

The Condition of Probation

Major Changes Afoot for Adult Corrections

By Mariano Zamudio

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Landmark legislation affecting California corrections is waiting in Sacramento to be signed by the Governor. Although we still do not know exactly what the major changes to adult corrections will be, we can be assured they will be significant. The passage of two items of legislation, SB678 (also known as the "California Community Corrections Performance Incentive Act, enacted in 2010) and AB109 (known by the less interesting title of "Criminal Justice Realignment," pending the governor's action) will radically adjust how corrections are administered in the State of California. In addition, it is hoped that this shift will create an impetus for improving the results of these efforts in a state with poor recidivism, incarceration, and unsuccessful probation/parole rates. Unfortunately, as with many significant shifts in systems, these changes are likely to create winners and losers, and one way to be sure you don't get stepped on by change, is to be ahead of it. The best way to accomplish that is to be aware of the trends before they become laws, and our Department was well-positioned for that in this case.

The driving force behind this shift was the state's need to accomplish savings in prison expenditures to help reduce California's massive budget deficit. Recognizing that many of the prison inmates are incarcerated due to the lack of funding in community corrections, the State created a two-phased system for shifting this burden from prison and parole systems to probation departments.

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Chief's Corner

By Michael Daly

This job is fun!

It has been over two years since I was asked to lead this Department and what a wild ride it has been. There is nothing that indicates that it will be slowing down and in fact things seem to be coming in huge waves. The latest tsunami is something the Governor is calling Realignment, the biggest criminal justice policy shift since indeterminate sentencing gave way in the 1970's! Here is a brief breakdown on what is cooking in the Marin County Probation Department.

Realignment and SB 678-see Kevin Lynch's article on the how a California lawsuit and the Unites States Supreme

Court decision that will have lasting impacts on criminal justice in California for years to come.

Budget-everyone across the nation is dealing with cutbacks due to pension obligations as well as increasing medical costs for employees. A constant examination of our workload, how we do our work and keeping our mission statement at the forefront of our minds is an ongoing challenge.

Hiring/Promotions-since March of 2009, we have promoted 28 people and have hired five. These promotions/hires represent approximately 33% of our Department in this time frame.

Disproportionate Minority Contact-we start year two of our work with this Title II grant addressing this national issue. Our work with the Burns Institute is going very well and year two involves bringing in other criminal justice partners to assist us.

Juvenile Justice Delinquency Prevention Commission-I have partnered with this organization to institute restorative justice principles in our schools. Together, we have reenergized this Commission and are embarking on a community driven process in the San Rafael school district.

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Mission Statement

The mission of the Marin County Probation Department is to reduce the impact of crime in the community by providing accurate and comprehensive information to the courts, by providing community based sanctions and treatment for offenders, and by working cooperatively with law enforcement agencies and community organizations with similar objectives.

Chief's Corner (from page 1)....

Arming Policy-I purposely put this initiative right underneath restorative justice which falls on the opposite side of the spectrum. Chief Deputy Mariano Zamudio wrote about arming our department in last quarter's newsletter. There is no greater responsibility and some staff in our Department are going to be armed by this summer. All policy and procedures will be in place as well as a very well-trained first group of Probation Officers.

Software implementation-The Juvenile Division will undergo three, yes three, different areas of software implementation. The former database, Phoenix, will be replaced by Odyssey, Assessments.com will implement PACT to help

us with compliance issues for Title IV-E revenue, case plans and statistical information. Lastly, CWS-CMS was a statewide initiative that combines social service data with our foster care data.

Juvenile Hall-The dynamic and type of minors housed at Juvenile Hall is unprecedented. Due to the uprising in gang violence across Marin, numerous rival gang members are now housed at Juvenile Hall. Separation Programs are now a very clear matter of everyone's safety. Minors being charged for murder and other serious crimes are being charged as adults. The Juvenile Hall staff are doing a

tremendous job under these difficult circumstances.

