

Reentry Council

City & County of San Francisco

Draft MINUTES

Tuesday, January 26, 2010
10:00 a.m. – 12:00 p.m.
Latino/Hispanic Community Rooms A & B
San Francisco Public Library
100 Larkin Street
San Francisco, CA 94102

Members Present: Public Defender Jeff Adachi (co-chair), District Attorney Kamala D. Harris (co-chair), Sheriff Michael Hennessey (co-chair), Cristine DeBerry (designee of Mayor, co-chair), Steve Arcelona, ShaMauda Bishop, Chief Patrick Boyd, Mary Campbell, Joaquin Diaz de Leon, Glenn Eagleson, Tommy Escárcega, Barbara Garcia, Chief George Gascón, Duriel Gilmore (arrived after Agenda II.), Matthew Goughnour, Chief Yador Harrell, Gerald Miller, the Honorable Mary Morgan, Karen Roye, Chief William Siffermann, Eddy Zheng.

Members Absent: None.

I. Call to Order and Roll Call.

The meeting was called to order at 10:07 a.m. by DA Kamala Harris, who welcomed everyone to today's meeting. She introduced the Co-Chairs, and noted that she would serve as facilitator for today's meeting. Roll call established that a quorum was present. DA Harris extended special welcome to the new San Francisco Chief of Police George Gascón, and to George Keiser, Director of the Community Corrections Division of the National Institute of Corrections.

II. Review and Adoption of Meeting Minutes of September 29, 2009.

After period of review, and no public comment, DA Harris entertained a motion to approve the meeting minutes of September 29, 2009. Barbara Garcia offered a motion to approve, and Steve Arcelona seconded. The motion was approved unanimously at 10:11 a.m.

III. Update on Subcommittees & Timeline for the Development of the Annual Report.

Jessica Flintoft, Reentry Council staff, provided an update on the five subcommittees and their respective topic areas. She reviewed the details on the process of forming subcommittees, formalizing subcommittee members, with membership selected by the Reentry Council co-chairs from nearly 100 applicants. Each subcommittee had met at least twice, and each had selected a chairperson from among their membership. Four of the five chairs had attended a chairperson orientation led by Reentry Council staff Lauren Bell, and each subcommittee had begun work toward its objective of contributing to the annual report of the Reentry Council by contributing to an ongoing literature review, as well as to efforts around focus group and survey research. Additionally, each subcommittee's agenda includes standing items to help it address the Reentry Council's

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objectives of identifying relevant legislative or policy issues and funding opportunities. Jessica Flintoft acknowledged the efforts of the Public Defender's IT Unit which developed the official web site of the Reentry Council (sfreentry.com) utilizing free software, and a design that is easy for staff to maintain. She noted that all documents of all subcommittees could be found on the site, and that the site complements the Reentry Council listserv of over 1,100 people. She acknowledged continued work of other Council staff members from the Offices of the District Attorney, Mayor, and Sheriff, as well as new staff Michael Klinger, Reentry Council Associate, and Jeaneane Young, Reentry Council Assistant. Working bibliography has been developed, and is available for review at sfreentry.com. One focus group of survivors was held last Thursday, facilitated by Delia Ginorio and George Jurand, and it was outstanding. Four more focus groups will be completed by the end of February. Revising the previously discussed timeline (discussed at the September 29th meeting of the Reentry Council), she said that much of the current information-gathering would be completed during February 2010, and we will review draft sections on programs and needs at the April 20th meeting, and that a full draft of the full report would be ready by the summer meeting of the Council.

Gerald Miller asked where and when the focus groups would take place, and Jessica answered that it had not yet been determined. No public comment.

IV. Reports from Subcommittee Chairpersons.

Civil Rights & Civic Engagement of Formerly Incarcerated People

Randy Stortroen, Chairperson

Randy introduced himself to the Council, and briefly discussed the status of the subcommittee and its work. He provided an update on the status of the literature review. He noted two documents as highlights of his findings to-date: the CDCR's 2007 *Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature*; second, the factor around criminal self-identification, citing a statistic that 70% of incarcerated survey respondents did not see themselves as criminals.

