

**MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, MARCH 14, 2013**

Meeting held at: Board of State and Community Corrections, 660 Bercut Drive, Sacramento, CA 95811

The meeting commenced at 1:08 p.m.

Chairman Jeffrey A. Beard welcomed the Board Members and public to the March 14, 2013 Board of State and Community Corrections (BSCC) meeting. He introduced himself, new Member Daniel Stone and Scott Frizzie, Acting Executive Director of the Board of State and Community Corrections (BSCC).

Ms. Maria Rodriguez-Rieger called roll and announced there was a quorum.

The following members were in attendance:

Chairman Beard	Mr. Growdon	Ms. Penner	Judge Pounders
Mr. Stone	Mr. Baca	Ms. Arnold	Mr. Steinhart
	Ms. Mauriello		

ABSENCE OF BOARD MEMBERS

Mr. Maggard had a prior commitment. Ms. Silbert was unable to attend.

CONSENT AGENDA ITEMS

APPROVAL OF THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) OF THE JANUARY 17, 2013 MEETING

(AGENDA ITEM A)

OFFICE OF ADMINISTRATIVE LAW SIGNATURE AUTHORITY OF BSCC TO THE ACTING EXECUTIVE DIRECTOR

(AGENDA ITEM B)

This item gave the Executive Director (A), Scott B. Frizzie authorization from the Board to act in his capacity and role making actions to run the daily operations of the Board and staff.

AB 900 PHASE II JAIL CONSTRUCTION FINANCING PROGRAM

(AGENDA ITEM C)

C-1 Kern County Scope Change – Bed Count Increase

This agenda item requested the Board approve Kern County's request to add 32 beds to their current AB 900 Phase II Jail Construction Financing Program Project.

C-2 Los Angeles County, Riverside County, Sutter County and Tulare County Requests for Time Extension

This agenda item requested the Board grant time extensions to four counties that were unable to meet the project establishment milestone requirement in the AB 900 Phase II Request for Applications – Construction.

SB 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES CONSTRUCTION FINANCING PROGRAM – MONTEREY COUNTY'S REQUEST FOR TIME EXTENSION TO PROVIDE SITE ASSURANCE

(AGENDA ITEM D)

This agenda item requested the Board grant a time extension to Monterey County to meet the site assurance requirement in the SB 81 Request for Proposals – Construction, Expansion or Renovation of Local Youthful Offender Rehabilitative Facilities.

PROPOSED MEMBERSHIP OF THE STANDING COMMITTEE ON GANG ISSUES

(AGENDA ITEM E)

This agenda item requested the Board approve the proposed membership of the Standing Committee on Gang Issues.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS (RSAT) PROGRAM – AUTHORIZATION OF THE EXECUTIVE STEERING COMMITTEE CHAIR TO APPROVE AND RELEASE THE REQUEST FOR PROPOSAL TO THE FIELD

(AGENDA ITEM F)

This agenda item requested the Board authorize the Chair of the RSAT Executive Steering Committee to approve the RSAT Request for Proposal (RFP) and upon its completion, release the RFP to the field.

Chairman Beard suggested pulling Agenda Item C-2 from the consent calendar so that it could be voted on separately giving Mr. Baca an opportunity to vote on all the items on the consent calendar with the exception of C-2 which included Los Angeles County.

Chairman Beard recommended adding Michael Ruff, Special Agent in Charge with the California Department of Corrections and Rehabilitation, Office of Corrections Safety Special Service Unit to the Standing Committee on Gang Issues membership.

There were no Public Comments.

A motion to accept items A, B, C-1, D, E, F, and the addition of Michael Ruff to the membership of the Standing Committee on Gang Issues was made by Ms. Mauriello and seconded by Judge Pounders. The motion carried.

Christopher Hans, Chief Deputy County Executive Officer, County of Riverside, on behalf of County Executive Officer Jay Orr, thanked Field Representative Charlene Aboytes for assisting the County in preparing for the first State Public Works Board meeting.

Item C-2, a motion to grant time extensions to the counties of Los Angeles, Riverside, Sutter, and Tulare to prepare the necessary documentation for project establishment by the State Public Works Board was made by Ms. Mauriello and seconded by Ms. Penner. The motion carried. Mr. Baca recused.

DISCUSSION AGENDA ITEMS:

APPROVE PLANNING PROCESS FOR THE DEVELOPMENT OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

(AGENDA ITEM G)

This item presented by Field Representative Daryle McDaniel, requested approval for the BSCC staff to create and implement a planning process for gathering data that will assist the Board in determining a plan for the next four-year strategy for the Edward Byrne Memorial Justice Assistance Grant (JAG) funds. The Board would then determine the direction of the new four-year strategy and the development of the Request for Proposals (RFP) for distribution of JAG funds. California received just under \$20,000,000 in JAG funding in 2012. Pending the outcome of federal sequestration, it is anticipated that California will receive a similar award in 2013.

