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SUMMARY REPORT

CONVERSATION ON RESHAPING COMMUNITY SUPERVISION @ CODE FOR AMERICA 2018 SUMMIT

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THE BRIDGING GROUP

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OVERVIEW

"What is needed to reshape the community supervision system to be more human-centered, community-based, and focused on what works to achieve positive outcomes?"

On May 31, 2018, Code for America hosted a special convening for a diverse group of criminal justice systems reform stakeholders to discuss how to transform the community supervision system. The convening centered around a conversation on how to can reshape community supervision to be more:

➢ Human-centered;

➢ Community-based; and

➢ Focused on what works to achieve positive outcomes for justice-involved people.

Code for America (CfA) provided a brief overview of its criminal justice work including use of technology and user-centered design to reimagine criminal justice systems and help governments to implement policies that:

1. Reduce the number of people incarcerated in jails and prisons;
2. Reshape community supervision to be human-center and focused on positive outcomes; and
3. Reinvest in communities by removing barriers to employment, housing , health, and education.

CfA also provided a description of ClientComm, a CfA technology package designed to create a new communications tool for community supervision agencies to engage clients in proactive and positive communications and link them to resources. Participants were asked to engage in a facilitated discussion on their reflections on ClientComm and provide broader input on current opportunities and challenges toward transforming the community supervision system.

Note: CfA intends "community supervision" to include not only a sentenced period of supervision, e.g., probation or parole, but also prior to adjudication, e.g. Court ordered pretrial supervision.

Session Facilitators

➢ **Katie Kramer**, Co-Founder and CEO of Corrections, Communities and Families, The Bridging Group

➢ **Evonne Silva**, Senior Program Director, Criminal Justice & Workforce Development @ Code for America

➢ **Manya Scheps**, Senior Project Manager, ClientComm @ Code for America

➢ **Meilani Santillán**, Senior Manager, Partnerships and Growth @ Code for America

Jessica Flintoft, Criminal Justice Reform Consultant, also served as a consultant to help frame and plan this convening.

This report provides a summary of responses from this discussion as well as a synthesis of lessons learned and recommendations.

CONVENING PARTICIPANTS

In-person:

Amy Bacharach, Judicial Council of California

Anna Wong, W. Haywood Burns Institute

Bob Weisgoff, Baltimore Pretrial Services

Dominic Ware, Safe Return Project

Emily Grimm, Chan Zuckerberg Foundation

Francine Byrne, Judicial Council of California

Jack Maddens, Judicial Council of California

Julie Hess, Uncommon Law

Katie Crank, Center for Court Innovation

Luciana Alvarez, Attorney and Community Organizer

Luke Norris, OpenCities

Lynn Wu, Prison Law Office

Martha Wright, Judicial Council of California

Maureen Washburn, Center on Juvenile and Criminal Justice

Nghiep Lam, Asian Prisoner Support Committee

Osi Imeokparia, Chan Zuckerberg Foundation

Pam Mallory, Multnomah County Department of Community Justice

Robert Ambroselli, Alameda County Probation Department

Sonya Tafoya, Judicial Council of California

Tamisha Walker, Safe Return Project

Tracy Hill, Multnomah County Department of Community Justice

Yoel Haile, ACLU- Northern California

Wendy Still, Alameda County Probation Department

By phone:

Dave McClure, Urban Institute

Margaret Dooley-Sammuli, ACLU of California

Jessica Flintoft, Criminal Justice Reform Consultant

CLIENTCOMM

ClientComm is a communications suite that enables community supervision officers such as probation and parole officers (POs) to contact their clients via SMS message from their desktop or laptop, without having to give out their phone number. ClientComm makes it easy to implement Evidence-Based Practices in communication – such as reminders of important appointments like court hearings and send positive reinforcements – creating better outcomes for clients and freeing up valuable time for POs.

ClientComm began as fellowship project in 2016 as a court reminder text messaging tool. The initial technology was initiated in Multnomah County, Oregon. After initial outcomes demonstrated promising results, ClientComm was rolled out to eight additional pilot sites. Results from these pilots continue to demonstrate positive results.

