

County of Santa Clara  
Inmate Welfare Fund Committee



**DATE:** January 13, 2016, Special Meeting  
**TIME:** 9:00 AM  
**PLACE:** Lower Level Conference Room  
70 W. Hedding Street –  
San Jose, CA 95110

**AGENDA**

In compliance with the Americans with Disabilities Act, those requiring accommodations in this meeting should notify the Clerk of the Inmate Welfare Fund Committee no less than 24 hours prior to the meeting at (408) 808-3615, or TDD (408) 993-8272.

Please note: To contact the Commission and/or to inspect any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to all or a majority of the Board of Supervisors (or any other commission, or board or committee) less than 72 hours prior to that meeting, visit our website at <http://www.sccgov.org> or contact the Clerk at (408) 808-3615 or 180 W. Hedding Street, Fiscal Division, San Jose, CA 95110, during normal business hours.

COMMUTE ALTERNATIVES: The Board of Supervisors encourages the use of commute alternatives including public transit, bicycles, carpooling, and hybrid vehicles.

For public transit trip planning information, contact the VTA Customer Service Department at 408-321-2300 Monday through Friday between the hours of 6:00 a.m. to 7:00 p.m., and on Saturday from 7:30 a.m. to 4:00 p.m. Schedule information is also available on the web at [www.vta.org](http://www.vta.org).

Bicycle parking racks are available in the James McEntee, Sr., Plaza in front of the County Government Center building. If this Board or Commission does not meet in the County Government Center please contact VTA for related routes.

**Opening**

1. Roll Call
2. Public Presentations

Members of the public who wish to address the IWF Committee on any item not listed on this agenda should complete a request to speak form and hand it to the Chairperson. Speakers are limited to two minutes. The law does not permit committee action or extended discussion of any item not on the agenda except under special circumstances. If committee action is requested, the matter can be placed on the next agenda. All statements that require a response will be referred to staff for a written response.

3. Approve Consent Calendar

Items listed under the Consent Calendar header will be voted on at this time. There is no separate discussion of consent items, and the recommended actions are voted on in one motion. If you wish to discuss these items, please request that they be removed from consent.

**Consent Items**

4. Approve minutes of the October 14, 2015 Regular Meeting.

**Regular Agenda - Items for Discussion**

5. Receive report relating to changes in the IWF Committee membership. (ID# 79508)
6. Approve modifications to the Fiscal Year 2016 IWF budget. (ID# 79398)

Possible Actions:

- a. Approve recommendation to increase the Fiscal Year 2016 IWF budget allocation for Inmate Television Services by \$90,000, from \$50,000 to \$140,000.
- b. Approve recommendation to increase the Fiscal Year 2016 IWF budget allocation for motivational incentive food by \$58,000, from \$0 to \$58,000.

**Adjourn**

7. Adjourn to the next regular meeting on March 23, 2016 at 9:00 a.m. in the Lower Level Conference Room at 70 W. Hedding Street, San Jose, CA 95110.

County of Santa Clara  
Inmate Welfare Fund Committee



**DATE:** October 14, 2015, Regular Meeting  
**TIME:** 9:00 AM  
**PLACE:** Lower Level Conference Room  
 70 W. Hedding Street –  
 San Jose, CA 95110

**MINUTES**

**Opening**

**1. Roll Call**

Attendee Name	Title	Status	Arrived
John Hirokawa	Chief of Correction & Chairperson	Present	
Carl Neusel	Asst. Sheriff & Vice Chairperson	Present	
Troy Beliveau	Support Services Commander	Present	
Kevin Heilman	Administrative Services Commander	Present	
Blanca Hoyt	Main Jail Complex Commander	Present	
David Sepulveda	Elmwood Complex Commander	Present	
Maryann Barry	Custody Health Services Director	Present	
J Kapp	Asst. Public Defender	Present	
Jeff Schwartz	Public Representative	Absent	

**2. Public Presentations**

There were no public comments.

**3. Approve Consent Calendar.**

**Consent Items**

Minutes Acceptance: Minutes of Oct 14, 2015 9:00 AM (Consent Items)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carl Neusel, Asst. Sheriff & Vice Chairperson
<b>SECONDER:</b>	David Sepulveda, Elmwood Complex Commander
<b>AYES:</b>	Hirokawa, Neusel, Beliveau, Heilman, Hoyt, Sepulveda, Barry, Kapp
<b>ABSENT:</b>	Schwartz

4. **Approve minutes of the March 25, 2015 Regular Meeting.**
5. **Approve the Inmate Welfare Fund Committee Meeting Schedule for Calendar Year 2016.** (ID# 78263)
6. **Receive report relating to the Inmate Personal Fund (IPF) Statement of Fiduciary Net Position and Statement of Changes in Fiduciary Net Position for Fiscal Year ended June 30, 2015.** (ID# 78451)
7. **Consider recommendations relating to the Inmate Welfare Fund (IWF) Financial Status Report for Fiscal Year ended June 30, 2015.** (ID# 78450)

Possible action:

- a. Receive the Inmate Welfare Fund (IWF) Financial Status Report for Fiscal Year ended June 30, 2015.
- b. Direct staff to forward the report to the Board of Supervisors through the Public Safety and Justice Committee as an informational item.

