

# County of Santa Clara

Office of the County Executive

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**DATE:** September 30, 2022

**TO:** Honorable Members of the Board of Supervisors  
Jeffrey V. Smith, M.D., J.D., County Executive

**FROM:** Martha Wapenski, Deputy County Executive

**SUBJECT:** **ATI Workgroups September 2022 Update Off-Agenda Report**

This is an off-agenda report to provide the Public Safety and Justice Committee (PSJC) an update regarding the Alternatives to Incarceration (ATI) workgroup activities for September 2022.

The kick-off sessions for each of the three ATI Workgroups (Intervention at the Start, Criminal-Legal Process, and Reentry) were held in September 2022 and are scheduled monthly until April 2023. Additional information regarding the status of the ATI Workgroups is included in the update (Attachment A) and workplan (Attachment B) from Resource Development Associates (RDA), the contracted facilitator.

cc: Chief Board Aides  
Greta Hansen, Chief Operating Officer  
James R. Williams, County Counsel  
Tiffany Lennear, Clerk of the Board of Supervisors  
Mary Ann Barrous, Agenda Review Administrator  
Antoinnae Comeaux, Budget and Public Policy Analyst

# ATI Workgroup Update from RDA

## September PSJC Meeting

### Progress Update Through August 2022

During the month of August, RDA focused on three key tasks. These included:

- **Soliciting input from workgroup members**—RDA sought input from workgroup members to inform our work session planning process. RDA attended the August PSJC meeting and hosted five separate focus groups with 23 workgroup members to allow members to share their responses to the following three questions:
  - What expectation do you have of this Alternatives to Incarceration (ATI) workgroup meeting series and its corresponding report?
  - What concerns do you have about this ATI workgroup meeting series and its corresponding report?
  - How would you like this ATI workgroup meeting series and its corresponding report to be different from prior efforts?
- **Developing reference resources**—In an effort to recognize prior work in this area both within Santa Clara County (SCC) and in other jurisdictions across the county and to support a productive workgroup series, RDA developed two reference resources that can be used and added to by the workgroup members throughout this process. The first is an inventory of existing SCC alternatives to incarceration and supportive programs, and the second is a resource list of various ATI-related models, best practices, pilots, and issue areas. While these resources are by no means exhaustive of all of the ongoing work in this field, RDA hopes they offer a starting point for workgroup members to collectively build on and add to throughout this process. These resources will be shared with workgroup members in advance of the first session in September.
- **Finalizing the workplan**—Through ongoing collaboration with County staff, RDA has finalized the workplan for the ATI Workgroup through June 2023. The finalized workplan outlines the key activities planned for each month, the objectives for each planned workgroup session, and recommended pre-session work for workgroup members. The finalized workplan is attached following this written update.

### Key Activities and Objectives Planned for September 2022

Below are the activities and objectives planned for next month. If you have any questions or would like to provide input on our upcoming activities, please reach out to the RDA Facilitation Team.

#### Key Activities:

- Provide an update to PSJC.
- Host first session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).

### **Recommended Pre-Session Work:**

- Review shared background material.
- Brainstorm ideas for specific issue areas on which this ATI work could focus that are relevant to assigned intercept points.

### **Key Session Objectives:**

- Establish a shared understanding of ATI and related language.
- Brainstorm and prioritize ATI issue areas and desired outcomes.
- Establish a shared vision for the end product of the ATI workgroup series.
- Establish community agreements, shared expectations for workgroup participation, and channels/methods for effective collaboration between workgroup sessions.

## Community-Based Alternatives to Incarceration Implementation

Public Safety and Justice Committee

Workplan for Special Meeting Series<sup>1</sup>

Vice President Susan Ellenberg, Chair of Public Safety and Justice

Committee August 2022-June 2023

This workplan builds on the findings of the Board-approved, administration-led Community Engagement Process and seeks to bring together stakeholders from County Departments and the community to explore community-based alternatives to incarceration (ATI) and other efforts to safely reduce the current jail population, and to generate actionable recommendations for implementation. Such options could include various levels of support in the community, supportive housing options, mental health and substance use disorder treatment, alternative forms of accountability through restorative and transformative justice, and more.