Highlighted Results (*to date):*

400 probation officers have utilized ClientComm

20,000 clients have participated

> 250,000 messages have been sent

32% increase in success for pretrial clients

8x increase in contact with clients, per month

5 hours saved per week, per PO/case manager

75% of clients said ClientComm helped them remember appointments

PARTICIPANT RESPONSES

The following provides a summary and coding by themes of responses by participants to the questions posed about their specific reflections on CfA's ClientComm technology and their broader input on current opportunities and challenges toward transforming the community supervision system. *Responses repeated by many participants are presented in italic bold text.*

STRENGTHS OF CLIENTCOMM

What do you like about what CfA is trying to do with ClientComm?

    a.   What are your positive reactions or perceived benefits of ClientComm?

Theme 1: Application of Evidence-Based Practice (EBP) or Other Practices

	Human-Centered	Community-Based	Focused on What Works
Increases positive communication and reinforcement of behavior	✓✓✓	✓	✓
Reinforces behavioral science concepts			✓
Builds relationships between POs and clients	✓		
Encourages communication			
Easy application of evidence-based practice	✓		✓✓
It's based in harm reduction			
Improves communication and efficiency			
Meets people where they are	✓		

Theme 2: Connection to Other Systems or Supports

	Human Centered	Community Based	Focused on What Works
Potential to reduce pretrial incarceration			✓✓✓✓
Helps to support bail reform			
Can easily integrate it with other services			
Answers the judge's question, "how will I know they will show up?"			✓

Theme 3: Functionality – It is Easy and Helpful for Clients

	Human Centered	Community Based	Focused on What Works
Appointment and court reminders are helpful			
It's easy!	✓		
Makes it easier for people on probation or parole to keep track of their system obligations	✓✓✓✓		
Provides a method of communication geared toward a younger, mobile generation			
Ease of communication with courts			
It's a familiar technology (texting) so it is not intimidating			✓✓

Theme 4: Functionality – It is Efficient and Helpful for Community Supervision Staff

	Human Centered	Community Based	Focused on What Works
Systematic source of data between POs and clients			
Platform for affecting interaction at the ground level			
Works for all forms of supervision (low to high)			
Reminders via a text are very helpful			✓
Documents all interactions between client and POs			
Makes expectations clear			✓
People may feel more comfortable saying hard things via text vs. in-person			
Equalizes quality of client services	✓✓		
Enhances accountability			
Its cost effective – lets you do more with less			
Fast and efficient			

Theme 5: Usability and Adaptability

	Human Centered	Community Based	Focused on What Works
Good way for small cities and towns to reach clients			
Works with or without government issued phone			
Could be replicated in other contexts beyond probation and parole (such as CBOs or other community partners)		✓✓	
Opportunity to include families as support system	✓	✓✓	✓✓
It works!			✓

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OUTCOMES NEEDED TO DEMONSTRATE SUCCESS OF CLIENTCOMM

> **What information or outcomes are needed to demonstrate ClientComm's success in helping to reshape community supervision to be human-centered, community-based, and focused on what works to achieve positive outcomes for justice-involved people?**
>
> a. What are other measures of success for systems? How do we measure that community supervision systems are doing "better?"
> b. What are other measures of success for the community? How do we measure that clients are doing "better?"

Theme 1: Client-Level Outcomes to Document

	Human Centered	Community Based	Focused on What Works
Improved court date reporting/decrease in FTA			✓✓✓✓✓
Benefits for justice-involved people and not just how it benefits government		✓	
Client feedback on how ClientComm is working (ratio of positive feedback > 4:1)	✓✓✓✓✓		
Review client comments – use a star rating			
Larger "well-being" indicators such as employment, housing, transportation	✓		✓
How does ClientComm play a role in the client's success?			
Decrease in parole/probation violations			✓✓
Decrease in detained individuals			✓
Increase in number of defendants released by judges/Increase in OR			
Improved appearance rates for "all things" (court, appointments, classes, etc.)			
Number of responses by clients to text reminders sent out by PO (client engagement)			✓
Build disaggregated data such as outcome data on SE Asian/Asian Pacific Islander communities		✓	
How does success vary by client's age?			