Organizational Development-We continue to meet as a Department and grow through the challenges that face us both internally and externally. We are blessed to work with Suzie Cohen who has lead us through these last 5 years of transition.

These are just some of the initiatives the Marin County Probation Department has undertaken. There is truth to the famous line..."you are only as good as the people around you". I have great people working with me and that is why we are getting it done.



2011: A Computer Odyssey

By Kevin Lynch

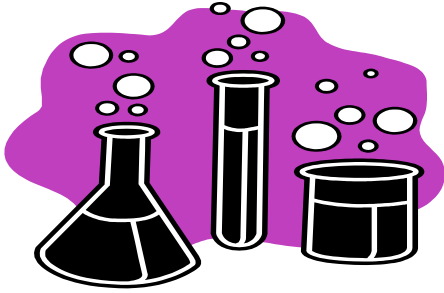
The film "2001: A Space Odyssey" was assessed to be everything from "the best movie ever made" to "boring" to "I don't get it" (for those of you too young or too busy in the 1960s to know about the movie, you can listen to the gripping them song here: [space odyssey theme song](#). Be sure to have your speakers on FULL when you listen to it). In any case, meaning for this film has now forever changed for members of the Probation Department, as the name Odyssey was adopted for our new information system. The development of the system was truly a collaborative effort, as members of the Juvenile Division of the Probation Department and the County IST met frequently over several months to gather ideas, input, suggestions and to review iterations of the project. Although perhaps not as meaningful to those outside

of the Juvenile Division, the implementation of Odyssey allows for many efficiencies and features that should streamline the work in the Juvenile Division. These include:

- Pictures of youth on probation appear when the record is pulled up
- Multiple tasks can now be completed in the same place
- Eliminates duplicate entry into other databases
- Allows for easy access to, and organization of, chrono notes
- Will coordinate with the PACT (risk assessment tool) once that is implemented

The effort to complete this system was substantial, and the Department would like to extend special thanks to those who participated regularly in its development. These include:

Selina Johnson	Probation
Alisha Krupinsky	Probation
Steve Shapiro	Probation
Nuvia Urizar	Probation
Matt Murphy	Probation
Lynn Estrada	Probation
Nathan Laforce	IST
Richard Saslow	IST



“IPOTS,” or Improving Probation Outcomes Through Science, is the name of the caseload funded through the SB678 program described in the attached article. In July of 2010, the Marin County Probation Department initiated IPOTS as a “laboratory” for applying evidence-based practices to a caseload of high risk offenders in the Adult Probation Division of the Department. The rationale for developing this program was to demonstrate the outcomes associated with a caseload supervised by DPO staff well-trained in evidence-based practices (EBP’s), while using as many of the treatment resources available with adult probationers.

Although all supervision deputy probation officers in the Department have been trained in EBP’s, few are as well-qualified as Deputy Probation Officer Cynthia Fix. Cynthia is certified as a trainer in Motivational Interviewing, use of the LSCMI (the Department’s chosen

risk assessment instrument), Real Colors program, and cognitive-behavioral groups for offenders through the National Curriculum & Training Institute (NCTI). In managing her caseload, Cynthia employs the following strategies and practices:

- Assess the offender using a validated instrument (in our case, the LSCMI), and develop supervision strategies based on the criminogenic needs which are identified in that assessment;
- develop written case plans that clearly identify goals that will reduce risk for recidivism
- utilize Motivational Interviewing techniques to avoid confrontational and ineffective interactions with offenders ready to make change;
- refer to appropriate treatment programs when necessary and available; and
- utilize cognitive behavioral approaches, including one-on-one role-playing with the offender and the of-

fender in cognitive-behavioral groups.

Cynthia reports that her caseload is challenging but interesting. She relishes the opportunity to approach work differently than what has been tried before, and is firm believer that EBP’s work.

