Community Corrections Partnership

**Programs and Services Workgroup**

**When**: February 28, 2019 from 10am – 12pm

**Where**: 1111 Jackson Street, 2nd Floor, Rooms 226-228, Oakland

**Present**:

Neola Crosby (Facilitator)

Andrea Allstrand

Charles Eddy

Debbe McCann

Jacquline Murillo

Jason Shaw

Jeannette Rodriguez

Jon Fajardo

Kelly Glossup

Lazandra Dial

Lisa Abernathy

Marcia Massa

Myesha Walker

Rashad Eady

Shane Rogge

Sophia Lai

Stacey Guillory

Tim Smith

Valerie Edwards

Dean White

LaLisha Norton (Recorder)

**Meeting Minutes**

Neola Crosby began the meeting with introductions. The minutes from January 24, 2018 were approved as written.

**DEPARTMENTAL ASSESSMENT**

Two handouts were distributed, the departmental assessment form and a document noting the responders, thus far. Attendees were asked to complete the survey. The survey assesses an organizations ability to share and track data and addresses Goals 3 and 4 in the Adult Reentry Strategic Plan. Below are the four themes of the Strategic Plan:

1. Recidivism Reduction
2. Providing High Quality, comprehensive, Wrap-Around Services
3. Developing a network of well-coordinated systems of services
4. Accountability, Transparency, Fiscal and Performance Outcomes

You can find access the Alameda County Adult Re-Entry Strategic Plan at: (<http://www.acgov.org/probation/documents/ReEntryStrategicPlan-BoardApproved3-11-14.pdf>)

**PRESENTATIONS**

**Shane Rogge & Andrea Allstrand, Alameda County Department of Child Support Services (ACDCSS)**

Shane Rogge noted that the topic of child support is one that nearly impacts everyone, if not directly, indirectly. The conversation can be very volatile as you are addressing a person’s finances and family, in addition to having a government program being potentially forced into an individual’s life. Child support can be very complex, and any change based on the given scenario can produce a completely different outcome. Child support is governed at the federal level; there is significant regulation and information regarding the laws and procedures at the state level and there are also local county procedures. Laws can be very interpretive. Although the discretion of application can be great, it can inherently create inconsistencies or differences in the application. Shane noted that he would primarily present from a State perspective, but would also provide information from the Alameda County perspective. Child support is just like any other company or agency in that you will have some workers who are very knowledgeable and compassionate and others that may need additional training or lack the empathy, and/or patience needed to effectively and compassionately assist those navigating the child support system. Part of Shane and Andrea’s job is to identify the issues and challenges that are being experienced by their clients and agency partners and to make the necessary adjustments to improve the quality of service experienced by those impacted or actively engaged in the child support system. Whether the individual is giving or receiving support, the individual is considered a client of the Department of Child Support Services (DCSS) and deserves to be represented and helped.

In the local community, those who are unfamiliar with DCSS often confuse the department with Child Protective Services, mostly due to name similarity. People also confuse them with Social Services and Health Care Services, but they are a completely autonomous agency. DSCC connects with other county departments because of the work that correlates between the departments. The DCSS is an Alameda County agency and part of a statewide program that is responsible, as defined by law, to cover all monetary expenses that are involved with a child’s living, health, and general maintenance on a month-to-month basis. DCSS believes that not only does every parent have a financial responsibility, but they truly hope that each parent would want to provide some type of emotional support and be active in their child’s life. Oftentimes individuals are apprehensive about speaking with DCSS, but it is imperative that they do because avoidance can produce negative outcomes. Shane requested that attendees encourage their clients to contact and work with DCSS so that they can be aware of their options and know what’s coming, what’s currently occurring and what may happen in their case.