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Theme 2: Systems-Level Outcomes to Document

	Human Centered	Community Based	Focused on What Works
Probation Department/Officer metrics (customer satisfaction ratings)		✓	✓
Reduction in staff costs			
Increase efficiency of reframing			

Theme 3: Service Related Outcomes to Document

	Human Centered	Community Based	Focused on What Works
Successful connections to CBOs		✓✓	
Number of referrals to related services		✓✓	
Number of click throughs to services		✓	
Number of family/friends who also engage with tool (community engagement)		✓✓✓✓	
Does group texts to families increase success rate? Impact of support from client's peers/friends		✓	

Theme 4: Functionality of Technology

	Human Centered	Community Based	Focused on What Works
How does success vary by message type, i.e. consequence of FTA vs. encouragement		✓	✓
Can you integrate ClientComm into existing criminal justice systems to track outcomes and inputs more holistically?			

QUESTIONS OR CONCERNS ABOUT CLIENTCOMM

> **What questions or concerns do you have about what CfA is trying to do with ClientComm?**

Theme 1: Privacy and Security!

	Human Centered	Community Based	Focused on What Works
Privacy and security concerns: Who can access communications? Is that clear to people involved? Is information encrypted? Is information backed up somewhere? Who has access to the backup? Is it password protected? Who monitors data?	✓		✓✓✓
Documents all interactions between client and officer			
Is there a consent process?			
Can clients access data record in ClientComm?			
Can data in ClientComm become self-incriminating?			
Does the government then "own" all your texting data?			
What happens to data after period of supervision is over?			

Theme 2: Functionality/Usability

	Human Centered	Community Based	Focused on What Works
Is it a requirement of everyone on community supervision in a department? I.e. does everyone need ClientComm for probation or are there certain types of clients who need it more? Match up to risks?	✓		
Is there language translation abilities in ClientComm?		✓	
What are the timeframe for reminders? Hours? Days?			
How are links to resources continuously updated? (e.g. eligibility criteria, waitlists, locations). Without continuous updates, resources become useless.			✓
Can tech be easily replicated by other users? (e.g. CBOs)			
How often are texts to PO's being monitored?			

	Human Centered	Community Based	Focused on What Works
Is there an interface for mobile phones?			
How does it work for people without phones?	✓		
Is ClientComm ADA adaptable for age, vision, literacy, language?	✓✓✓✓		
Can you have or add video conference appointments via mobile phone?	✓		✓

Theme 3: Automation

	Human Centered	Community Based	Focused on What Works
If clients begin to view texting as overly automated, it will change the nature of the interaction between clients and probation officers in a negative way – less humanized			
How do the clients actually feel about increasing supervision via text?	✓✓		
What if client hasn't paid their phone bill and text fails?	✓		
Does ClientComm lead to the unintended consequence of measuring success by number of superficial contacts vs. real, individual interactions?			

Theme 4: Overall Questions

	Human Centered	Community Based	Focused on What Works
Have you figured out how to determine how much ClientComm would save the county? This information would be helpful for reinvestment campaigns. If you use ClientComm, you save $/per day on your supervision/parole cost.			
Many data systems already have similar features – how is this one different?			
What is the time, cost, infrastructure, computers etc. need to implement ClientComm?			
Can ClientComm be integrated with our existing IM systems?			✓

Theme 5: Overall Concerns

	Human Centered	Community Based	Focused on What Works
Does ClientComm convey a false sense of access to your PO?			
Does ClientComm just expand the criminal justice system?		✓	
There is no clear long-term vision for personal transformation of client			
If there is a cost to implement ClientComm, doesn't that add resources to the criminal justice legal systems? We want less money to go to the criminal justice legal system.			
Seems more centered on probation system/officers and not on system-impacted people	✓		
Can ClientComm be part of a transformation vs. marginal improvement to a broken system? Avoid perpetuation of a flawed system (e.g. TFA) by adding marginal improvements		✓✓✓	

