

ACHIEVING BETTER OUTCOMES THROUGH DATA-DRIVEN SYSTEM CHANGE

Overview of the Project and Model for System Change

California Forward (CA Fwd) is offering assistance to a select group of counties, for up to three years, to support their system change efforts to:

- 1. Build the culture and capacity for data-based decision-making and continuous evaluation and improvement;
- 2. Reduce over-reliance on incarceration by implementing alternatives shown to work; and
- 3. Improve public safety outcomes and reduce costs.

California Forward's ultimate goal is that counties will apply new tools, processes and decision-making models to other county responsibilities and create a culture where data-driven decision-making is applied to policy, budget and management decisions to improve the overall effectiveness of how public dollars are spent to achieve better outcomes.

CA Fwd is reaching out to forward-thinking counties whose leaders are committed to system change. The data-driven process is guided by the model we refer to as the *Seven Elements of System Change* or 7 Es, which is described below. CA Fwd intends to use this model as a framework for guiding counties through the process of engaging stakeholders, developing or clarifying the vision and outcomes desired, exploring challenges and opportunities, examining system data, designing and testing solutions, and exploring innovations to improve the efficiency and effectiveness of the justice system and achieve better outcomes. The process will be county-driven and based on the specific county's goals, desired outcomes, strengths and challenges.

Background

Counties have always had great latitude in organizing their local criminal justice systems. Over the last three decades, counties have relied on the state prison and the parole system to manage the significant numbers of felony drug and non-violent offenders. The 2011 Public Safety Realignment transferred responsibility for criminal justice sanctions, supervision, and interventions for these individuals to the counties. This provides a window of opportunity for smart innovative county leaders to make, or accelerate progress of, systemic changes to improve outcomes.

Over the past quarter century a significant body of empirical research has helped criminologists and justice practitioners understand the risk factors associated with crime and the approaches most apt to reduce recidivism for medium and high risk offenders. Advances have also been made in promoting sophisticated systemic reforms that reduce costly incarceration and maximize community-based alternatives. These alternatives are not only less expensive, but are better able to create positive change and break the cycle of recidivism that is commonly seen amongst criminal justice populations, particularly those reentering the community after a period of incarceration.

In California, as in much of the country, these practices are under-applied and government leaders have expressed a need to develop the tools and skills to implement data-driven reforms at the county level to address the challenges of Realignment implementation. Without an intentional and deliberate effort to maximize appropriate alternatives to incarceration, counties will be burdened with exorbitant expense, increased liability associated with poor conditions of confinement in jails, including inadequate health care services, and poor public safety outcomes.

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Realignment presents an opportunity for counties to develop the culture and capacity needed to change their justice systems to improve public safety outcomes and reduce costs. This opportunity, combined with other emerging reforms, also can assist forward-thinking counties to make system changes across the continuum of public services to improve outcomes and address the antecedents of crime and other social issues.

For the past two years, California Forward has worked with criminal justice experts and local government leaders across the state to assist counties in making system changes to effectively implement Realignment and improve public safety outcomes. CA Fwd recognized that the convergence of Realignment and the Affordable Care Act created significant opportunities for counties to improve services to offenders, reduce recidivism and county costs, and better integrate public services. Over the past year California Forward, in collaboration with Community Oriented Correctional Health Services and Californians for Safety and Justice, has held nine convenings with 30 counties to assist them in developing strategies to take full advantage of the opportunities provided through Realignment and the Affordable Care Act.

These convenings reaffirmed that counties want to make data-based decisions and to take action on identified opportunities.

"Counties want to make data-based decisions"

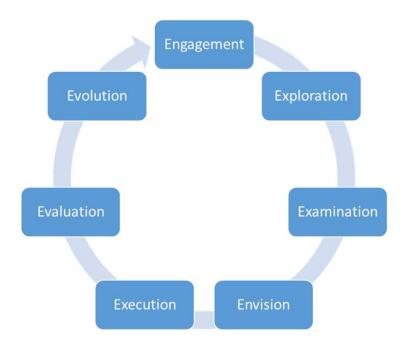
Yet, given the enormous responsibilities placed on them, many counties need assistance and support to put these opportunities into action and to organize and use data more effectively.