It is important to begin by recognizing the significant work that has already been done in this County to reduce incarceration directly related to the criminal legal system by building robust pre-trial and re-entry services and indirectly related to that system by dramatically increasing the supply of permanent supportive housing, piloting UBI programs, expanding mobile crisis response units, approving Assisted Outpatient Treatment, linking individuals to job training and work opportunities, creating family reunification programs and more. Current options should be reviewed for efficacy and, if appropriate, expansion, and new options should be reviewed, vetted, and considered through the workplan.

Additionally, this workgroup will receive ample research support to advance their efforts. The Office of Corrections and Law Enforcement Monitoring will provide external auditing of County Departments to support needs identified throughout the duration of the workplan. The Office of Equity, Diversity, and Belonging will provide input in vetting the recommendations for implementation from an equity and inclusion lens. This support is critical in ensuring the workplan remains focused on its task of developing quality recommendations for implementation.

The Office of the County Executive has contracted with RDA Consulting (RDA) to provide facilitation of the workgroup sessions. RDA staff collaborated with County staff to finalize this workplan based on the initial draft that was approved by the Public Safety and Justice Committee in March 2022 and RDA's proposal for the work that was awarded by the County in June 2022. During the planning process in August 2022, the County and RDA solicited input from workgroup members through the August Public Safety and Justice Committee meeting and five separately scheduled focus groups.

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<sup>1</sup> This workplan was developed in alignment with the Los Angeles County's Alternatives to Incarceration Workgroup, Alameda County's Care First, Jails Last Committee, and San Francisco County's Work Group to Re-envision the Jail Replacement Project. Each of these bodies has brought together key stakeholders from different segments of the respective County to discuss, explore, and provide recommendations to County Supervisors to implement plans to close County jails, reduce the jail populations, and, most importantly, develop a broad spectrum of alternatives to incarceration at key intercept points.

## **Workplan Format**

Both county and community stakeholders who have elected to participate in this effort will be charged with developing a countywide implementation plan which, upon completion, they will present for approval by the Board of Supervisors. PSJC will monitor the work of that body over the course of its work to develop the plan. The working group is anticipated to complete its work by June 2023 with a possibility for extension.<sup>2</sup>

The workplan will be carried out through monthly sessions coordinated by the facilitator (RDA) for each of the workgroup's three subgroups based on the key intercept points of engagement with the criminal-legal system. The groups are as follows:

1. Intervention at the Start: Spanning continuum of crisis response, citation and release, arrest, booking, pre-arraignment.
2. Criminal-Legal Process: Spanning continuum of arraignment, reconsideration opportunities, case disposition, sentencing, and custody.
3. Re-Entry: Spanning continuum of release, post-sentence, probation, and parole.

These three categories are used to describe the different intervention points throughout the process and encapsulate the multitude of opportunities within the system to safely divert people away from custody. The goal of this process is to identify the specifics of diversion into supportive services, programs, and pathways in the community. Each group is tasked to develop recommendations and strategies that might be used at each intercept point in their group's continuum to inform a comprehensive implementation plan for county supported community-based programs that provide alternatives to the current criminal-legal system.

Each group includes representatives from government agencies, community advocates, and directly impacted individuals. Below are the members of each group.

### **Intervention at the Start**

1. Facilitator - RDA Consulting
2. Representative from the Office of Pretrial Services
3. Representative from the Office of Public Defender
4. Representative from the Office of Reentry Services
5. Representative from the Office of the District Attorney
6. Representative from Parents Helping Parents (PHP)
7. Representative from the Probation Department
8. Representative from Custody Health Services
9. Representative from Telecare Corporation-Muriel Wright
10. Representative from Young Women's Freedom Center
11. Representative from Bill Wilson Center
12. Representative from Black Leadership Kitchen Cabinet
13. Representative from BreakFree Ministries
14. Representative from Cadillac/Winchester Neighborhood Association
15. Representative from Carry the Vision
16. Impacted Community Member

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<sup>2</sup> Any agreed upon extension to the work will be carried out by the PSJC and the workgroup members. RDA's contract term with the County expires after June 2023.

