

Responses to the 2012-2013 Grand Jury Report

Every year, when the annual Santa Cruz County Grand Jury Report is published, designated agencies are requested to respond to the findings and recommendations of the report. These responses may agree, partially disagree, or disagree with the findings, and may indicate that recommendations have already been implemented, will be in the future, or will not be implemented, or that further analysis is required.

Comments may also be added to the responses. When a response agrees with a recommendation, further comments are optional. In case of complete or partial disagreement, or in response to recommendations for action, comments should be provided as part of the response.

For each report, the collected responses are published in a separate file on the [grand jury's section of the county's public website](#). Note: The responses are provided as received, and have not been edited, except for minimal formatting to make them appear correctly on this web page.

Report: [Breaking the Circle of Dependence](#)

This report requested responses from the following:

1. Director Santa Cruz County Health Services Agency: Findings 1-4; Recommendations 1-5
 2. Probation Chief, Santa Cruz County Probation Department: Findings 1-4; Recommendations 1-5
 3. Santa Cruz County Board of Supervisors: Findings 1-4; Recommendations 1-5
- **Finding 1: At the time of our investigation, there did not appear to be an independent third-party analysis of data to determine the effectiveness of programs using AB 109 funding.**

- Director Santa Cruz County Health Services Agency: **DISAGREE**

HSA has been advised that the Probation Department has been successful in securing an agreement now with George Mason University to perform AB 109 system evaluation utilizing the Risk Needs Responsivity Tool (RNR).

- Probation Chief, Santa Cruz County Probation Department: **DISAGREE**

As of December 2012, The Probation Department has been meeting, and has since contracted with, George Mason University. This endeavor includes program effectiveness and system evaluation utilizing the Risk Needs Responsivity Tool (RNR).

In addition, several AB109 service providers work with independent contractors or evaluators as part of their funding and/or licensing agreements.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Finding 2: The process for obtaining referrals to these programs is cumbersome.**

- Director Santa Cruz County Health Services Agency: **PARTIALLY DISAGREE**

Determining the needs and coordinating the many service providers delivering different programs to a new population will have inherent challenges during implementation startup. HSA continues to work closely with the Probation Department to refine and improve the referral process. In June 2013, the Board of Supervisors, with support of Chief Probation Officer and HSA, added a full-time position with substance abuse expertise to the Probation AB 109 intake and treatment planning team. This person will be important to speed up assessment and placement into appropriate treatment resources. Flow charts and protocols will be in place to guide staff/providers/clients through the referral process while tracking the timeliness of this process will be implemented.

- Probation Chief, Santa Cruz County Probation Department: **PARTIALLY DISAGREE**

AB-109 is the largest criminal justice reform in the history of the United States. Though counties were allotted funds to serve this population, no mandate or directive was provided for county development of service referral. Santa Cruz County wisely decided to invest AB-109 monies into the community and the individual in lieu of building larger correctional facilities as other counties have done. The investment in our partnering service agencies and the development of an adequate and appropriate referral process has taken time. In year one, we have developed a network of providers, developed a referral process, and have engaged a group of key agency stakeholders to assist in better refining this complex process.

The process to determine the types of services that were needed and the referral process for those services was developed based on Evidence-Based Practice (EBP) proven to be most effective to reduce recidivism. Persons scoring high and moderate on the risk assessment are matched with EBP Programs targeting criminogenic needs (factors that contribute to a person engaging in criminal activity). Ensuring that persons are assessed and matched to programs with fidelity is EBP.

A manual was developed prior to the approval of service contracts to articulate the assessment and referral process. As expected, with 27 distinct programs delivered by 16 agencies, training and coordination of the treatment referral, engagement, and completion process is a necessary and ongoing process. Additionally, with the passage of the Affordable Care Act, the Board of Supervisors with support of Chief Probation Officer and the Health Services Agency has added a position with substance abuse expertise to the Probation AB 109 intake and treatment planning team in the budget hearings ending in June. This person will be important to speed up assessment and placement into appropriate treatment resources.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Finding 3: There are no written guidelines for inmate program eligibility.**

- Director Santa Cruz County Health Services Agency: **DISAGREE**

Legal guidelines are in place for Post Release Community Supervision and 1170H persons who are eligible for AB 109 programs. These criteria will need regular review as resources change or to address individual needs not anticipated in the written guidelines or the network of existing providers.

The concept for inmate referrals to the substance use disorders and mental health treatment programs of existing jail inmates has been articulated by the Probation Department. The addition of the substance abuse specialist position by the Board into the AB 109 team will make it easier to track potential candidates for treatment programs incarcerated in the jail.

- Probation Chief, Santa Cruz County Probation Department: **DISAGREE**

Legal status of PRCS and 1170H persons clearly define their eligibility to participate in AB-109 programs. Providers contracted under AB-109 have eligibility criteria for housing, treatment, and health services. Correctional facilities have program eligibility criteria for program participation for persons incarcerated therein.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Finding 4: Further post-release services for ex-inmates are needed.**

- Director Santa Cruz County Health Services Agency: **AGREE**

Community-based treatment for individuals suffering from alcohol and/or drug addiction has not been sufficient throughout the United States for many decades. This is an area chronically underfunded by the State and Federal programs responsible for treatment of addiction disorders. During the 2013-14 County Budget Hearings, HSA shared information regarding needs and service availability for substance abuse, addiction and mental health programs within our community. The Board of Supervisors directed HSA to return to the Board in September with recommendations for addressing these issues.