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CHALLENGES THAT HINDER EFFORTS TO TRANSFORM COMMUNITY SUPERVISION

> **What challenges may hinder efforts to transform the community supervision system to be more human-centered, community-based, and focused on what works to achieve positive outcomes?**

Theme 1: System Challenges

	Human Centered	Community Based	Focused on What Works
Judges	✓		
Bail/bond industry			
Stubborn personnel	✓		
Need better services/support (i.e. jobs, housing, health – especially once off supervision)		✓	✓
No healing/not a trauma-informed system	✓✓✓		
Structural issue- threat of reincarceration limits ability of POs to be case managers			
Hard to get agency buy-in from everyone			
Using the right level of supervision for each person			
DA's	✓		✓
Siloed agencies	✓		
Probation/parole agencies want to stay in business			
Over-programming clients			
Staff's working hours vs. client's needs after hours			
If you eliminate personal interaction – creates more frustration– clients just become a number.			
Government bureaucracy moves slllloooowwwly			
Criminal Justice System seen as a provider of social services = ☹			
Bringing in partners for collaboration	✓		✓
Labor unions		✓	
Changing a 100-year-old organization is difficult			

Theme 2: Policy Challenges

	Human Centered	Community Based	Focused on What Works
Current Community Supervision Policies			
Bad policies and politics – local, state and national			
Politics!		✓	
Legislative mandates			

Theme 3: "Cultural" Challenges

	Human Centered	Community Based	Focused on What Works
Traditional thinking about how it should work			
Commitment to mass criminalization for profit	✓		
Power			
Job elimination – transitional, cultural understanding			✓✓
How to be a positive impact in the community	✓	✓✓✓	
Culture of the community supervision is difficult. Change has to provide value			
False dichotomy – "criminals vs. citizens"			
Challenges with culture in the communities			
Transforming public opinion		✓✓	

Theme 4: Resource Challenges

	Human Centered	Community Based	Focused on What Works
Money incentives to create invasive, high-tech supervision			
Lack of government money			
Time constraints			
Money incentives to stay the same (restitution, etc.)			

EMERGING OPPORTUNITIES TO TRANSFORM COMMUNITY SUPERVISION SYSTEM

What are emerging opportunities to transform the community supervision system to be more human-centered, community-based, and focused on what works to achieve positive outcomes?

Theme 1: Current Community Corrections Systems Change Efforts

	Human Centered	Community Based	Focused on What Works
Rewards incentives = gamify			✓✓
Data sharing agreements			
Improved connections to services	✓		
Expansion of diversion programs		✓	✓
Conversations around reform for technical violations			✓✓
Redefining supervision			✓✓
Probation offices as they are now are abolished – use case workers instead who support people	✓✓✓✓		✓
CJ collaboration between DA, court, parole/probation			✓
Reduced sentence for signing up/attending _____, etc. (rewards vs. sanctions)			

Theme 2: Other Criminal Justice Reform Efforts

	Human Centered	Community Based	Focused on What Works
Ban the Box			
Clear your Record campaigns			
The larger movement around criminal justice reform and reducing incarceration			
Not enough space in jails and prison			
Larger national conversations about the need for criminal justice reform, reduce prison populations, role of DA etc. - MacArthur initiatives			
Bail reform/Get Out of Jail Free card	✓	✓✓	✓
Humphrey's court decision		✓	

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	Human Centered	Community Based	Focused on What Works
First Step pending legislation	✓		
Criminal justice in CA – realignment, public support, ROI			
Possibility to effect change in policies/laws			

Theme 3: Increasing Public Awareness and Other Campaigns

	Human Centered	Community Based	Focused on What Works
Community is increasing their understanding of elected roles in CJS (DA, public defender, sheriff)			
Political moment – recognition that status quo is not sustainable			
No more NIMBY			
Seeing the current system working poorly			
Growing public consciousness about the failures of our current approaches			
Change culture to think about crime differently	✓		
Change in communities			

