

# STANISLAUS COUNTY

## COMMUNITY CORRECTIONS PARTNERSHIP

### Executive Committee Meeting Minutes Thursday, February 22, 2024 Stanislaus County Probation Department

#### Members/Staff Present

Mark Ferriera, Chief Probation Officer, Chair, Probation Department  
Frank Martinez, for Sheriff Jeff Dirkse, Sheriff's Office  
Ivan Valencia, for Chief Brandon Gillespie, Modesto Police Department  
Jennifer Jennison, Public Defender  
Jeff Laugero, District Attorney's Office  
Tony Vartan, Behavioral Health & Recovery Services  
Stephanie Kennedy, for Hugh Swift, Superior Court  
Leticia Ruano, Assistant Chief Probation Officer, Probation Department  
Michael Walker, Probation Department  
Vicki Martin, Administrative Services Manager, Probation Department  
Brooke Freeman, Sheriff's Office

#### 1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order at 10:01 a.m. by Chief Probation Officer Mark Ferriera. Members of the group introduced themselves.

#### 2. PUBLIC COMMENT

There were no members of the public present.

#### 3. ADOPTION OF MINUTES FROM SEPTEMBER 6, 2023, AND DECEMBER 4, 2023, MEETING

MOTION: District Attorney Jeff Laugero. SECOND: Jennifer Jennison. The minutes from the September 6, 2023, and December 4, 2023, meetings were approved unanimously.

#### 4. DISCUSSION OF THE FIVE-YEAR SPENDING PLAN:

Chief Ferriera advised that this meeting's purpose was to review and discuss the Five-Year Spending Plan. He noted that the Five-Year Spending Plan for FY 2025 - 2029 will include all the proposals submitted for CCP funding.

Administrative Services Manager Vicki Martin reviewed the CCP Five-Year Spending Plan with the group. She noted the following:

- She advised that the CCP budget for FY2024 started with a fund balance of \$30 million, noting that the growth funding was higher than anticipated.
- Based on all the proposals submitted, if all the submitted requests were to be funded and the budgeted amounts were entirely spent, the CCP Five-Year Budget would decrease to a negative \$5.9 million in FY 2026. On the other hand, if only 85% of the budgeted amount is spent, the fund balance will be sufficient until FY 2028. The new funding proposals submitted for consideration are the following:
  - The Sheriff's Office:
    - 20 new sheriff-custodial deputies with a one-time cost of \$300,000 in the first year and an ongoing cost of \$2,812,000 with an annual escalator of 5%.
  - The Probation Department:
    - At the request of the CEO's Office, one-time funding of \$1 million is requested for the Juvenile Court Room remodel.
    - \$50,000 in ongoing funding to expand the number of Regional Apprehension Team Operations.
  - The Public Defender's Office:
    - Ongoing funding for 10 Attorney V positions at the cost of \$2,235,340 with an annual escalator of 5%.

- The District Attorney's Office:
  - \$14,102.40 funding to supplement the pay of an existing Confidential Assistant III to a Confidential Assistant IV position.
  - Ongoing funding for 2 Legal Clerk positions at the cost of \$189,177 with an annual escalator of 3%.
  - \$295,263 to fund 3 existing Attorney Trainee Positions that are unfunded due to no salary savings.
- The Turlock Police Department:
  - The funding request submitted is for 4 new Civilian Outreach Specialist positions and 1 new Supervisor position to oversee a new Community Health and Assistance Team like the Modesto Police Department's (MPD) CHAT. The funding request is as follows: \$943,020 for FY 2025, \$585,922 for FY 2026, \$615,217 for FY 2027, \$645,977 for FY 2028, and \$678,274 for FY 2029.
- The Ceres Police Department:
  - The request is for 4 positions to be funded to oversee a new CHAT-like program called the Ceres Homeless Outreach Team (H.O.T.). The funding amount request is as follows: \$731,538 for FY 2025, \$551,367 for FY 2026, \$578,519 for FY 2027, \$610,878 for FY 2028, and \$641,076 for FY 2029.

## 5. REVIEW/DISCUSSION OF THE NEWLY SUBMITTED CCP FUNDING PROPOSALS:

Chief Ferriera asked the group how they wanted to move forward with reviewing the submitted CCP Funding Proposals. In the past, the submitted proposals were followed by a presentation, but the group discussed and agreed that it would be best to discuss the proposals and decide without the need for a presentation.