Karen Roye asked Randy Stortroen if he had a sense about the subcommittee's goals and direction. He responded that we need to survey the recipients of the current services to see if their experience matches up with what is intended to be delivered.

Eddy Zheng asked about the criminal self-identification statistic cited by Randy, and for more information about if that statistic was based on surveys or research or what the source was. Randy offered to clarify that information, and to share that reference. Eddy asked for a bigger picture of how the 70% applies to California's prison population. Randy shared that at one time when he was in prison, he did not think of other inmates as criminals.

DA Harris confirmed with Jessica Flintoft that the full bibliography and links to full reports was available online at www.sfreentry.com.

Tommy Escárcega expressed a desire to utilize participatory research that relies on formerly incarcerated people as experts of their own experience. She reiterated that many experts are the formerly incarcerated people who have direct personal experience.

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Public Comment:

Norma Harrison, member of the public and of the Peace and Freedom Party, asked for more information on the survey methodology producing the 70% statistic cited by Randy Stortroen, who offered to clarify by making the report available.

Noting the time, DA Harris asks that public comment be held until after all four remaining presentations.

Anthony Jenkins, member of the public, stated that he was shocked at hearing the 70% statistic. He has served at multiple federal facilities, and found that inmates took pride in identifying as convicts or criminals.

Community Justice & Alternatives to Incarceration

Richard Jimenez, Chairperson

Richard Jimenez introduced himself to the Reentry Council and explained the three main topics of focus for this calendar year: (1) collaborative courts, diversion and increasing capacity of collaborative courts, reentry court possibilities and increased services; (2) sentencing, early release, increasing service coordination, ensuring public safety, and increasing capacity; (3) probation and parole, collaborative case conferencing, clinical support. He explained the volunteer process for developing surveys, focus groups and the literature review/bibliography. Next steps include completing surveys, focus groups and draft report on needs and programs related to the topic area, and to begin to research funding availabilities and regulatory and legislative barriers to reentry. He relayed the subcommittee's request to the Reentry Council for action on effects of Non-Revocable Parole, which began on January 25, 2010. He distributed copies of an FAQ from the CDCR website. Richard Jimenez asked where people on NRP would be served and what local impact would be. Further, Richard Jimenez asked that George Keiser, NIC, highlight the Reentry Council. Last, Richard Jimenez encouraged San Francisco to apply for the Parolee Reentry Court solicitation currently out.

Jeff Adachi asked about the numbers of anticipated releases under the non-revocable parole program and the timing of those releases. He also noted a change in law that would reduce the number of local days that individuals would have to serve, and asked if that was part of the impact being examined by this Subcommittee. Richard Jimenez said he was told by parole that they are still reviewing files on individuals to determine actual numbers of people, and suggested that Matthew Goughnour may have more information on this.

Matthew Goughnour explained the guidelines around the newly-enacted non-revocable parole, which he said should not be confused with early releases. CDCR will be considering conviction history, and CDCR's individualized risk/needs assessments. Two CDCR Case Records Strike Teams began physical review of inmate files for NRP-eligibility on January 25, 2010. CDCR expects to review files at a rate of several hundred each day, with goal of having everyone screened for NRP by April. At Parole Unit level, current parolees are being screened on case by case basis. On the question of how many individuals will be placed on non-revocable parole in San Francisco, Matthew Goughnour said that we do not have final numbers, but initial estimate of 356 of the 1600-1800 active parolees may be eligible for NRP.

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Richard Jimenez said we have to look at changes in parole, but also the ending of funding for Prop. 36 because if people cannot get services, there will be more people in Courts and in County Jail. This will require better use of our dwindling resources.

