

**MINUTES
CORRECTIONS STANDARDS AUTHORITY MEETING
THURSDAY, MAY 10, 2012
600 BERCUT DRIVE
SACRAMENTO, CA 95811
(916) 445-5073**

Meeting held at: Corrections Standards Authority, 660 Bercut Drive, Sacramento, CA 95811

The meeting commenced at 1:04 p.m.

Secretary Matthew Cate welcomed the Board Members and public to the May 10, 2012 Corrections Standards Authority (CSA) final meeting.

Ms. McDonald was enroute to the meeting; the Secretary suggested going to Agenda Item F, the Executive Steering Committee Report on the Recommendations for Consideration by the Board of State and Community Corrections.

Ms. McDonald arrived at 1:20 PM.
Ms. Rodriguez-Rieger called roll.

The following members were in attendance:

Secretary Cate	Ms. Arnold	Mr. Raven	Mr. Growdon
Ms. McDonald	Ms. Biondi	Ms. McBrayer	Ms. Mauriello
Mr. Adams		Ms. Mello	

ABSENCE OF BOARD MEMBERS

Ms. Rodriguez-Rieger announced there was a quorum. Mr. Baca, Dr. Silbert, Ms. Penner, and Ms. Andrade-Silva had prior commitments.

CONSENT AGENDA ITEMS

APPROVAL OF THE MINUTES OF THE MAY 10, 2012 MEETING

(AGENDA ITEM A)

2011-2012 JUVENILE TITLES 15 AND 24 REGULATIONS REVISION -
APPROVAL OF PROPOSED CHANGES AND PERMISSION TO BEGIN APA PROCESS

(AGENDA ITEM B)

SB 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES
CONSTRUCTION FINANCING PROGRAM – REGULATIONS REVISION

(AGENDA ITEM C)

AB 900 PHASE II JAIL CONSTRUCTION FINANCING PROGRAM UPDATE

(AGENDA ITEM D)

Secretary Cate asked if any items on the consent calendar should be pulled and added to the discussion items. Secretary Cate asked for a motion to accept items A, B, C, and D on the consent calendar.

Agenda Item A, Item E-Six: Mr. Raven asked the minutes be amended to reflect more of Yolo County Sheriff Ed Prieto's comment regarding his concerns in the manner that the county was categorized. Sheriff Prieto stated he felt there is a problem with the way county size categories were used in the evaluation process. The counties were ranked based on the number of prisoner admissions to state prison in year 2010. In 2010 Yolo County was a small county and in the interim of a couple years five to seven thousand citizens had moved to Yolo County placing the County to the medium size county level. The data that was used to determine Yolo County's level was prior to the growth of the county, placing Yolo County at a disadvantage in competitiveness. Yolo County was a small county when the data was collected and used to categorize the County. Secretary Cate agreed and stated that was his recollection and thanked Mr. Raven for providing a good description of the Sheriff's concerns.

Agenda Item B: Ms. Biondi suggested a change to the timeline that was provided as Attachment B; removing the Corrections Standards Authority and replacing with the Board of State and Community Corrections on the items listed for September and November 2012.

Ms. Arnold who chaired the 2011-2012 Juvenile Titles 15 and 24 Regulations Revision ESC, praised staff for a job well done and thanked them for making the process easier by having excellent notes and material.

Agenda Item C: There were no comments.

Agenda Item D: Secretary Cate asked Ms Heller to update the chart that was provided as Attachment A, noting the Board's present intent for future action to allocate funds to Monterey County as discussed at the March meeting, per Ms. Mauriello's concern. Secretary Cate confirmed that future action would be by the Board of State and Community Corrections, Ms. Heller concurred.

Secretary Cate asked if there were any public comments; hearing none, he asked for a motion to accept the items on the consent calendar with the amendments to items A, B and D.

A motion to approve the consent items with the amendments to items A, B and D was made by Mr. Growdon and seconded by Ms. Mauriello. The motion carried.