- Captain Frank Martinez, on behalf of the Sheriff's Office, discussed that the funding request for 20 new deputy sheriff-custodial positions would be for the Sheriff's West Detention Center to allow double staffing in all the medium security housing units. This would enable the staff-to-inmate ratio to be equally divided between the shift patterns to ensure the overall safety of incarcerated individuals and staff. He advised that the staffing organization has not been altered since 1992, noting that the added positions would correct the Sheriff's Office from being out of compliance with the Board of State and Community Corrections (BSCC) for deficiencies based on the BSCC inspector's observations. He also noted that their need for additional deputies was due to the notable increase in health issues amongst the inmates, higher levels of violence, and inmate population increase. Chief Ferriera asked Captain Martinez what the staff-to-inmate ratio was. Captain Martinez stated that the staff-to-inmate ratio is not spelled out in Title 15. Still, he noted it necessary to drop the ratio by half as a corrective action plan for security purposes.

Ivan Valencia from the Modesto Police Department asked if the purpose of the CCP funding was to reduce recidivism. Chief Ferriera advised that the State has given the counties the flexibility to use the funding as they see fit, and reducing recidivism is the goal the CCP Executive Committee decided on, noting that the State did not establish an outline on how to use the funding. CPO Ferriera asked Frank Martinez if increasing the number of positions would enhance the inmates' programming opportunities. Captain Martinez confirmed that the positions would enhance the inmates' programming opportunities.

CPO Ferriera also discussed a funding distribution formulated for the Sheriff's Office; CCP funding pays 25% of the jail related to realignment expansion, and the county funds the remaining 75%. He asked if the CEO's Office had been notified of the BSCC findings and the request for 20 new deputy sheriff-custodial positions. Brooke Freeman said they have yet to submit their request to the CEO's Office but were made aware of the BSCC findings. She also stated that her understanding of the funding formula was that it was only intended for the jail expansion; their ask for 20 new positions is for an existing building. CPO Ferriera asked if they had not gone to the CEO's Office with this request because of the county budget, anticipating the answer for additional deputies would be "no." Ms. Freeman confirmed they had not approached the CEO's Office due to anticipating that their request would be declined. Behavioral Health and Recovery Services Director Tony Vartan noted the difficulty the Sheriff's Office faces due to the general fund issues and the CCP Five-Year projections.

- Chief Probation Officer Mark Ferriera discussed that the Probation Department submitted two CCP funding requests. The first request is for a one-time funding of \$1 million to offset the \$4.8 million anticipated costs of

the Juvenile Court construction. He advised that the Probation Department is going through staffing issues with a very high vacancy rate, and should the Juvenile Court relocate, the impact on the department would be unfavorable. He explained that staff shortages and the need to transport youth to court would mean removing Deputy Probation Officers from their field supervision assignments to assist with the court transports in addition to youth missing out on their educational time. He stated that the juvenile courtrooms have not been updated since 1978 and do not meet the Judicial Council of California standards. CPO Ferriera also advised through discussions with the Superior Court and the County that the overall solution was to revamp the Juvenile Courtroom. The County has agreed to fund the costs associated with updating the courtroom with the help of the Probation Department, offsetting the total cost with \$1 million.

- Division Director Michael Walker from the Probation Department advised that the Probation Department has participated in the Regional Apprehension Team (RAT) Operations alongside other law enforcement agencies since 2011 with the help of CCP funding. He noted that there has never been an increase in the funding amount, and they have found themselves declining to participate in additional operations due to insufficient funds. The CCP currently allocates \$100,000 to the RAT Operations, and Mr. Walker requests to increase the allocation by \$50,000 for a total ongoing allocation of \$150,000. CPO Ferriera advised that the RAT Operations are performed in partnership with other agencies to apprehend individuals who have fallen out of compliance.

BHRS Director Tony Vartan and District Attorney Jeff Laugero noted that they favor the Probation Department's request for additional funding for RAT Operations and the revamp of the Juvenile Courtroom. District Attorney Laugero stated that it would pose significant challenges for the District Attorney's Juvenile Office should the Juvenile Court have to relocate; he also noted that the additional funding for the RAT Operations was a "no-brainer" because of the inability to ensure consequences for being out of compliance otherwise.

