



The NCJA Podcast Episode 6: Diverting Justice-Involved Youth with San Joaquin County's Project Navigate Constructive Change

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Intro:

Welcome to the NCJA podcast. This podcast series explores promising practices, provides guidance on strategic planning, and discusses how the Byrne Justice Assistance Grant Program, or Byrne JAG, contributes to improving justice systems across the country. We hope you enjoy it.

Gillian Caplan:

You so much for joining us today on our NCJA podcast series. My name is Gillian Caplan and I am a program manager at NCJA. Today, we are going to be discussing Project Navigate constructive change implemented through the district attorney's office of San Joaquin county in California. Joining me for the conversation is Ricardo Goodridge, deputy director of corrections planning and grant programs for the Board of State and Community Corrections or BSCC, and chief deputy district attorneys for San Joaquin county, Ken Puckett, and Jeff Derman. Thank you all so much for being here. I would love to start by hearing from each of you about your backgrounds, and then we can dive right into the questions. Deputy director Goodridge, would you like to start?

Ricardo:

Greetings and thank you so much for this opportunity to be here today. Again, my name is Ricardo Goodrich. I'm currently with the Board of State and Community Corrections. I have served in my capacity as a deputy director of the corrections planning grants programs division for the past two years or so, and in that capacity have overseen the oversight of federal and state grant program. Prior to that, I did do some work as a field representative here, which primarily meant in California administering several state level programs, and prior to that also did some work as a mediator as well. I'm really grateful for the chance to be on this podcast today.

Ken:

Hi Gillian, I would also like to thank you for allowing us to talk about our PNCC program. And as you stated, I'm the chief deputy DA and I'm over the specialized prosecution division, OR office, where the focus is on the prosecution of crimes affecting the family. In my other assignments in over 32 years here at the DA's office, they've included prosecuting homicides, gang crimes, domestic violence, stalking, and one of my favorite assignments, many years supervising our juvenile justice unit. So again, thank you for allowing us to be here today.

Jeff:

Good afternoon, Gillian. Again, my name is Jeff Derman and thank you very much for giving us the opportunity to talk about our program. Like Ken, I'm one of the chief deputy DA's here in the DA's office

in San Joaquin county. I've been in the office about 22 years. I've worn many hats, the longest of which was working for our domestic violence unit. And more recently I became chief deputy over our quality of life division, which oversees a variety of fraud and economic consumer fraud, environmental crimes, things like that. Prior to my position here as a chief deputy, I served as supervisor in our main line crimes division, which sees a variety of felony offenses, and that's where I became aware of and involved with our Project Navigate program.

Gillian Caplan:

Fantastic. So why don't we just dive right in. Ricardo, could you tell us why the BSCC decided to fund pilot programs such as Project Navigate and the benefit of investing in strategies and programming such as this one?

Ricardo:

Sure. The Edward Byrne Memorial Justice Assistance Grant Program encourages state administrative agencies to think broadly about how best to prevent crime, protect public safety, and reduce recidivism with JAG funding. San Joaquin county's Project Navigate Constructive Change addresses many of these key principles. Project Navigate is based on the concept that meaningful diversion is possible if people are supported with proven cognitive behavioral interventions, job training, customized case planning, and the belief that people can change. Now, part of the BSCC's mission is to provide leadership to the adult and juvenile criminal justice systems on community corrections issues. What better way to illustrate this leadership than by making strategic investments in locally developed programs that adopt the innovative approaches.

Gillian Caplan:

Now that we've learned a little bit more generally about how you all invest in JAG funding, I would love to know a little bit more about Project Navigate Constructive Change, where the idea came from and how the idea came to fruition.

Ken:

Well, it's been quite a journey Gillian. The Project Navigate Constructive Change program was actually started in 2015 to rehabilitate youthful offenders through programs focused on their areas of identified needs, such as employment, education, counseling, et cetera, and the diversion of crimes they have committed. Some participants ultimately have their underlying criminal cases dismissed entirely, and others are reduced to lesser crimes. The idea to actually start PNCC was due to the recognition of the extensive research on youth development by San Joaquin county district attorney, Tori Verber Salazar and the juvenile probation department. They really recognize the need to address the gap in services for juveniles.

Ken:

Before PNCC, juvenile cases could be dismissed under other programs. Other juveniles were prosecuted in the traditional way for their crimes. They became entrenched in the criminal justice system and sadly were then on their way to becoming adult offenders. By bringing together the collaborative partnerships of PNCC, the strategy of combining intensified programming with better supervision, and intervention methodologies aimed at deflecting youth from the criminal justice system, was born really as a result of PNCC. And the initial focus of our program was on juveniles between the ages of 14 and 17.

Gillian Caplan:

Amazing. So let's dive in a little bit deeper into the different components of PNCC. Could you give me a little bit of a background on what the different components are?

