

**A REPORT BY
THE 2017-2018 CONTRA COSTA COUNTY GRAND JURY**
725 Court Street
Martinez, California 94553

Report 1809

Community Reentry from Jail

APPROVED BY THE GRAND JURY

Date June 8, 2018



MARIO GUTIERREZ
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date June 7, 2018



ANITA SANTOS
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1809

Community Reentry from Jail

**TO: Contra Costa County Board of Supervisors,
Contra Costa County Office of the Sheriff**

SUMMARY

Every year thousands of incarcerated individuals are released from Contra Costa County jails and face the challenges of reentry to their communities and families. These challenges include: increased risk of homelessness, unemployment, drug and alcohol addiction, trauma, and discrimination. According to the National Institute of Justice, more than three-quarters of the released inmates nationwide are re-arrested within five years.

Having a safe place to live and stable employment is critical to the reduction of recidivism and homelessness of former inmates. This has made the reentry process a priority for local-government policymakers and criminal justice professionals.

Contra Costa County (County) has instituted a variety of programs in support of reentry and jail-population reduction. According to the 2011 Contra Costa County Strategic Reentry Plan, reentry services are part of a continuum that begins when an individual is incarcerated and continues through a successful reintegration into their community. A measure of success for these programs is the number of former inmates that end up not being re-incarcerated.

The Contra Costa Civil Grand Jury (Grand Jury) investigated these programs and their effectiveness. It reviewed programs and services that provide access to employment, housing, education and vocational training, and connection to other resources.

The Grand Jury found a number of reentry programs that work, but also found some gaps in these programs that, once addressed, may provide positive results. The Grand Jury recommends that the Board of Supervisors (BOS) consider identifying funds to improve reentry programs for housing and employment, and for a data system that provides integrated linkage of services and programs.

METHODOLOGY

In the course of its investigation, the Grand Jury:

- Interviewed staff of the Offices of Sheriff, Public Defender, Education, and Health Services
- Observed operations at the Reentry Success Center in Richmond
- Observed operations at the County's three detention facilities
- Conducted internet and document research
- Interviewed one formerly incarcerated person

BACKGROUND

The Grand Jury investigated the County's process for reintegrating formerly incarcerated individuals from jail into their local community.

The County's reentry process is comprised of services that form a continuum of care that begins at the point an individual is incarcerated and continues through reintegration into the community. These services are provided by County agencies and by County-contracted community-based organizations.

The passage in 2011 of California's Public Safety Realignment Act (AB109) increased the need for County reentry program services. AB109 dealt with overcrowding in the State prison system by mandating that individuals sentenced to non-serious, non-violent or non-sex offender crimes serve their sentences in County jail. AB109 also signaled a policy shift statewide by providing offenders with various services that support reentry and successful reintegration, along with in-custody treatment and rehabilitation.

Inmates sentenced to prison under AB109 are generally incarcerated for longer periods than the average County jail inmate. Compared to offenders in prison, people incarcerated in local jails are generally much closer geographically to their families and the social service organizations in their communities.

County Departments Involved in Reentry

Numerous County departments are involved in the reentry process, these include:

- Community Corrections Partnership (CCP): the state-mandated body in each county responsible for implementing and monitoring AB109. It brings together representatives from the Offices of the Public Defender, Probation, District Attorney, Sheriff, County Administrator, Education, and Reentry and Justice.

- Office of Adult Correctional Education: offers education to incarcerated adults in collaboration with the Sheriff's Office. Adult Correctional Education is overseen by the Contra Costa County Office of Education (CCCOE).
- Office of Reentry and Justice (ORJ): launched in January 2017 as a 2.5-year pilot project of the County Administrator's Office. The goal of ORJ is to coordinate the County's public safety realignment, reentry, and justice programs and initiatives. It is primarily funded by AB109 revenues from the State.
- Office of the Public Defender (OPD): has the mandated responsibility of defending any individual accused of crimes in the County and unable to afford counsel.
- Probation Department (PD): provides rehabilitative services to ex-offenders and enforces court orders for those under community supervision.
- Office of the Sheriff: responsibilities include operating the County's three detention facilities.
- Contra Costa Council on Homelessness: appointed by the BOS, the Council provides advice and input on the operations of homeless services, program operations, and program development efforts in the County.

County-Contracted Community-Based Organizations

County-contracted community-based organizations provide a range of services to the reentry population, from housing assistance and employment services to mentorship and family reunification.

