

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
2.8
(ID # 8238)

MEETING DATE:

Tuesday, October 30, 2018

FROM : PROBATION:

SUBJECT: PROBATION: Receive and File the Report on the Riverside County and California Forward Partnership. Districts: ALL; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and file the report of the Riverside County California Forward partnership to build a culture for data-based decision making commonly known as the Justice System Change Initiative (J-SCI).

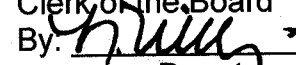
ACTION:


Mark A. Hake, Chief Probation Officer 10/18/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: October 30, 2018
xc: Probation

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|-----------------------------|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | N/A | N/A | N/A | N/A |
| NET COUNTY COST | N/A | N/A | N/A | N/A |
| SOURCE OF FUNDS: N/A | | | Budget Adjustment: | N/A |
| | | | For Fiscal Year: | N/A |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

California Forward (CA Forward) is an independent, bipartisan organization committed to helping local government better serve the public by providing programs and services emerging from an analytical evaluation of data. After working with Riverside County to examine the impact of the Affordable Care Act on released offenders (2013), CA Forward invited Riverside County to participate in the Justice System Change Initiative (J-SCI), a data driven cultural change process emerging from analysis of problems and concerns identified by Riverside County leaders. In March 2014 (3.4) the Board of Supervisors voted to become CA Forward's first J-SCI partner. A report of the four year effort is attached.

Impact on Residents and Businesses

Through the collaboration of participating agencies, more effective service provision is expected to justice involved individuals. This has the potential to reduce demand on the criminal justice system, reducing tax payer costs, and improve community safety.


 Ryan Carter, Principal Management Analyst 10/23/2018

Riverside County and California Forward

A team from California Forward (CA Forward) initially worked with key Riverside County staff in the summer of 2013 to discuss the impact of the Affordable Care Act (ACA) on individuals being released from jail. The focus was for the county to draw down federal dollars to provide health and mental health care, including substance abuse treatment, to potentially reduce crime and recidivism.

Legislation expanded Medi-Cal availability to adults 18 – 64 making less than 138 percent of the Federal Poverty Line. Approximately 90 percent of adults involved in the justice system do not have health coverage. County jails become their health care provider. If these offenders were determined as Medi-Cal eligible upon jail release, they would be able to access care in the community. This could make a major difference in their quality of life. It could also favorably impact recidivism. Eligibility workers placed at Riverside University Hospital helped those in the detention health unit complete Medi-Cal forms. This allowed the County to bill the state for some of the medical services provided. Released offenders could also access community based substance abuse programs and behavioral health treatment. Across the state, CA Forward worked with interdisciplinary teams from 37 counties serving nearly 90 percent of the state's population.

Taking Action in Criminal Justice

CA Forward then identified a small group of counties to assist in building local capacity for data-driven decisions and sustaining efforts for cross-system collaboration. Riverside County leaders were interested. County executives were keenly aware that data systems were incompatible, making data sharing difficult and no agency had sufficient research team staffing to analyze available data. In February 2014, the CA Forward team met individually with administrative, criminal justice, and support service leaders to determine the critical issues facing Riverside County. From these interviews the following issues emerged:

- Limited jail capacity;
- A federal cap on the number of inmates, resulting in a high volume of early releases;
- A lack of reentry services;
- A need for more robust behavioral health programs in the jails;
- Higher failure rates for offenders receiving split sentences versus those on post release community supervision;
- Failure to engage justice involved individuals in treatment either during incarceration or upon their return to the community; and
- Limited housing for probationers and those on electronic monitoring.

County leadership expressed interest in exploring innovative ways to address identified problems. The Board of Supervisors approved a three year, no cost agreement with CA Forward on March 18, 2014 (item 3-4). Riverside County became the first California county to begin a Justice Systems Change Initiative (J-SCI). County leaders committed to examining criminal justice system data, then applying new tools, processes, and decision-making models to management decisions for policies, budgets, and system organization.

The J-SCI process included three overlapping phases:

1. Improving system functioning by identifying and resolving justice system inefficiencies through a data-driven process.
2. Policy changes prompted by findings of system analyses.
3. Capacity building both in terms of data-based decision making and developing new programs and services based on gaps in the system.