The Department’s plan is to continue investing in training for staff to improve and increase their use of EBP’s in the supervision of offenders. However, one of the most important strategies will also be to enhance the Department’s ability to accurately identify those probationers who are open to change, as opposed to those for whom the focus of probation supervision will be on compliance rather than long-term behavioral change. In order to do that, it will be necessary to run an analysis of our LSCMI scores to date, to “norm” our population. The capacity to do this in an aggregate manner through PRISM will help us complete this analysis in the upcoming year.

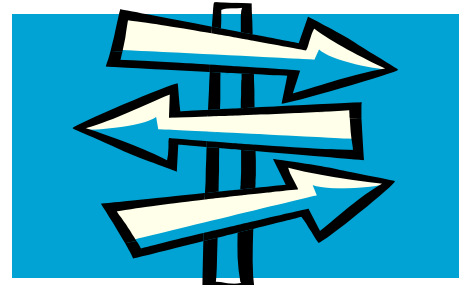
Decision Making

By Mike Daly

I have always encouraged our staff to be critical thinkers and to make decisions on their own. As much as no one wants to make a mistake, we all learn from them. I came up with a formula that I spoke to at our recent Department meeting. Giving staff the ability to make their own decisions will increase their confidence, have them become more efficient and provide better customer service.

1. Is it legal?
2. Is it ethical?
3. Is it within our Mission Statement?
4. Does it violate any County rules or regulations?
5. Does it violate any Department policies?
6. Does it have any negative affects on others?
7. Is it good for the public and the people we serve?

By quickly answering these simple questions, staff have a roadmap for decision making. I hope this is helpful.



Major Changes Afoot for Adult Corrections (from pg. 1)...

SB678 was the first swing in this effort, and it also included the notion of “pay for performance” into government funding. Using federal stimulus funds, SB678 provided California probation departments with money to develop and improve services for adult probationers (our Department used this “seed” money to create IPOTS, which was described in the companion article). This meant that those jurisdictions that were able to reduce the number of probation cases that resulted in a prison sentence were eligible to receive significant funding (based on a complex formula developed by the State Department of Finance, which considered issues such as the State’s overall savings that was accrued by the reduction in inmates, the numbers of population aged 18 to 25 and on the scope of the reduction in prison commitments for probation cases). For Marin County’s Probation Department, that “pay for performance” amounted to nearly \$890,000. The figure was earned because the County’s rate of “probation failure rate” (calculated by dividing the number of probationers who are sentenced to prison by the number of felony probationers) was more than 50% less than the state average of 6%. Marin’s rate was 2.74%, which is excellent, but which also represents a difficult benchmark to meet again. In or-

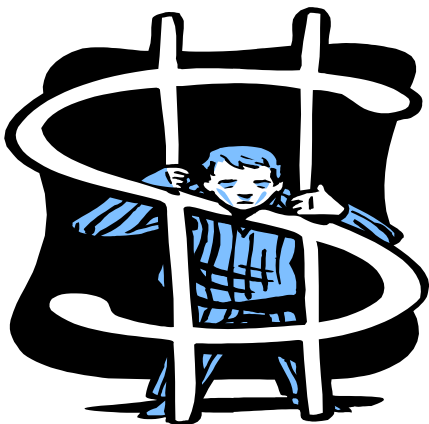
der to receive any additional funds under SB678, the Department will have to reduce its prison commitments even further, which will be difficult to accomplish if the State average stays at 6% (or drops, as is expected). As a result, as happy as our Department is with this grant, the Department is looking at it now as one-time funds, to be used wisely and cautiously until “the other shoe drops.”

