



# **The Local Criminal Legal System**

Legal System Terminology and Local  
Landscape for Homelessness  
Response Providers in San Diego, CA

# Zoom Tips to Guide Discussion

Please feel free to turn your **video** off or on as needed.

As you have **questions or comments** during the presentations, please add them to the chat box.

You were automatically placed on **mute** when you entered the meeting.

Please flag any **acronyms or unfamiliar terms** in the chat.

# Welcome!

Lahela Mattox, Chief Operations Officer  
Regional Task Force on Homelessness

# Introduction: Homebase



**Lily Harvey**  
*Senior Staff Attorney,  
Head of CLSI*



**Maddie Nation**  
*Policy Analyst*

Reach Our Team: [clsi@homebaseccc.org](mailto:clsi@homebaseccc.org)

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# Local Landscape Partners



**Kathy Myers**

*Reentry Program Coordinator  
San Diego County Sheriff's Department*



**Johnny Michel**

*Marine Corps Veteran;  
HEAL member*

# 2021 Training Series



# Today's Training Goals

1. Increase housing, shelter, and outreach provider familiarity with commonly used criminal legal system terms.
2. Raise awareness of local public safety partner efforts to address housing, and ways to collaborate most effectively with the system.
3. Learn more about the local experience at the intersection of these two systems, and reflect on ways providers can better respond to needs of this population.

# Agenda



Welcome and  
Overview

Terminology 101



Perspectives:  
Local  
Landscape

Wrapping Up

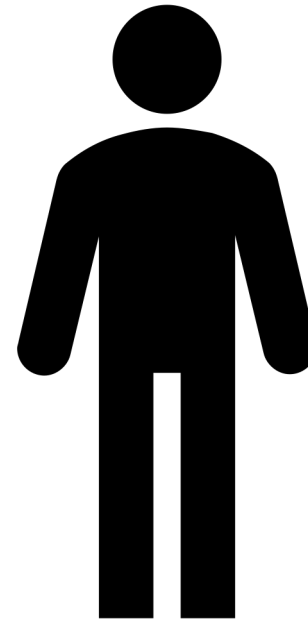


# Terminology 101

# Why focus on terminology?



**We are talking  
about systems  
that impact people.**





# Frequently Used Terms

Custody

Infraction

Misdemeanor

Felony

Criminal  
Record

Prison

Jail

Parole

AB-109

Probation

Reentry

Revocation

## Poll Questions:

- Which term(s) come up the most for you in your work?
- Which term(s) do you have the most questions about?

# Custody:

To have custody of someone, a body such as a locality, the state, ICE, the Federal Bureau of Prisons (BOP) **must physically hold that person in one of its facilities.**

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**Infraction:** A violation of a rule or local ordinance, usually punishable by a fine rather than by incarceration.

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**Misdemeanor:** An offense usually punishable by a fine and/or confinement in a place other than prison, such as county jail.

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**Felony:** An offense usually punishable by imprisonment for more than one year.

# Criminal Record:

A list of **arrests and convictions**; should list the date, the charges, and – importantly – the *final disposition* (what happened).

## Jail:

A secure lock-up facility *within a **city or county*** where people are kept who are ***accused*** of a crime, ***charged*** with a crime, ***waiting*** for trial, or ***serving*** a sentence of under one year or that falls under AB 109.

## Prison:

A ***state or federal*** confinement facility for people ***convicted*** of crimes, especially *felonies*.

# Chat Question: How should we proceed?



**1**

Pause –  
I need to  
ask a  
question  
now.

**3**

Proceed –  
I can hold  
my  
questions  
for now.

**5**

Go –  
I have no  
questions  
yet.



## Probation:

A criminal sentence ***served in the community*** in place of – or following – a *jail* sentence.

## Parole:

A ***condition of release*** for a person *coming back to the community* after release from *prison*.

Typically, people on both **probation and parole** must **adhere to a set of rules** (known as “conditions”) during their community supervision period.

# **AB-109 ("Realignment"):**

## **General Purpose**

- Decrease crowding in state prisons;
- Allow for people convicted of low-level offenses to access local, community-oriented and evidence-based rehabilitative services.