DISCUSSION AGENDA ITEMS:**PROUD PARENTING PROJECTS – REQUEST FOR CONDITIONAL APPROVAL****(AGENDA ITEM E)**

This agenda item requested approval to authorize staff to conditionally award funding to the six proposals recommended for funding by the Executive Steering Committee, and to redistribute any remaining funds to projects receiving an award. Field Representative Oscar Villegas presented this action item.

In September 2011 the CSA Board authorized the establishment of an Executive Steering Committee (ESC) with subject-matter expertise, and Chaired by Mr. Cleo Adams, to help guide the development of the next Proud Parenting Request for Proposals (RFP). The RFP, which included \$835,000, in state General Funds dollars was released in January and restricted to county probation departments using evidence-based strategies and limited to \$100,000 per applicant. In March six proposals were received requesting a total of approximately \$600,000. These six proposals were reviewed and ranked by the ESC, and all six projects were being recommended for funding.

Should there be any remaining Proud Parenting funds once the final state budget is approved, CSA plans to continue to work with the funded projects to redistribute any remaining funds to further support the goals and objectives of the new Board of State and Community Corrections (e.g., EBP, Risk/Needs Assessments tools, a more robust data collection system and any other items the Board feels should be included). If the final state budget includes the original funding amount proposed in January, it's possible that as much as \$235,000 could be redistributed. If the state budget contains less than the proposed amount, only the most meritorious proposals will be funded in rank order.

Should the Board approve the recommended action, staff will notify the applicants of their conditional awards, and continue to work with them to further develop their proposals should this project receive full funding.

Ms. Biondi asked if only probation departments were allowed to apply and why there were only six proposals. Mr. Villegas stated the ESC recommended only probation departments apply for this funding and only six proposals were received.

Ms. Mauiello asked what would be done with the remaining funds. Mr. Villegas stated the funds would be used to address some of the concerns raised by the ESC during their review of the proposals. These items included certain evidence based practices, data collection efforts, and assessment issues. Ms. McBrayer confirmed the applicants did score proficiently, but the ESC would like the applicants to enhance what was submitted for data collection. Mr. Villegas concurred.

Mr. Adams commended the ESC and Mr. Villegas for their outstanding work on this project and stated that in the previous Proud Parenting Projects other organizations were allowed to apply.

Secretary Cate asked if there were any public comments; hearing none, he asked for a motion to accept the ESC recommendations.

A motion to approve the ESC's recommendations was made by Ms. McBrayer and seconded by Ms. McDonald. The motion carried.

EXECUTIVE STEERING COMMITTEE REPORT OF RECOMMENDATIONS FOR
CONSIDERATION BY THE BOARD OF STATE AND COMMUNITY CORRECTIONS
(AGENDA ITEM F)

This agenda item presented the draft report of recommendations for consideration by the members of the new Board of State and Community Corrections (once the BSCC is established).

Deputy Director Jean Scott provided a brief overview of the Executive Steering Committee (ESC) process as well as a review of each of the five primary goals and priority issues included in the report.

The report represented the work of the ESC established at the CSA's January 2012 meeting. Included in the report were lessons learned, what worked in the past, what currently is working and areas where more focus is needed to achieve the statewide goals set forth in the BSCC's authorized legislation.

The ESC consisted of a broad group of individuals with expertise in various aspects of the justice system. The Committee met two times; the first meeting resulted in a comprehensive, wide-range list of ideas that were presented at the March 2012 Board meeting.

The second meeting focused on prioritizing those ideas and developing specific goals and objectives. The draft report was the product of those two meetings. It presents goals with objectives and activities under four strategic areas; Promote Effective State and Local Efforts and Partnerships, Data Collection and Reporting, Align Fiscal Policy and Correctional Practice, and Leadership, Coordination and Technical Assistance. In addition to the goals, objectives, and activities, the report highlights the need for the BSCC to prioritize a number of issues going forward.