That “other shoe” is AB109, which is the important legislation pending the governor’s signature. Right now, it is certainly part of a larger political game being played out over the budget, but it is likely to be approved sooner or later. AB109 is “catch-all” legislation, clearing up matters like custody credits and eligibility for parole, but the real important element is that it shifts responsibility for defendants convicted of non-violent, non-sex and non-serious felonies (aka, “the nons”) to county jurisdictions. While this is alarming for some, our Department sees it as a potentially positive development, depending on how much funding comes with the offender, and how those funds will be determined and administered moving forward. Unlike SB678 funds, which are administered solely through the Chief Probation Officer, these funds will be delivered to the County Board of Supervisors, where decisions on how they will be allotted will be made. If the State transfers the responsibility for monitoring these felons with sufficient funds to supervise them, meaning with capacity to both provide treatment services and to contain them, our Department expects to do a better job than the

State has done. If the cases are transferred and there is not sufficient funding to work with them, it will be disastrous and likely represent a serious threat to public safety. Needless to say, the stakes are very big in this one.

No matter what shifts occur, this is the beginning of a significant change in the relationships between counties, courts, the state and probation departments. The Incentive Act of 2009 and Criminal Justice Realignment are not likely to be the last of the changes, only the first to take effect. The nation-wide (and yet to be explained, by the way!) reduction in crime has certainly had some impact in the savings that resulted in SB678 funding. If that trend slows or reverses, what else might the State of California consider to stem the flow of inmates to prison? One step might be to introduce a law that places the financial burden of incarcerating failed probationers on the backs of counties. In other words, instead of providing an incentive for not sending inmates (which is what SB678 does), the State could develop a policy of disincentives for sending them. This is exactly what occurred in the juvenile system across the state. In the year 2000 the Division of Juvenile Justice housed well over 10,000 minors and today that population is less than 1100. There has not been a subsequent rise in crime with juveniles and in fact juvenile crime is down state wide.

In any case, our Department is well-positioned for these changes. We have been seeking ways to improve our services long before financial incentives were dangled before probation departments to do so.



Today's Draw....Diana Smith

By My Tran

Diana Smith, a Deputy Probation Officer II, was born and raised in Canton, Ohio. Upon graduation from high school in 1974, she entered the Woman's Army Corp and trained at Fort Gordon, Georgia, in the 2nd co-ed military police training. She was stationed at Fort Lee, Virginia, as one of the first three females assigned to active Military Police Patrol on the post. Her rotating duty assignments were patrol, dispatch, traffic, court bailiff, vehicle registration, investigations, as well as serving as an undercover narcotics agent. During that same time, she was also given a special duty assignment from the Post Commander's Office, traveling for three months with the 1976 bicentennial movement called The American Freedom Train. She was assigned as a Ceremonial Hostess, which included being on security detail to dignitaries and celebrities.

During Diana's impressive military career, she has held the following positions: Human Relations Discussion and Leadership Facilitator; Human Resource Personnel Manager supervising the Personnel and Finance Division of an Army medical center; Staff Sergeant; Leadership Instructor; and Ancillary Platoon Sergeant. During that time, she received numerous acknowledgements, including: Soldier of the Year at Fort Lee; MP of the Quarter; Soldier of the Quarter; and Non-Commissioned Officer of the Year in the Western United States. She even-

tually retired from the military in 1997 as Master Sergeant.

Outside of the military and Probation Department, Diana has worked a variety of jobs. She was a Youth Leader at the Indian River School for Boys for three years, security officer for Fireman's Fund, Youth Counselor at Full Circle, Campus Supervisor at Drake High School, and Probation Officer in Reno, Nevada. Diana also opened up her own business, called Touch of Balance Wellness Center. She taught healing, meditation classes, creativity courses, and became a mind, body, and spirit life coach through an International Transformational program. In 2000, she and her partner traveled full time in their RV, playing golf, enjoying the many elements of nature, and meeting a whole new culture of people who lived full time in their luxurious RVs.