17. Representative from NextDoor Solutions to Domestic Violence
18. Representative from San José Downtown Association
19. Representative from San José Police Department
20. Representative from Santa Clara County 911 Communications
21. Representative from Santa Clara County Police Chiefs' Association
22. Representative from Behavioral Health Services Department
23. Representative from Community Solutions
24. Representative from Department of Family and Children's Services
25. Representative from Santa Clara Valley Medical Center

### **Criminal-Legal Process**

1. Facilitator - RDA Consulting
2. Representative from the Office of Pretrial Services
3. Representative from the Office of Public Defender
4. Representative from the Office of Reentry Services
5. Representative from the Office of the District Attorney
6. Representative from Parents Helping Parents (PHP)
7. Representative from the Probation Department
8. Representative from Custody Health Services
9. Representative from Telecare Corporation-Muriel Wright
10. Representative from Young Women's Freedom Center
11. Representative from the Community Corrections and Law Enforcement Monitoring Committee (CCLEM)
12. Impacted Community Member
13. Representative from Correctional Institutions Chaplaincy of SCC
14. Representative from Independent Defense Counsel Office
15. Representative from Law Foundation of Silicon Valley
16. Representative from Mothers Against Murder (MAM)
17. Representative from Parisi House on the Hill
18. Representative from the Sheriff's Office
19. Representative from the Superior Court
20. Representative from Santa Clara University School of Law
21. Representative from Behavioral Health Services Department

### **Reentry**

1. Facilitator - RDA Consulting
2. Representative from the Office of Pretrial Services
3. Representative from the Office of Public Defender
4. Representative from the Office of Reentry Services
5. Representative from the Office of the District Attorney
6. Representative from Parents Helping Parents (PHP)
7. Representative from the Probation Department
8. Representative from Custody Health Services
9. Representative from Telecare Corporation-Muriel Wright
10. Representative from Young Women's Freedom Center
11. Representative from Community Solutions

12. Representative from Department of Family and Children's Services
13. Representative from Santa Clara Valley Medical Center
14. Representative from Anthem Blue Cross
15. Representative from Asian American Recovery Services (AARS) - HealthRight 360
16. Representative from Catholic Charities Cathedral Social Ministries
17. Representative from Caminar STEP
18. Representative from Santa Clara County Union of the Homeless
19. Representative from Santa Clara Family Health Plan
20. Representative from Silicon Valley Council of Nonprofits
21. Representative from San José State University Human Rights Institute
22. Representative from Yacanex Business Group, LLC

### **Workplan Schedule:**

Each group is expected to convene outside of regular PSJC meetings in order to complete this work. Each group will meet monthly for a work session facilitated by RDA, and members of each group may need to convene between monthly sessions to complete session activities and/or workplan objectives. The facilitator will provide regular updates on the progress of the groups' work at the scheduled monthly PSJC meetings. Special PSJC meetings may be convened as necessary for larger discussion and updates from all groups.

### **August 2022: Workgroup Member Input Solicitation and Workplan Finalization**

#### *Key Activities:*

- Introduce project facilitators to PSJC.
- Solicit input from workgroup members to identify their expectations and concerns for this ATI workgroup series, the culminating report, and resulting action.
- Finalize workplan based on solicited input.

### **September 2022: Kickoff Session**

#### *Key Activities:*

- Provide an update to PSJC.
- Host first session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).

#### *Recommended Pre-Session Work:*

- Review shared background material.
- Brainstorm ideas for specific issue areas on which this ATI work could focus that are relevant to assigned intercept points.

#### *Key Session Objectives:*

- Establish a shared understanding of ATI and related language.
- Brainstorm and prioritize ATI issue areas and desired outcomes.
- Establish a shared vision for the end product of the ATI workgroup series.
- Establish community agreements, shared expectations for workgroup participation, and channels/methods for effective collaboration between workgroup sessions.

## **October 2022: Develop Data Collection and Community Engagement Plans**

### *Key Activities:*

- Provide an update to PSJC.
- Host second session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).

### *Recommended Pre-Session Work:*

- Review available data related to prioritized issue areas (priority areas).
- Brainstorm ideas for additional data sources to be collected and stakeholder and community groups who should be engaged.

