

Community Corrections Partnership (CCP)

Meeting Minutes

July 15, 2020

I. CALL TO ORDER:

- a. Chief Probation Officer, Wayne Barley, called the regular meeting of the Community Corrections Partnership (CCP) to order at 9:00 a.m., on July 15, 2020. Due to the social distancing recommendations set forth by the Governor due to the COVID-19 emergency, this meeting was conducted via a phone-in conference.
- b. Introduction of membership. Quorum present.

List of CCP Executive Committee Members Present

Wayne Barley – Chief Probation Officer, Butte County Probation Department
Kory Honea – Sheriff, Butte County Sheriff's Office
Mike Ramsey – District Attorney, Butte County District Attorney's Office
Matt Madden – Interim Chief of Police, Chico Police Department
Ron Reed – Attorney, Butte County Public Defender
Richard Holst, Deputy Court Executive Officer, on behalf of Judge Clare Keithley - Butte County Superior Court
Scott Kennelly – Director, Butte County Department of Behavioral Health
Andy Pickett on behalf of Shari McCracken – Chief Administrative Officer, Butte County Administrative Office
Shelby Boston – Director, Department of Employment & Social Services
Debbie Morris, Butte Community Based Coalition, on behalf of Mary von Rotz Sakuma – Superintendent, Butte County Office of Education

List of CCP Executive Committee Members Not Present

Erna Friedeberg – Director, Northern Valley Catholic Social Services

Additional CCP Members Present

Debra Lucero – Supervisor, Butte County Board of Supervisors
Captain Daryl Hovey – Butte County Sheriff's Office
Dwayne Martin – Butte County Probation Department

- c. Review of previous committee minutes from May 20, 2020. Mike Ramsey motioned to approve and Richard Holst seconded the motion. All approved and the minutes were accepted.

II. SUB-GROUP COMMITTEE REPORTS/UPDATES

- a. Department updates/progress/concerns

1. BUTTE COUNTY SHERIFF'S OFFICE

- i. Sheriff Kory Honea indicated there are no updates regarding the status of the jail construction project. The department intends to proceed with planning and ultimately put the project out to bid as funding allows. The current situation illustrates the need to design a facility that meets the department's needs, including a larger and more robust medical and

mental health wing. There have been cases of COVID-19 amongst inmates, but the jail has implemented protocols to prevent and mitigate spread of the virus. All of the inmates in J-Pod were tested due to an exposure in that unit. The jail has the capacity to isolate inmates who test positive and to prevent them from being transferred into other areas of the jail. At this time, no staff members have tested positive. The medical unit is well versed in dealing with infectious diseases and has implemented protocols. This situation will continued to be managed and mitigated despite likely ebbs and flows.

- ii. Captain Daryl Hovey gave a brief update on the populations of the jail, ACS, and SWAP. He noted there are currently 63 sentenced state prisoners housed at the jail.
- iii. Sheriff Kory Honea explained the California Department of Corrections and Rehabilitation (CDCR) is not currently accepting sentenced state prisoners from the local jails due to COVID-19 outbreaks within the state prison system. As such, there are numerous sentenced state prisoners currently housed at the jail and those beds are not available. Sheriff Honea has been in contact with CDCR regarding the difficult situation in the prison system.
- iv. Supervisor Debra Lucero asked if those individuals are eligible for CARES Act funding. Sheriff Honea indicated the CDCR Department of Finance should reimburse a daily rate to the jail; however, the space in the jail and the availability of beds is a greater concern than funding, as sentenced state prison inmates cannot be supervised in the community.
- v. Chief Probation Officer Wayne Barley asked if there is a proposed date to resume state prison intakes. Sheriff Kory Honea indicated the date has been repeatedly postponed. Due to the ongoing struggles faced by CDCR, it will not likely be any time soon.

2. **BUTTE COUNTY BEHAVIORAL HEALTH DEPARTMENT**

- i. Director Scott Kennelly reported on his department's statistics. He noted the department has seen an increase in referrals. Caseloads are currently lower than usual, but there is an anticipated increase due to the increase in referrals.

3. **DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES**

- i. Director Shelby Boston reported on her department's statistics. A handout was provided to the members via email prior to the meeting.
- ii. There has been a sharp decline in applications for Medi-Cal and Cal Fresh, as post-COVID applications appear to be leveling out. There has been a sharp increase in applications for General Assistance (GA).
- iii. DESS and Behavioral Health previously received a grant to open an office in Paradise. The office was closed due to COVID-19, but it is re-opening with significant precautions. DESS will have a phone bank, but no face-to-face services.

4. **BUTTE COUNTY OFFICE OF EDUCATION**

- i. Debbie Morris reported on the statistics for the Butte Community Based Coalition (BCBC).
- ii. New releases from San Quentin are creating local challenges, particularly with respect to housing and COVID-19. BCBC is working with Public Health and housing providers regarding quarantine clearance documentation for newly released inmates. Two hotels in Chico are willing to work with BCBC to house former inmates temporarily upon their

release from CDCR. CDCR has given BCBC authorization to work with Parole and the Probation Department to assist inmates who are being released early.