8. **Consider recommendations relating to the audited Inmate Welfare Fund (IWF) Financial Statement and independent auditor's report for Fiscal Year (FY) 2015.** (ID# 78449)

Possible action:

- a. Receive the audited Inmate Welfare Fund (IWF) Financial Statement and independent auditor's report for Fiscal Year (FY) 2015.
- b. Direct staff to forward the report to the Board of Supervisors through the Public Safety and Justice Committee as an informational item.

### Regular Agenda - Items for Discussion

9. **Receive report from staff relating to the resignation of Jeffrey A. Schwartz, Ph.D..** (ID# 78540)

Martha Wapenski, Director of Administrative Services, reported that Dr. Schwartz submitted his resignation to the IWF Committee (IWFC) in early October and quoted the Rules of the IWFC pertaining to the IWFC membership occupied by Dr. Schwartz. She informed the IWFC that staff is preparing recommendations for filling the vacancy. She also read a comment from community member Ron Hansen, inquiring about the

application process to fill the vacated seat on the IWFC. Ms. Wapenski noted that there is not nor has there been a formal application process in place, and that the IWFC could either move forward with an appointment by the Chief or create an application process.

Captain David Sepulveda, Elmwood Complex Commander, stated that an application process would be appropriate in order to allow the IWFC to analyze the background and qualifications of prospective candidates and then make their recommendations to the Chief. Assistant Sheriff Neusel added that the community would need to be notified once an application process has been established. JJ Kapp of the Public Defender's Office concurred that a review of applicants by the IWFC would be a healthy process and that notification to the community would ensure a wider variety of candidates. Liza Capulong, Acting IWF Manager, suggested duplicating the application process used by the Blue Ribbon Commission and posting a notification on the County website to advise the community that applications were being accepted. She added that the IWFC members could then vet the applicants and forward their recommendations to the Chief, who could announce his selection at the next IWF meeting.

Captain Kevin Heilman, Administrative Services Commander, supported having the Chief simply appoint a replacement, noting that Dr. Schwartz was a direct appointment by the Chief.

Chief Hirokawa explained the necessity filling the vacancy as soon as possible and moving the next regular IWFC meeting from March to January. Ms. Wapenski expressed concern that staff may not be able to provide all the required IWFC reports by January because most of the information required for those reports will not be available until after January. Ms. Capulong suggested adding a special IWFC meeting in January.

**9 RESULT: RECEIVED**

**Motion**

Chief Hirokawa asked for a motion to set up an application and review process for the vacant IWFC seat and allow the IWFC to make recommendations to the Chief for a candidate to replace Dr. Schwartz, and for an appointment to be made by the Chief at the next regular IWF meeting.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** David Sepulveda, Elmwood Complex Commander  
**SECONDER:** Kevin Heilman, Administrative Services Commander  
**AYES:** Hirokawa, Neusel, Beliveau, Heilman, Hoyt, Sepulveda, Barry, Kapp  
**ABSENT:** Schwartz

**10. Receive report relating to inmate programs performance measures. (ID# 78233)**

Martha Wapenski presented the report regarding performance measures and data for both in-custody and out-of-custody programs.

Community member Christine Clifford addressed the Committee and expressed her desire to see IWF funding directed at more effective programs while ensuring that programs are accessible to inmates of all classification levels.

Ms. Wapenski read a comment from community member Ron Hansen, who indicated that a brief questionnaire to departing inmates would be useful in providing additional data to better understand program effectiveness.

Captain Troy Beliveau agreed with the public comments and responded to the concerns mentioned by noting that the jail management system implementation was pending and results from several different evaluations were imminent, but program effectiveness assessments by returning inmates have yet to be deployed. He also advised that 500 tablets were part of the new GTL contract and would be divided equally between the Main Jail and Elmwood. Once the tablets have been distributed and connectivity between devices has been established, staff will be looking at ways to integrate online programming for inmates with higher security levels. Captain Beliveau observed that Alameda County has successfully run a pilot program with low-level offenders, reporting no damage to the devices because inmates viewed them as an additional means of communication with family and friends. He noted that a meeting to discuss the tablet deployment was scheduled sometime in the next few weeks.

