is a blending of government and nonprofit everyone is there for the same reasons and the process works very well.
- Q:** Mr. Svonkin asked if any other counties received funding for this project.
- A:** DA O'Malley stated that they are the only county who did this particular program. The BSCC funded two other programs with different designs.
- Q:** Mr. Svonkin asked who is monitoring the outcomes and how that is going. There are some concerns around the standard of care and experience of the people running the programs. It can be seen as outsourcing the jobs of probation since Probation Officers traditionally do this work. Is probation participating in this program?
- A:** DA O'Malley said that probation is participating and they've adopted the model themselves by contracting with other organizations who employ Peer Support Specialists. The current Probation Chief is on board with the program and many of the programs across other organizations are aligned with ACJRP.
- A:** Mr. Benitez stated that the data was consolidated by the program evaluator, West Ed. They secured data from the DA's Office, Probation, and the California Department of Justice to integrate all the necessary aspects. The data was

anonymized and shared with the partners to see how they were doing and track the individuals who participated in the program.

**Q:** Mr. Svonkin asked if a cost analysis of the investment into the program versus the cost of re-incarceration has been done. Are there any findings to say how much a county would save due to the lower recidivism rate?

**A:** DA O'Malley said there is a lot of information about the cost of incarcerations versus community-based programs. The funding for ACJRP is over since it was a pilot program, but they are now using AB 109 funds and grants that the DA's Office and La Familia are applying for to run the program.

**Q:** Dr. Pantoja asked how the length of 18-months was determined. What if someone needed support for longer?

**A:** DA O'Malley stated it was a three-year program and they tracked people for 18 months. They are now going back and examining the people who didn't complete the program to see if there was a mistake in the program length. Probation only has authority over individuals for two years, with the exception of certain crimes. The goal was to keep people out of CDCR or local jails and for it to be an individualized program that meets each person's needs

**Q:** Dr. Pantoja asked what happens if an individual reoffends during the 18 months.

**A:** DA O'Malley stated that if someone reoffended they were tracked and they were likely taken out of the program if the crime was on a victim. If an individual stopped showing up to La Familia for an extended period of time they were also ineligible for services.

**Q:** Dr. Pantoja asked if La Familia provides psychiatric support, like medication management, for severe mental illness.

**A:** Mr. Toro stated La Familia has a program called the Reentry Treatment Team for individuals with moderate and severe mental illness. They have a Peer Support Specialist and a clinician and are referred to a psychiatrist for medication management.

#### **IV. CCJBH Business Meeting**

CCJBH staff distributed a Survey Monkey to Councilmembers in November 2022 with questions regarding Council meeting operations, Council policy focus, Councilmember engagement, in-person meeting venues, and what Councilmembers want to see in 2023. Councilmembers requested more updates on projects in progress, and the desire for individualized preparation meetings prior to Full Council meetings. CCJBH staff will offer meetings prior to our Council meetings to walk through the agenda and meeting materials. Overall, Councilmembers were satisfied with the policy topics being covered, but expressed interest in Murphy and Lanterman-Petris-Short Conservator workforce,



education and employment, CDCR Mental Health (in-prison) treatment, reentry supportive housing, how macro-level funding is being used at the micro-level, closer tracking of legislation, decreasing focus on children/youth due to the California Health and Human Services Agency addressing this population, and more information on the Incompetent to Stand Trial population. There was an even split with meeting preference (two preferred in-person, two preferred virtual, and two preferred hybrid). The respondents were satisfied with communication levels between Councilmembers and the Council staff. For calendar year 2023, Council staff suggested continuing work in the areas of:

- **Services:** Ensuring there is access to and the appropriate capacity of services needed by the behavioral health and justice-involved (BH/JI) population
- **Housing:** Continuing to advocate for the prioritization of housing for the BH/JI population, including cross-system education and collaboration
- **Workforce:** Promoting the expansion of the BH workforce
- **Data:** Continuing to strengthen and expand efforts in data
- **Community Involvement:** Continuing the Juvenile Justice and Diversion/Reentry Workgroups if Councilmembers would like
- **Education:** Hosting special events to educate stakeholders, particularly for May is Mental Health Awareness Month and September Suicide Prevention and Recovery Awareness Month

Potential projects CCJBH staff have developed through discussions with Councilmembers, the survey, or other areas of research include:

- Researching the impacts of COVID specific to justice-involved children/youth
- Research Brief on AB 740 Foster Youth
- Medi-Cal Utilization Project Briefs
- Researching opportunities to improve access to SSI/SSDI for the BH/JI population
- Researching the behavioral health stabilization housing model
- Updating CCJBH Mission/Vision with emphasis on diversion, equity and inclusion
- Updating the CCJBH Councilmember Handbook

Proposed topics and meeting dates for Full Council Meetings:

<b>COUNCIL MEETING DATES (Fridays)</b> 2:00 – 4:30 PM	<b>Topics/Focus*</b>
January 27	Crisis Care Continuum
April 28	CCJBH Data Project Showcase
<i>May Special Session</i>	<i>LEP Contractor Closeout</i>
July 28	County CARE Act Implementation Plans
October 27	CalAIM Justice-Involved Planning and Implementation Efforts
December 8	CDCR Reentry