Riverside County's Process

California's Assembly Bill 109 Realignment of Public Safety (2011) significantly altered the configuration and delivery of criminal justice at the county level. This act:

- Revised the definition of a felony to provide that non-violent, non-serious, non-sex offenders would be housed in county jails instead of state prisons;
- Transferred responsibility for post-release supervision of lower level offenders from state parole to county probation, creating Post-Release Community Supervision (PRCS); and
- Enhanced the responsibility of Community Corrections Partnerships with planning for the development/enhancement of programming and treatment for offenders, including those with co-occurring behavioral health needs.

Because the leaders of various departments had been working together on the Community Corrections Partnership Executive Committee (CCPEC), a level of trust had been built which strengthened relationships and communication among all departments and agencies involved with offenders. These relationships formed the basis for the Riverside County/CA Forward collaboration.

Following Board approval of the J-SCI initiative, senior leadership from all criminal justice departments, as well as the Criminal Supervising Judge of the Superior Court of California, County of Riverside (later the Presiding Judge), and the Chief of Police, City of Riverside formed an Executive Steering Committee (ESC) chaired by the Chief Probation Officer. Other participating department executives included the Executive Office, Behavioral Health, and Public Health.

The ESC established four goals:

1. Advance data driven decision making to promote continuous evaluation and improvement;
2. Identify cost-effective alternatives to unnecessary incarceration;
3. Reduce the rising cost of criminal justice without jeopardizing public safety; and
4. Share learning to multiply benefits countywide.

Once the ESC was in place CA Forward staff then interviewed 15 County leaders either on-site or by phone. Interview questions established background and experience, priorities, alignment with the J-SCI project, department strengths, capacity to provide and analyze data, level of collaboration and coordination across and among departments, level of commitment to J-SCI,

and the willingness to allocate time and resources to the effort. CA Forward identified six key points following the initial interviews.

1. County leaders are experienced and well-rounded. CA Forward found them to be strategic, forward focused, and eager to move beyond the status quo.
2. There was strong concurrence amongst the leadership on criminal justice system challenges and priorities, as well as a high degree of agreement on critical issues including: jail crowding; the cost, quality and availability of health and mental health care for jail inmates; interest in using the Affordable Care Act (ACA) to expand health, mental health and substance abuse disorder treatment for those involved in the criminal justice system; improving reentry outcomes; and supporting emerging future leaders.
3. Collaboration and mutual respect among leaders was obvious.
4. Leaders did not have a formally adopted shared vision and philosophy regarding the goals of the criminal justice system, particularly around the use of incarceration.
5. Data driven practices were not integrated within and across county systems.
6. There is a strong commitment to pursue J-SCI in Riverside County.

Three significant projects began following the interviews.

1. Probation Violations Report—Finding Opportunities for Success: A probation workgroup found that 80 percent of probation violations resulted in jail or 185,000 bed days each year and constituted a daily jail population of 500. The report noted, *“Technical violations are fertile ground for alternatives to jail and represent a critical area of initial inquiry due to their lower status from a public safety/crime perspective.”* The data used was from FY 2013-2014. They recommended intervention by increasing officer engagement; assisting probationers to become successful prior to a violation, and also using and documenting intermediate sanctions before formal violation petitions. The workgroup coordinated with the Crime and Justice Institute on pretrial services as well. In December 2015, Probation reported a 25 percent reduction in violations since spring 2014. The department noted a cultural change related to use of violations and noted probation officers were more frequently asking themselves, “What do we expect from this violation?” In addition to looking at new tools, the department began focusing on Probation’s impact on the entire criminal justice system.

Probation is revisiting the process of how adult supervision is delivered, utilizing LEAN and Six Sigma tools. Working with the Lean consultant, the department is mapping out its current processes, taking steps to eliminate waste, better serve customers, and to conserve critical resources (time and money). Probation officer engagement will be

further enhanced as unnecessary steps in the supervision process are eliminated, handled by a support person or an electronic system. Enhanced engagement with probationers is expected to increase community reentry success.

2. Jail Utilization Study (JUS): Completed in December 2015 and approved by the Board of Supervisors (BOS) on March 1, 2016, the JUS provided a broad brush portrait of the jail population. The report focused on the reason for booking, length of stay, average daily population, and release dynamics for inmates booked into any Riverside County jail between January 1, 2009 and December 31, 2014 with extensive focus on 2014. The analysis also included data from January through June of 2015 to examine arrest patterns following the voter approved Proposition 47, The Safe Neighborhoods and Schools Act, an initiative reducing penalties for certain theft offenses and drug possession crimes.