The courts play a critical role in determining what happens regarding child support. DSCC cannot act until a court order has been obtained. When the courts establish an obligation, it will include an order for monetary amounts and health insurance. It will also determine arrears, and interest can and will accrue. DSCC must enforce and abide by the orders that have been set. DSCC is part of the poverty solution because many times the support that comes from child support accounts for a good portion of the household’s income. Data has shown that when child support is provided, in conjunction with emotional support, teen pregnancy rates are dramatically reduced, interaction with the criminal justice system reduces, and high school graduation rates increase. Shane cited data received from Dr. Earl Chandler, which states that in California, young African- American males that do not receive their high school diploma or GED have a rate of incarceration of 90%. Conversely, if these young men receive their high school diploma or GED, their incarceration rate is reduced to 12%. Although the stats are also high for other young men of color, there is a great disparity among those that are African-American.

One of the most common questions that DSCC receives is regarding the amount a person will have to pay for child support. The courts and child support agencies use the State Guideline Calculator to determine how much an individual is responsible for paying in terms of child support. The two significant factors affecting the determination of monetary support are:

* The amount of money that the parents make, particularly the parent that does not have primary custody
* The amount of time spent by the Non-Custodial Parent (NCP)with the child.

Other contributing factors that affect child support include:

* Other child support orders
* Other biological children in the home
* Daycare or health care expenses
* Mandatory income deductions

Questions and Responses

* ***Question:*** How are student loans considered as it relates to mandatory income reductions when calculating someone’s payment amount? ***Response:*** Every category noted above carries weight and they all are included in the calculation; however, categories with the heaviest weights are the amount of income and amount of time spent followed by other child support orders and other biological children in the home, followed by daycare and health care coverages, union dues, and any other mandatory deductions that are taken out of the paycheck. The system is not perfect and although DSCC has made tremendous progress, there is still much to be accomplished. Despite a client providing the best and most detailed information possible, the numbers may not always add up, make sense, or seem equitable. In addition, if parents have multiple children needing support, this can have a tremendous impact because of the financial obligation they create for themselves.
* ***Question:*** What are the options that someone has regarding what they have been ordered to pay? Can they go back to court? ***Response***: Yes, they can request a modification from the courts. Their information will be reviewed, and the courts would make determinations pertaining to any reductions. Although the courts primarily depend on state guidelines, they do have the ability to use their discretion which is something that DSCC does not have the ability to do.
* ***Question:*** What if the amount of visitation changes, but the amount of support stays the same? For instance, the custodial agreement starts out with the non-primary parent having 30% custody and the primary parent having 70%, but later changes, in fact, reverses to 70/30 whereas the non-primary parent has become the primary parent. Is the parent still responsible for paying the same amount in child support when the visitation time changes? ***Response***: What people often don’t realize is that the court completely separates the issue of shared custody time, visitation and child support; they are totally different topics. What happens frequently is that individuals will go back to court and change the time that they legally have their children or visit them, but they neglect to mark the box to change the monetary amount of child support ordered.
* ***Question:*** What if the child is technically in my care, meaning I have full custody and receive child support, but they are physically staying with another family member such as my parents? ***Response***: The reality is that the power resides within the courts and if they say that you are entitled to child support payments, they will be made to you unless there is an order that the payments be made directly to the grandparents or an agreement reached between the parties involved.
* ***Question:*** What can I do if I pay my child support, but my former significant other does not take care of my child’s basic needs or misappropriate the funds? ***Response***: The reality is the court can mandate the child support order, but they can’t govern how the money is spent. If there appears to be clear neglect, the best thing to do is go back before the courts.
* ***Question:*** Does school costs, such as paying for a child to attend private school, fall under daycare/health care expenses when determining how much someone will be financially responsible for? ***Response***: It can be part of a court order where a certain amount of funds is earmarked towards the cost of a child’s schooling. However, there can be instances where the parents do not agree on the necessity of private school and then that issue is mediated by the courts. Remember that families do have the right to work things out and these issues do not need to come before the courts, if the parents can resolve it on their own.
* ***Question:*** What are the things that we can do to provided life coaching support to help individuals dealing with these types of issues? ***Response***: That’s a fundamental part of our charge in outreach and why we are doing the work that we are doing in the communities. We are connecting with resources and creating a database with information that can be shared in real time with our clients.