Ms. Susan Mauriello, Chair of the ESC, acknowledged the participants and staff and thanked them for their hard work. She stated the ESC produced a report that she felt would be very helpful to the new members of the BSCC. She further stated that the committee tried to summarize the items thought to be most essential such as reducing recidivism, cost effectiveness and improving public safety. Another idea was to create data to evaluate across the state that showed that a program is working because it is reducing recidivism and would mean the same thing in Los Angeles County and in Amador County.

Secretary Cate asked in "define and reduce recidivism" was it the intent of the ESC to recommend all jurisdictions and organizations within the jurisdictions adopt the same definition and be measured the same. Ms. Mauriello stated the ESC thought that there would be a group of measurable items that would be consistent from community to community and within that there

might be different ways of evaluating projects and programs. In addition, the committee acknowledged there are many subjective evaluation criteria to support the elements of their recommendations.

Ms. Biondi raised concerns regarding juvenile probation fund streams and referred to Appendix B in the report pointing out that it may not be a complete list of State and Federal Funding Streams. Secretary Cate recommended staff look into the matter to ensure a complete list was provided.

Mr. Raven requested an editorial correction to a statement made from “low level offenders coming in locally to lower level offenders” and asked about the make up of the Board and, recognizing it is statutory, asked if the lack of representation from the public defender and the district attorney was discussed at the Committee meetings, noting that Nancy O’Malley, Alameda District Attorney, and Winston Peters, Los Angeles Assistant Public Defender, attended the second ESC meeting to address the lack of the district attorney and public defender on the BSCC. Ms. McBrayer stated there was concern regarding the lack of juvenile representation, community representation as well as the district attorney and public defender and was discussed in several different view points. The conclusion was not to include in the report as ultimately it would need to be addressed through Legislation.

In closing, Ms. Mauriello stated the hope was that the CSA Board approve the recommendations for presentation to the new BSCC and asked the Secretary for his thoughts as to how to best distribute the report. Secretary Cate stated the purpose of the report was to provide guidance to the new board and, with that in mind, the report was thorough, excellent and stated he was very pleased with the final product.

Ms. Biondi suggested the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP), a federally required and standing committee, be noted in the report and asked if any other standing ESCs exist and if so, they should be included in the report as well. Ms. McBrayer stated the SACJJDP was an advisory committee and a standing ESC - federally mandated, will be reporting to the BSCC and that the BSCC will approve actions taken by the SACJJDP; therefore, she agreed that it be included in the report.

Secretary Cate asked if there were any questions or comments.

Hearing none, Ms. Mauriello made a motion to provide the report to the Board of State and Community Corrections, as presented, with the following modifications:

On page one, change from ‘prison system’ to ‘criminal justice system,’ add the SACJJDP in the section addressing the use of ESCs, and request staff review the funding list for accuracy and reference other funding streams relevant to the BSCC mission.

Secretary Cate asked if there were any public comments; hearing none, he asked for a second to approve the proposed modifications.

A motion to approve the ESC’s recommendations and the proposed modifications was made by Ms. Mauriello and seconded by Mr. Raven. The motion carried.

Secretary Cate asked if there were any questions or comments.

The Secretary again acknowledged and thanked the committee for a job well done, stating they had provided good public service.

Ms. McBrayer stated there were a number of parties interested in the report and had inquiries as to how the report would be distributed and/or how to receive a copy. Additionally she anticipated that there would be discussion at this meeting as to the distribution of the report and having a site available for Q & As, suggestions and comments.

Secretary Cate recommended staff draft a letter, as Chair of the CSA Board, to the stakeholders, legislative leadership, the Governor, the BSCC, Chairs of the Public Safety Committees in both houses and for posting on the website. Ms. McBrayer and Ms. Biondi suggested the Chief Probation Officers of California, the District Attorney's Association, any associations that work closely with the BSCC and any legislators that had relevant pending legislation be included as recipients. The Secretary suggested staff include in the letter that stakeholders be encouraged to attend the first BSCC meeting so the Board not only had recommendations but feedback as well.