Jeff:

Yes, and there are a few steps that we have when we're going through the PNCC process. Step one typically involves defense counsel or even the prosecutor themselves identifying appropriate candidates for possible referral to the program. This process requires an analysis of the pending criminal charges and the factual circumstances surrounding those charges, as well as reviewing any criminal history. Step two is the review process within our office itself, the DA's office, for determination of eligibility to be evaluated by the assessment team. So we're the first hurdle to go over to decide whether it goes to the evaluation team. If the DA's office determines the referral meets that criteria to be further evaluated, then step three is that of evaluation and assessment performed by the actual program coordinators. If they determine a referral would be a good fit for PNCC, step four includes the discussions between prosecutors, defense attorneys, and the courts regarding the terms of a plea for that particular matter.

Jeff:

Step five would be the actual court part where the participant enters a plea, but is not yet sentenced with the plea incorporating unique program goals as determined by the program coordinators. Next step is step six. That's the actual programming. That's where the rubber hits the road here. Typically about six to 15 months, which may include, but isn't limited to, various forms of counseling, education, job development. Step seven is the ceremonial graduation from the program, which during this last graduation event, we actually combined with step eight, which is the legal disposition, the final legal disposition for a particular case where the participant gets the final benefit of having participated in the program. And then the final step would be any post-graduation follow up with the graduates. It's also important to note that participants in the program can be dropped or reassessed at any time based on their performance in the program.

Gillian Caplan:

So when we talk about the participants that are involved in this, the targeted age group for PNCC are clients 15 to 30. Why is this age group so critical to reach during this program?

Ken:

That's a great question. This age group is critical for PNCC's focus on many levels Gillian. The maturity of the participants, their brain development, and the role it plays in decision-making, as well as other factors affecting an individual's ability to address certain behaviors and make effective changes in their lives. It is also important the participants gain the skillset needed to address certain factors in their lives and avoid recidivism. The overall goal is to reduce the number of young offenders entering the cycle of the criminal justice system and keep the community safe.

Gillian Caplan:

It sounds like restorative justice plays a pretty large role in this, and I was just wanting to ask what role it does play and how is it being implemented as part of the program?

Ken:

Well soon it will play a large role. We are currently in the process of introducing a restorative justice component to the PNCC program. This will allow for face-to-face and other forms of engagement between victims and families, with the participant of the PNCC program. This is a process which will address and recognize the harm inflicted upon the victims and the community. The initial introduction will focus on domestic violence cases and the harm to the family caused by those actions. We are in the process of bringing on program partners to implement the restorative justice, evidence-based practice models and introducing those elements to our PNCC program in the fall of 2021. There will be victim surrogates available who can represent the victim and the community if the victim agrees that restorative justice should be a part of the participant's programming, but the victim does not want to engage in the process personally. Separate from the restorative justice programmings, the victim will be provided access to counseling and other services through the PNCC program.

Gillian Caplan:

In the beginning of this interview, we talked a little bit about Byrne JAG and BSCC, and I wanted to know how did Byrne JAG funding help to build PNCC?

Ken:

I just can't emphasize the importance enough, Gillian. The Byrne JAG grant allowed for the program to start to begin with, and then later on being allowed for the expanded version of PNCC, allowing for additional PNCC program partners to hire staff for the program, such as the probation department, correctional health, the public defender's office, behavioral health services, and our community-based partners.

Gillian Caplan:

So for listeners that may be thinking about using Byrne JAG funding to help build their own programs similarly, or other types of funding to build a program when you're implementing this type of program and you're considering the different pieces and trying to encourage buy-in, what stakeholders were necessary for you all to engage?

Jeff:

The most important core, I would say, of how this is all put together certainly the public defender, behavioral health, probation department and correctional health have been vital partners in this. Additionally, support was sought from the courts and judges. We have to have their buy-in to proceed with a program like this. The larger defense bar, not just the public defenders, but the defense bar in general, so they understand what's happening. As well as community stakeholders for their support of the program.

Gillian Caplan:

And so far, what successes have you seen throughout this implementation of PNCC?

Jeff:

Well, to date, we've had 124 program participants graduate from the PNCC program. When the participants graduate and they're completing the program, what they're looking for, if they're doing well in the program, if they've really done well, is either a reduction of charges from felonies to misdemeanors or even a dismissal of their charge, which obviously would be monumental in their lives at that stage. True success has been demonstrated through actual achievements made by the PNCC

participants through their programming and development, and the positive changes they've made in their lives, such as education, employment, personal relationships, and not coming back into the criminal justice system. All of these things demonstrate not only for the individual their success, but also are a benefit to their families and to their neighborhoods and the greater San Joaquin county community. Attendees at the graduation ceremonies of which we have, I think it's about three a year, consistently articulate how participation in the program isn't just about benefit to themselves, but also to their extended family unit.