Health & Wellbeing of Currently & Formerly Incarcerated People

Dr. Shira Shavit, Co-Chairperson

Dr. Shira Shavit introduced herself as director of Transitions Clinic, and explained that fellow co-chair Sasha Hauswald could not attend due to last minute emergency. Addressing the earlier question of the subcommittee's direction, she explained the subcommittee's definition of health and well-being which is broader than simply the absence of disease. She noted higher rates of infectious and chronic diseases, substance abuse, mental illness and trauma, etc., among incarcerated individuals, and explained that the subcommittee seeks to address health and well being by examining access to services as well as access to living conditions and environments that support and help individuals to maintain a healthy lifestyle. Specifics areas will include housing, physical health, behavioral health, and well-being. Additionally, she noted the subcommittee's specific concerns about the barriers specific to sex offenders who are all transient in San Francisco, whose regulations present a major barrier for successful reentry. The subcommittee has identified a need to better understand and better publicize the real implications of statewide policy for sex offenders, and will be meeting with State Parole to discuss this issue more.

Chief Yador Harrell asked Dr. Shavit about prevalent health problems in reentry population, and any surprises she had encountered in terms of the health of inmate populations. Dr. Shavit said that while conditions including hypertension, psychotic disorders, Hepatitis C and substance abuse addictions are more prevalent in inmate populations than in the general population, she's particularly surprised by the relative lack of mental health services available to inmates, especially given the high rate of trauma in the incarcerated population.

Karen Roye asked about cultural and language components to mental health efforts. Dr. Shavit explained that in addition to looking at various culture and trust issues, understanding incarceration as a culture in and of itself, and is an issue of cultural competency.

Self-Sufficiency of Currently & Formerly Incarcerated People

Mark Thomas, Chairperson

Mark Thomas introduced himself, an instructor at the ECS Skills Center, in-custody alternative to violence counselor, and trained in transpersonal psychology. The topic areas covered by the subcommittee include education; job readiness and employment; money management and child support; public benefits eligibility and access. The subcommittee has identified advocacy skills and personal development as an area on which it will focus. Actions to date include selection of a chairperson; convening volunteers to work on surveys; focus groups; and bibliography/literature review of best practices related to self-sufficiency. Next steps include a draft report based on research findings from surveys and focus groups; research on funding opportunities; research on legislative and regulatory barriers to reentry; and practical evidence-based proposals for

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the full Reentry Council. He also noted that two members of the subcommittee are under consideration to be the Reentry Council's official representative on the WiCAC. Mark Thomas explained that one ongoing challenge is to encourage individuals to take part in and complete existing services. He shared that he can also draw from his personal experience of incarceration and recidivism.

Joaquin Diaz de Leon asked how the Reentry Council would make this information accessible to people incarcerated in San Francisco, and to gain their insight directly into what we are developing.

Barbara Garcia confirmed with Jessica Flintoft that all five subcommittees' survey questions would be combined into single surveys (one for CBO's, a second for correctional partners). Jessica Flintoft reported that focus groups would include some inside.

Sheriff Hennessey noted that the Sheriff's Department completed evaluations of four of the in-house programs, and those surveys addressed some of the current inmates' immediate needs, and will continue to do further evaluations as funding allows.

DA Harris asked that the Subcommittee add entrepreneurial skills to the topics under consideration.

PD Adachi asked about the subcommittee's goals in terms of surveying the needs, and providing the services, for reentering individuals in terms of self-sufficiency and change in the behavior. Mark Thomas explained his personal view that providing financial management and problem solving skills are as critical to successful reentry as housing, treatment, and employment, citing research done by the Pennsylvania Department of Corrections. He emphasized importance is interaction between what resources are out there, and ability to navigate the system.

Chief Gascón recommended the research by University of Pennsylvania Professor Richard Berk, who developed a tool to predict violent reoffending that can be used to deploy resources strategically to break cycles of violence and incarceration.

