

Michigan Department of Corrections
Offender Success Administration
Office of Community Corrections – State Board Meeting
April 11th, 2022
1:00 PM- 2:00 PM

Meeting Minutes

ATTENDEES: Dr. Marlene Davis (Chair), Sherriff L. Paul Bailey, Anna Kohn, Chief Natalie V. Thompson, Honorable Martha Anderson, Attorney Marilena B. David-Martin, Jennifer Janetsky, Attorney Brandon D. Davis, William DeBoer, Kevin R. Krieg, State Board Liaison Douglas Clark, Offender Success Administrator Kyle Kaminski.

Call to Order-Roll Call

Dr. Davis called the meeting to order at 1:00 pm and roll call was completed by Richard Payne.

Approval of Agenda

Dr. Davis entertained a motion to approve the agenda as stated. Moved by Judge Martha Anderson and second by Attorney Brandon D. Davis. Motion carries.

Approval of September 7th Meeting Minutes

Dr. Davis entertained a motion to approve meeting minutes from September 7th, 2021. Jennifer Janetsky moved and second by Sherriff L. Paul Baily. Correction on William Deboer's name. Motion carries.

Opening Remarks from Director Heidi Washington

Director was unable to attend this meeting, no remarks were given.

Budget update from Administrator Kyle Kaminski

Administrator Kaminski thanked everyone for attending the meeting and discussed the budget. He stated we are nowhere near 100% utilization and advised counties to keep in contact with their MDOC specialist for any budget adjustments. In looking at the overall budget picture, the MDOC and the Governor, made a recommendation to the Legislature in February, seeking to maintain the total amount of Community Corrections funding for FY 2023 starting October 1st, 2023. We will

find out the Legislature counter to that over the next three weeks, perhaps as soon as Wednesday for the State House but likely in a couple weeks from the State Senate. Administrator Kaminski indicated we are not expecting this to be a line where there is much disagreement on amongst the legislature and the executive, but it is a budget year and an election year so we can not assume anything until it is done. We are hoping for the budget to be completed around the 4th of July but that will be dependent on factors outside of the controls of everybody's in this room. It looks like we should be on schedule for a summer budget, that will put us on track for a late summer vote by the State board in terms of allocations.

Administrator's Report

Manager Doug Clark started off by introducing new Managers and talked about vacancies in Berrien, Livingston, and Emmitt Counties. Rounding out FY 21, as we concluded the year, we had 26,901 felony dispositions, which is a decrease of 3,472 compared FY 20. In the same time frame, there was also a decrease in prison dispositions in the amount of 1,427. As we move in FY22, counties are still being impacted by the pandemic, however counties are working out of it and getting back to normal operations. Some of the overall trends we are seeing to help mitigate this are the increased programs in the community unless jail-based program, increased virtual programming landscape, and an increase in pretrial. In efforts to support counties, the Office of Community Corrections has moved forth with the pretrial module that will be brought on board to assist counties. Last highlight is the OCC newsletter that will be distributed quarterly that will highlight all things OSS related from counties to field staff.

Public Comment

Barb Hankey, Director of Public Services for Oakland County, and the current president of the Michigan Association of Community Corrections Advisory Board. She began by thanking the Board for their services and for the pretrial module. She addressed the Board about an issue she believes is an oversight in the creation of Public Act 511 and an oversight in its subsequent revisions. She advised, in 2019 she had the pleasure of nominating Mr. Earl Burton to sit on the Oakland County Community Corrections Advisory Board. Mr. Burton was then appointed by the Board of Commissioners and since then has been re-appointed. His appointment is significant because he is a returning citizen. Mr. Burton spent 27 years in the Department of Corrections. Since his release, he has been employed by Michigan Liberation (Grassroots organization addressing criminal justice issues and criminal justice reform). He is also currently a student at the University of Michigan. Mr. Burton has provided valuable insight to the Oakland County Board and has reminded the Board to be thoughtful about what returning citizens really need and how the Board can best serve this population. In this fiscal year, Oakland County is also implementing a reentry/mentoring program in conjunction with Nation Outside (an organization comprised and led by returning citizens). This program is inspired by the experience the Oakland County Board has had with Mr. Burton and a similar program operating out of Washtenaw County and the research showing the impact of Peer Mentors and Recovery Coaches in the Behavioral Health Arena. Ms. Hankey stated

she believes its time to provide a seat at the table for the individuals who are impacted by the services that are provided. She urges every CCAB as well as the State Board to pursue any returning citizen as a member.