BSCC staff requested approval of the proposed JAG activities and timeline, which included developing a survey conducted by Survey Monkey which would be posted on the BSCC Web site allowing all interested parties to participate in the survey. In addition three public comment sessions would be conducted at a northern, central and southern location. BSCC staff requested the Board designate one or two Board members to serve on the panel for each of the public comment sessions to support in the gathering of data from the stakeholders in the field and assist the Board in the development of the new JAG four-year strategy and RFP. The data collected

would then be brought back to the Board for review and determination as to how the funds would be allocated.

It was anticipated that the FY 2013 JAG funding application would be due to BJA in May 2013, prior to the completion of the planning process and development of staff's recommendations to the Board. If that occurred, the BSCC's FY 2013 JAG funding application would be presented to the Board for approval at a future Board meeting, would consist of information about the strategic plan development activities and timelines that are underway as well as projected timelines for the completion of the strategic plan and the development of the RFP to distribute the JAG funding.

The Board requested staff get written authorization from BJA directing the BSCC to submit the Fiscal Year 2013 funding application as an interim application

Mr. Growdon and Ms. Penner volunteered to serve on the panel for the public comment sessions.

Ignacio Hernandez, Youth Build Coalition stated he was in favor of, would like to view the survey, encouraged flexibility, and encouraged the Board to approve staff's recommendations and the timeline.

A motion to accept staff's recommendations of the JAG activities and timeline, including developing a survey, and conducting three public comment sessions. Members Growdon and Penner to serve on the panel for the public comment sessions to support in the gathering of data from the stakeholders in the field and assist the Board in the development of the new JAG four-year strategy and RFP was made by Ms. Mauriello and seconded by Judge Pounders. The motion carried.

PUBLIC POLICY INSTITUTE OF CALIFORNIA – RESEARCH PROJECT UPDATE

(AGENDA ITEM H)

This agenda item presented by Deputy Director Robert Takeshta, requested the Board of State and Community Corrections (BSCC) to endorse the Public Policy Institute of California (PPIC) and the BSCC 10-County Data Collection Project.

At the November 8, 2012 meeting staff proposed a 10-County data collection research project from PPIC that would identify the most effective and efficient practices under California's public safety realignment. The ultimate goals of the project were to identify the sanctions, interventions and services that are the most effective for reducing recidivism and to provide the necessary information for counties to plan further steps to reduce criminal justice costs while maintaining public safety.

The initial phase of this project involves selecting a subset of 8-12 counties. This group of counties should also approximate the state population well in terms of demographic and economic characteristics, as well as the regional and urban/rural diversity of the state.

This project had received letters of support from Santa Cruz County Administrative Officer

Susan Mauriello, the California State Sheriff's Association and the California State Association of Counties. BSCC staff will continue to work with PPIC and BSCC's legal counsel to finalize the MOU between PPIC and the BSCC and bring it back to the Board for approval. The Board's endorsement of this project would allow preliminary work to continue while the MOU is being finalized without prolonging the timeline for this project. Representatives from PPIC were present to answer questions.

Staff recommended that the Board endorse the Public Policy Institute of California and BSCC 10-County Data Collection Project and to direct staff to continue to work with PPIC to finalize the MOU.

Elizabeth Howard Espinosa, Legislative Representative, California State Association of Counties stated statewide offices confirmed support of the proposed.

Ryken Grattet, Public Policy Institute of California (PPIC) confirmed PPIC's intentions and stated PPIC was open to suggestions.

A motion to accept staff's recommendations, the Board endorse the Public Policy Institute of California (PPIC) and BSCC 10-County Data Collection Project and to direct staff to continue to work with PPIC to finalize the MOU was made by Judge Pounders and seconded by Ms. Arnold. The motion carried.

ALAMEDA COUNTY JUVENILE HALL DETERMINATION OF SUITABILITY – CORRECTIVE ACTION PLAN UPDATE

(AGENDA ITEM I)

Field Representative Toni Gardner provided an update on Alameda County's Juvenile Hall progress in correcting outstanding areas of noncompliance cited during the 2010-12 biennial inspection by the Board of State and Community Corrections. At the January 17, 2013, the Board considered the suitability of the Alameda County Juvenile Hall for the confinement of minors, pursuant to Welfare and Institutions (W&I) Code Section 209(d). In determining the facility to be suitable, the Board required that a representative of the department return to provide progress reports at subsequent BSCC board meetings. BSCC staff revisited the facility on February 19, 2013 and as of that visit, staff determined that two additional areas of noncompliance had been corrected. BSCC Staff:

- Reviewed the prior Board action in finding Alameda County Juvenile Hall suitable for the confinement of minors:
 - The Chief Probation Officer to return at subsequent meetings to present updates until all areas of noncompliance are corrected.
 - The Board to send a letter to Alameda County CAO and the Probation union, encouraging them to work as quickly as possible to complete the meet and confer process which delayed the adoption of the policies and procedures which were revised to be compliant with Title 15.
- Summarized accomplishments since the January 17, 2013 Board meeting:
 - Letter described above mailed to the Alameda County CAO and the Probation union on February 19, 2013.