Gillian Caplan:

So obviously you've seen a lot of success with this program, but what are some of the obstacles and challenges you have also encountered when standing up this program initially as well as continuing to implement it?

Jeff:

Certainly buy-in from individual prosecutors is an ongoing challenge. As prosecution methodology is changing at such a rapid pace over my 22 years to see how quickly it's been moving recently, alternatives to what we call "traditional prosecution" and placing trust in these alternatives are things that take time to develop. As we continue to increase the number of overall participants in the program, we also work daily to build internal trust within our own office, in the viability and success of this program. Not all PNCC participants will be successful, we know that, but how we respond to those failures are part of the evolution of PNCC. This will certainly take time and understanding to understand why these failures occur, but also allow the team to learn from these instances and share that with the office.

Gillian Caplan:

So it sounds like a big overhaul in culture really happened to make this program happen and also be successful. So, if you would discuss a little bit more about the role of culture change in guaranteeing the success of PNCC.

Ken:

Yes. Implementing a diversion program like PNCC does require some change of culture within a DA's office. A real key to the success of this program is to instill trust with the prosecutors handling the criminal cases, to believe in the program components, and believe in the viability of these components as an important means of addressing positive youth development. In addition, prosecutors must trust that the program is the key to participants' future success, and that true behavioral changes are being implemented in the participants' lives. Also, instilling trust in this program as an alternative to traditional methods of prosecution has been achieved with keeping the community safe through the reduction of recidivism and of course the wonderful success stories of our program participants.

Gillian Caplan:

And as you mentioned earlier, you've had a lot of success with this program. So when you think to the future, how do you plan to ensure sustainability and long lasting success?

Jeff:

First, we have an independent third party evaluator overseeing our data collection on PNCC, which includes an evaluation of the long-term success of the individual participants with review of their lives

post-graduation. This data collection is certainly critical to guide future programming decisions and also to demonstrate its success as a program model. And second, increasing the numbers of participants in the program is a key to both sustainability and long-term success, which requires increased referrals, not just from the defense bar, but also from our office by prosecutors themselves who handle these cases and believe that something like PNCC can be a viable alternative to more "traditional" methods of prosecution.

Gillian Caplan:

I have no doubt that after this podcast, our listeners are going to want to know how they can stand up programs like this in their own states. So bringing it back to Ricardo, how can state agencies interested in investing in programs, such as this one, such as PNCC, help to ensure their success and sustainability through federal funding? Including, but also not limited to Byrne JAG. And as a follow-up question to that, maybe you can answer this all at one time, has the BSCC learned any lessons in how to support these programs once they have completed their pilot phases?

Ricardo:

Sure. Yeah. Happy to address those questions. I would start by saying a foundational value for long-term success and sustainability is an investment in data. Now BSCC's grant programs require us to not only collect qualitative and quantitative data, but to analyze data and course correct as needed. Programs that only rely on anecdotal statements are often at a disadvantage in future funding opportunities as they're hard pressed to explain why an approach that worked before will work again.

Ricardo:

Now this is especially amplified in difficult financial times when hard choices must be made about what programs to keep or let go. Programs that can show their approaches help participants achieve goals, reduce recidivism, gain new skillsets, and/or demonstrate a change in behavior, have a greater likelihood of succeeding. The BSCC is continuing to explore how it can best support new programs that our Politian approaches. One approach that we have piloted during the pandemic is a greater use of virtual platforms for increased engagement and feedback.

Ricardo:

Traditionally, the BSCC engages with its grantees through conference calls and in-person visits. The pandemic limited our ability to conduct in-person visits and conference calls, and just lack the visual connection with grantees. Some of our staff have started using the Zoom platform to raise topics of interest with grantees. A general overview of an item would be provided and then grantees would be assigned to breakout rooms to further discuss an issue or work through a problem. This had the benefit of peer to peer learning and encouraged grantees to bond around project development, implementation, lessons learned, and other kind of common experiences.

Ricardo:

We're still learning more about this approach and its longterm usefulness. In the interim, many projects have shared that they feel more invested in discussions and that they take information away from these discussions. Much like our grantees, the BSCC supports innovative approaches to addressing challenges, and we'll continue to self-assess as we best consider how we can support and help new programs thrive.

Gillian Caplan:

Well I know we're all excited to see what you fund and support next. So wanted to just thank you all for joining me today and learning so much more about PNCC and the great work that you all are doing in San Joaquin county. Thank you so much.

Ken:

Thank you again, Jillian for this opportunity.

Ricardo:

Thank you.

Speaker 1:

Thanks again to Ricardo Goodrich, Ken Puckett and Jeff Derman for speaking with us about the innovative work they're doing in San Joaquin county, California with Byrne JAG funds. To learn more about how California invests its Byrne JAG funds, visit bscc.ca.gov. To listen to more episodes of the NCJA podcast, visit us at ncja.org. Thank you.