Ms. Biondi asked if the BSCC would be meeting in July. Ms. Mazzilli stated the BSCC meeting was tentatively planned for July but was contingent on appointments.

BEST PRACTICES APPROACH – STATUS

(AGENDA ITEM G)

Agenda Item G requested the Board authorize the Executive Steering Committee of the Best Practices Approach Initiative to redirect remaining project funds in order to complete the outstanding deliverables for the BPAI project in the event that the current vendor is unable to fulfill its contractual obligations with the Corrections Standards Authority Board (CSA). This agenda item was presented by Field Representative Colleen Stoner.

In March of 2009 the CSA Board authorized approximately \$1.7 million of federal Juvenile Accountability Block Grant funding to support the use of evidence-based practices.

An Executive Steering Committee (ESC) of statewide subject matter experts was authorized to oversee the development of this project. Under their guidance, the Best Practices Approach Initiative (BPAI) was developed to provide training and technical assistance to juvenile justice agencies statewide in the implementation of evidence-based practices, programs and principles over the course of a three-year project period.

The ESC developed the evaluation process and criteria by which a vendor with expertise in evidence based practices was identified through a Request for Proposal. The vendor selected through this competitive process was Assessments.com (ADC) and was funded \$1.2 million.

The ESC also recommended that the Administrative Office of the Courts partner with ADC to support the inclusion of the courts and other court partners in this initiative. Toward this end, an

Interagency Agreement with the Administrative Office of the Courts was developed and funded \$500,000. The Administrative Office of the Courts also provided the match for the entire project (\$170,000). The objectives for the vendor were identified by the ESC which was to be included in addressing the statewide needs related to EBP.

In August 2009 ADC and the Administrative Office of the Courts began work on the objectives of the BPAI project. During the first year they completed the work of delivering statewide regional trainings and began a review of the use of evidence based practice across the state.

Approximately one year into the project as was designed, the ESC came back together again and through a separate RFP process, Inyo, Shasta and San Diego counties were selected as the three local juvenile justice communities to receive two-years of intensive on the ground training and technical assistance to implement or enhance use of EBP. The probation departments and their juvenile justice partners that were selected to participate in this project had varied needs related to implementing EBP within their local jurisdictions.

Work on the three-county implementation began in October 2010 and progress since that time has fluctuated due to many variables including the counties' readiness to proceed as well as the vendor's ability to respond in a timely fashion.

By June of 2011 Agreements regarding the Scope of Work for each county were developed collaboratively between the vendor and the three probation departments.

Overall, and in spite of challenges, the project moved forward to the satisfaction of the Probation Chiefs involved in the three-county EBP implementation.

At this time, however, there are significant questions about the viability of the ADC Company and their ability to complete the work they started.

In January 2012, CSA was informed the company was under the protection of a Receiver appointed by the court to protect the business from parties involved in a potential dissolution.

The owner, Sean Hosman, had been on personal leave for many months prior to the business going into Receivership. During his absence, work on the BPAI project moved forward under the direction of ADC President Diana Coates and other ADC staff and consultants.

On or about March 29, 2012, the coordinator of the BPAI project advised CSA that due to the instability within the company, the majority of the staff had left or would soon leave the company and it was unlikely that ADC could continue to operate at full capacity.

On April 3, 2012 a conference call was held with Dianna Coates and the Receiver, Dean Andersen. Ms. Coates and the Receiver confirmed that the company, while not in bankruptcy, was experiencing significant fiscal issues and cash flow problems. Ms. Coates further advised that she, herself, was leaving the company effective the next day, April 4, 2012, and that three engineers, a new project coordinator and a trainer were all that would currently remain on staff.