This prompted CA Fwd to begin identifying a small group of counties to assist in building local capacity for sustainable continuous improvement efforts through data-driven decision-making models with an emphasis on cross-disciplinary collaboration. CA Fwd will provide individualized assistance to counties that are committed to sustainable collaborative data-driven practices and continuous improvement processes to inform and shape their justice system to achieve better outcomes. CA Fwd will use the model, the Seven Elements of System Change or "7 Es," to assist counties.

The Seven Elements of System Change

The Seven Elements of System Change is the model CA Fwd will use to guide counties through the process of system change. This is a continuous and ever-evolving process. Each component is discussed in more detail below.

The Data Driven Process:
The Seven Elements of System Change



Engagement

Engagement occurs at different stages, in different ways, with different people based on the objectives and focus of the particular improvement effort. Engagement begins during discussions between CA Fwd and a county about the project concept and model.

Discussions with county leaders, justice and other professionals will help both CA Fwd and the county determine if there is a good fit between the county's needs and what CA Fwd can offer through the project.

A leadership steering team, with the full support of the board of supervisors and county executive, will engage in developing a focused plan to create or clarify the values, vision and desired outcomes for criminal justice if this has not already been done by the county. The team will also provide guidance at keys points in identifying issues, selecting priority areas and determining commitment level for future phases of work. Teams with various areas of focus may be formed to assist in various phases of the work. These teams can be assembled within a particular department or division or may have membership that crosses different areas of county governance, i.e., jail, health and human services, behavioral health and probation.

Exploration

CA Fwd's model is based on the premise that even the best-run county systems can improve processes and outcomes and reduce costs, just as businesses and other organizations must continually respond to new changes in their environment and inefficiencies that creep into key processes.

This requires that the county look at the entire system because each part of the system affects the others. A systemic perspective starts with a large portrait. Aggregate data is obtained that, for example, may look at trajectories through the criminal justice process and use of incarceration. This is the first step of a diagnostic process and that will later assist in determining what systemic or programmatic interventions could be applied to reduce unnecessary delays or inefficiencies and/or reduce failures that lead to incarceration. Interventions would involve the jails, probation departments, and other agencies that affect these trajectories. Through the data-driven process counties can effectively intervene to solve problems.

Counties also have to continuously monitor their system processes, data and outcomes and take the actions necessary to improve effectiveness and efficiency. As a beginning step, the model calls for an exploration phase where leaders and policy makers' hunches and expert opinions are gathered to identify key issues, establish priority areas and commitment levels for future phases of the work.

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Policy makers and leaders often have "hunches" about the causes of problems. Sometimes these hunches are correct and at other times they may only be partially correct or altogether incorrect. When policy and practice choices are based on hunches or anecdotes, the results can be costly, ineffective and even harmful.

Hunches are best used as a starting point. Subject experts can often develop hypotheses to assist in identifying problem areas and potential causes. These hunches or hypotheses can be triangulated by additional qualitative and quantitative data to confirm and better understand problems, causal factors, and potential solutions.

Examination

Exploration is akin to an open process of identifying patterns, trends, and anomalies that point to areas needing system improvement, whereas examination is the process of intentionally narrowing and deepening the focus to learn more about these patterns. Program and system improvements are premised on the understanding that at each stage of the justice process (pretrial, sentencing and community supervision) discretionary decisions are made and programs are implemented that greatly influence system outcomes. Some systemic practices are conducive to offender success while others may actually compound failures that may not even be linked to criminogenic risk.

By disaggregating data at each system decision and process point, problems to be addressed and successes to be championed are illuminated. For example, a county may be concerned about probation failures that lead to jail sentences. A study of probation failures will help understand the scale of the problem and will ultimately lead to solutions that will promote probation success and reduce jail confinement. The solution may also involve other county services, such as behavioral health treatment systems.

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The examination phase is designed to accomplish three goals:

- Provide a data portrait of system utilization in areas of inquiry, based on a snapshot or specific period of data. These baseline data can be drawn from reports on jail population, court processing, probation, or other areas relevant to the areas of inquiry;
- 2. Confirm hunches, perceptions, and hypotheses about the problem areas; and
- 3. Learn more about why these problems exist.

The examination process is most often a layered approach that starts with a broad focus on data in large aggregate form and then moves to drilling down on salient areas. This disaggregation process helps the team learn more about the particular factors that are contributing to the system issues. As data reveals trends or patterns, teams discuss the data, identify issues that are contributing to system problems, or generate new questions to be explored by drilling down on the data. It is important to resist making findings about the source of problems prematurely. While drilling down on the data can be a tedious, it is far more costly and wasteful to make bad policy decisions based on incomplete or inaccurate data.