The following are community-based organizations receiving funding for FY2018-2019 under AB109 through the Office of Reentry and Justice:

- Reentry Success Center: operations and management, connections to resources
- Rubicon Programs: employment
- Bay Area Legal Aid: legal services
- Goodwill Industries: employment
- Shelter Inc.: housing
- Reach Fellowship International: employment and education liaison for women
- Men and Women of Purpose: peer mentoring
- Center for Human Development: family reunification
- HealthRIGHT360: healthcare network management
- Fast Eddie's Auto Services: auto repair training

- Centerforce: transition planning services for women
- Ms. Shirliz: sober living homes
- Contra Costa County Adult Education: transition services

County Detention Facilities

The three County detention facilities (jails) house an average daily population of 1,500 inmates:

- The Martinez Detention Facility (MDF) is a maximum-security facility and the point of entry for all arrestees in Contra Costa County. The facility has a rated capacity of 695 inmates, housing both sentenced and pre-sentenced individuals.
- The West County Detention Facility (WCDF) in Richmond has a rated capacity of 1,096 inmates. WCDF operates as a co-educational, program-oriented, medium-security facility. Education and vocational programs are provided through a contract between the Office of the Sheriff and the Contra Costa County Office of Education.
- Marsh Creek Detention Facility (MCDF) in Clayton has a rated capacity of 188 inmates. It is the County's minimum-security facility for men.

DISCUSSION

According to the County's 2011 Reentry Strategic Plan, the full reentry process begins when a person is incarcerated and ends when they are released from jail and reintegrated back into their community. Reentry program services are delivered in both pre-release and post-release settings. This process typically includes education courses and job training while incarcerated, as well as programs that help the inmate address any substance abuse and behavioral issues. The process is designed to help ensure that the transition from jail to the community is safe and successful both for the former inmate and the community.

This recent emphasis on reentry and reintegration is different from the traditional focus on the purely operational role of sustaining incarceration while providing in-jail security for both inmates and facility staff. Reentry seeks to identify and meet the needs of the individual at each point of the process in a way that supports ultimate success upon reentry into the community.

The Grand Jury investigated various County programs that support reentry and jail-population reduction. This investigation focused on the phase of reentry when individuals are released from jail and are returning to their community. The majority of

released inmates face the challenge of meeting the basic needs of housing and employment, as well as obtaining treatment for addiction and behavioral health issues.

According to the 2011 Reentry Strategic Plan, 74% of parolees and probationers have a history of substance abuse. Only 10% receive treatment while incarcerated. Over 3,000 treatment spaces are needed. Sixty percent of parolees and probationers are unemployed one year after release, and nearly 2,500 job placements are needed.

Between 30-50% of parolees are homeless, and between 1,000 to 2,000 housing placements are needed annually for released inmates. Among parolees, 40% lack a high school diploma or GED, and 1,700 adult education spaces are needed. Among soon-to-be-released inmates, 55% have children under the age of 18. Roughly 2,300 parolees and probationers may need family counseling, support, or reunification assistance.

Reentry Transition

The preparation of a discharge plan at the time an individual enters the correctional facility is important for reentry. As described in AB720's 2017 amendment to the California State Penal Code §2603, "...jails should also provide discharged inmates with adequate discharge plans ... in order to obtain community-based support and services while maintaining needed therapeutic treatment"

In 2016, the County's Community Corrections Partnership (CCP) issued its Pre-Release Planning Pilot proposal. This resulted in the creation of the Reentry Transition Specialist position to work with incarcerated individuals at WCDF. The Reentry Transition Specialist position is under the CCCOE. The Specialist connects adult inmates to employment services, vocational training, educational opportunities, social services, rehabilitation programs, and counseling. Since the implementation of the position in 2017, the demand from inmates for these services has grown from an initial 36 enrollees to over 100 in early 2018. The current demand exceeds the staffing level.

Social Service Workers in the Office of the Public Defender

Social service workers in the Public Defender's office link indigent adult clients to services throughout their criminal case. Social service workers facilitate their clients' transition from incarceration to finding housing, employment, and educational programs.

Over 19,000 cases were assigned to the OPD in 2016 for the criminal defense of indigents. Currently, the OPD has one social services worker.

Educational and Vocational Training

According to a RAND Corporation national study, "Inmates who receive general education and vocational training are significantly less likely to return to jail, and are

more likely to find employment.” Other studies have found that a 10% percent increase in high school graduation rates results in a 9% percent decline in the criminal arrest rate. Employment after release is 13% higher among inmates who participate in either academic or vocational education programs than those who do not.

According to County senior officials, each year more than 4,000 inmates receive educational and/or vocational training at one of the County’s three jail facilities. Classes are provided through a contract with the CCCOE. Inmate participation is voluntary. Training is offered in skilled trades. WCDF offers Sign/Engraving Shop and Frame Shop training programs for women. MCDF offers a Carpentry Shop training program for men. None of the classes provide the inmates a certificate of completion.