Theme 4: Shifting to Community- Focused Efforts (vs. Systems-Focused Efforts)

	Human Centered	Community Based	Focused on What Works
Make it community – supervision by the community		✓✓✓	
Supervision by CBOs, clear probation role			
Create infrastructure for community supports		✓	
Empower families as support systems	✓		
System impacted people having a seat at the table	✓✓✓	✓✓	✓
Restorative justice models for healing, non-punitive, giving space and voice	✓✓		✓

Theme 5: New or Emerging Resources

	Human Centered	Community Based	Focused on What Works
$37 million new dollars for reentry in California – Increased CBO capacity		✓	
$100 million proposed by CA legislation in this year's budget for youth reinvestment			
Money for technology improvement			

LESSONS LEARNED AND RECOMMENDATIONS

In this final section, we provide a series of lessons learned and recommendations for consideration by Code for America's continued efforts to utilize technology to transform the criminal justice system.

RECOMMENDATIONS FOR CLIENTCOMM

1. Be prepared to answer the question: Does ClientComm try to fix a broken system or help to dismantle and transform the existing system?

Consider how CfA articulates the value of ClientComm to the many "users" of the community supervision system and how it fits into the three CfA criminal justice goals: reduce number of incarcerated people, reshape community supervision, reinvest in communities. Expand discussions on how ClientComm can reduce the number of people in jail pretrial without net-widening the criminal justice system. Clearly articulate and define the different "users" of ClientComm and clearly differentiate groups (i.e. people not convicted of a crime who are on pretrial vs. people serving a sentence on community supervision)

In addition, be intentional and careful about language. The use of the term case manager can have varying meanings in different community supervision agencies and with different "users." That is, people on probation supervision may feel very differently about whether they have a case manager vs. a probation officer (PO). Often this feeling is reinforced based on the culture of the correctional agency and how they interact with the people under their supervision on a daily basis. POs may also take offense to being referred to as a case manager whom they may define as a civilian, who earns a lower salary, and is not responsible for reporting to the Court on the status of people under supervision.

Recommendation: Have ready answers for the following questions:

➢ How does ClientComm improve the experience for both the supervising agency AND people on community supervision?

➢ Does ClientComm become a vehicle to easily expand the number of people on supervision and increase technical violations by making the job of probation officers easier and more efficient?

➢ Why use ClientComm and not CourtBot with people on pretrial supervision?

➢ How does ClientComm help to dismantle the current community supervision system?

Recommendation: Take additional steps to make ClientComm more transformative and user-sensitive for people on community supervision

➢ Can ClientComm become trauma-informed so that the language of prompts furthers healing?

➢ How can CfA continually be advised by people who have had involvement in systems where ClientComm is being used to guide CfA in local implementation? A panel of advisors?

Consider presenting the answers to all of these questions in a "until we get to zero" decarceration framework.

2. Gauge the context of the community supervision agency implementing ClientComm.

Have a strong understanding of the culture of the community supervision agency implementing ClientComm. Community supervision agencies will have unique cultures and their own set of rules, policies and expectations that will dictate their approach to ClientComm. Answers to the following questions may affect how ClientComm is utilized and how well it effects systems change in varying community supervision agencies throughout the country:

➤ What is the role of the community supervision agency within the larger criminal justice system? Is it a major driver of jail admissions? Does it keep people on supervision for unduly long periods of time? Does it function as an alternative to incarceration? Does it connect clients to services?

➤ What are the current standards of practice within the agency and how can ClientComm be adapted to meet these standards (i.e. 4 carrots to 1 stick vs. 5 carrots to 1 stick)?

➤ Does the agency work to reduce supervision terms and length of supervision for people who are successful? Or is community supervision utilized as a tool of punishment?

➤ Is there existing evidence of reform or change within the agency on how they approach their work?

➤ Is there support for ClientComm at every level of the organization from top leadership to front-line managers, supervisors, officers and case managers? Is there support from labor unions?