Assistant Sheriff Neusel suggested a Report Back from the program manager to measure success and overall program effectiveness.

Captain Sepulveda advised that in regards to the Sustainability program, a tracking system has been developed with the assistance of FAF, and staff has been inputting statistics collected over the past two years into a database, including the number of certificates awarded as well as other relevant information pertaining to that program. The data input should be completed within the next few weeks, and will be submitted to senior management analyst Fletcher Dobbs for the Sustainability portion of the report. Staff has also been working with correctional support services manager Willie Chan to identify reportable statistics for the Engraving program.

Mr. Kapp inquired if there was any sort of exit survey for departing inmates on an individual program basis. Captain Beliveau replied there was not, and while it could be done he believed that it should deliver more measurable data than a simple satisfaction survey, and recommended that it include specific questions about what actual assistance was provided to the participants at the conclusion of each program.

Chief Hirokawa advised that flat screen televisions have been purchased. Liza Capulong confirmed the warehouse has multiple small televisions on hand, but inmates have routinely complained of an inability to view those types of televisions at certain angles. She added that a pilot program has been implemented to obtain larger

televisions, but staff had also previously discussed mounting more of the smaller televisions rather than one large and costly flat screen unit.

Captain Sepulveda stated that more televisions would require installation of additional cabling throughout the facilities. Captain Hoyt also noted a shortage of electrical outlets at the Main Jail to accommodate the addition of multiple television units. Ms. Capulong advised that the Department has three larger flat screen televisions on hand, available for distribution upon request. Chief Hirokawa indicated that two of the televisions would be issued to Main Jail, and one to Elmwood as a pilot to see if they resolved those concerns raised by inmates prior to placing any orders for additional flat screen televisions.

**10 RESULT: RECEIVED**

**Motion**

Chief Hirokawa asked for a motion to have the Programs Manager provide a Report Back regarding how program effectiveness was measured. Mr. Kapp added an amendment to include suggestions for a program survey rollout.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carl Neusel, Asst. Sheriff & Vice Chairperson
<b>SECONDER:</b>	Troy Beliveau, Support Services Commander
<b>AYES:</b>	Hirokawa, Neusel, Beliveau, Heilman, Hoyt, Sepulveda, Barry, Kapp
<b>ABSENT:</b>	Schwartz

**11. Receive report from staff relating to the status of the recommendations from the 2014 Management Audit of the Inmate Welfare Fund. (ID# 78160)**

Martha Wapenski presented the report regarding the status of the recommendations from the 2014 Management Audit of the Inmate Welfare Fund.

Captain Beliveau inquired about possible revenue from fee-based services, such as email service or movies accessed on the tablets from GTL. Ms. Wapenski confirmed that there would be a commission based on the use of the tablets, but until the pilot program was up and running there was no way to accurately predict what those revenues would be.

Chief Hirokawa asked for an update on the deployment of the tablets. Captain Beliveau advised that the infrastructure was not yet in place, but he would have more information on their progress after meeting with GTL representatives next week.

Ms. Wapenski read a public comment from Mr. Hansen in support of redirecting revenue from billboard advertisements to the IWF. A discussion ensued about the legalities involved in possibly expanding the types of advertising sold to outside business entities other than bail bond companies and attorneys. Ms. Capulong noted that



advertisement billboards were created by an outside vendor who solicits advertisers, and designs and provides the billboards that are posted at the facilities. Captain Sepulveda advised that the vendor contracts directly with the bail bond commission, which in turn has a Board that sets their parameters for advertising based on local ordinances.

Chief Hirokawa asked if revenues generated through the sale of items produced by inmates could be earmarked for the entity that generated the product in order to support that specific program to reimburse costs and to grow the program. Ms. Wapenski replied that categorical funding could be written into a proposal at the next IWF Committee meeting.

## 11 RESULT: RECEIVED

### Motion

Chief Hirokawa asked for a motion to work with County Administration to move \$100,000 of billboard revenue from the General Fund to the IWF and to move forward to bring a plan and a budget back to the IWFC pertaining to inmate hobbycraft that will go into the IWF, with a component of the plan being categorical funding.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Troy Beliveau, Support Services Commander  
**SECONDER:** Kevin Heilman, Administrative Services Commander  
**AYES:** Hirokawa, Neusel, Beliveau, Heilman, Hoyt, Sepulveda, Barry, Kapp  
**ABSENT:** Schwartz

## Adjourn

**12. Adjourn to the special meeting to be set in January 2016 at 9:00 a.m. in the Lower Level Conference Room, 70 West Hedding Street, San Jose, CA 95110.**

Meeting adjourned at 9:57 a.m.

