

ALAMEDA COUNTY PROBATION DEPARTMENT
COMMUNITY CORRECTIONS PARTNERSHIP EXECUTIVE COMMITTEE

Thursday, April 1, 2021· 11:00 a.m. – 1:00 p.m.
via “Microsoft Teams”

MEETING MINUTES

Present:

Wendy Still, Chief Probation Officer (Chair)
Martin Neideffer, Captain, Sheriff’s Designee
Nancy O’Malley, District Attorney
Louis Torres, Chief of Police, San Leandro

Charles Smiley, Superior Court
Karyn Tribble, Alameda County Behavioral Health
Brendon Woods, Public Defender

Attendees:

Abernathy, Lisa	Dawal, Marcus	Jenkins, Asia	Smith, Tim
Baker, Karen	Eddy, Charles	Klein, Meryl	Stewart, Darryl
Brooks, Rodney	Gipson, Sylvia	Lai, Sophia	Uriarte, Monica
Brown, Jenifer	Grigsby, Janene	Mason, Joey	von Geldern, Eric
Chen, Howard	Henzi, Christy	Mitchell, Kelly	Youseef, Elias
Conner, Shauna	Ibalio, Fidencio	O’Neill, Gavin	Additional Guests: 41

1. **Call to Order and Introductions:** The meeting was called to order at 11:00 AM
2. **Public Comment on Any Item Listed Below for "Discussion Only":** None
3. **Review and Adoption of 1/22/2021 Meeting Minutes:** Moved to approve the 1/22/2021 meeting minutes as written and motion passed
4. **Community Advisory Board (CAB) Update – Kamarlo Spooner/Timothy Smith**
 - A. **Current CAB Vacancies:** District 1: (2), District 2: (1*), District 3: (0), District 4: (1) and District 5: (0)
 - B. **AB-109 Funded Formerly Incarcerated CAB Notetaker:** CAB recommendation to pay a system-impacted Notetaker a \$75 stipend/meeting from AB-109 funds to cover taking the minutes and transportation; Brendon Woods motioned to approve, Judge Smiley seconded; passed unanimously
 - C. **CAB As a Voting Member of the CCPEC:**

CAB recommended to have CAB ex-officio member recognized as a voting member of the CCPEC; the CAB requested the CCPEC take the recommendation to the Board of Supervisors (BOS) supporting the CAB becoming a voting member of the CCPEC and requesting the BOS help advocate amending AB109 legislation specific to CCPEC membership; Fiscal cost - \$0

Discussion:

- i. If the legislation is changed, it would mean changing it for the entire state; the BOS has been very clear that CAB is an advisory board and the law is very clear on who sits on the CCPEC; a lot of thought and effort has been put into the structure of the different committees in order to gather the largest amount of input;
- ii. It’s critical for system-impacted voices to be heard, and in fairness to everyone who wants to come forward with a proposal, it would be difficult to draw the line on who sits on the CCPEC if

legislation is changed

- iii. CAB expressed appreciation to be participate at CCPEC, but also wants to be included in the voting process; if the request doesn't pass the CAB will reach out to Assemblyman Bill Quirk to see what can be done through his office
- iv. Brendon Woods moved that the CCPEC take the recommendation to the BOS to allow the CAB to be a voting member of the CCPEC; there was no second; motion failed
- v. Judge Smiley wanted it clarified that the vote is not about whether the CAB should have a vote on the CCPEC, but instead, is asking the BOS to enlist its contacts to create some advocacy in Sacramento to change the law
- vi. Chief Wendy Still stressed the CAB can advocate with legislative leadership, the Assembly and the Senate to create change, and how effective their advocacy has been in the past; although the CAB wouldn't be able to represent Alameda County (AC), they can certainly advocate on behalf of the different organizations they represent; while the CCPEC cannot change the law and allow the CAB to vote, the CCPEC values all feedback from the CAB and community, and feels it's important the community is involved

D. Voluntary CAB Exit Interview

- I. The CAB recommended to add a voluntary exit interview to the Operating Guidelines with the following questions:
 - A. Why did you join the CAB?
 - B. Did you accomplish your goal or what you set out to do?
 - C. What are or were the barriers or challenges that prevented you from achieving your goal?
 - D. What can the CAB do to address, reduce, or eliminate the issues or barriers?
 - E. Do you have any other suggestions or recommendations for the CAB?