In Alameda County we have approximately 30,000-32,000 actively open cases. In California, there are between 1.2 million – 1.3 million open cases. The breakdown of the cases at both the county and state level are consistent. About one quarter of the individuals served in California are actively involved in public assistance. Whenever a single parent applies for any type of public assistance, a referral is automatically sent to child supportive services. About half of the families with open cases in California formerly received public assistance. Meaning that at one point in time these individuals received some type of assistance which they are no longer receiving. Anyone that is not receiving public assistance can ask to have their case closed; however, these individuals can elect to maintain a case with child supportive services. Approximately one quarter of the open cases are of individuals that have never been involved with or received public assistance. These individuals voluntarily requested that DCSS intervene on their behalf, to open a case and establish an order.

**DSCC provides five different types of service:**

1. Location – The DCSS will help you locate the non-custodial parents (NCPs) and their assets. DCSS has access to a significant amount data from all over the country that goes directly into their database system. They can locate individuals even if they only have very little information to begin with.
2. Establishment – DCSS can establish orders for paternity, child support and medical support. For fathers that have not been identified as the father, this is an opportunity for them to receive free genetic testing to determine if they are in fact the biological father and therefore financially responsible for the child. Once an order has been served by Child Support, the potential father has 30 days to respond, after that a default judgment will be issued declaring that he is the father and owes child support. It is critical that people respond and file an answer whenever they get served.
3. Enforcement – DCSS can enforce orders for child and spousal support and health insurance. If a person stays current, the individual will never be impacted by the agency, except for having payments taken directly out of their paycheck. But when a person falls behind, the computer system will send an alert and after 90-days, their license will be suspended. DCSS will issue tax liens, levee bank accounts, and suspend passports. The passport suspension in non-negotiable; however, if a person needs to leave the country because of a job, or if a family member is dying or just passed, the individual can be issued a temporary passport. The federal government can also be petitioned on humanitarian grounds.
4. Accounting – DCSS keeps detailed records of child support transactions. Individuals can always contact the Department regarding any payments that have been made or check garnishments.
5. Modification – DCSS can help individuals modify the terms of existing orders. Court costs can be very expensive, but the DCSS can file motions with the court for free.

Refer to the handout to obtain information regarding additional Child Support and Family Law Resources. ([http://www.acgov.org/probation/documents/ChildSupport&FamilyLawResourceSheet.pdf](http://www.acgov.org/probation/documents/ChildSupport%26FamilyLawResourceSheet.pdf)

[http://www.acgov.org/probation/documents/ChildSupport&FamilyLawResourceSheet.pdf](http://www.acgov.org/probation/documents/ChildSupport%26FamilyLawResourceSheet.pdf)).

Questions and Responses

* ***Question:*** Let’s say it took five years to locate the NCP, would the custodial parent be entitled to receive the child support for those years? ***Response:*** If there was an order that established child support, yes! California has no statue of limitations as it pertains to collecting past child support payments. For example, an order was placed over fifty years ago and never collected on, the case can be re-opened even if the child has been an emancipated adult for over 40+ years.
* ***Question:*** If you discovered that a parent did not meet their financial obligation, could you make a claim against their estate? ***Response:*** Absolutely! The DCSS has had cases like this where both parents were deceased. We won’t open a case for the child, but the child can file with the court to become the payee on their deceased mother’s behalf.
* ***Question:*** What happens if a person responds after the 30 days to respond to the paternity order?

***Response:*** If DCSS receives a default judgement, a person has two years to file a motion with the court to dispute paternity and get genetic testing done. If it’s beyond two years and they have never had an association with the child, they can go back to court and the courts will try to work with them to get the genetic testing done.