According to the JUS, bookings in 2014 totaled 59,632; of these 23 percent were female, 77 percent were male and the average age was 34.5. New felony crimes accounted for 27 percent of the bookings while 32 percent were at the misdemeanor level, most frequently involving drugs, alcohol or domestic violence. Another 41 percent were what CA Forward called "side door entries", a booking resulting from a revocation, court commitment, holds, warrants without a new crime. The average daily jail population in both 2014 and the first six months of 2015 was 3,890 while total beds were 3,914 with a federal court order to release at 93 percent capacity. Generally speaking, approximately 54 percent of those booked stay in jail until arraignment. During the months following voter approval of Proposition 47 there was no noticeable decline in jail bed usage. This may have been due to the ongoing demand on the limited jail beds.

Of those in jail, 63 percent were pre-trial and 37 percent were sentenced. The study noted some judges held offenders for treatment bed availability. This resulted in substance abuse offenders having longer stays than offenders charged with property crimes. The JUS indicated the Sheriff offered a "robust set of alternatives for offenders to be released into the community;" however, many refused to participate in programs or treatment, instead relying on good behavior and jail crowding to speed their early release.

Community reentry is not always an indication of a changed life, as 43 percent of those released in 2009 returned to jail within 90 days. Of those returning, 59 percent entered through a side door process.

CA Forward presented the JUS at a Board of Supervisor's Workshop in March 2016. They added eight recommendations supported by the ESC and the Executive Office. The Board unanimously approved the JUS and the following recommendations. A status update is provided for each recommendation.

- a. Improve probation success and increase alternative responses to technical violations. *Probation implemented graduated sanctions and is pilot testing a*

variety of early engagement options both in the jail and upon adjudication. One of the most interesting engagements is smart phone texting. Texts between the probation officer and client support continued growth and community reentry and provided a non-threatening way for an offender to share pertinent information with the assigned probation officer. This low cost/high tech addition to Probation's tool box is just one example of how the department is tailoring supervision to meet client needs and maintain officer engagement.

- b. Explore the potential to reduce delays and expedite court hearings.
- c. Maximize the use of pre-trial releases and programs. *Probation continues to assess inmates and make recommendations whether or not it appears prudent to continue to detain or release an inmate pending trial; however, on average, the court denies approximately 50 percent of the recommendations for release. The approval of Senate Bill 10 eliminates money bail. Pretrial services will be both expanded and modified when the legislation takes effect on October 1, 2019.*
- d. Expand cost-effective community-based alternatives, expand effective jail programs targeted to reduce jail recurrence and consider a non- or medium-secure facility for transitional programs and probation violations. *The Day Reporting Centers, located in Riverside, Indio and Temecula are community based reentry efforts and include services as well as a point of access for community wrap-around efforts. The Sheriff has expanded in-custody training as well as making the Residential Substance Abuse Program more available to inmates with shorter sentences. Additional work release and electronic monitoring options are also available so offenders can reside in the community and many are even able to continue their employment. Probation, working with the Economic Development Agency, completed a Request for Proposal seeking a private vendor to rehabilitate the Franklin Street property in Riverside and open a 50-bed reentry facility.*
- e. Develop interventions to improve mental health outcomes and reduce jail time for the mentally ill. *Behavioral Health screens inmates at intake and with increased staffing, therapists are available to provide individual and group treatment. Roughly 45 percent of jail inmates receive some behavioral health treatment and of this group 18 percent are seriously mentally ill. The Sheriff and Behavioral Health developed a Step Down program at the County's largest jail, the Larry D. Smith Detention Center in Banning. Step Down provides treatment, specially designed and staffed jail units, and helps inmates move toward housing with the general population and eventually being successful at reentry. Step Down inmates participate in both individual and group therapy. Over the course of their incarceration they also work with a therapist to develop a community based treatment plan connecting them to community behavioral health treatment. The program provides a continuum of care following a warm hand-off as an inmate is*

released. The hand-off may include transportation, housing and pre-scheduled appoints for therapy. Medicated offenders leave jail with sufficient meds to meet their needs until they see a community based clinical therapist. The goal is to increase offender success in the community and to reduce recidivism.

