

DATE: November 17, 2016 **AGENDA ITEM:** H

TO: BSCC Chair and Members

FROM: Colleen Stoner, Field Representative, colleen.stoner@bscc.ca.gov

SUBJECT: Law Enforcement Assisted Diversion Approval and Release of the Request for Proposals: **Requesting Approval.**

Summary

This agenda item requests Board approval and release of the proposed Request for Proposals (Attachment H-1) for the Law Enforcement Assisted Diversion Grant Program as developed and recommended by its Executive Steering Committee (Attachment H-2). Staff further requests that, should it become necessary due to trademark considerations, staff is authorized to change the name of the Grant Program.

Background

Senate Bill 843 (Attachment H-3), chaptered on June 27, 2016, established the Law Enforcement Assisted Diversion (LEAD) Pilot Program to be administered by the Board of State and Community Corrections to “improve public safety and reduce recidivism by increasing the availability and use of social service resources while reducing costs to law enforcement agencies and courts stemming from repeated incarceration.” Modeled after the LEAD^{®1} Project in Seattle, Washington, up to three jurisdictions will be selected for a two-year pilot program that would divert willing low-level drug offenders and those arrested for prostitution to social service providers in lieu of prosecution. Services provided may include, but are not limited to, case management, housing, medical care, mental health care, treatment for alcohol or substance use disorders, nutritional counseling and treatment, psychological counseling, employment, employment training and education, civil legal services, and system navigation. A report of the evaluation findings is required to be submitted to the Governor and the Legislature by January 1, 2020.

SB 843 appropriated \$15 million from the General Fund for the project and authorized the Board to spend up to \$550,000 of that amount for contracts with an outside evaluator such as a nonprofit research center or university to determine the program’s effectiveness and to contract with experts in the implementation of the LEAD program for the purpose of providing technical assistance to participating jurisdictions.

Staff has allocated a portion of the \$550,000 to contract with Washington’s Kings County Sheriff’s Department and its partner, the Public Defender Association. Those agencies provided training and technical assistance to the ESC to assist them in the development of the proposed RFP and will provide ongoing technical assistance to grantees once awards are made. The Public Defender Association is the LEAD subject matter expert and has a

¹ LEAD is a registered trademark of the Public Defender Association (Based in Seattle, Washington)

trademark on the name LEAD. The Public Defender Association has given BSCC informal preliminary approval to use the LEAD name free of charge, but the matter has not been formally and fully resolved.

The BSCC is also contracting with California State University, Long Beach to assist with the required evaluation of California's LEAD program.

On September 22, 2016, the Board approved staff to establish an ESC to oversee the development and release of the LEAD RFP and grant award recommendations, appointed Board Members David Bejarano and Francine Tournour as Co-chairs of the ESC, and delegated authority to the Co-Chairs and staff to finalize the ESC membership. The ESC met on October 11 and 12, 2016 to develop the RFP that is now before the Board for approval.

Key Program and RFP Components

- LEAD uses a collaborative model intended to promote a transformation of institutional relationships that allows law enforcement, social services, public defenders and prosecutors to create new and more effective approaches to working together on low-level drug enforcement and prostitution.
- LEAD is a community-based diversion program that uses human resources to increase public safety and order, by requiring commitment, buy-in and ongoing involvement from key stakeholders who are willing to engage with community partners in the design, implementation and the ongoing maintenance of the project.
- The LEAD program relies upon the understanding that participation is voluntary and participants will not be denied services if they are unable to achieve abstinence or become involved in further criminal activity. The program includes housing services that do not require a participant's abstinence from drugs or alcohol.

RFP Activities and Timeline

Below is a tentative timeline of activities necessary to administer a competitive RFP for the LEAD Grant.

TENTATIVE TIMELINE	ACTIVITY
November 17, 2016	Present the RFP for BSCC Board approval
November 18, 2016	Release the RFP to the field
December 13, 2016	Conduct Bidders Conference
February 1, 2017	Proposals due to BSCC
March 2017	ESC rating of proposals completed
April 20, 2017	Present funding recommendations to the BSCC Board
April 21, 2017	Projects begin
June 30, 2019	Grant period ends
January 2020	BSCC submits final report to the Governor and Legislature

Recommendation/Action Needed

Staff recommends that the Board:

- Approve and release the LEAD Grant RFP as recommended by the ESC.
- Authorize staff to change the name of the grant program, if needed or legally required.

Attachments

H-1: LEAD Grant RFP

H-2: Executive Steering Committee Roster

H-3: SB 843