The County’s 2011 Reentry Strategic Plan was developed through the Contra Costa Reentry Planning Initiative. The plan was the result of a collaborative effort between the Richmond Office of Neighborhood Safety and the BOS Public Protection Committee. This Plan recommended increasing educational services for both formerly and currently incarcerated individuals. The 2017 Strategic Plan recommended various educational programs. One educational program was designed to provide and expand training in computer skills. Another program was designed to provide access to college-level courses during and after incarceration. Another program was designed to offer remedial and supportive educational skills to boost basic proficiency levels.

Inmate Resource and Job Fairs

In the Fall of 2017, WCDF held a Resource Fair for soon-to-be-released inmates. The fair was designed as an informational service to interested inmates looking for work and resources to help improve their lives. The fair hosted representatives of various social services, employment, housing, behavioral health, and community organizations. Over 300 inmates and nearly 20 vendors took part. The vendors included Project Second Chance, Fast Eddie’s Auto Services, Bay Area Legal Aid, County Adult Education, Local Shelters, Custody Mental Health, and the Reentry Success Center.

The Spring 2018 Job Fair consisted of eleven trade unions, apprenticeship schools, and prospective employers that pay prevailing wages and provide benefits such as health insurance.

The Spring and Fall Fairs, to be held annually, are conducted as a joint effort between the Office of Adult Correctional Education, Reentry and Justice, and the Office of the Sheriff. These fairs provide an opportunity for WCDF inmates to connect with private and public organizations and agencies. They also provide other services such as Driver License reinstatement assistance. According to the County’s Workforce Development Board, over 200 companies in the county are committed to providing employment opportunities to formerly incarcerated residents returning to their community.

Tracking and Assessing Reentry Programs

Public and community agency service providers have used various data systems that do not provide linkage for coordinated tracking of services provided to inmates. Without integration into a consolidated data system, agencies face challenges both in providing continuity of care services and in measuring the effectiveness of services provided. It is important that community-based organizations and support networks provide continuity of care through individualized case management across organizations when an inmate is released.

A 2015 Jail Needs Assessment report published by the Office of the Sheriff concluded the County's current jail management system lacks several key features. Those features include the support of real-time, accurate, and comprehensive data analysis for the tracking of service delivery, program participation, and participant progress. The Jail Needs Assessment recommended the establishment of a program for comprehensive data collection services, and more coordinated pre-release planning processes. The report was developed in support of the County's proposal to construct a new adult detention facility to open in 2021 at the West County Detention Facility site.

The need for continuity between in-custody and post-release supervision and services was further highlighted in the County's 2015 AB109 Performance Review prepared by Resource Development Associates. The Performance Review noted that several partner departments lack the capacity to collect and report important data on AB109 individuals. The Performance Review also stated that individuals are not assessed upon entry into custody for problems, traits, or issues that directly relate to the individual's likelihood and risks of a return to crime. As a result, there is no process to ensure that their risks and needs are aligned with the programs and services they may receive upon release.

The Reentry Network for released inmates in East and Central Contra Costa County is a linked system of County-contracted services to help these individuals succeed in reintegrating into their communities. The Network functions as a broad-based collaborative system working in partnership with local law enforcement, Probation, other County agencies, and community-based and faith-based organizations. The goal is to provide integrated reentry service. The Reentry Network currently utilizes the SAFE database system to track a released client's continuity-of-service across several community-based service providers.

In 2017 staff of the ORJ and other County entities determined that moving contracted reentry providers to a single database system would be best accomplished through the utilization of the SAFE database system. Such a system may facilitate the County's ability to implement, track, and evaluate reentry efforts countywide.

Barriers to Employment and Community Participation

Two programs that contribute to a successful community reintegration in Contra Costa County are the Clean Slate program in the Office of the Public Defender, and the Reentry Success Center (RSC) in Richmond. These programs assist formerly incarcerated individuals by minimizing the barriers to employment and reintegration back into their communities.

Clean Slate

Clean Slate is a national cooperative project between federal, state and community legal services to improve employment outcomes for people with criminal records and to meet employers' need for qualified workers. Clean Slate services also assist clients to gain housing as well as further their education. Clean Slate has been adopted by many governmental organizations, including Contra Costa County.