- Public Defender Jennifer Jennison submitted a CCP funding request for 10 Attorney V positions for the Public Defender's Office. She expressed a desperate need for the added positions to the extent of being on the verge of becoming unavailable and unable to accept new cases. Ms. Jennison noted that she has worked in the Public Defender's Office since 1998 with the same number of staffing positions. She expressed great concern and frustration due to the staffing turnover the Public Defender's Office has experienced, being left with less experienced attorneys, being close to unavailable, and the continued denial of her request for additional positions from the CEO's Office. She advised that in her most recent discussion, the CEO's Office would only grant 5 positions to be double-filled if funded by the CCP. However, with the excessive number of cases and the rise in filings, 5 positions are insufficient and would not satisfy their needs. She also noted that the staffing issues experienced in the Public Defender's Office create problems in other justice-involved offices. Ms. Jennison stated that CCP and grant funding are how the Public Defender's Office positions are being sustained. Without a defense team being available, incarcerated individuals would find themselves without a defense attorney.

Ms. Jennison also shared a workload study with the group that determined the Public Defender's Office would need 101 Attorneys (they have 28 Attorneys) if all the existing felony cases were low-level felonies and every misdemeanor was an entry-level Driving Under the Influence (DUI) offense. She advised that on December 21, 2023, she advised the CEO's Office that the Public Defender's Office would become unavailable if they did not grant them the needed Attorney positions because it was no longer sustainable. Ms. Jennison noted that she has done everything possible to obtain the necessary positions. Still, the grant funding is being depleted, and the CEO Office's continuous refusal to grant her the needed positions is why she is now asking the CCP Executive Committee to grant her funding request.

Jeff Laugero stated that without the Public Defender's Office being able to operate, it would create issues for other justice-involved offices, noting full support for the Public Defender's Office's request as a priority. Mr. Vartan agreed with District Attorney Laugero. He also said that the State's shift to the local level has impacted everyone. Frank Martinez from the Sheriff's Office also acknowledged the Public Defender's Office request as a priority, noting that the Sheriff's Office was willing to drop their 20 Custodial Deputy position request. CPO Ferriera asked how the CEO responded to the Public Defender's Office becoming unavailable. Ms. Jennison said her request to the CEO to fund 10 Attorney positions was denied.

- District Attorney Jeff Laugero requested CCP funding for 2 Legal Clerks to provide attorney support, 1 CAIV contingent on CEO approval to upgrade a CAIII to a CAIV, and 3 Attorney Trainees to help offset the workload of the Deputy District Attorneys. Mr. Laugero noted that they do not have any salary savings to help pay for the needed positions, and the CEO's Office has declined their request for Attorney Trainees.

Jeff Laugero noted the Public Defender's Office funding request as a priority, noting his willingness to adjust the District Attorney's Office request accordingly in favor of it.

- CPO Ferriera discussed the funding proposals for the Turlock Police Department (TPD) and the Ceres Police Department (CPD). Both law enforcement agencies submitted a request for CCP funding to establish a CHAT-like team like the Modesto Police Department (MPD). CPO Ferriera noted that the Board of Supervisors (BOS) and the CEO have expressed that MPD has funding to pay for CHAT, yet they have received CCP funding to pay for it. He stated that their feeling is that the CCP should create a formula to proportion a funding amount allotted to CHAT for MPD, CPD, and TPD. He noted concerns about potential issues when the CCP Five-Year Spending Plan is presented to the Board of Supervisors. CPO Ferriera stated there likely could be pushback from the BOS if the TPD and CPD requests are not approved.

Chief Ferriera suggested creating a CHAT line item with a funding amount. Mr. Vartan noted that having a CHAT team in Modesto has been impactful, and funding should be based on the size of the jurisdiction when creating a formula.

CPO Ferriera asked Ivan Valencia from the Modesto Police Department if they had other funding sources to fund their CHAT Team. Mr. Valencia advised that Chief Gillespie would be the most appropriate person to answer Chief Ferriera's question.

The CCP Executive Committee discussed having the Ceres and Turlock Police Departments attend the next meeting to give a CHAT presentation.

The CCP Executive Committee will reconvene to continue discussing the CCP funding requests and CHAT presentations from the Ceres and Turlock Police Department.

**6. NEXT MEETING DATE AND TIME:**

The next CCP Executive Committee meeting date and time will be forthcoming.

Meeting Adjourned at 11:30 am.