The examination phase is where many systems feel they lack the internal systems to gather, analyze and interpret the data. CA Fwd anticipates that this will be a key area of initial support. However, the long term desired goal is to help counties build internal capacity and expertise to sustain the data-driven process when CA Fwd's assistance ends.

Envision

Following examination and analysis of the baseline data the team must make decisions about appropriate responses. The process of drilling down on the data will not only naturally illuminate what is happening, but what may be done to address problem areas. Typically, teams meet and review the data together to discuss potential solutions. Solutions are essentially hypotheses about how certain system changes or particular

program interventions will address problem areas. These solutions can come in the form of innovations that are homegrown by the local stakeholders, or they could be existing practices or evidence-based programs that have been tested in other jurisdictions that the stakeholders believe would address the problems. Emphasis should be placed on areas that will have the greatest impact. This frequently comes in the form of practice changes in system flow or

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operation. Implementing programs to change offender behavior are important and potentially impactful, but they are often costly. System changes often require little or no cost and can produce dramatic results. The envisioning should conclude with decisions about the course of action that will be taken to address problems and tested to assure it indeed solves the problem.

This envisioning phase is more than just determining a systemic or programmatic solution. It includes developing a plan that:

- 1. Has consensus, agreement so the solution will be implemented;
- 2. Establishes the policy decisions and protocols that will be necessary to successfully implement the program;
- 3. Identifies funds and resources that will be obtained through outside funding streams, reallocation, cost avoidance or other means; and
- 4. Identifies staffing, training and material needs.

See Appendix 1, Systemic Interventions.

Execution

Execution is simply the process of implementing policy or practice changes that are identified through the exploration and envisioning phases. It is important that special attention is paid to implementation. A good program or idea will fail if not properly implemented. If implementation is not closely monitored, an inaccurate assumption can be made that the practice or program solution was the wrong one, when in fact, if implemented properly, it may have been the right solution. Often premature assessments are made that programs and solutions are a failure. Resistance to change is a normal part of the process when implementing new ways of working that run counter to prevailing culture and practice, yet with steadfast leadership and management solutions can be given a proper trial to determine their effectiveness.

Evaluation

The data portraits that are developed before the execution process provide a baseline from which system change can be measured. It is very powerful and motivating to see the results and the change that is produced through the system improvement effort.

Ongoing evaluation will provide the dashboard or report card that shows whether or not the executed solutions were impactful. If they are not impactful, new hypotheses can be formed as to what will solve problems and new approaches can be applied and tested. If the solutions were impactful, as is often the case, evaluation will show positive results and opportunities to continuously improve and refine system practices and solutions.

Evolution

The 7 Es model is based on the same principles and processes that have been shown to work, over time, in creating system change. The model outlines the sequential steps of the process with continuous improvement as the crucial link among all the steps. Embedding continuous improvement processes into a system allows for a system to continue to adjust and evolve based on evaluation findings.

The data-driven process is iterative and represents a continuous improvement cycle as shown in the diagram earlier. Although the process is sequenced, several steps can and will be repeated. For example, engagement is an ongoing participation process that continues throughout each phase of the work and evaluation is a continued examination process after execution and implementation.

"The data-driven process is iterative and represents a continuous improvement cycle" Using the 7 Es system change model, CA Fwd will assist counties in identifying the problems in their system and choosing the least expensive solution that can have the greatest impact. This will allow counties to demonstrate impact more quickly. Counties will not only be left with improved capacity to continue data-driven approaches into the future, but new innovations will emerge that can be exported to other jurisdictions grappling with similar problems.

CA Fwd's Team

CA Fwd will provide a team of technical assistants who, based on county need, will be available to assist counties in the system improvement effort (see Appendix 2). At a minimum, it is expected that the following PCE technical assistants will include:

- 1. Facilitator and scribe
- 2. Justice system consultant
- 3. Data analyst

This team's primary objective is to assist county leaders and staff in building capacity for data-driven practices that are sustained after the assistance ends. CA Fwd will assist counties in launching and supporting the system improvement effort but the locus of control and influence remains with the county.