The Receiver indicated that it was his belief that the company could stabilize and rebuild over

time and hoped that with additional consultants and independent contractors the BPAI work could continue and the three-county EBP implementation for Shasta, San Diego and Inyo counties could be finished.

Sean Hosman was brought back into the company by the Receiver sometime in April 2012 as President and given the authority to operate and control the business.

Numerous joint conference calls with the Chiefs and key staff involved in the three-county EBP implementations have been held by CSA staff to determine the impact that ADC's current status may have on completing the deliverables in the project in light of the company's fiscal and staffing instability.

This assessment process is ongoing and it is not known at this time whether ADC has the capacity to effectively complete the work they have started in a way that meets the needs of the three county probation departments.

On May 10th, the Chiefs indicated their desire to continue the work under CSA's contract with ADC as long as the company was able to move the work forward.

To be as responsive and proactive as possible in the event that the current contract with ADC cannot meet their needs, the CSA will need to be poised to act quickly on other viable options for assisting the three counties in completing the deliverables that remain.

The Executive Committee of the State Advisory Committee on Juvenile Justice and Delinquency Prevention reviewed this matter at their May 9th meeting. It was their recommendation that the Board authorize the Executive Steering Committee (ESC) of the Best Practices Approach Initiative (BPAI) to reconvene and develop a plan to redirect remaining project funds to the three counties in the event the existing vendor cannot complete his contractual obligations. If authorized, the co-chairs of the ESC, Adele Arnold and Eleanor Silva, agreed to continue in their capacity as ESC chairs to work on this issue.

Board Member discussion elicited the following additional information:

In response to questions about current status, Ms. Stoner stated there is a balance of approximately \$500,000 remaining in the ADC budget and there is approximately \$150,000 in outstanding invoices that ADC needs to submit to CSA. It was noted that part of the delay in invoicing was attributable to CSA's request that ADC organize their records in a particular way to ensure fiscal integrity.

In response to questions about the involvement of legal counsel on this issue, Ms. Stoner confirmed that CSA had consulted with staff counsel.

In the discussion, it came out that there were a number of alternatives for consideration. One specific option would be to take the remaining balance in the project and redirect it directly to the three counties so they can finish the work already started and which was slated to be completed as part of the scope of work.

In response to questions about work completed to date, Ms. Stoner stated that even the chiefs themselves are a little unclear on this. Part of what complicates this issue is what has been mentioned already; many of the counties have contracts with ADC outside of the BPAI project and the work is interrelated and complex. It involves many data systems and data installations that move forward in stages that complement each other as they are developed. It is difficult for the chiefs to break out exactly what falls into the BPAI project and what falls into their other contracts with ADC. Ms. Stoner stated that she has done a review with each of the chiefs to determine a level of completion. San Diego County believes their project is complete. Shasta County's project is not complete and it is difficult for Chief Forman to provide a completion percentage. The deliverables are at various stages of completion but, to date, none are fully completed. Ms. Stoner stated it appears that Inyo County is approximately 40 percent complete; the other 60 percent is incomplete and involves data installations.

In response to questions about funding, Ms. Stoner stated that to date, for the three-county implementation, there is a balance of approximately \$500,000 available. She believes once ADC submits additional outstanding invoices there will remain approximately \$300,000. Once this balance is confirmed it could be redirected to the three counties to enable them to complete their work.

In response to questions about what we would have accomplished if we ended the project now, Ms. Stoner stated we would have completed all the statewide regional trainings, provided training and monitoring tools for CSA, and developed uncopyrighted training tools and materials statewide. What remains beyond the end-of-the-project report is completing the three-county implementation which was the bulk and the focus of the initiative.