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Minutes approved by Assistant Sheriff Troy Beliveau  
 Vice Chairperson, IWF Committee

Minutes prepared by Linda Kowallis



**County of Santa Clara  
Inmate Welfare Fund Committee**



79508

**DATE:** January 13, 2016

**TO:** Inmate Welfare Fund Committee

**FROM:** Martha Wapenski, Director, Financial and Administrative Services

**SUBJECT:** New IWF Committee Members

**RECOMMENDED ACTION**

Receive report relating to changes in the IWF Committee membership.

**FISCAL IMPLICATIONS**

There is no financial implication associated with receiving this informational item.

**REASONS FOR RECOMMENDATION**

The membership of the IWF Committee (IWFC) has changed as follows:

- Assistant Sheriff / IWFC Vice Chairperson – Troy Beliveau
- Support Services Commander – April McHugh
- Member at Large – Dan Peak

**BACKGROUND**

Pursuant to Sections 4(A) and 5 of the Rules of the Santa Clara County Inmate Welfare Committee (IWFC), the composition of the IWFC shall be composed of the following:

1. Chief of Correction (Chairperson)
2. Assistant Sheriff (Vice Chairperson)
3. Main Jail Complex Commander
4. Elmwood Complex Commander
5. Support Services Commander
6. Administrative Commander
7. Public Defender or designee
8. Custody Health Director or designee

9. One person who is not a County employee and has expertise in working with inmates and inmate programs, unless a person with such expertise is unavailable, in which case the Chief of Correction shall appoint a person who is interested in the welfare of inmates and is not a County employee.

Following their promotions in November 2015, Assistant Sheriff Troy Beliveau took over the position of IWFC Vice Chairperson, while Captain April McHugh took over as Support Services Commander. Pursuant to Section 4(B) of the Rules of the IWFC, they will serve a term concurrent with their term within their respective Department or unit/division.

On October 5, 2015 the ninth member of the IWFC, Jeffrey Schwartz, Ph.D., resigned as a member of the IWFC. On November 3, 2015, an invitation to apply for the position was posted at both the Sheriff's Office and Department of Correction websites. A notice was also sent to interested parties. From these sources, eight applications were received.

Per the IWFC's direction at the October 5, 2015 meeting, the IWFC members reviewed the applications and provided their recommendations to the Chief. The IWFC members and the Sheriff had Mr. Dan Peak ranked at the top, and the Chief selected Mr. Dan Peak. Mr. Peak has a unique and varied experience that would provide the IWFC with valuable insight on inmate issues. Mr. Peak was a long-time Deputy Probation Officer with a MA degree in Correctional Counseling and BA degree in Psychology. After obtaining a Juris Doctor degree, he served as an attorney at the Santa Clara County Public Defender's Office from 1990 to 2001. From 2001 to 2007, he worked as an adjunct professor at Lincoln Law School and a lecturer at San Jose State University's College of Applied Sciences.

Mr. Peak currently serves as a member of the Board of Directors of the *Sentencing Alternatives Program*, a non-profit organization that works with adults and minors who are referred by the courts to perform community service in lieu of fines, and/or incarceration. He also served as a Commissioner at the Santa Clara County *Juvenile Justice Commission* and the *Drug Abuse Coordination Commission*, and was a member of the Board of Directors of the *Pathway Society, Inc.*

Pursuant to Section 4(B) of the Rules of the IWFC, Mr. Peak will serve a one-year term, renewable on the first of January each year.

### **CONSEQUENCES OF NEGATIVE ACTION**

The IWFC will not receive this informational item.



**County of Santa Clara  
Inmate Welfare Fund Committee**

79398

**DATE:** January 13, 2016

**TO:** Inmate Welfare Fund Committee

**FROM:** Martha Wapenski, Director, Financial and Administrative Services

**SUBJECT:** Modifications to the FY 2016 IWF Budget

**RECOMMENDED ACTION**

Approve modifications to the Fiscal Year 2016 IWF budget.

Possible Actions:

- a. Approve recommendation to increase the Fiscal Year 2016 IWF budget allocation for Inmate Television Services by \$90,000, from \$50,000 to \$140,000.
- b. Approve recommendation to increase the Fiscal Year 2016 IWF budget allocation for motivational incentive food by \$58,000, from \$0 to \$58,000.