## **What this looks like - highlights**

- People convicted of "non-non-nons" serve sentences in county jails, not state prisons;
- People convicted of "non-non-nons" who are already in state prisons are diverted to county probation departments post-release (PRCS)

# Reentry:

The process of a person transitioning from an incarcerated setting, back to the broader community.

# **Revocation:** (of Parole/Probation)

The official cancellation of someone's parole or probation.

# Questions?

*chat or unmute*



# Local Landscape Partners



**Kathy Myers**

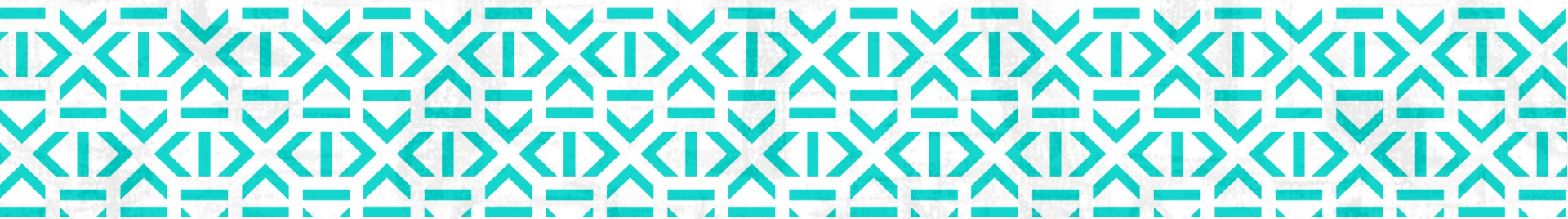
*Reentry Program Coordinator  
San Diego County Sheriff's Department*



**Johnny Michel**

*Marine Corps Veteran;  
HEAL member*

Kathy Myers  
San Diego County Sheriff's Dept  
Reentry Program Coordinator  
619-258-3239  
Kathy.Myers@SDSheriff.org





## Poll Questions:

- How often do you use the “Who’s in Jail” portion of the San Diego Sheriff’s website?”

# How can I work with my client if they are in jail?



## Additional Services

- Restraining Order Lookup
- Sheriff's Commissary
- Inmate Cash Deposits
- Inmate Gift Packs
- Inmate Phone Time
- Inmate Visit Reservations
- Email An Inmate

# Charges and Case Management impact

- Common charges
  - Disorderly Conduct
  - Encroachment
  - Possession
  - Under the influence
- Outcomes typically related to these arrests
  - B(2)
  - Book and Release (B & R)
  - Release on own Recognizance (ROR)
  - Supervised own Recognizance (SOR)

# Watching the court process

Arraignment



Readiness



Sentencing

# Competency Process -1368



- Criminal Proceeding
- Evaluation does not assess “mental illness”
  - Understand the process
  - Assist counsel
- What it means for Case Management or other services

# Who controls what in the criminal justice system?

- Sentences
- Length of stay
- Release dates
- Medication management

# What we have:

- Project in Reach and Project in Reach Ministries (Neighborhood House Assn)
- Vida ACT (Telecare)
- C3 (People Assisting the Homeless - PATH)
- C3 for Vets (PATH)



# We Need

(ideally)

- The ability to refer someone while they are in custody
- To be considered homeless immediately upon release
- Clear eligibility information vs “Case by Case”

# Johnny Michel, *Marine Corps Veteran/HEAL*



# Background



# Lessons Learned

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Not everyone is equally impacted by the experience of homelessness or criminal legal system involvement

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Everyone who touches the criminal legal system or homelessness is impacted in some way

# Lessons Learned

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Even if a client tells you they are okay, they may not be, or they may still be in a highly vulnerable position.

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Experiences with trauma and the aftermath of trauma (depression, anxiety, self-medication, etc.) cannot be underestimated.

# Considerations for Providers

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When people are unsheltered or unhoused they are one step away from getting caught up in the CLS, all the time.

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Safety becomes highest priority and what feels safe to you starts to shift

# Considerations for Providers

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Warm handoffs and connections matter.