This process is a non-prescriptive process; the role of the PCE staff and consultants is to help illuminate issues, provide tools, processes and coaching and assist county leaders and staff in their decision-making. As PCE helps the county identify focused areas of work, it is anticipated that additional subject experts may be helpful. PCE will provide limited resources as needed in the form of subject experts. Subject experts may include consultants specializing in pretrial services, substance use and mental health programs, and the use of Medi-Cal in paying for services to individuals involved in the justice system.

While the ultimate goal is to promote effective governance through cross system collaboration, PCE is non-prescriptive about where this work will begin based on the belief that work in one specific department will lead to cross system engagement and solution building.

Timelines and Intensity

The intensity of assistance will be based primarily on need, but it is anticipated that the work would occur over three years. During the first year, CA Fwd's team will work on-site with counties based on the individual needs of each county. Additionally, offsite assistance such as analysis and document review will be offered via email and conference calls. Site visits will likely occur over one to two days and can include a combination of work with the full collaborative and/or smaller work groups that are assembled to address specified areas of work. In year two and three, a less intensive level of assistance is expected with the intent that the county will sustain their efforts.

Selection Process

CA Fwd has approached counties that have shown some interest in building or improving data-driven capacity and appear to have the leadership and level of commitment necessary to be successful in improving their outcomes. It is also important that CA Fwd's support can assist the county in system improvement efforts or enhance and complement those already underway. Initial phone calls were held with chief executive's office and key county leaders to provide a brief overview of the project and determine if there was initial interest in exploring a partnership. If initial interest was expressed CA Fwd has/will:

- 1. Meet with the chief executive's office and county leaders on-site to discuss the model in detail, assess the needs and the existing strengths within the county in data-driven practices, identify potential areas for assistance and determine mutual interest in proceeding with the project and next steps.
- 2. Work with the county to outline the scope of assistance to be provided and send a letter to the chief executive outlining the agreed upon scope of assistance.
- 3. Request that the chief executive respond to the letter identifying the commitment of the chief executive, board of supervisors and other leaders to full participation in the project and the scope of assistance agreed upon.

The final selection of counties will be based on the extent to which counties have:

- 1. Identified a need and desire for assistance from CA Fwd;
- 2. Expressed a commitment to data-driven practices and achieving better outcomes;
- 3. Determined some specific areas for systemic improvement and innovations; and
- 4. Strong agreement and support from the chief executive, board of supervisors and key county leaders to move forward with the project.

APPENDIX 1 - SYSTEMIC INTERVENTIONS:

Enhanced Services to Reduce Recidivism and Over-Reliance on Incarceration

| | PRETRIAL | SENTENCE | POST SENTENCE/ PROBATION SUPERVISION | SYSTEM SEAMLESSNESS & CAPACITY BUILDING |
|-----------------------|--|--|---|---|
| POLICIES & PROCEDURES | Structured decision-making Pretrial releases Discretionary releases authority | Risk Assessment incorporated in sentencing recommendations Negotiations with court to develop targeted probation plans at Probation Discretion Revision of policies including, length of probation and other Use of split sentences | Reassessment of risk Reentry Planning Incentivized probation with policies for early termination Authorization of Administrative Responses at Probation Discretion Policies to ensure assertive case management strategies and reasonable efforts are exhausted before use of incarceration Development of policies to incentivize and manage probation caseloads through early terminations and reduced probation grant periods | Contracts with service providers that require EBP and quality assurance mechanisms, for desired system outcomes Proactive information sharing with system stakeholders |
| PRACTICES & TOOLS | Risk assessment for pretrial release Straight releases Pre-arraignment release Administrative responses for rule violations Alternatives to incarceration through increased intensity of supervision | EBP Risk Assessment Continuum of Alternatives to jail and prison menu Screening committee / admin review for prison recommendations | Administrative Response grid including punishers and incentives Reentry Assessments and planning tools prior to release Probation Violation Review through screening committee or centralized processes Performance- based probation Length – incentives to reduce length of probation Strength based and motivational interviewing Cognitive behavioral techniques | Data-driven methods to diagnose system needs and identify areas for process improvements Gap analysis of assessment results and services available Joint training and quality assurance efforts |