The State Board members agree with the comments of Ms. Hankey and will pursue a subgroup to put more thought to this idea led by Anna Kohn and Jennifer Janetsky. This matter will be included in the August meeting.

Old Business

No old business to report

New Business

Dr. Davis reviewed 3 State Board policies to act on. Manager Doug Clark explained the details of each policy. The first policy is the “State Board Priorities”, a motion was made by Anna Kohn and seconded by Jennifer Janetsky and it was approved. The second policy is the “Award of Funds”, a motion was made by Jennifer Janetsky and seconded by Sherriff L. Paul Baily and was approved. The third policy is “Administrative Funding Discretion”, a motion was made by Anna Kohn, seconded by Jennifer Janetsky and was approved by.

Public Comment

Tammy Price, CCAB Manager of Barry County provided comments. She advised that they are a small office with two staff (Herself and Administrative Assistant). She devotes 10 hours per week for OCC and her administrative assistant devotes 14.8 hours per week. She talked about the different COG programs. She wanted to speak because Gate Keeper has gone away and that was one of the ways her position and her administrative assistant’s position was funded. She talked about different ways that the Gate Keeper was an asset to Barry County including driving referrals, offender screenings, assisting with enrolling in programs for substance abuse, and filling the gaps of communications with MDOC Agents. She reiterated that the removal of Gate Keeper has a significant impact on their population. She talked about barriers of virtual programming as they are a rural county and have connection and auditory issues. She also talked about some of the required trainings for MDOC that were not relevant to their office at all, so that when the Board selects trainings programs to be completed, they should be applicable to their jobs.

Attorney Brandon D. Davis had questions for the Board regarding Gate Keeper services and if there was a replacement set in place. Manager Doug Clark indicated that Gate Keeper is a referral source for counties and not many people were using it Statewide and looking at increasing collaboration between local offices and the CCAB, and it was not replaced.

OCC Specialist Dawn Karfonta also responded to the comments. She indicated that Gate Keeper services is still funded through this fiscal year and Barry County still has access to the funding until the end of this fiscal year.

Ines Straube, Trial Coordinator of Barry County also provided comments. She indicated that stories that Tammy Price spoke about were very true and she is not exaggerating at all. She indicated if Gate Keeper services are going away, then perhaps the Board should consider administrative reimbursements increasing from 10% to 15 or 20%.

Judge Martha Anderson asked is there was a reason why all counties are treated the same as far as positionings, because some of the counties such as Oakland County, has more resources and are able to accomplish more than smaller counties. She asked is there anything that can be done to allocate resources to the smaller counties that are in need.

Administrator Kaminski advised this can be something that can be a subject of discussion, but we have to be careful because the Act sets some parameters around things like administrative expenses that are allowable. Also, the grants are supposed to be about programming and impact and have to be careful they don't turn into a focus on staffing. He also indicated that certain larger counties have a lot more resources, but they also put in a lot of non-OCC resources to support these programs versus others, so we want to make it as fair as possible across the board and try to keep the funding focused on the people that it will ultimately serve.

Judge Martha Anderson asked if they aren't getting referrals for the people that have the need, what's the point in having the program? Then they are penalized for having a program that isn't successful or produce results.

Attorney Brandon D. Davis indicated his point was going to be similar, and to run an effective program, you need to have staff to complete it. If you are in a smaller county that doesn't have the same number of resources, then you won't have resources to support staff. He would like to understand the Board's role and what authority the Board has in making change regarding these requests because they are reasonable to be raised.

Administrator Kaminski responded by saying the Board can communicate between meetings and create subcommittees through the Chair. But if the Board must make recommendations, then they can affect future policies. Keeping in mind, the department is still ultimately in the position of having made these decisions at the end of the day.