Welfare & Safety of Families, Victims, and Communities

Elizabeth Brett, Chairperson

Elizabeth Brett introduced herself and provided overview of the composition and focus areas of the subcommittee. The Subcommittee is focusing on families of incarcerated and formerly incarcerated people, including child visitation and reunification; victim's issues including returning offenders and victim notification; communities' issues including the role of communities in supporting returning offenders and what services to ensure that offender has support to not re-offend. Volunteers are assisting in a literature review, a focus group of survivors of crimes, and are creating surveys of programs and correctional partners. Next steps also include the draft report of needs and programs, as well as funding and barriers research. Additionally, the subcommittee will make an effort to focus equally on each of its three subsections – victims, families, and communities. To that end, agenda will be dedicated explicitly to each of those areas. Secondly, the continuity of in- and out-of-custody services is an issue that we will address to ensure that the individual and family are successful.

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Gerald Miller asked about women who take parenting classes in-custody but cannot finish these on the outside, and as a consequence, some women don't want to leave jail. Elizabeth gave the example of a parenting class, which is popular inside, but unavailable outside. Participants are forced to begin anew with a different program because the in-prison time is not transferable. The subcommittee is looking into this issue.

Eddy Zheng said he appreciated the subcommittee focusing on victims more broadly—the direct victims, families of the victims, and the perpetrators of many crimes can also be seen as victims, either in the case of other crimes or in terms of systemic racism and other factors. He asked that the subcommittee define victims broadly and consider the greater healing process. Eddy Zheng suggested drawing from resources of Crime Victims Families, an organization in California. Elizabeth said that restorative justice would be part of the subcommittee's research in the future.

Public Comment:

Randy Stortroen explained that Chicago has done reentry summits for a long time, and is a good mechanism to connect incarcerated individuals with the Reentry Council.

Unidentified individual shared that he is a parolee participating in the NoVA Program, and thanked the Sheriff for creating the program. He explained that he works for the City now through JobsNOW, and as a veteran, he doesn't see representation on the Reentry Council. He asked that the Council to keep veterans in focus. DA Harris asks that veterans' issues be included in each of the subcommittees' work. She notes veteran participation in *Back On Track*, and the Sheriff noted that they are developing a veteran's program inside and outside County Jail.

Norma Harrison stated that she did not understand where the problems of the larger community are considered. Prisons are not supportive places, and imprisonment is terrible, and privatization will make things worse. She emphasized the need to focus resources on prisoners' access to services.

Anthony Jenkins shared that he is a Young Adult Advocate for TAY SF and a member of one of the Reentry Council subcommittees. He urged the Reentry Council to keep in mind the unique needs of 16-24 year olds.

V. Appointment of Reentry Council Representatives to WiCAC.

Jessica Flintoft reviewed the process for selecting a WiCAC Representative. Marcy Orosco said she no longer wished to be considered for the appointment. DA Harris noted that there was now one person to vote on, Krystal Koop. DA entertained a motion. Tommy Escárcega made a motion to appoint Krystal Koop as the Reentry Council Representative to WiCAC. Steve Arcelona seconded, and the motion was approved unanimously at 11:20 a.m. There was no public comment.

VI. Access of County Jail Inmates to Information about Voting Rights.

DA Harris introduced this agenda item as a wonderful example of the kind of impact the Reentry Council can have. She introduced Sheriff Hennessey, who acknowledged his collaboration with Tommy Escárcega, to address the issue of accessing the vote within county jails. The product of this collaboration is two-part proposal, contained in meeting

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materials: 1) a draft letter to the SF Board of Supervisors asking it to pass a resolution to urge the CDCR Corrections Standard Authority to adopt specific guidelines for county sheriffs and departments of corrections in order to facilitate voting among eligible incarcerated individuals, and 2) a draft resolution containing proposed language.