| | PRETRIAL | SENTENCE | POST SENTENCE/ PROBATION SUPERVISION | SYSTEM SEAMLESSNESS AND CAPACITY BUILDING |
|--|---|---|--|---|
| PROGRAMS | Supervised Release Intensive supervised release with electronic monitoring | How to succeed on probation curriculum EBP alternatives to incarceration community based program alternatives | Evidence Based Programs which are aligned as probation violation alternatives Warrant Reduction Program to increase probation connectedness | Coordinating Councils of system stakeholders to review and improve service delivery |
| PERFORMANCE OUTCOMES & DATA MEASURES | Tracking of FTA's and Re-offenses by type Tracking of rule violations (separated from public safety measures above) Tracking of jail days saved | Data tracking of probation success outcomes Program dosage and monitoring of success Quality Assurance monitoring for "netwidening" | Tracking of probation success Data on Probation violations and responses by type | Tracking of referral and program data Link assessment and case planning data to programs and outcome Quality assurance of system integrity System level dashboards |

APPENDIX 2 California Forward's Team

Sharon Aungst, Director, Partnership for Community Excellence, CA Fwd Project Manager and Facilitator for Project

Sharon Aungst has over thirty years of leadership and management experience in health and public/private community mental health and forensic/correctional mental health for adults and children. Areas of expertise include turnaround management, leading executive/legislative initiatives, negotiating and implementing federal consent decrees and court orders, managing complex multi-constituent statewide initiatives, managing non-profit organizations, policy and program development, strategic planning, coaching and facilitating resolution of contentious issues.

She was previously the Chief Deputy Secretary and Director of Correctional Health Care for the California Department of Corrections and Rehabilitation and served as the Deputy Director of Mental Health Services for the Ohio Department of Rehabilitation and Correction. She negotiated and implemented the consent decree *Dunn v. Voinovich*, a federal class action lawsuit related to inadequate mental health services in Ohio's prisons and met all major requirements of the consent decree within three years. All requirements of the consent decree were met within five years.

At the Ohio Department of Mental Health she served as Assistant Deputy Director working with county mental health boards, overseeing several Centers of Excellence and managing several offices and division operations. She held other positions including Chief of Children's Services and Prevention and Chief of Forensic Services.

At the New York State Psychiatric Institute at Columbia University Ms. Aungst served as Associate Director, tasked with launching the Evidence-Based Practices Technical Assistance Center to promote the widespread use of mental health evidence-based practices throughout New York State. She also served as CEO of a children's agency providing residential, foster care, and behavioral health services to youth involved in the juvenile justice and/or child welfare system. As Director of Children's Services and Account Manager for Comprehensive NeuroScience, Inc. she worked with several state Medicaid agencies to improve psychotropic prescribing practices of Medicaid providers.

She holds a Master of Science in Management of Rehabilitation Services from DePaul University and a Bachelor of Arts in Political Science from Earlham College.

Scott MacDonald, Consultant, Partnership for Community Excellence, CA Fwd Justice System Expert for the Project

Scott MacDonald has thirty years of experience in county probation as Probation Chief in Santa Cruz County and as a Probation Officer, working in both the juvenile and adult probation systems. Scott Holds a Master of Science Degree in Administration of Justice from San Jose State University and a Bachelor of Arts Degree in Psychology from the University of California Santa Cruz.

As an Associate Consultant of the Vera Institute of Justice, Mr. MacDonald has worked with a cross section of government, education, social service and justice officials in New York City and multiple counties throughout New York State to implement juvenile justice reform. He is one of twelve justice practitioners who were invited to participate in the

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Juvenile Justice Leadership Network at Georgetown University to advance reform and improve juvenile justice systems. His research on effective probation practice in the courtroom is published in Federal Probation and he contributed to three chapters of a book on Juvenile Reentry, which was published in January 2004 by the Federal Office of Juvenile Justice Delinquency Prevention.

Mr. MacDonald was instrumental in reforming the juvenile justice system in Santa Cruz County, which is a recognized national model in reducing unnecessary detention, racial disparities and building effective community-based partnerships to address public safety, reduce recidivism and improve youth outcomes. This reform resulted in nearly a sixty percent reduction in juvenile incarceration, greater use of evidence-based and restorative community programs for youth, and improved public safety outcomes. As a model site for the Juvenile Detention Alternatives Initiative, he and his staff hosted practitioners from over 90 county and state jurisdictions from across the country to learn about juvenile justice reform.