Dr. Davis asked if those conversations were held with the counties regarding the elimination of the Gate Keeper. OCC Specialist Dawn Karfonta, responded by saying there were internal discussions that began at least two years ago regarding the Gate Keeper program. It is identified as a program, but it is technically not a program but is a screening services and had internal discussion whether it was something that the Act allowed for as the Act is focused on programming. Then discussions were held with counties that were using Gate Keeper and many

of them were able to adjust the funding they were using for Gate Keeper which are typically smaller for those counties by absorbing into administrative line items because it was not a significant amount. The two remaining counties had a significant amount on the i-25. But it is not an evidence-based program which is where it became a problem within the Act. Discussions were made with those counties, advising this was a strong possibility that it would be cut and coming up with some alternative way to promote programming including getting the CCABs involved to having a stronger relationship and communication with the local MDOC Supervisor. This was announced officially last fall that this was being cut in the application.

Tammy Price gave additional comments by saying their Gate Keeper program is being cut by \$12,000 which is a significant amount for a smaller county and the overall award amount was \$116,000.

David Sevens, Thumb Area Regional Community Corrections Coordinator commented to bring clarity. He advised that the problem is the MDOC Agents don't make the referral. He indicated that there are no repercussions for the Agents not making the referral and the Gate Keeper caught that. In previous situations, instead of pointing the finger, the Gate Keeper caught that and went back to the Agent and the Supervisor and did an amended referral and just got the job done. He indicated that the problem is creating change in an office that has been doing things a certain way for many years. He also indicated that it is about communication, but how do you make that happen without pointing the finger because some people get mad when you tell them they aren't doing their jobs? He also discussed being a small office, they were able to put more money into admin cost because they were way below the 33%, so they just boost their admin to cover. It didn't totally cover it, but it helped. He reiterated it's the Agents job to make the referrals, and when they don't, how do they catch that? Its either a Gate Keeper function or a function of admin. He stated even if it's a function of admin, it goes against the ACT because we are not supposed to be screening.

Manager Doug Clark agreed and indicated that was his charge too. To increase that collaboration and communication from the field office to the CCAB. How do we make that more of a cohesive unit to work on issues like referrals? He also said we need to come together locally and as a group to come up with more solutions.

Dr. Davis asked if the MODC thought about these issues when making the decisions to eliminate the Gate Keeper. OCC Specialist Dawn Karfonta replied and said yes and agreed with David Stevens in that it relies on the Agents to make that referral for sentenced felons into programming and it's in their job description, so it doesn't make sense to pay county staff to do an Agents job. That was part of the consideration. There have been counties that have reached out with frustrations, and we have reach out repeatedly to address those issues. Also, we have heard the phone call in which we receive complaints, but they don't want us to do anything about it or say anything which ties are hands, and we can't help if you don't let us reach out to that person to try to resolve that problem. The other part of it is that Gate Keeper wasn't started to fund staff. When we started looking at the number of Gate Keeper screenings completed versus the actual number of enrollments, some of those were significantly low. That's paying a significant amount of money

for a very small percentage of actual enrollments. That is an administrative duty under the Act. Realistically, the biggest problem, and spoken as a previous CCAB Manager, was Agents and offices not making the referral and there is only so much you can do to try and fix that on the county side. She does not know what MDOC can do more than what's being done now as she believes every effort has been made to try to help with that. She indicated we can't force that communication just because we are OCC. She said that Doug has made numerous contacts with those counties who have asked for our assistant. So, it was not a decision that was made lightly by all means.

Sheriff L. Paul Bailey asked if this could be a problem because the Agents are working from home? Administrator Kaminski responded by saying that Agents are back in the office part of the week and depending on their schedules that may vary. Administrator Kaminski also shared that we are hearing the feed back loud and clear, these are not new issues, and we know the challenge. He stated, we will take these comments back to this part of the department and we will also see if there is a way we can formally engage this part of the department in an upcoming State OCC meeting so that the Board can hear from them as well about their processes and what they are doing to address some of these issues.

Adjourned

Dr. Davis set the motion to adjourned at 1:40 p.m. and it was seconded by Brandon D. Davis.