Discussion:

- i. Chief Still supported the exit interview and questioned if any bylaws needed to be changed; and welcomed feedback from DA Nancy O'Malley and PD Brendon Woods since they were involved when the bylaws were developed; DA O'Malley thought it was more of a procedural matter than a bylaws issue; PD Brendon Woods didn't think it was a bylaws issue, but thought it may be good to have the matter formally documented as part of the record
- ii. Chief Still asked if the CAB wanted a bylaws change or have it in the record; the CAB wants it formally in the record to prevent accusations of inappropriateness; Chief Still suggested adding one more question: What benefit has the CAB been in serving the individuals in the community? Kamarlo will take the question to the CAB for their feedback
- iii. DA O'Malley motioned; Judge Smiley seconded the motion; passed unanimously

5. Workgroup Updates

A. Fiscal and Procurement – Wendy Still/Karen Baker

I. AB-109 CBO Designation Account – Karen Baker

- A. Funds currently in the [AB-109 CBO Account](#) available for reinvestment = \$1,717,800; these funds could be added to the funds available for FY 21/22

FY 16/17-FY 18/19 = \$1,050,248 (pg. 1) + FY 19-20 = \$667,552 (pg. 2) = \$1,717,800

II. **CA Assembly Bill 1950: Extension of Services** – Shauna Conner

- A. AB-1950 was signed into law to shorten the length of probation in most misdemeanor cases to 1 year and in most felony cases to 2 years; over 2,000 individuals in AC already had their supervision sentences terminated, with some losing their provided services (30% of reentry clients are active to services), it's projected that over 2,500 individuals will be impacted by the retroactive application of AB-1950; there are 3 recommendations:
- B. **Amend the Definition of Realignment Eligible Participants**: amend the definition of eligibility to include clients impacted by the retroactive application of AB-1950
- C. **Extend Services for 1-Year After Early Termination**: allow a 1-year extension of services for those clients impacted by the retroactive application of AB-1950
- D. **Allocate \$1 Million for Expenses Related to the Extension of Services**: set aside \$1 million (M) to cover any unexpected expenses related to the 1-year extension; any unused funding would remain in the AB-109 account, and would be available for reinvestment

Discussion:

- i. The extension of services would be completely voluntary and does not extend terms of probation;
- ii. Judge Smiley motioned; DA O'Malley seconded; motion passed unanimously

III. **Violence Prevention Program** – Kamarlo Spooner (CAB Chair passed to Timothy Smith)

- A. The CAB recommends increasing the funding to \$1M, based on the totality of violence discussion in past meetings; there was a consensus that it would take a comprehensive strategy to begin to address it, including community involvement for developing a strategy and data collection; there are significant community stakeholders not involved in the conversations who are very interested in being part of the solution; gun and gang violence has increased and requires credible messengers from the community

Discussion:

- i. There has been a 400% increase in homicide in Oakland from February 2020 to February 2021; this initiative would allocate \$500,000 to design a program in Oakland; Probation would work with Oakland's Department of Violence Prevention and the Oakland Police Department (OPD) on the structure of the program; trusted individuals within the community would be used as credible messengers to provide support
- ii. Chief Still agreed and believes the conversation should be transparent and inclusive with the OPD and Department of Violence Prevention, and will request an open public forum meeting with them
- iii. DA O'Malley motioned that \$1M be allocated for the Violence Prevention Program, of which \$500,000 will be administered to the City of Oakland for violence prevention, working with the OPD, the community, and the Office of Violence Prevention; the remaining \$500,000 will be held in trust and released when additional funds are needed
- iv. The motion passed unanimously

IV. **\$330,000 Fair Chance Housing Initiative** – John Jones, III/Margaretta Lin

- A. Just Cities submitted a proposal to: (1) address homeless among the reentry population; and (2) conduct research of reintegration housing support; request for \$330,000 to fund the 2-part proposal

Discussion:

- i. It's important the reentry population and their families know about housing rights and available resources; 73% of homeless encampment residents surveyed have criminal records
- ii. The project will support the nation's first evaluation study of fair chance housing policies; many fair chance housing policies have passed nationally, but none have come with an evaluation study; this study would provide data needed to maintain strong housing ordinances or help pass new fair chance housing laws
- iii. The project will provide data on the relationship between housing stability and anti-recidivism; there is currently very little research on this connection; this data will help shift funding priorities for reentry housing, which requires greater funding to meet the needs of the reentry population
- iv. The goal of researchers is to provide the data and evidence for fair chance housing to become part of every jurisdiction's public policy throughout the nation; the research will help evaluate the effectiveness and gaps in programs and services, and also see what other jurisdictions around the nation are doing that we can learn from; the data will help shift public budgets to better fund support for the reentry population
- v. The research will be a comprehensive component, with access to various robust data sources, which will help identify the specific types of barriers different populations face
- vi. Dr. Tibble motioned to approve; Chief Torres seconded; Brendon Woods abstained; motion passed

