

**California Rehabilitation Oversight Board Minutes
January 11, 2012 Meeting**

The California Rehabilitation Oversight Board (C-ROB) met in open session at 9:30 a.m. on January 11, 2012, at the California State University, Sacramento Alumni Center, 6024 State University Drive South, Sacramento, California.

Board Members: Present at the meeting were Robert Barton, Inspector General (Chairman); Matthew Cate, Secretary, Department of Corrections and Rehabilitation (CDCR); Patricia Terry, Education Administrator, Adult Education Office, California Department of Education, (Designee for Tom Torlakson, Superintendent of Public Instruction); Van Ton-Quinlivan, Vice Chancellor, California Community Colleges (Designee for Jack Scott, Chancellor, California Community Colleges); Michael Cunningham, Director (A), Department of Alcohol and Drug Programs; Norm Kramer, Deputy Director (A), State Hospital Operations (Designee for Cliff Allenby, Director (A), Department of Mental Health); Susan Turner, Professor, University of California, Irvine (President of the University of California appointee); Bruce Bikle, Professor, California State University, Sacramento (Chancellor of California State University appointee); Gary Stanton, Sheriff, County of Solano (Governor Appointee); Wendy Still, Chief Adult Probation Officer for the City and County of San Francisco (Senate Committee on Rules appointee); and, William Arroyo, M.D., Regional Medical Director, Los Angeles County Department of Mental Health.

Office of the Inspector General staff: Reneé Hansen, C-ROB Executive Director; Neil Robertson, Counsel to the Board (A); Ann Bordenkircher, Board Secretary; and, Celeste Olson, Executive Assistant.

Panel Presenters:

CDCR: Elizabeth Siggins, Director (A), Division of Rehabilitative Programs
John Wordlaw, Deputy Director, Fiscal Services
Brenda Grealish, Branch Chief, Office of Research, Research & Evaluation Branch

BSA: Grant Parks, Audit Principal, Bureau of State Audits

Public Comments:

Marion House
Tommy Lee Wickerd, II
John Kern
Susan Lawrence

Item 1. Call to order.

Chairman Barton called the meeting to order at 9:39 a.m.

Item 2. Introduction and establish quorum.

Chairman Barton introduced Office of the Inspector General staff participating in the meeting and asked board members to introduce themselves. With all board members being present, a quorum was established.

Item 3. Review agenda.

There were no comments concerning the Agenda.

Item 4. Review and approval of the September 7, 2011 minutes.

The minutes were approved with two revisions.

Item 5. Executive Director updates.

Reneé Hansen, Executive Director to the Board, introduced Matthew Young, Deputy Inspector General, Office of the Inspector General, who will assist the board and Report Writing Committee. Mr. Young will help with data collection, track different aspects of the Logic Model and legislative requirements for the C-ROB reports.

Item 6. Bureau of State Audits: “Department of Corrections and Rehabilitation, The Benefits of Its Correctional Offender Management Profiling for Alternative Sanctions Program Are Uncertain,” September 2011 Report.

Grant Parks, Audit Principal, Bureau of State Audits (BSA), spoke on the September 2011 published report concerning the Department of Corrections and Rehabilitation’s (CDCR) implementation of the COMPAS¹ program. Mr. Parks stated that the Joint Legislative Audit Committee directed BSA to review CDCR’s implementation of its COMPAS program. That Committee was interested in determining whether CDCR had fully deployed COMPAS, the costs of deployment, COMPAS goals and objectives, and CDCR policies and procedures that would facilitate the achievement of those goals. There was also an interest in the number of COMPAS assessed inmates and whether or not CDCR had measured the COMPAS impact on preliminary recidivism rates.

Mr. Parks explained that COMPAS is a software tool that CDCR uses with the goal of identifying the criminogenic needs of an inmate. CDCR first began using COMPAS in March 2006 and following the chaptering of AB 900 in May 2007, expanded its use into the reception centers. According to Mr. Parks, CDCR recently instructed its staff at its adult general population institutions to begin using COMPAS. He said there are different versions of COMPAS explained in BSA’s report –the core assessment, which is administered at the reception centers and the adult institutions and the reentry assessment administered for offenders approaching their parole date. The core and reentry assessments each have a gender specific component.

BSA recommended in its report that CDCR temporarily suspend its use of COMPAS until it does two things. First, BSA thought CDCR needed to issue regulations and update its Operations Manual to define how its use of COMPAS will affect the decision-making regarding inmates (such as

¹ Correctional Offender Management Profiling for Alternative Sanctions

clarifying how COMPAS results will be considered when sending inmates to different prison facilities, enrolling them in rehabilitative programs, or developing expectations for those on parole).