These questions will become even more critical as CfA looks to ramp up the distribution of ClientComm for a larger market beyond vetted pilot sites. If answers to these questions are out of line with best practices, such as standard probation term and length of time to probation failure, the implementation of ClientComm may make a "bad" system more efficient, thus leading to the agency's ability to do "more of the same" and not lead to a transformative approach toward community supervision.

Recommendation: Consider developing a "readiness for reform assessment," for community supervision agencies prior to gaining access to ClientComm and other CfA criminal justice technology.

3. Address concerns about information, privacy, and accessibility upfront and often.

Present clearly on how information through ClientComm communications may be used, stored, protected, and accessible. Who decides these policies? How much is CfA willing and able to adapt technology for local policies? In particular, consider the following:

➤ How is information within ClientComm stored and protected?

➤ Who decides who has access to the information?

➤ Does this information become part of an official record(s) such as the Probation or Court record, which may be used to file new charges? Or the public defender record, which is protected by attorney-client privilege? Is there any difference if someone is a victim in another case?

➢ How are these policies communicated to the individual on community supervision prior to their use/enrollment in ClientComm? How would the Court/agency ensure that ClientComm can meet the spoken language and abilities of the person prior to ordering the requirement?

➢ Is use of ClientComm voluntary or required? Is it an obligation that has consequences including consequence to revoke peoples liberty if not in compliance?

➢ Who pays for ClientComm? Are clients charged for phones or accessories? What happens if a client loses their phone or it is stolen but they do not want to communicate this information to the probation department?

Recommendation: Consider creating ClientComm "privacy and equity protection principles" as part of the requirements to access ClientComm technology that include issues related to privacy, accessibility, and payment.

4. *Explore how ClientComm can be expanded and adapted for other users.*

In the context of CfA's criminal justice reform goal to "reinvest in communities by removing barriers to employment, housing, health and education," consider how ClientComm can or should be adapted for use by community-based organizations (CBOs) who provide support for people on community supervision. In addition, consider how ClientComm can be used to engage family members and other support systems for people on community supervision, such as sending reminders to family members about court dates.

➢ What source(s) of service information would be used? Those locally available through each supervision agency? Or universal ones through ClientComm itself?

➢ What are local supervision agency policies about information sharing with family members? Other supportive people? CBOs?

➢ Would ClientComm be deployed to CBOs through the supervision agency? Or separately through individual CBOs?

➢ Or, could ClientComm be deployed through the client—and have him/her add Probation, CBO, grandma, others?

➢ Consider implications of information sharing and restrictions that should be considered with broader adaptation and implementation of ClientComm with multiple users.

Recommendation: Consider how to adapt Client Comm for CBOs such as listing of community services, links to online appointment systems, appointment reminders, or personalize goal or care plans with reminders of key activities. Establish models for locally specific procedures for client review prior to consenting to share information amongst multiple parties, particularly law enforcement.

RECOMMENDATIONS FOR BROADER CRIMINAL JUSTICE REFORM

5. Consider opportunities to disrupt other sectors of the criminal justice system through the use of technology such as "breaking into the prison industrial complex."

What can CfA do to address the for-profit technology companies that are "banking" on people in prison/jail, on community supervision, or out on cash bail – such as phone companies, commissary companies, video visiting companies, probation case management systems, electronic monitoring companies, private debt collectors?

➢ How does use of ClientComm or other CfA products conform with any relevant local priorities for contracting with non-profit organizations, woman/minority-owned companies, companies that do not rely on the labor of incarcerated people, companies that do not incarcerate children? Analyze contracting requirements and priorities/incentives within current pilot sites to understand contracting advantages that may exist in future sites.

➢ Establish public pressure on local Sheriff and Probation and Court systems to contract only with non-profit or other companies that promote social benefits over profit.

➢ Establish direct working relationships with public defenders, and other defense attorneys, the only entity within the criminal justice system charged with defending and protecting involved individuals' rights. Learn more about technology that would help them defend clients.

➢ Package a pretrial suite of technology for implementation by California counties and other jurisdictions moving toward bail reform.

Recommendation: Consider creating one or more new programs for Code for America's Criminal Justice Program.