V. Restorative Justice Opportunities for the Realigned Population – Nancy O'Malley

- A. District Attorney Nancy O'Malley put forth a recommendation to allocate \$2,000,000 to fund and implement a Restorative Justice Program, with funds previously set aside in trust to be made available for paying restitution to victims (or their surrogate), whereby individuals with restitution orders who voluntarily participate in the restorative justice can voluntarily participate in a work training program offering payment or credits towards their restitution

Discussion:

- i. In an average year, over 15,000 victims of violent crime are served, with most being people of color; many victims don't have the financial means to correct the damage of the crime; AC provides some help (e.g., mental health counseling, medical, funerals for murder victims), but other items are not eligible for reimbursement
- ii. The juvenile division has been doing this for over 12 years with great success (youth recidivism has been around 10-12% during this time); restorative justice has also been used in other capacities with adult offenders
- iii. There are many people with huge restitution judgements they can't pay and it becomes a civil judgement, which prevents them from being able to move forward with their life; there was concern about some of the cost of operating the program and how much of the restitution would be worked off; there also needs to be a bigger conversation around pre-disposition as opposed to post-disposition and having that be a part of it; maybe there can be additional participation credit that goes towards early termination of probation or supervision terms – Chief Still and DA O'Malley agreed; this is something that's already being discussed
- iv. The \$2M has been held in trust for a very long time, to determine the best use for it

- v. A suggestion was made to alter the language of “alternative work and volunteer work opportunities” so those who volunteer to participate will know they’re not being asked to pick up trash or any other type of “indentured work”
- vi. DA O’Malley motioned; Captain Neideffer seconded; passed unanimously

I. FY 21/22 Funding Recommendations – Karen Baker

- A. *Note: This item was moved towards the end of the meeting out-of-order from the agenda*
- B. The proposed [FY 21/22 AB109 Allocations](#) is \$17,760,425 (line 67), which would leave \$14,527,170 for FY21/22
- C. The housing allocation is based on receiving 4 bids in the housing vendor pool for up to 312 beds – if all 312 beds were used, it would cost \$9M
- D. Voting for the allocations does not affect ongoing discussions about the remaining \$14M for future investments (now through next year); Captain Neideffer motioned; Judge Smiley seconded; motion passed (5 voted yes/quorum); Dr. Tribble and Chief Torres had to leave due to other meeting commitments
- E. Chief Still thanked the community for their input and the CCPEC members for their questions and suggestions, all of which contributes to the financial transparency of allocations and tracking of funds; there is also a document that lists all active contracts and services, which will be available at the next CCPEC and Fiscal and Procurement meetings

2. California State Auditor Public Safety Realignment Report– Wendy Still

- A. *Note: Due to time constraints, item moved to the next CCPEC May 17 meeting agenda*
- B. Chief Still briefly highlighted some of the report: (a) It was a good report, but there is a huge difference of opinion between all three counties and the State Auditor – the auditor believes the CCPEC should be responsible for overseeing all of the public safety realignment funds in AB-109; the county responded that the legislature needs to create that requirement in statue since the BSCC only requires reporting every year on the community partnership expenditures of the AB-109 funds; (b) The report also said there needs to be more research, and criticized that all the public safety realignment funds (hundreds of millions) are not being researched; (c) Chief Still expressed the importance of reading the full report and that it’s a great discussion to have, and she announced that Marcus Dawal will be facilitating the meetings until a new Chief is named

3. Public Comment

- A. Charlie Eddy thanked Chief Still for her leadership and setting a high bar; regarding SB-678 legislation from 2009 - the original 13-member Community Corrections Partnership meeting, including the 7 voting members on the Executive Committee, at least 2 of the 13 positions named in the legislation are community seats; Charlie remembered being at the meeting in 2014 or 2015 where the Executive Committee decided to abandon the piece of the legislation that creates the 13-member Community Corrections Partnership due to complaints about too many meetings and it was decided to have the Executive Committee and workgroups; AC doesn’t recognize the 2 formal community member seats envisioned in the original legislation and expressed concern that we’re missing something by not having it the way the legislation spells it out
- B. Chief Still acknowledged this is a bigger conversation; due to the meeting ending and some Executive Committee members having other meeting commitments, the item will be added to the next meeting agenda; research and local surveying can be done and presented to the CCPEC with recommendations and community input; this was Chief Still’s last CCPEC meeting – she thanked everyone for their

contributions and expressed gratitude for how much she enjoyed working with everyone

- 4. Next Meeting – May 17, 2021**
- 5. Meeting Adjourned at 1:27 PM**