**FISCAL IMPLICATIONS**

Approval of the recommended action would result in anticipated expenses exceeding projected revenues by \$148,000, and a reduction of the unallocated fund balance from \$1,348,150 to \$1,191,150. It should be noted that in this report, the fiscal implications for FY 2016 are estimates, and will be adjusted more precisely as part of all the modifications to projected revenues and planned expenses in the FY 2016 IWF Financial Plan. This plan will be submitted for the IWFC's review and approval at the Inmate Welfare Fund Committee (IWFC) meeting on March 23, 2016.

Approving budget estimates today in the recommended action will enable staff to get started on these important benefits to the inmates, since it will take time to obtain approvals from the Board of Supervisors, and start the County's procurement process described in more detail below.

**REASONS FOR RECOMMENDATION**

*Televisions*

It has been well documented that keeping inmates occupied with productive activities focus their behavior on the positive instead of the negative. Jail staff has been keeping inmates involved in productive activities many ways, such as allowing positive unstructured activities within the housing unit by providing newspapers, books, writing materials, and television.

Within the IWF, the television services budget covers the cost of the cable services contract to provide programming content (\$39,600) and the cost of purchasing replacement televisions, remote controls, and other television-related expenses (\$10,400). Staff has historically purchased 19-inch digital television sets at a cost of \$130 - \$150 each and maintains an inventory of 35-50 TV sets in the warehouse each year to ensure that replacement TVs are available when needed.

During the March 25, 2015 IWF Committee meeting, staff submitted the Recommended FY 2016 IWF Financial Plan which included a recommendation to maintain the FY 2015 funding level for Inmate Television Services. Staff was also directed to implement a television (TV) pilot program to test larger size TVs for better viewing and sound, especially in the larger housing units.

Main Jail and Elmwood staff have completed the television (TV) pilot program and decided that replacing the 19-inch TV sets with a 46-inch would resolve viewing and sound issues better than installing multiple 19-inch TV sets.

The 46-inch TVs would cost an estimated \$500 each, including tax and shipping. In addition to the three TVs that have already been replaced, an additional 182 TVs are needed to replace 147 TVs at the jail facilities and keep a minimum inventory of 35 at the warehouse. However, staff will purchase 200 TVs to allow Procurement to negotiate a lower price (quantity discount). Depending on usage, staff may be able to reduce the number of TVs needed to maintain the inventory in FY 2017.

The recommended action would increase the FY 2106 budget for television services by \$50,000, from \$90,000 to \$140,000. Staff will present the revised budget for FY 2016 with more precise numbers to the IWFC during its Regular Meeting on March 23, 2016, as well as recommended funding level for FY 2017.

#### *Motivational Food Incentives to Help Meet Behavioral Expectations*

According to the 2009 report from the U.S. Department of Justice, National Institute of Corrections entitled "*Inmate Behavior Management: the Key to a Safe and Secure Jail*", the jail administrator can ensure that the jail's environment supports inmates and their own interest in meeting behavioral expectations.

"Staff should offer incentives for positive behavior ranging from a simple "thank you" to an inmate who has done a good job cleaning his cell to special rewards for accomplishing extra tasks within the housing unit. For example, some jails conduct weekly facility inspections and provide the cleanest housing unit with a small reward such as soda or popcorn. ---- Clearly stated behavioral expectations reinforced by incentives for positive behavior and disincentives for negative behavior enable staff to direct inmates to comply with the jail's goals."

Currently the IWF funds incentive meals and sodas for inmate workers in the amount of \$156,000 per year. This budget modification would add funding for pizza for inmate workers once a month, and popcorn and beverages for all inmates twice a month (in conjunction with a movie night). The additional cost is estimated to be \$58,000 for the remainder of FY 2016, and staff will present more precise budget numbers for FY 2016 to

the IWFC during its Regular Meeting on March 23, 2016, as well as the anticipated funding level for FY 2017.

On February 28, 2012, the County Board of Supervisors adopted Nutrition Standards for use when County funds are used to purchase food and beverages. This includes the IWF. Standards specific to the custodial population were put into effect on July 1, 2012, and the custodial standards focus on reducing fat, added sugar, and sodium. If the IWFC approves the recommended action related to increasing the motivational food incentives budget, staff will be required to seek approval from the Board of Supervisors for an exemption from this policy related to these specific food items.

### **BACKGROUND**

Taking action to increase the budget now will enable staff to get started on these important benefits to the inmates, while still allowing time to finalize the budget numbers, obtain approvals from the Board of Supervisors, and start the County's purchasing process.

### **CONSEQUENCES OF NEGATIVE ACTION**

Staff will not be able to modify the budget to replace the TVs at the jail facilities and add motivational incentive food for inmates.