- BSCC staff revisited the facility on February 19, 2013 and found that noncompliance with Title 15 Section 1355, Institutional Assessment and Case Plan, had been corrected.
- Probation informed BSCC on March 7, 2013 that meet and confer had concluded on the policies in question and they were now in effect.
- Next Steps
 - One area of noncompliance remains: Title 15 Section 1372 Religious Program.
 - BSCC staff will return to the facility before the next meeting to reassess compliance.
 - If staff finds that the noncompliance has been corrected, an update will be included on the consent agenda for the next Board meeting, and probation staff need not attend.

LaDonna Harris, Chief Probation Officer, Alameda County, Esa Ehmen-Krause, Deputy Chief Probation Officer, Alameda County and Christian Munoz, Juvenile Hall Superintendent, Alameda County Probation were present to answer questions.

No action was taken as this was an informational update only.

GUIDELINES FOR HEARING ABILITIES OF LOCAL ADULT AND JUVENILE CORRECTIONS OFFICER APPLICANTS

(AGENDA ITEM J)

Ms. Shelley Montgomery of the Standards and Training for Corrections Division provided a PowerPoint presentation on newly implemented hearing standard for local Adult and Juvenile Corrections Officer applicants. The new standard measures speech recognition in background noise at a level that is representative of the noise levels existent in the workplace. This presentation covered the research and findings that led to the development of the new hearing standard.

No action was taken as this was informational only.

UPDATE ON BSCC'S PROGRESS TOWARD MEETING NEW MANDATES

(AGENDA ITEM K)

Deputy Director Evonne Garner delivered a PowerPoint presentation providing an update on the BSCC's progress toward meeting new mandates and a plan for future activities organized under four goals.

Goal One: Collect, analyze and report corrections data in a manner that meets mandates and informs effective policy and practice at the state and local level.

Goal Two: Support the implementation of best practices and policies to produce better outcomes for the criminal justice system and provide comprehensive training and technical assistance.

Goal Three: Promote the effective utilization of local corrections facilities and quality

alternatives to incarceration to maximize public safety and resources efficiency.

Goal Four: Serve as a primary information source on managing criminal and juvenile populations.

The next steps include; develop detailed action plans for future activities; present comprehensive strategic plan at the May 9, 2013 Board meeting; continue progress toward meeting goals; and provide regular updates at subsequent Board meetings.

No action was taken, this was informational only.

PUBLIC COMMENTS

(AGENDA ITEM L)

Chairman Beard offered to have CDCR's Division of Rehabilitative Programs, Tanya Rothchild and perhaps a warden to provide a presentation to the Board at the May 9, 2013 meeting on successful programs being used in state facilities.

Ms. Mauriello congratulated Mr. Baca on being selected as the National Sheriffs' Association's (NSA) 2013 Ferris E. Lucas Award for Sheriff of the Year.

Brian Heller De Leon, Center on Juvenile and Criminal Justice (CJCJ), stated that a number of community based organizations that CJCJ are working with are struggling at the local Community Corrections Partnerships level as to the amount of the allocations. The amount of funding that is being allocated to jail expansions versus rehabilitation of individuals, such as Contra Costa County's jail expansion versus Alameda County's Mental Health Department.

There were no further comments.

Next meeting: July 11, 2013

Meeting adjourned at 3:03pm.
Respectfully submitted,

Originally signed by

MARIA RODRIGUEZ-RIEGER
Secretary
Board of State and Community Corrections

ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Chairman Beard, Secretary of California Department of Corrections and Rehabilitation (CDCR)
Mr. Stone, Director, Adult parole Operations, CDCR
Mr. Growdon, Lassen County Sheriff's Department
Mr. Baca, Los Angeles County Sheriff's Department
Ms. Mauriello, Santa Cruz County Administrative Office
Ms. Penner, Fresno County Probation Department
Ms. Arnold, Tuolumne County Probation Department
Hon. William R. Pounders, Retired Judge of Los Angeles County
Mr. David Steinhart, Juvenile Justice Program Commonweal

BSCC Staff

Scott B. Frizzie, Executive Director (A)
Maria Rodriguez-Rieger, Secretary
Julia Bilaver, Deputy Attorney General, DOJ
Gary Wion, Deputy Director, FSO
Robert Takeshta, Deputy Director, CFC
Evonne Garner, Deputy Director, STC
Toni Gardner, Field Representative, FSO
Charlene Aboytes, Field Representative, CFC
Leslie Heller, Field Representative, CFC
Daryle McDaniel, Field Representative, CPP
Oscar E. Villegas, Field Representative, CPP
Ricardo Goodridge, Field Representative, CPP
Shaline Hunter, Field Representative, CPP