Proposed topics and meeting dates for Juvenile Justice Workgroups:

<b>JUVENILE JUSTICE</b> 12:45 – 2:45 PM	
<b>Dates (Fridays)</b>	<b>Topics/Focus*</b>
February 10	Restorative Justice
May 12	RAND Presentation on Juvenile Justice Compendium and Toolkit
September 15	Community Centers
November 17	Overview of Legislative Report Recommendations

Proposed topics and meeting dates for Diversion/Reentry Workgroups:

DIVERSION/REENTRY	
3:00 – 5:00 PM	
Dates (Fridays)	Topics/Focus*
February 10	CSG Diversion Report
May 12	Behavioral Health Workforce Successful MHSA Forensic Programs
September 15	Employment and SSI/SSDI
November 17	Overview of Legislative Report Recommendations

The [SB-189 Open Meetings: state and local agencies: teleconference](#) allows boards and commissions to hold meetings entirely by teleconference through July 1, 2023, and allows members of the body to participate from locations that are not discussed and not accessible to the public. CCJBH will continue to hold all meetings and workgroups virtually in the first half of Calendar Year 2023.

**Councilmember Discussion:**

- Q:** Mr. Svonkin asked if the training that law enforcement has available to deal with the BH/JI population could be included. Should we be looking at the trainings and opportunities available to prevent problems by training the professionals? Additionally, he would like to include the importance of community college and adult schools and how to connect the BH/JI population to the educational opportunities available.
- Q:** Judge Manley said there is an incredible workforce shortage and people aren't qualified for the positions that need to be filled. We need to incentivize this field in community colleges so that students want to enter. It can be done through scholarships, grants, and college recruitment.
- Q:** DA Whitney supported the idea of involving the community colleges. LA has been doing crisis intervention training for local law enforcement officers using the Memphis Model, which is a 16-hour training that was taken by almost every law enforcement officer in LA County from all 88 municipalities. More training is needed

among prosecutors, public defenders and judges. More research is needed to see exactly what trainings are needed for justice stakeholders to use alternative dispositions and connect people to services instead of incarceration and develop a standardized curriculum. Public defenders think prosecutors need more training on signs and symptoms of mental illness, but the problem isn't that the prosecutors don't recognize mental illness, it is that there aren't enough supportive services for the individuals to access due to a workforce deficiency.

**\*\*\*Public Comment\*\*\***

- Q:** A participant from Cal Voices stated today's presentation was very important to highlight lived experience and peer support. Cal Voices submitted a letter to CCJBH expressing concerns and opposition to diverting approximately \$500,000 of the Stakeholder Advocacy contract for the data visualization and the Public Health Meets Public Safety Phase 2 contract. The purpose of the funds is to highlight the lived experience of individuals who are justice-involved and have behavioral health challenges. A priority of this Council should be to ensure that the voice of individuals with lived experience is uplifted and present for State and local decisions that impact their lives. The Council shouldn't sacrifice the voice of people with lived experience to fund projects that are unrelated to stakeholder advocacy. Reducing the funding makes it difficult to give people with lived experience the opportunities to participate and engage.
- Q:** A participant from Cal Voices stated programs such as Alameda's program make a positive impact and reduce the number of people who are re-incarcerated. It is critical to have peer support because they connect and understand issues of mental health and help to transform the system. The participant shared a story of a gentleman he mentored and helped him graduate from high school, go to college, and get a job that he loves.
- Q:** A participant from Cal Voices shared that he is working on the Compassionate Release Project with the California Correctional Health Care Services. Compassionate release is problematic and we need to incentivize the beds under Medi-Cal because there is difficulty placing people being released. Unemployment State Liaisons need to be paid. A retirement needs to be created for senior CDCR inmates that are coming out of custody over the age of 60. At the local level, there are problems with the contract with parole, particularly HealthRIGHT 360 as the STOP provider. The contract allows providers to select the inmates they are able to serve, but there are no ADA compliant beds in San Diego.

## **V. Vote to Adopt the 2023 Calendar Year Work Plan**

Vote: Adopt the priorities outlined in the 2023 Calendar Year Work Plan, with the addition of training for system partners on the unique needs of the behavioral health population.

Motion to approve the vote: Mr. Svonkin

Second: Judge Manley

\*No public comment on vote\*

Ayes: 7

Nays: 0

Abstains: 0

The 2023 Calendar Year Work Plan was approved.

## **VI. Announcements**

The Juvenile Justice and Diversion/Reentry Workgroups will be determined pending approval of the CCJBH Legislative Report findings and recommendations. The next [Full Council Meeting](#) will be January 27, 2023, and will include training on Bagley Keene and a presentation on the crisis continuum of care. The remaining agenda items will be addressed at CCJBH's January Full Council Meeting due to a lack of time.

## **VII. Adjourn**