Tommy Escárcega proposed that the Council make some changes to the draft letter included in the packet. She discussed at length some points related to voting rights, misinformation about those rights, impact of *League of Women Voters v. McPherson*, significance of correctional policy and the interpretations thereof, her hopes for changes to Title 15, and accessible information inside for prisoners about their voting rights. Sheriff Hennessey asked if Tommy Escárcega was for or against the resolution. Tommy Escárcega suggested that she make a friendly amendment to the draft letter. DA Harris asked Tommy Escárcega for specific amendment. Katy Miller, Reentry Council staff, explained that Tommy Escárcega's suggested changes were reflected in a second copy of draft letter distributed to Reentry Council members, and read these changes aloud.

Chief Boyd asked whether the Chair would entertain a motion to allow the Chairs to finalize language at a later date. DA Harris noted that the Reentry Council must finalize this language in public meeting. Tommy asked Judge Mary Morgan to explain her concerns to the Council. Judge Morgan explained that she believes that Tommy wanted to be very clear that there is a distinction between a person who is sentenced and who is committed.

Sheriff Hennessey suggested that the draft resolution language meets Tommy's standard, and that the draft resolution be forwarded as is to the SF Board of Supervisors, without the cover letter. Tommy Escárcega expressed additional concerns about the scope of the resolution. DA Harris recapped the Sheriff's proposal to approve the resolution draft, and invited a motion.

Karen Roye moved to approve the resolution to the SF Board of Supervisors, PD Adachi seconded. No public comment. DA Harris called for the vote, and the motion passed unanimously at 11:38 a.m.

VII. Update on New Funding Received to Implement Reentry Initiatives.

Jessica Flintoft explained that this funding update appears in members' meeting packets, and that it will be regularly updated by staff.

Public Comment:

Unidentified member of the public noted that the Chief of Police and District Attorney were in attendance, and mentioned issues of homelessness and the earthquake in Haiti.

VIII. Update on Second Chance Act Adult & Juvenile Demonstration Projects.

DA Harris noted that San Francisco had two successful applications for adult and juvenile grants for 2009. This Council is the body overseeing both grants, and noted that we will hear brief updates on the implementation of each of these grants.

She introduced Barbara Garcia, who introduced lead staff person Toni Rucker to provide an update on the Second Chance Act Adult Demonstration Project. A \$600,000 per year grant, she noted the broad participation of departments and agencies, including assistance

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from the Reentry Council. Implementation will happen soon. The project is for 100 new female offenders or parolees pending sentence or return to state prison, annually. She is partnering with Parole, OEWD, REDF, SF Clean City, Walden House, Iris Center, Homeless Prenatal Program, and others. She explained the goal of targeting the comprehensive and complex needs of women, beginning with an assessment at either Valley State or Central California Women's Facility. Pending transfer there, there will be an intensive assessment by Walden House, including the CAIS, ASI, and other tools, and then assign case managers to the women during incarceration. Intensive planning begins 3-4 months prerelease, and at that time, their comprehensive reentry plan will be created with assistance from Walden house and others. The program will hopefully begin sometime in February, so the next Reentry Council meeting can include status update, as well as an update on upcoming grantee meeting in Washington, D.C. Toni Rucker thanked the Reentry Council and Jessica Flintoft for her participation in the planning process. The program will be evaluated, and will be eligible apply for continued funding in 2nd and 3rd year.

Karen Roye thanked Toni Rucker for her wonderful work, and offered DCSS's assistance to support the program in any way possible. Toni Rucker noted that the Lawyers' Committee for Civil Rights has also offered their assistance.

Eddy Zheng thanked Toni Rucker, and said he hoped the work would include women life prisoners.

ShaMauda Bishop offered Simply Fabulous Salon as a potential community partner for the program.

Tommy Escárcega thanked Toni for the focus on women, and agreed with Eddy about the inclusion of lifers. She also offered her organization as a potential partner for the project.