Secondly, BSA thought CDCR should develop a plan and be able to demonstrate to the Legislature that it had a plan to measure and report on whether COMPAS is actually helping CDCR achieve its ultimate goal of reducing recidivism.

The BSA report also recommends that CDCR seek advice from the state technology agency concerning disclosure of reported costs and ensure greater accountability and control for costs on future IT projects by including accounting and budget staff as part of the project team.

Mr. Parks said that BSA staff spoke with staff at reception centers, including correctional counselors and CSRs (classification staff representatives). They also spoke with parole agents on the parole side while drawing its conclusions in the report. Mr. Parks answered several questions from board members.

A copy of the report can be read in its entirety at <http://www.bsa.ca.gov/pdfs/reports/2010-124.pdf>.

Item 7. Department of Corrections & Rehabilitation.

Budget

John Wordlaw, Deputy Director, Fiscal Services, provided an overview of the proposed CDCR budget. He stated the Governor's proposed budget for Fiscal Year (FY) 2011/2012, allots \$9.3 billion to CDCR, with a decrease in FY 2012/2013 down to \$8.9 billion. He indicated the major driver of the CDCR budget is public safety realignment.

Because of a double digit percentage decrease in population (both adult inmate and parole), the department is experiencing a \$453.3 million reduction in the current year, growing to \$1.1 billion in the budget year. Mr. Wordlaw said that the significant change in population is also causing fundamental changes in the department's operations planning. Several construction projects have been canceled, such as the Estrella in-fill project (expected savings of approximately \$44.5 million), and the canceled conversion of the DeWitt youth facility to an adult facility.

Another major policy driver is the realignment of the juvenile justice program. Mr. Wordlaw stated that the department is proposing to no longer have intake of wards at the State level effective January 1, 2013. The Governor's proposed budget allots \$10 million for planning at the County level. The approximate 1,100 wards currently housed at State level would decrease based upon attrition and CDCR would no longer take in wards.

Mr. Wordlaw spoke on a series of trigger cuts within the department. There is a \$20 million current year reduction of which \$10 million is associated with the substance abuse program. There is a \$10 million current year reduction to CDCR's dental program. Additional reductions include \$10 million for the budget year to the substance abuse program and \$10 million reduction in the Female Offender Program Services. Mr. Wordlaw stated that realignment and the inmate population shift to the County level would not have a direct impact on inmate services.

Logic Model Update and Program Implementation.

Elizabeth Siggins, Director (A), Rehabilitative Programs, talked the Board through a PowerPoint® presentation using the California Logic Model² framework.

- Asses High Risk – Utilizing the California Static Risk Assessment (CSRA) that gathers information downloaded from the Department of Justice, about 95% of the current inmates have a CSRA score and about 97% of parolees have a CSRA score. This information is used to determine program assignment and for making other policy decisions.
- Assess Needs – CDCR uses the COMPAS tool to assess needs. Over 120,000 core COMPAS assessments have been completed to date (over 31% of current population and 60% of parolees).
- Develop Behavior Management Plan – Realignment caused the department to rethink the case management plan, but they are looking to do an 18-month pilot starting at CCWF beginning April 2012. CDCR is working with the community colleges to develop training to cover motivational interviewing, basic principles of case management, and technical training on both COMPAS and classification.
- Deliver Programs – Budget reductions and impact capacity has affected the department’s ability to reach everyone with both the risks and needs for the programs. Annual estimated capacity is 6,800. Some of the programs serve more than one person in a slot over the course of the year. Those include programs like day reporter center, residential multi-service center, parolees’ service centers and a few other programs previously operated by the Division of Adult Parole Operations.
- Measure Progress – CDCR gauges outcomes on a monthly basis using assignment/enrollment, utilization/attendance and completion. Ms. Siggins was proud to report that learning gains measured by CASAS³ have increased by 35% between FY 09/10 and 10/11. The department now has 88 slots for dually diagnosed enhanced outpatient inmates at SATF. The program lasts about a year. The male vendor mentor certification program has provided over 91,000 hours of services, while the female mentor certification has provided over 13,000 hours of service. Enrollment covers about 70% of funded slots. A number of teacher vacancies remain due to hiring freezes. The department is not funded for substitute teachers so classes are canceled if a teacher is not available, or because of lockdowns, riots or fog. That causes the utilization rate to drop. The department continues to work on an institution-by-institution basis to get utilization rates higher. Utilization rates for substance abuse are higher (about 90%), partly because it is a contracted service and they provide their own personnel.
- Prep for Re-entry – The ID project continues through the California New Start program.
- Reintegrate –. The department anticipated significant budget cuts to the after care programs but at the last hour, the Legislature and the administration restored \$49 million. CDCR is working proactively with parole to increase capacity now that funding has been restored.
- Follow-Up – Ms. Siggins said that Adult Programs continuously monitors implementation issues, conducts weekly executive reviews of key issues, monthly executive reviews of Key Performance Indicators and quarterly headquarter and field reviews by mission.