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It can make a huge difference to work with someone who supports you as an individual, based on your needs and strengths.

# Local Considerations

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Neighbors and neighborhoods matter.

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Even good resources can be hard to access and may lead to disengagement.

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Bad interactions with law enforcement can lead to disconnection, which then becomes a public safety issue.

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CLS involvement leads to more CLS involvement; homelessness also leads to CLS involvement.



# Connections for Clients

## ➤ HEAL

- <https://www.housingsandiego.org/heal-network>

## ➤ San Diego Veterans Association

- <https://www.sandiego.va.gov/locations/rio.asp>

# Wrapping Up

Homebase

# Questions?

*chat or unmute*



# Reflection and Action

- ☐ Review agency **policies, practices, and language choices** to remove barriers for people impacted by CLS.
- ☐ Challenge yourself and other providers to **stop thinking of jail as housing**.
- ☐ Review your approach to working with clients impacted by the CLS. Make sure you take the time to individualize your approach; **don't paint all people with the same brush**.

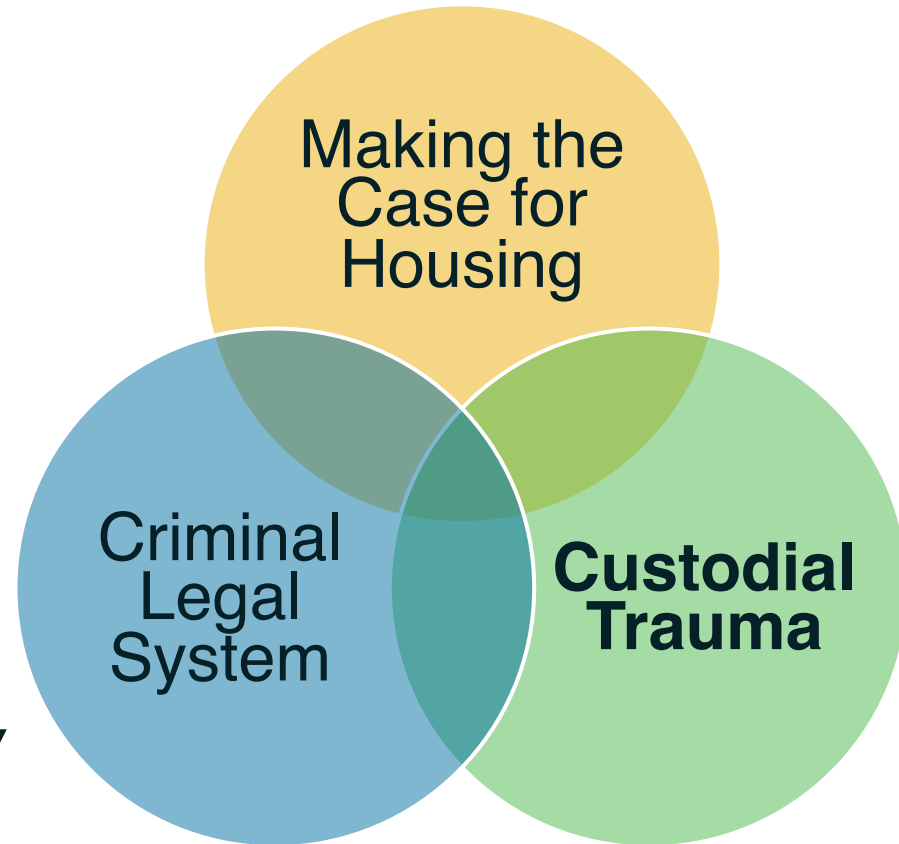
**Chat Reflection Question:** What is one thing you learned or clarified today?

# Thank You

Join us for the final  
workshop of this series:

October 27, 10 – 11:30  
a.m.

*registration info to follow*



# Contact Us!

[clsi@homebaseccc.org](mailto:clsi@homebaseccc.org)

[kathy.myers@sdsheriff.org](mailto:kathy.myers@sdsheriff.org)

[susan.bower@rtfhsd.org](mailto:susan.bower@rtfhsd.org)

[jfmichel1974@gmail.com](mailto:jfmichel1974@gmail.com)