In Contra Costa County, the OPD is charged with providing the Clean Slate service for people with criminal records. Clean Slate attorneys and advocates assist clients in such areas as:

- Post-conviction remedies, including early termination of probation
- Reduction of felony convictions to misdemeanors and dismissed charges
- Sealing of arrest records
- Employment denials related to criminal background
- Driver License suspensions
- Reduction and discharge of court fines and fees
- Reduction and discharge of municipal debt (parking tickets, towing fees)

Criminal record clearance efforts by Clean Slate are useful for successful reentry and reducing recidivism. According to the County's 2015 AB109 Performance Review, the OPD does not have sufficient resources to address all the Clean Slate cases. The OPD has a current backlog of roughly 10,000 reclassification cases.

Under Clean Slate, the OPD is also required by Proposition 64, the California Marijuana Legislation Initiative, to petition the court for relief of the estimated 3,000 marijuana cases in the County that are eligible for reduction, dismissal, or sealing of prior convictions. Since early 2017, the OPD has submitted petitions to the court for approximately 200 (or 7%) of those 3,000 cases.

Reentry Success Center

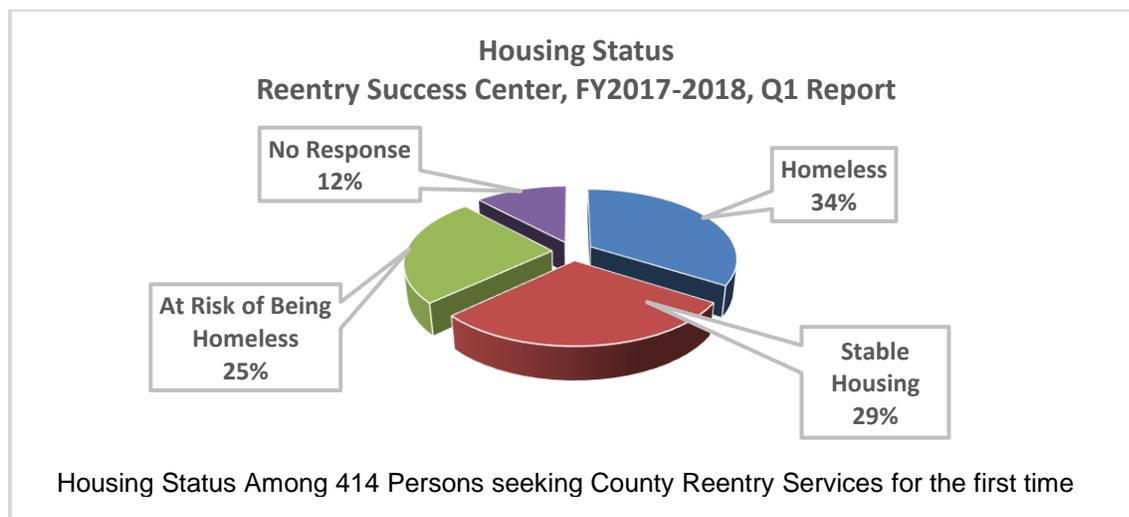
RSC in Richmond helps former inmates reintegrate with society after incarceration. The Center opened in 2015 and is primarily funded through AB109 realignment funds. RSC facilitates access to the services of many organizations together in one location for former inmates and their families. These organizations include the Contra Costa County Human Employment and Services Division, the Office of the Public Defender, Bay Area Legal Aid, and Reach Fellowship International.

The County's thousands of men and women on parole can use RSC to help find jobs and housing. RSC provides access to computers and to classes on resume writing, interviewing skills, smoking cessation, and household budgeting. Former inmates can learn about eligibility for general assistance and medical services.

Transitional Reentry Housing

According to the Justice Center of the Council of State Governments, providing access to safe and secure housing for those released from jail reduces recidivism and homelessness, as well as ensures stable living situations for children, families, and communities. Former inmates without stable housing in the community are more likely to return to criminal activity. Homelessness among the formerly incarcerated is seven to eleven times higher than among the general public, due to their limited access to education and employment. Homelessness contributes to heavy usage of emergency medical and detoxification services, at a high personal cost to the individual and a high financial cost to taxpayers.

Stable housing is widely recognized as critical to enabling probationers to adhere to the terms of their post-release supervision and to avoid re-incarceration. According to the Reentry Success Center, nearly 60% of former inmates seeking reentry services are either homeless or at risk of homelessness, as shown below.



According to the County's Reentry Strategic Plan, the County lacks comprehensive data detailing use of existing County housing services, as well as the types and volume of housing options needed for this population. The Plan projects that the County requires an estimated 1,000 to 2,000 housing placements annually to meet the needs of the reentry population.