- iii. Ron Reed asked if BCBC is currently accepting new intakes. Debbie Morris confirmed the program is doing telephonic case management meetings and distance education, but no in-person meetings.

5. **BUTTE COUNTY PROBATION DEPARTMENT**

- i. Chief Wayne Barley elaborated on the early release of inmates from CDCR due to COVID-19. The first cohort of releases will consist of inmates with 180 days or less left on their state prison term, who are otherwise eligible for release on parole or PRCS. There will be a release of approximately 3,500 inmates statewide within the next couple of weeks, with approximately 42 coming to Butte County. The Probation Department has already received a few individuals, and that will be an ongoing issue in terms of capacity. The initial plan was to release inmates to parole with a transition to PRCS, but his association met with the state and advocated direct release to PRCS in the interest of continuity of care.
- ii. In approximately August, CDCR may release a second cohort of inmates with less than one year remaining on their state prison term. To be eligible for that release, inmates must not: be serving a sentence due to domestic violence or a violent crime; have any current or prior convictions regarding sex offender registration; be assessed as high risk; or be currently positive for COVID-19 unless they are at the end of their custodial term and cannot be held. The size of the second cohort is currently unknown.
- iii. Chief Wayne Barley expressed appreciation for the recent collaborative efforts of CCP members to ensure public health and safety are maintained as inmates are released to the community and need services.
- iv. The Probation Department is in regular communication with CDCR to establish statewide guidelines for this transition, and the state is working on providing funding to mitigate local impacts. Chief Wayne Barley noted this is a very fluid situation at the state level.
- v. Assistant Chief Probation Officer Dwayne Martin reiterated this is a dynamic process and information will be disseminated as needed to keep everyone on the same page.
- vi. District Attorney Mike Ramsey noted inmates are granted 90 days of positive programming credits, which would mean inmates with 15 months or less left in their terms would be eligible for release, rather than one year. In addition, another cohort of high-risk medical inmates will be released. While this cohort would not include Life Without Parole (LWOP) or condemned (Death Row) inmates, the terminology related to “high-risk medical” is vague. Mike Ramsey noted this group includes murderers.
- vii. Chief Wayne Barley indicated the number of such inmates should not be high across the state, and would be supervised by parole. One such case was recently released to Butte County, and reported to the Probation Department in error. That individual is being supervised by Redding Parole, and clarification is needed with respect to that.
- viii. Debbie Morris of BCBC indicated that particular individual would have been supervised in Butte County, but he had housing issues locally and a housing provider was located in Shasta County. As such, Redding Parole is working with BCBC.
- ix. District Attorney Mike Ramsey noted CDCR should contact the victims of the inmates who are released; however, CDCR can only reach victims who have registered with the prison

system. The District Attorney's Office can reach out to victims to notify them of upcoming releases so they can take appropriate safety precautions and not be surprised if they encounter the offender in public.

- x. Debbie Morris indicated she would follow up to see if there was a victim involved in this particular case.
- xi. Chief Wayne Barley asked if Victim/Witness would follow up with victim notification if information were provided to them, in an effort to reduce the public safety impact of the large number of early releases. District Attorney Mike Ramsey confirmed they would do so. Chief Wayne Barley indicated he would remain in communication regarding this issue, particularly with respect to the second cohort.
- xii. Assistant Chief Probation Officer Dwayne Martin gave a brief report on his department's statistics for Post Release Community Supervision (PRCS) and Mandatory Supervision (MS). Handouts were provided to the members via email prior to the meeting.
- xiii. District Attorney Mike Ramsey noted there were two Male Community Reentry Program (MCRP) handouts, with differences between the statistics on each document. Dwayne Martin indicated he would follow up on that issue.

b. Sub-groups/committees requested to provide brief updates

- 1. Public Defender Ron Reed indicated there was one meeting to address the issues of homelessness and custody alternative programs. In addition to Mr. Reed, the meeting was attended by five staff members from the Sheriff's Office, Trevor Hatley (Parole), and Dwayne Martin (Probation).
 - i. Ron Reed reiterated his interest in making room at the jail for individuals who belong there. Approximately 50 individuals are in custody for technical violations of probation or parole. He noted the Penal Code addresses alternatives to incarceration for individuals who commit technical violations.
 - ii. Ron Reed noted the subcommittee made progress with respect to this issue, but there is still a ways to go. He indicated Trevor Hatley (Parole) agreed to re-evaluate the state's policy of requiring parolees to serve all of their custody time prior to being released to a program. So far, approximately two parolees have been granted early release to programs.
 - iii. Dwayne Martin indicated the department is reviewing strategies to address housing, employment, and alternatives to custody. The department is specifically looking at developing a jail re-entry program, similar to the CAP Program, in which a probation officer would meet inmates at the jail prior to sentencing on violations to conduct an assessment and develop a re-entry plan. The inmates would only be eligible for such a program if they do not have fresh charges, they are willing to comply, and everyone agrees to the re-entry plan. The individual would be released to the probation officer and placed in the community (at a drug and alcohol program, an SLE, the Probation Department for indoctrination, etc.).
 - iv. Dwayne Martin noted there is an ongoing problem with individuals failing to report to the Probation Department upon their release from custody. In those instances, a warrant is issued and the individual must be re-arrested, starting the process over again. If individuals do not show up to the Probation Department, it is difficult to work with them.