- f. Work collaboratively to better address substance use and abuse. The Behavioral Health Department worked with CA Forward to apply for a plan, referred to as an 1115 waiver, which allows the county to use Medi-Cal funds through the Affordable Care Act for a greater range of drug and alcohol treatment options, including inpatient, residential and outpatient. Options are for both adults and youth. Case managers assure that services and outcomes are tracked as well as delivered based on assessments completed on each recipient. Services are community based with appropriate language and cultural treatment providers. Recidivism among those with substance abuse disorders is high so connecting released offenders to community treatment is one step in the process of reducing recidivism and increasing community success. A primary goal is to provide positive feedback and incentives instead of violating probationers, hoping a return to jail changes behavior. A substance abuse counselor has also been added to the courts. Carrots work better than sticks with this population so both Behavioral Health and Probation will continue to steer individuals to treatment and support them during aftercare.*
 - g. Establish dedicated J-SCI positions to formalize and bolster system change across county departments and the judiciary. Probation added three J-SCI positions in the FY 16/17 First Quarter Budget Report (December 2016). The Coordinator was hired September 2017; the Research Specialist in August 2018 and the Business Systems Analyst in September 2018. Although housed at Probation, the incumbents are charged with working on cross system integration efforts.*
- 3. Establishment of a governance structure at the policy, management and working group level: The ESC convened on February 15, 2018, the first such gathering since September 29, 2016. During the intervening time, individual departments continued to complete special projects under the auspices of J-SCI.*

Following discussion of the state of criminal justice in Riverside County, members addressed how best to maintain momentum. The group determined the best strategy was to move collectively over a period of months and to continue cross-system collaboration on projects of interest. The ESC also agreed to quarterly meetings.

Final California Forward Event

In June 2018, CA Forward convened an inter-county meeting with invited leaders from Riverside, San Bernardino, and Santa Cruz counties. Each county had participated in J-SCI and had completed a jail utilization study. Presenters discussed how their county utilized data to make decisions about their respective criminal justice systems during the morning session. Leaders from all three counties also presented new initiatives implemented.

CA Forward's J-SCI work in Santa Cruz is complete. Riverside's agreement with CA Forward ended June 30, 2018. San Bernardino will complete their effort in December 2018. During the afternoon, county leaders discussed building organizational culture and capacity for data-driven decision making. Participants then met in county specific groups to review changes which occurred as part of the J-SCI effort, where each agency is now, and how J-SCI can be sustained.

Riverside County leaders identified the following areas as ones to explore during the next phase of J-SCI:

- Automated county-wide data portal;
- Focus on client needs vs. blaming;
- Enhanced treatment for dual diagnosed clients;
- Develop a strategic-systems wide structure;
- Reignite quarterly justice partner meetings;
- Staff engagement in problem solving and solutions;
- Focus resources on top 25 most frequent jail bed users (recidivists) and top 25 pre-trial detainees in jail for more than three years;
- Determine whether strategies in treating juvenile delinquents are successful by measuring entry of delinquents into the adult jail system; and
- Bail reform.

Riverside County's ESC decided to review how working groups are achieving outcomes at each meeting. The Sheriff is in the process of purchasing new data systems for corrections and patrol. Personnel from Sheriff's Corrections, Probation, Behavioral Health, Correctional Health, and Whole Person Care are examining ways to disrupt the negative behavior patterns of the 25 individuals booked most frequently in the past three years. Collectively known as "frequent fliers" or "super utilizers," these individuals are the focus of efforts from all involved departments. Community based organizations will be invited to participate to assist in efforts to lessen jail bookings for this group. A research team is also analyzing data for patterns that will assist with this effort.

At the September ESC members decided on six principal areas and to assign department leadership to chair the steering committees for each.

- Bail Reform: Probation
- Global Solutions for Mental Health: Executive Office
- Death Penalty (Proposition 66): District Attorney

- Homelessness: Executive Office
- Information Technology and Data Solutions: Probation
- Juvenile Justice: Probation

The ESC finds it most expedient to organize work groups to handle specific areas of concern. For example, under Global Solutions for Mental Health, a group focused on determining Medi-Cal eligibility for offenders still in jail is beginning to converse. The ESC hypothesizes that the effectiveness and removal of barriers to coordination and communication are best managed at the working group level. By the time policy level groups convene, proposed solutions have been and field tested.

Riverside County's Own Criminal Justice System Change Initiative

Partners in Riverside County's implementation of the 2011 Realignment of Public Safety (AB 109) have worked collaboratively for more than seven years. Each partner has a specific role in the system; however, the communication is open from executive leadership through the line level. It is apparent to those entering the criminal justice system that in Riverside County the system is constantly evolving. Credit for this goes to the Board of Supervisors for supporting the J-SCI effort with CA Forward and to the leadership of the ESC and their commitment to excellence.