* ***Question:*** What if someone has been paying on a judgement and it is later determined that he is not the father, does he get the money back? ***Response:*** Unfortunately, no. When the money was collected, it was done under a legal order, and at that time, the individual was believed to have been the father. Keep in mind that the father should have knowledge that his paycheck is being garnished for some reason and that’s another reason why it is so important for individuals to inquire and respond regarding these matters.
* ***Question:*** What if a person has been incarcerated during the two-year window and therefore was unable to challenge the paternity ruling? ***Response:*** That is considered a credible reason and the person would simply need to file a motion with the courts.

Roger noted that DCSS has also encountered situations were someone believed the child to be theirs and actively supported and raised the child for some time only to discover later that the child is not theirs biologically; the court has a considerable issue, because that parent has acted as the father, believed he was the father, parented the child as the father and bonded accordingly. This can cause emotional stress for all parties involved. The court can decide that the non-biological father is the parent, and as a result, is therefore financially responsible for the child.

Questions and Responses

* ***Question:*** What if the biological father is located? ***Response:*** DSCC abides by the court ruling and if it says you’re responsible, then you are responsible for the child. Of course, a person can go back to the courts to have the court work things out, just make sure that individuals follow-up with our agency regarding the changes to the court order and termination of rights.
* ***Question:*** If the custodial parent opens a case with DCSS against the NCP and the NCP is currently incarcerated, how would the NCP be notified? ***Response:*** Eventually, DSCC will locate the NCP and, in California, DSCC has mandatory modifications. If a person is incarcerated for 90-days or more, receiving public or general assistance, in a chemical dependency/drug treatment rehabilitation program and has a child support order, the DCSS will automatically set it to zero. If it’s under 90-days, DCSS cannot make a mandatory modification but the individual can go before the courts to request a modification. Also, the mandatory modification does not absolve the individual of any arrears. Neola added that she needs to follow-up regarding the notification process between the Investigation deputy’s and DCSS for individuals that will be serving more than 90-days, particularly in cases where they will be going to state prison, because it makes no sense for them to be financially responsible for the 90-days while they are in jail if it is known that their time will exceed that time period. Alameda County is progressive in that they will not reinstate a child support order until the person is gainfully employed. Other counties may not be as flexible and once a person is released from incarceration, other counties will automatically activate the existing order.
* ***Question:*** If a NCP finds out that the custodial parent opened a case with DCSS in another county, can the NCP residing in Alameda County go to Alameda County for assistance or would the NCP go to DCSS in the county in which the case was opened. ***Response:*** DCSS is on a statewide database system and can check on cases from any county; however, DCSS cannot guarantee that other counties will necessarily elect to handle matters in the same manner as Alameda County DCSS.

Roger noted that for long-term incarcerated individuals, one of the things that can cause their case to be closed is if they will be incarcerated beyond the child’s age of emancipation. California’s criteria for the age of emancipation is age 18 and out of high school. If they’re not out of high school at age 18, they will be emancipated at 19 years of age. For incarcerated individuals that meet this criterion, their entire case would be closed, including any arrears.

Questions and Answers

* ***Question:*** How does the court verify that an individual has a case with DCSS? ***Response:*** DCSS will work to get a concrete answer; Roger will research and provide specifics at a future meeting.
* ***Question:*** In terms of parents potentially moving in and out of different counties, who does the case follow? ***Response:*** The case will follow the custodial parent. The parent could choose to leave the case with the originating county, or the parent can request to have it moved and opened in their local county. There can also be instances where two counties could be working in tandem to collect the same debt from an individual, which means that person has two open cases.
* ***Question:*** If someone does move to a different state would that state adhere to what California is requesting or mandating? ***Response:*** The reality is that all DCSSs are all governed by federal law. A prime example is the State of Oregon. In Oregon, they do not collect interest on child support but in California, we do. Whenever we collect payments from Oregon, we ensure that they calculate and apply interest to the payments; however, DCSS will do our best to work with other states to do whatever is in the best interest of the family. Also, in Michigan, they will place people in jail for non-payment of child support but in California we don’t. We have found that putting people in jail does not ensure that the custodial parent receives the funds and it greatly reduces the NCP’s potential ability to earn wages, creating a far worse affect.