- v. Dwayne Martin acknowledged the need for available funding and the challenges of numerous upcoming releases from CDCR.
- vi. Dwayne Martin further indicated more robust pre-Court meetings on the Wednesday prior to the Friday calendar could be used to discuss PRCS violations and to develop a re-entry plan. During such meetings, the parties could discuss what has already been done, as well as prior sanctions.
- vii. If inmates are released from CDCR without housing, they need to be seen and housed as soon as possible to mitigate the revolving door.
- viii. District Attorney Mike Ramsey noted PRCS has a 20 to 25% out to warrant rate. He cited a recent case in which an individual who was out to warrant for failing to report to the Probation Department in Butte County was charged with a homicide in Sierra County. This individual had housing, but chose not to comply.
- ix. Dwayne Martin noted the Probation Department conducts warrant sweeps and tries to re-engage individuals, but that is particularly difficult if they are released from custody in the evening or over the weekend and they do not show up at the department. He hopes more jail engagement and services will increase the percentage of compliance, but he acknowledges there will always be outliers.
- x. Mike Ramsey asked if engaging people who do not want to comply is similar to a warm handoff idea.
- xi. Dwayne Martin confirmed there would be a conversation at the jail regarding current circumstances and moving safely back into the community, and individuals would be released to a probation officer for transport to begin their re-entry plan. The goal is to intervene sooner to get to the first step and to see if individuals stay engaged.
- xii. Ron Reed pointed out a lot of individuals who do not show up are homeless and do not have resources or a telephone. If they miss an appointment, there is no incentive to report because they believe they will be arrested. He noted Parole has a lower warrant rate amongst the homeless population due to use of GPS monitors, and that is something to consider after releasing individuals from the jail.
- xiii. Chief Wayne Barley indicated ongoing discussion would continue with respect to this issue.

c. Announcements of any Legislative and/or funding updates/budget/training opportunities

- 1. Deputy Administrative Officer Andy Pickett reiterated that the adopted CCP budget sustained a reduction of \$2 million due to COVID-19, which aligned with funds CCP had already set aside.
 - i. At this time, there is no new information available; however, it will not be business as usual. CCP needs to scale back programming and determine what that will look like during the next fiscal year.
 - ii. Andy Pickett indicated he will meet with individual CCP members throughout the year and will provide updates to CCP. The current CCP budget goes before the Board of Supervisors for approval on July 21, 2020.

d. Executive Membership – Retirement of Chico Police Chief

1. Chief Probation Officer Wayne Barley noted Executive Committee Member and Chico Police Department Chief of Police Michael O'Brien recently retired. Wayne Barley suggested the group discuss who should fill the position.
 - i. District Attorney Mike Ramsey recommended that the Chief/Interim Chief/Acting Chief of the Chico Police Department remain on the Committee.
 - ii. Wayne Barley asked Interim Chief Matt Madden if he would accept the position. Interim Chief Matt Madden indicated he would participate. He noted the City Manager is currently recruiting for the position, and a permanent Chief should be named by next month. If another Chief replaces him, the position on the Executive Committee could be handed off to that person.
 - iii. Wayne Barley indicated there was no need for a motion. With no opposition, the Committee remains as currently seated, with the current Chief of the Chico Police Department as an Executive Committee member.

III. PUBLIC COMMENT

- a. No public comment.

IV. ADJOURNMENT OF THE CCP MEETING – 9:51 a.m.

- a. The next meeting will be held on September 16, 2020, at 9:00 a.m., with the format to be determined.

V. CALL TO ORDER OF THE TRANSITIONAL AGE YOUTH (TAY) STEERING COMMITTEE – 9:52 a.m.

- a. Chief Wayne Barley (Probation) indicated the TAY Program has resumed accepting intakes.
 1. Wayne Barley provided a brief summary of current statistics for the TAY program. A handout was provided to the members via email prior to the meeting.
 2. Dwayne Martin further noted the TAY Program is moving to the Probation Department's Juvenile Division.
 - i. Wayne Barley confirmed the assigned officer will remain the same.

VI. ADJOURNMENT OF THE TAY STEERING COMMITTEE – 09:53 a.m.

Minutes submitted by S. Miller of Butte County Probation