Ms. Arnold stated that probation departments have formed regional consortiums: one in the north which started some time ago and now also one in the central region. She stated that the consortiums are working with their member counties on the ADC issue. She indicated that, as an independent chief, it has been very difficult to maintain contact with ADC and to ensure that county business needs were being met. She believes Ms. Stoner's suggestion is a very comprehensive one, and that we should be poised and ready to assist and provide the remaining funds to the three counties should ADC demonstrate they are not able to complete the work.

Ms. Arnold commended Ms. Stoner and the CSA Board for staying on top of this issue and she believed that Ms. Stoner has maintained good communication with the Chiefs and is monitoring the issue closely. Ms. Arnold believes that the three counties know what they have left to do and they can either elect to continue or not. Once it is clear what deliverables will not be able to be completed by BPAI they can use remaining funds to hire or contract with someone to get the project finished.

Secretary Cate stated staff is requesting the CSA Board authorize the Executive Steering Committee (ESC) of the Best Practices Approach Initiative (BPAI) to redirect remaining project funds in the event that the current vendor is unable to fulfill its contractual obligations with CSA.

Secretary Cate asked if there were any public comments; hearing none, he asked for a motion

and a second to approve staff's recommendations.

A motion to approve Staff's recommendations, was made by Ms. McBrayer and seconded by Ms. Mello. The motion carried.

The Secretary commented that it is this kind of item that was just discussed, is an excellent example of not just CSA Board but the ESCs as well and staff in particular that work through these matters. He thanked CSA Staff and the Board, stating he appreciated the professionalism, enjoyed this group enormously and it was a pleasure to Chair this Board. He thanked Mr. Takeshta for his outstanding job in filling in as the Acting Executive Director.

Ms. McBrayer inquired regarding the remaining funds in the SB 81 project. Mr. Takeshta noted the balance of approximately \$67 million remains, and could be impacted by the Governor's intentions regarding the Department of Juvenile Justice (DJJ). Mr. Takeshta indicated the intent to move forward as quickly as possible once the Board of State and Community Corrections (BSCC) was constituted. Secretary Cate concurred and recommended staff start working on recommendations so that the BSCC can start taking action as soon as possible.

Ms. McDonald stated that Mr. Takeshta and CSA have been an important part of their corrections family. She is proud of all the work done over the years. She's sorry that CDCR is losing CSA, but she knows that BSCC is in good hands with Ms. Mazzilli and on behalf of the Secretary and the hundreds of CDCR people thank you and know that you will do good work as BSCC.

Secretary Cate thanked the members and CSA staff and adjourned the final meeting of the CSA.

PUBLIC COMMENT

(AGENDA ITEM H)

There were no comments.

Next meeting: TBA

Meeting adjourned at 2:34pm.

Respectfully submitted,

Originally signed by

MARIA RODRIGUEZ-RIEGER
Secretary
Corrections Standards Authority

ROSTER OF PERSONS IN ATTENDANCE

CSA Board Members

Secretary Matthew Cate, CDCR
Ms. McDonald, Undersecretary (A), CDCR
Ms. Adams, Yuba County Sheriff's Department
Ms. Arnold, Tuolumne County Probation Office
Ms. Biondi, Public Member
Mr. Raven, Yolo County District Attorney's Office
Ms. McBrayer, The Children's Initiative
Ms. Mello, Correctional Officer, CDCR
Mr. Growdon, Lassen County Sheriff's Department
Ms. Mauriello, Santa Cruz County

CSA Staff

Patricia Mazzilli, Executive Director
Maria Rodriguez-Rieger, Secretary
Robert Takeshta, Deputy Director, CFC
Jean Scott, Deputy Director, CPP
Kara Houston, Attorney, CDCR Legal
Mike Davis, Attorney, CDCR Legal
Evonne Garner, Deputy Director, STC
Leslie Heller, Field Representative, CFC
Charlene Aboytes, Field Representative, CFC
Micheal Collins, Field Representative, CFC
Allison Ganter, Field Representative, FSO
Colleen Stoner, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Oscar Villegas, Field Representative, CPP