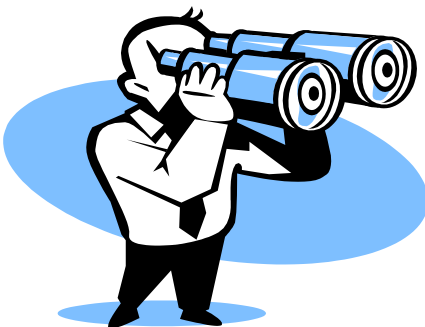
Diana met Anne Wooliever during her work at Drake High School, who encouraged her to apply with the Department. A year later, she was hired as a full-time Deputy Probation Officer I. During that time, she was activated from the Reserves to go to Desert Storm for six months as a Sergeant First Class in charge of the outpatient department at a large Medical Division of an Active Duty Hospital.

While working as a probation officer, Diana has gone back to school and become a licensed Spiritual Counselor, President of the Board of Directors for her spiritual community, and volun-



Diana Smith

teered weekly working with women in early recovery. She enjoys learning new things, and has been a perpetual student of many interests. It is rare she is not taking a class, or facilitating a class, or volunteering her time in special projects during her time off. She enjoys serving the public and helping people awaken themselves to their goodness, essence, and potential. When asked what she does for a living, she says she is a, "Possibility Opportunist" and tells them she works for Marin County Probation Department, where we help people transform their lives. Diana is very compassionate and dedicated to the population that she serves, which makes her a wonderful contribution to our organization.



On the Look Out!

To all of those who will be enjoying vacation adventures this summer we need your stories! We will be compiling tales/photos of your journeys and explorations for the next newsletter. Start emailing the pictures and any descriptions of your amazing journey that you want to share to Alisha.

Hailing all probation cooks. We need your scrumptious, yummy recipes for future Newsletters. We're not picky—just hungry! So send us your secret recipes for any delicious foods: appetizers, desserts, entrees, and salads. Just send the recipe to Alisha for safe keeping for the next newsletter.

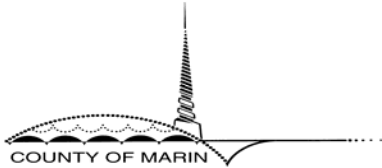
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The Condition of Probation

***Marin County Probation Department Newsletter
Editorial Policy***

The Condition of Probation is published quarterly by the Marin County Probation Department. The purpose of this newsletter is to provide a forum for communication and the sharing of information. *The Condition of Probation* publishes articles and information related to Mission and Departmental operations & activity. Articles submitted may be edited for content, clarity, or length.

Editorial Board Members

Michael Daly, Abby Dennett, Nancy Hillman, and Alisha Krupinsky and Kevin Lynch

Welcome Elizabeth Carranza

By Michele Boyer

Elizabeth obtained her Master of Social Work from California State University, Sacramento. During her first year of graduate school she interned at Sacramento City Unified School District as a school social worker. As a school social worker she performed one-on-one counseling sessions with students, provided resources for families, and translated for Spanish speaking families. During her second year of graduate school she worked in pol-

icy and community organizing at the City of Stockton. There she worked to develop a ten-year plan to end homelessness, organize outreach events in at-risk communities, and promoted the importance community engagement. Elizabeth has been assigned to a medium Spanish speaking caseload in the Adult Division supervision unit.

Elizabeth Carranza



News from the Bleachers



The violators are the reigning Marin County Softball champs! We have started off slow this year but with six more games until the playoffs we are climbing our way up in the standings.

We had a solid win against the Marin County Sheriff's Department with a final score of 15 to 6. We went in strong the next week against the Department of Public Works, fought hard and rallied with some great innings but were eventually defeated 14 to 9. Not to be kept down our Violators came back the week after and defeated the DA's office 15 to 5. The Violator's then took care of the Public

Defender's office the next week in a dominate outing.

Our team would love to see the bleachers filled with supporters. Nothing sounds better than our team being rooted for as they round the bases to shouts and cheers from their fans!

A BBQ may be in order if anyone wants to organize and plan call Melissa! You never know when the team mascot may make a drooling appearance so come on out and show your spirit! Go Violators!