Ms. Siggins responded to several questions from the board.

² Developed by the Expert Panel convened as a result of the 2007 Budget Act.

³ Comprehensive Adult Student Assessment System

Item 8. Department of Corrections & Rehabilitation Office of Research “2011 Adult Institutions Outcome Evaluation,” November 23, 2011 Report.

Brenda Grealish, Chief, Office of Research and Evaluation Branch, presented to the board on the department’s second 2011 adult institutions outcome evaluation report. She said staff looked nationally to determine best practices for defining and measuring recidivism. For a complete picture, arrests and convictions were considered as well. “Return to prison” within three years is CDCR’s primary measure of recidivism. Measurements are taken at 1-, 2- and 3-year intervals. They reviewed first and recent release felonies, including people who directly discharged from prison or discharged while out on parole. Key findings were that the total three-year return to prison recidivism rate for all felons released during FY 2006-07 is 65.1%. Re-released felons recidivate at a higher rate than those released for the first time (19.5% higher). Most felons who return to prison do so within a year of release (approximately 75%).

CDCR’s report further examined the three-year recidivism rates by demographic characteristics, offender characteristics and incarceration experience. After three years, males return at a higher rate (66%) than females (55%).

In conclusion, Ms. Grealish said that around one-third of the released felons did not return to CDCR within three years. Almost half returned for a parole violation with over one-half of these parole violators returned on a “technical” violation rather than for committing a new crime. Only 19% returned to CDCR after being convicted of a new crime. It was also determined that younger offenders recidivate at a higher rates. The recidivism rate decreased last year for the African American and Native American Alaska ethnicity groups. The greatest increase in recidivism rates was with the Native Hawaiian and Pacific Islanders.

As to county populations, Ms. Grealish indicated that Los Angeles, Orange and Sacramento had the lowest recidivism rates, while San Joaquin, Fresno and Stanislaus are the top three counties with the highest recidivism rates.

The entire report can be read at http://www.cdcr.ca.gov/Adult_Research_Branch/Research_Documents/ARB_FY_0607_Recidivism_Report_%2811-23-11%29.pdf.

Item 9. Future board meeting schedule.

Ms. Hansen confirmed the next board meeting for March 7, at which time the board will review and approve the March 15, 2012 bi-annual report. Additional dates selected for board meetings are July 11, September 12, and November 14. The Report Writing Committee is scheduled to meet on January 30 and again on August 6.

Item 10. Future agenda items.

It was suggested that that the board might benefit from a presentation by the Corrections Standards Authority who will receive realignment data being gathered by the Board of State and Community Corrections (BSCC), a new board comprised of the California State Association of Counties, the Chief Probation Officers of California, the California State Sheriff’s Association, and selected CDCR staff.

Item 11. Public comment.

Marion House addressed the board concerning the Honor Yard at LAC, which is not fully implemented. She said the yard continues to deteriorate due to inmates who do not meet the criteria and because of staff who do not support the yard. She is concerned for her husband who will be moved off the yard soon. On the Honor Yard, her husband became a mentor. She fears he will end up on a yard where the men fight, do drugs and make bad decisions. Ms. House is hopeful CDCR will fully implement the Level IV honor yard and implement a Level III Honor Yard so her husband can transfer to it.

Tommy Lee Wickerd, II, encouraged CDCR to implement the Honor Yard. He believes his dad is doing better than he has ever done his whole life because the yard offered him possibilities of success, a place to rehabilitate, and a place to grow with security.

John Kern agreed that progress is being made in academic and vocational education in the department during very difficult times. He also expressed concerns on behalf of SEIU 1000 members who are being asked to deliver the latest academic structure called “voluntary education program” (VEP). He requests that Secretary Cate monitor the VEP program closely because it has great potential to succeed but Mr. Kern believes there are way too many inmates and way too few teachers. A reliance on inmate tutors who on one hand can be fabulous when properly trained and managed, can also be unproductive when not properly trained. Mr. Kern is also concerned about a tendency to over test in an environment where learning gains are artificial.

Item 12. Adjournment.

The meeting was adjourned at 1:00 p.m.

C-ROB Secretary

Dated

(These Minutes are posted on the web at www.oig.ca.gov.)