Limited housing options in the County hinder reentry clients' ability to fully participate in other reentry-related programs. Barriers to housing include lack of client income and landlord resistance to renting to people with a criminal record. Some types of public housing disallow renting to persons with certain kinds of convictions. Affordability, accessibility, and availability are obstacles for former inmates to secure shelter beds, halfway houses, transitional housing, and sober living environments.

The County's Reentry Strategic Plan concluded that "Consequently, the County must provide the necessary resources to make sure that all those reentering will not become homeless." For FY2018-2019, \$1.03 million out of the County's total \$28.56 million AB109 budget request is allocated for short-term and long-term housing access. This allocation addresses only a small fraction of the approximate 1,000 to 2,000 housing placements needed annually. In contrast, \$18.13 million of the budget is allocated for the Offices of Probation, District Attorney, Sheriff and other law enforcement, according to the County's Community Corrections Partnership.

FINDINGS

- F1. Currently, the County has no single data system that collects and reports on services and outcomes for both county and community agencies. A data system such as SAFE could support integrated provision of a continuum of service from intake to reentry.
- F2. Resource and Job Fairs are held at WCDF only and not at the other detention facilities, providing an opportunity for more outreach to current and former inmates.
- F3. Since the creation of the Reentry Transition Specialist position in 2017, demand has grown from 36 enrollees to over 100. Demand for reentry services exceeds available resources.
- F4. Recent surveys indicate that nearly 60% of inmates upon release are either homeless or at risk of homelessness, leaving them vulnerable to reoffend. The County currently has neither a plan in place nor funds allocated to address the projected 1,000 to 2,000 housing placements needed annually.
- F5. Clean Slate is also tasked with petitioning the court for relief on the estimated 3,000 marijuana cases eligible for reduction, dismissal, or sealing of prior convictions, under Proposition 64 (the California Marijuana Legislation Initiative)

enacted in late 2016. With current County staffing, Clean Slate has been able to submit only 200 petitions to the court to resolve these cases. The demand for services exceeds the currently available staffing.

- F6. There is one social service worker in the Office of the Public Defender to serve all indigent defense cases. The demand for services exceeds the currently available staffing to address the backlog of Clean Slate reclassification cases
- F7. WCDF has Sign/Engraving Shop and Frame Shop training programs for women. MCDF has a Carpentry Shop training program for men. No certificate of completion, which would provide documentation to prospective employers, is currently provided for these programs.

RECOMMENDATIONS

- R1. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for adoption of the SAFE database system (or equivalent) countywide, for implementing, tracking, and evaluating reentry services.
- R2. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, to sponsor annual or semiannual Job and Resource Fairs, modeled after the current WCDF Job and Resource Fairs, to serve those who have been released from incarceration.
- R3. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional Reentry Transition Specialists, in support of reentry programs.
- R4. The BOS should consider requesting the Community Corrections Partnership, in consultation with the County's Council on Homelessness, to provide a report to the BOS prior to June 30, 2019, on the housing needs of AB109 offenders and the current availability and utilization rates of AB109-related housing programs, including any relevant recommendations.
- R5. The BOS should consider requesting the Community Corrections Partnership to develop a five-year plan, in time for the FY2019-2020 budget cycle, to provide funding for transitional housing resources to ensure that inmates released from jail do not become homeless.
- R6. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for the Office of the Public Defender to address the backlog of Proposition 64 marijuana cases eligible for reduction, dismissal, or sealing.

- R7. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional social service workers in the Office of the Public Defender in support of reentry planning and implementation.
- R8. The BOS should consider seeking funds, in time for the FY 2019-2020 budget cycle, for resources in the Office of the Public Defender to address the backlog of roughly 10,000 reclassification cases seeking to petition the court to clear their criminal record.
- R9. The Office of the Sheriff in coordination with the CCCOE should consider providing a “Certificate of Completion” to inmates in the vocational programs at WCDF and MCDF, as documentation to assist prospective employers in their skills evaluation of former inmates.

REQUIRED RESPONSES

| | Findings | Recommendations |
|---|----------------------------|------------------------------------|
| Contra Costa County Board of Supervisors | F1, F2, F3, F4, F5, and F6 | R1, R2, R3, R4, R5, R6, R7, and R8 |
| Contra Costa County Office of the Sheriff | F2 and F7 | R9 |

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
 725 Court Street
 P.O. Box 431
 Martinez, CA 94553-0091

ACRONYMS

BOS: Board of Supervisors

CCP: Community Corrections Partnership

CCCOE: Contra Costa County Office of Education

MCDF: Marsh Creek Detention Facility

MDF: Martinez Detention Facility

OPD: Office of Public Defender

ORJ: Office of Reentry and Justice

PD: Probation Department

RSC: Reentry Success Center

WCDF: West County Detention Facility