HSA remains committed to improve the continuum of care for addiction and mental health assistance for AB 109 participants to successfully work on recovery needs. HSA will continue to closely follow Federal and State movement on Affordable Care Act implementation, especially in the areas of mental health and substance use disorder services to maximize funding from Federal and State to further post-release services for ex-inmates from the AB 109 Program.

- Probation Chief, Santa Cruz County Probation Department: **PARTIALLY DISAGREE**

As we work to maximize the existing capacity of programs currently available for AB 109 clients in the spheres of substance abuse and mental health treatment, we anticipate that additional needs will arise for this population. As shown by the research, programs paired with supervision and accountability yield the highest and longest rates of success. It is vital that such partnerships continue to be developed. We are committed to linking our clients to the appropriate treatments best fitting their criminogenic needs.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Recommendation 1: Although the treatment program contracts may not be fully utilized yet, Santa Cruz County should continue to give one-third of the AB 109 funding to treatment programs.**

- Response from Director Santa Cruz County Health Services Agency: **HAS BEEN IMPLEMENTED**

This recommendation has been implemented as a policy approved by the Board of Supervisors since inception of the program and was once again approved for the 2013-14 budget.

- Probation Chief, Santa Cruz County Probation Department: **HAS BEEN IMPLEMENTED**

The County is committed to continuing the provision of one third of AB 109 funds to the treatment programs. It should also be noted that Probation provides EBP supervision practices such as EPICS to our clients.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Recommendation 2: The Probation Department should contract with an independent data analyst to help determine which programs are the most effective.**

- Response from Director Santa Cruz County Health Services Agency: **HAS BEEN IMPLEMENTED**

This recommendation has been implemented, as the Board of Supervisors has authorized for the Probation Department to contract with George Mason University for independent assessment of the program.

- Probation Chief, Santa Cruz County Probation Department: **HAS BEEN IMPLEMENTED**

Dr. Faye Taxman of George Mason University was contracted in the Spring of 2013. JRI consultants have worked with Probation and the Sheriff's Office since June, 2011.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Recommendation 3: The Probation Department should simplify the process of inmate referrals so that services can be administered fairly and expeditiously, and implement a system to track referrals to each program.**

- Response from Director Santa Cruz County Health Services Agency: **HAS BEEN IMPLEMENTED**

Probation is already implementing a new system in partnership with HSA to simplify and speed up access and linkage to care. Probation has shared a commitment to achieve this and the addition of 1.0 FTE substance abuse specialist to the intake and referral team at Probation will be a great asset. This

person can also do evaluations in the jail in a timely manner and speed up linkage to programs. The Probation Department and HSA will ensure that all referrals and assessments will be documented and tracked.

- Probation Chief, Santa Cruz County Probation Department: **HAS BEEN IMPLEMENTED**

See response to Recommendation 4, below.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Recommendation 4: The Probation Department should institute a policy outlining qualifying criteria, time requirements, and referral conduits for obtaining services.**

- Response from Director Santa Cruz County Health Services Agency: **HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**

HSA will work cooperatively with the Probation Department and our service providers to ensure appropriate service delivery to the AB 109 population.

- Probation Chief, Santa Cruz County Probation Department: **HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**

Although criteria already exist, and were formalized in manuals for all AB109 populations, we are currently engaging with the AB-109 Service Provider Network to continue to refine and enhance our referral system. This work is expected to be completed by October 1, 2013. The Probation Department is working with expert consultants to develop systematic treatment matching, service sequencing, and referral tracking to ensure that services are appropriate, timely, and effective. The treatment matching system is expected to be in place by January 1, 2014.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.

- **Recommendation 5: The Partnership should allocate additional funding for post-release programs.**

- Response from Director Santa Cruz County Health Services Agency: **REQUIRES FURTHER ANALYSIS**

Like the rest of the population, there are unmet needs in the post-release caseload and more services are necessary. However, funding to service this group cannot just come from AB 109. It needs to be addressed by the State and Federal governments as part of the mental health and substance abuse Federal parity legislation and implementing regulations for the Affordable Care Act (ACA). The State must work with the Federal to make changes to the current system for substance use disorder services to be more inclusive and flexible. For example, the current proposal is to only fund hospital-based detoxification instead of both hospital and residential detoxification through Health Reform. The funding for match must be identified from a new funding source, not local government.

HSA will continue to closely monitor Federal and State movement on ACA implementation, especially in the areas of mental health and substance use disorder services, the health benefit packet, as well as funding reimbursement opportunities.

- Probation Chief, Santa Cruz County Probation Department: **REQUIRES FURTHER ANALYSIS**

Historically, this population had unmet needs for substance abuse and mental health treatment. Additional funding may be available for certain post-release services, including mental health and substance abuse treatment, through the Medicaid expansion under the Affordable Care Act. In order to maximize this potential, AB109 funding has been allocated to staffing a full-time position to conduct benefits enrollment, clinical assessment, and referral. This position, which will be partly funded through Medicare Administrative Activities funding, is anticipated to be filled by the January 1, 2014 start date of Medicaid expansion. The extent of additional resources leveraged through this position will be monitored and reported to the CCP semi-annually.

- Santa Cruz County Board of Supervisors: Approves the responses of the Director of Santa Cruz County Health Services Agency and Probation Chief, Santa Cruz County Probation Department, without further comment.