Neola thanked Roger and Andrea for their comprehensive report and asked everyone to share this information with their clients.

**SERVICE GAPS, CHALLENGES, AND SUCCESSES**

Valerie and Charlie provided an update regarding a focus group that was conducted with individuals at the Transition Day Reporting Center. There were more than 30 people in attendance. The purpose was to glean from the individuals, the role of their families and the support or lack thereof that they had and how it impacted their transition into society. The most startling revelation was from the people that did not feel like they really had support. Charlie further explained that they did ask the participants for reflections on family involvement and support and how that impacted their reentry experience. It didn’t take long before people were sharing their own personal stories, which created a cascading affect resulting in many personal stories of lived experiences.

Charlie noted that there is universal support to bring kinship and family members into the reentry workforce and that this idea has not been met with any pushback. Valeria noted that bringing families into the workforce is a key objective of Care Connect, including the ability to assess and engage families and to recognize when family support exits and to know how to make a connection. LCA was acknowledged as a strong support for many in the focus group and was spoken highly of by the participants.

In conclusion, Charlie spoke of the many efforts that have been made, to date, as it pertains to having focus groups, determining the need for this type of support and creating a proposal for Fiscal and Procurement that could be brought before CAB and ultimately passed on to the CCPEC. There are essentially two parts to the proposal:

1. **Part 1:** A training curriculum that would provide kinship individuals with paraprofessional skills around coaching, mentoring, systems navigation, and group facilitation with a certificate so that these individuals would have credentials to provide to reentry providers. As part of the vision for the future, Charlie would love for the community colleges to embrace this idea and provide a CTE certificate.
2. **Part 2:** A direct service component pilot where individuals complete the training curriculum and have skills and a certificate. The pilot project would demonstrate and test whether or not it’s working and the effectiveness. Ultimately the idea would be for individuals that complete the training to move broadly into the reentry workforce.

Neola confirmed that the item will be on the next agenda of the Fiscal and Procurement Workgroup. She also discussed the realignment allocation spreadsheet recommendations, confirming that the Kinship Reentry Workforce category is slated for $250,000.

Another item that was highlighted on the worksheet was the recommendation to increase funds for the employment contract and to extend the contract to June 2020 ([AllocationsRev2-8-19](http://www.acgov.org/probation/documents/AllocationsRev2-8-19.xlsx?web=1)).

Neola requested attendees to give some thought to the gaps and challenges in the realignment service delivery system, which will be discussed at the next meeting.

**Announcements/Events**:

* ACCIPP/CCP Family Reunification Sub-Committee Meeting is tomorrow, Friday, March 1, 2019, 12pm – 2pm at 1100 San Leandro Blvd (Redwood Room)
* The CCP Housing Sub-Committee Meeting, Friday, March 8, 2019 from 11am – 12:30pm at Housing & Community Development, 224 W. Winton Ave. Rm 108, Hayward.
* The FATHERHOOD SUMMIT 2019, Saturday, March 16 at Merritt College, 8AM – 5PM (free admission). Please visit [www.fatherhoodsummit2019.eventbrite.com](http://www.fatherhoodsummit2019.eventbrite.com) to register as an attendee or to volunteer. They are still looking for 100 volunteers. Probation clients will receive a gift card for volunteering. A free shuttle will run from Fruitvale Bart to Merritt College and food will be provided for attendees/volunteers.

**Next Meeting:** March 28, 2018, 10:00 AM – 12:00 PM, 1111 Jackson Street, 2nd Floor, Rooms 226-228, Oakland