### *Key Session Objectives:*

- Review data to further define prioritized issue areas.
- Identify the stakeholder groups who are most impacted for each priority area.
- Identify data and knowledge gaps for each priority area.
- Develop a plan to collect additional data and to engage identified stakeholders/community groups prior to the December session.

## **November 2022: Identify ATI Strategies**

### *Key Activities:*

- Provide an update to PSJC.
- Host third session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).

### *Recommended Pre-Session Work:*

- Review shared background material, research ATI models and promising practices, and review ATI Inventory for Santa Clara County.
- For ATI models and promising practices of interest, identify related programs already in existence in Santa Clara County through the County, community, or other local jurisdictions.
- Conduct activities identified in the data collection and stakeholder/community engagement plan.

### *Key Session Objectives:*

- Review ATI models, best practices, strategies, and/or recommendations from research and other jurisdictions related to identified priority areas.
- Discuss how the COVID-19 pandemic has impacted these models and strategies.
- Brainstorm strategies based on either established models or new ideas for each priority area and map these strategies to one of three action categories: *Create New, Modify Existing, or Expand Existing*.

## **December 2022: Refine ATI Strategies**

### *Key Activities:*

- Provide an update to PSJC.
- Host fourth session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).



*Recommended Pre-Session Work:*

- Conduct activities identified in the data collection and stakeholder/community engagement plan.
- Prepare summary materials for any additional data collected and stakeholder/community input solicited.

*Key Session Objectives:*

- Share findings from additional data collection and stakeholder/community engagement efforts.
- Reassess data and information gaps related to priority areas and identified strategies.
- Refine strategies and/or develop new strategies based on new information learned through data collection and stakeholder/community engagement.

**January 2023: Develop Action Steps and Identify Barriers**

*Key Activities:*

- Provide an update to PSJC.
- Host fifth session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).

*Recommended Pre-Session Work:*

- Brainstorm ideas for detailed action steps needed to implement identified strategies.

*Key Session Objectives:*

- Develop detailed action steps for each identified strategy, including elements such as timeline, responsible parties, ongoing monitoring needs, and ongoing community engagement.
- Identify potential barriers to implementation for each identified strategy and brainstorm potential solutions.

**February 2023: Identify Funding and Policy Change Needs**

*Key Activities:*

- Provide an update to PSJC.
- Host sixth session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).

*Recommended Pre-Session Work:*

- Vet action steps, potential barriers, and potential solutions to barriers with stakeholder and community groups.
- Research potential funding sources and needed policy changes, such as those used/enacted in other jurisdictions.

*Key Session Objectives:*

- Identify funding and/or policy changes needed to implement the action plan drafted for each strategy.
- For funding needs, identify possible sources for new funding or opportunities to reinvest existing funds.
- For policy change needs, identify the party responsible for making the needed change.
- Identify potential barriers to implementation for each identified funding and policy

change need and brainstorm potential solutions.

### **March 2023: Review and Refine Draft Action Plan**

#### *Key Activities:*

- Provide an update to PSJC.
- Present draft preliminary recommended action plan for the Board's consideration to PSJC.
- Host seventh session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry).
- Convene all ATI group members for a joint meeting to collectively review and discuss each group's plan.

#### *Recommended Pre-Session Work:*

- Review draft plans.

#### *Key Session Objectives:*

- Review collection of strategies and plans produced by the group to date, revise as needed, and confirm consensus among members.

### **April 2023: Discuss Recommendations for Continuing ATI Work**

#### *Key Activities:*

- Provide an update to PSJC.
- Host eighth session with each ATI group (Intervention at the Start, Criminal-Legal Process, and Reentry)

#### *Recommended Pre-Session Work:*

- Brainstorm recommendations for how the County should continue ATI work going forward.

#### *Key Session Objectives:*

- Reflect on ATI workgroup series process and outcomes to date.
- Discuss successes and challenges with the process.
- Develop recommendations for how the County should continue its ATI work.

### **May 2023:**

#### *Key Activities:*

- Provide an update to PSJC.
- Present final recommended action plan for the Board's consideration to PSJC.

### **June 2023:**

#### *Key Activities:*

- Present final recommended action plan for the Board's consideration to the Santa Clara County Board of Supervisors.