Chief Siffermann provided an update on the Second Chance Act Juvenile Demonstration Project grant, the JCERT, led by the Juvenile Probation Department. He explained that it is an unprecedented collaboration between Juvenile Probation, the Court, the Public Defender's Office, and Center on Juvenile and Criminal Justice. He noted the creation of comprehensive case planning, and prerelease planning, the effort aims to improve coordination, oversight and reduce problems with reentry. The grant amount is for \$660,000 per year, up to 3 years. He anticipated serving about 100 youth each year, and the team will also go to Washington DC to meet with Federal stakeholders. They have already identified a number of eligible youth and convened four reentry court hearings already. The JCERT Court has had a change judicial leadership, and there have been other impediments, but there is still progress.

Chief Gascón noted the apparent absence of police participation in these two grant programs. He asked to consider adding law enforcement role to all of these projects in order to avoid working at cross purposes.

Barbara Garcia asked Chief Gascón to identify the individuals in the SFPD that she should reach out to.

Chief Siffermann noted that there is in fact law enforcement participation through partnership of JPD and SFPD.

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IX. Presentation on Efforts to Count Reentry Population in 2010 Census.

Adrienne Pon, San Francisco Office of Civic Engagement & Immigrant Affairs
DA Harris introduced Adrienne Pon, Executive Director, who provided a brief overview of the Census 2010 efforts, and responded to questions posed in advance by Jessica Flintoft, and to ask for the Reentry Council's help in counting the reentry population. Pon's Office was established by the Mayor, and is responsible for the census and dealing with the anticipated challenges. The census project will count as many of the estimated 850,000 residents of San Francisco as possible. The last census is estimated to have undercounted by 100,000 people. She acknowledged the critical role that community organization partnerships will play in building trust and providing outreach to diverse, densely populated City. She said that homeless shelters, jails, hospitals, SROs, and similar places will be counted differently, and there is some planning going on now about how to reach those populations. To assure an accurate count of reentering population, census workers will work with facility heads of county jails. Some issues may arise with San Bruno locations, which house about 50% of the jail inmate population. The Census needs proof that San Bruno is annexed to San Francisco. She welcomed assistance from the Council on locating such a document about the San Bruno facilities. The Complete Count Committee is focusing on historically undercounted populations, and hard-to-count areas, including areas with public housing or populations of people who may not want to be counted. There is only one question that might relate to a person's criminal background which is one that asks if an individual is temporarily living outside of the home, in college dorm or jail/prison. Adrienne Pon noted that the Census has not historically been averse to changing policies, and asked the Reentry Council to offer policy change suggestions if desired.

Jeff Adachi suggested that the Reentry Council staff work with Adrienne Pon and her staff to identify outreach areas that are likely to help reach the reentering population.

X. Public comment on items not listed on the agenda.

Public Comment:

Norma Harrison wondered how many people in the audience know that people who are not in jail or prison can vote.

Charles Brooks, shared that he just returned after 20 years of incarceration, and expressed his desire to vote. The Sheriff explained that if you are on parole, or in prison, you cannot vote. Charles Brooks shared that he is on lifetime parole. DA Harris thanked him for being here.

Terry Anders of Anders & Anders, a community based organization, asked how funding through the Second Chance Act solicitations was allocated. Barbara Garcia explained that they sent out an announcement and invite CBOs to participate. She further offered to provide Toni Rucker's contact information to Terry Anders. Terry Anders stated that he knows Toni very well. He stated that his concern is that it seems that only large agencies get funded, and money that could and should reach the community is not getting there.

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Mark Thomas asked about the definition of a reentering population with regard to the Census. DA Harris stated that we have a definition for this Council. Jessica Flintoft said that while the Reentry Council has a limited purview with regard to the reentry population, for the census, reentry should be defined in the broadest possible terms.

XI. Council members' comments, questions, and requests for future agenda items.

DA Harris asked for consensus to table the agenda item and asked that members with additions to the next meeting's agenda pass them directly to Jessica Flintoft. DA Harris thanked everyone for attending, and for a very good meeting.

XII. Adjournment.

Adjourned at 12:16 p.m.