Mr. MacDonald took the lead in replicating many of these strategies in the adult criminal justice system with similar results. This included the implementation of an effective Pretrial Services program and an innovative program that reduced probation warrants while increasing probation success. This innovation has been recognized by the Pew Foundation and the California State Association of Counties as a model program. Mr. MacDonald developed the concept of "systemic interventions," created in partnership with the Crime and Justice Institute, which focuses on system changes that foster probation success. He has co-authored two publications with the Center for Juvenile and Criminal Justice on successful systemic interventions to address the unnecessary and expensive use of jail for low risk populations. He recently served on the Board of State and Community Corrections' Executive Steering Committee to oversee jail construction projects under Senate Bill 1022, which promoted facilities that emphasize jail programs and reentry practices.

He has lectured nationally in the areas of restorative justice, and juvenile and criminal justice reform. He lectured at the University of California Santa Cruz in the area of juvenile justice reform and has provided 200 internship positions within the Santa Cruz County Probation Department and community based organizations. He has also taught criminal justice courses at San Jose State University and at Cabrillo College.

Kevin O'Connell, Consultant, Partnership for Community Excellence, CA Fwd Research and Data Analyst for the Project

Kevin O'Connell is a research and data analyst, focusing on data driven policy analysis to improve justice system decision-making, outcomes, and governance. Kevin brings extensive experience in justice system research as well as project management and group facilitation in outcome measurement. His recent projects include work with the Chief Probation Officers of California (CPOC) and Pew's Results First initiative in California. Mr. O'Connell staffs the CPOC research committee in developing evidence based practice briefs and research, as well as engaging the public and stakeholders with data around criminal justice realignment. He also worked directly with counties on justice systems analysis, program evaluation models, and delivering training curriculum on data driven decision making for executive staff as well as county analytic staff. As a technical assistance provider for Pew's Results First initiative, he works with 5 California counties in

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developing a cost benefit model to assist in evaluating returns on investment for justice system choices.

Prior to this, Mr. O'Connell worked for the Administrative Office of the Courts on projects such as implementing a funding formula for probation evidence based practices under Senate Bill 678, criminal case-flow management consulting, court processing standards and workload estimation, training on court performance measures and piloting the use of risk assessment tools in criminal sentencing in 3 California counties. He has worked internationally on 9 election monitoring missions as well as democratic development in the Balkans and former Soviet Union. During graduate school, he worked as a research assistant at the University of California's Institute on Global Conflict and Cooperation where he researched governance and democratic institutions in developing-country environmental policies.

Mr. O'Connell brings experience in research design and evaluation planning, expertise in data extraction using SQL, STATA for statistical analysis and Tableau for visualizing complex datasets. Bringing a collaborative approach to research and evaluation, he uses visual analysis to drive discussions as well as training and other opportunities to help develop approaches that last beyond the project. He holds an MA in International Relations with emphasis in public policy and quantitative methods from UC San Diego and a BA from UC Davis in Politics and History. He is an assistant coach for the San Quentin A's Baseball team, which hosts baseball teams from around the Bay Area in the oldest running prison baseball team in the country.

Mai Vang, Policy Associate, Partnership for Community Excellence, CA Fwd Project Support

As a Policy Associate for CA Fwd's Partnership for Community Excellence, Mai Yang Vang assisted in conducting nine convenings with 30 counties to help them leverage the Public Safety Realignment and Affordable Care Act to increase services provided to justice-involved individuals and reduce recidivism and county costs. She also works with others at CA Fwd to advance efforts to bring transparency and accountability to the people of California. She is passionate about improving outcomes in marginalized communities, which includes those involved with the criminal justice system.

Ms. Vang previously worked as a Research and Policy Graduate Assistant at Marin Institute, a Health Fellow at the Asian Pacific Islander Health Forum, and Voter Registration and Education Coordinator for the Asian Pacific American Labor Alliance in Los Angeles. She also served as a Barbara Jordan Health Policy Fellow for Congresswoman Eleanor Holmes Norton. Ms. Vang holds dual Master's degrees in Public Health and Asian American Studies from the University of California, Los Angeles.

Other

CA Fwd, through its communications team, will provide communications support to counties engaged in the project in order to highlight the importance of their work and their accomplishments. CA Fwd may also contract with experts for specific focused assistance as needed by the project.