

**MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, MARCH 13, 2014**

Meeting held at: State of California Resources Building Auditorium, 1416 Ninth Street, Sacramento, CA 95814

The meeting commenced at 10:03 a.m.

Chairman Linda Penner welcomed the Board Members and public to the March 13, 2014 Board of State and Community Corrections (BSCC) meeting.

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

The following members were in attendance:

Ms. Penner	Mr. Growdon	Ms. Arnold	Mr. Budnick
Mr. Beard	Mr. Dean	Judge Pounders	Mr. Steinhart
Mr. Stone	Ms. Brown	Mr. Maggard	Ms. Silbert

ABSENCE OF BOARD MEMBERS

Ms. Mauriello was unable to attend. Ms. Arnold arrived at 10:31 am.

Ms. Penner introduced new member Sheriff Geoff Dean, Ventura County, replacing the vacancy left by the retirement of Sheriff Baca who filled the legislatively mandated seat described as, “a county sheriff in charge of a local detention facility which has a BSCC rated capacity of over 200 inmates.” Mr. Dean was sworn in on February 5, 2014 by Governor Brown at the California State Sheriff’s Association meeting. Ms. Penner introduced the Board of State and Community Corrections’ Corrections Planning and Programs Division’s new Deputy Director Bill Crout and Kara Ueda, legal counsel of Best Best & Krieger LLP Attorneys at Law. Ms. Penner announced and congratulated Member David Maggard, Chief of Police, City of Irvine; for being awarded the Joe Molloy Award by the California Police Chiefs Association. Chief Maggard received the award for his dedication, leadership and service to law enforcement and to the association as embodied by the late Anaheim chief for whom it is named.

Executive Director Kathleen Howard provided a budget update.

CONSENT AGENDA ITEMS

BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) JANUARY 16, 2014 MEETING MINUTES. REQUESTING APPROVAL.

(AGENDA ITEM A)

APPROVAL OF THE USE OF STANDARDS AND TRAINING FOR CORRECTIONS (STC) FUNDS TO PAY THE REPLACEMENT COSTS FOR STAFF PARTICIPATING IN THE STC JOB ANALYSIS IN ACCORDANCE WITH CALIFORNIA CODE OF REGULATIONS TITLE 15, §299. REQUESTING APPROVAL.

(AGENDA ITEM B)

This agenda item requested Board approval to allow local agencies to use Standards and Training for Corrections (STC) training funds to pay for replacement costs incurred when staff participates in the STC job analysis project. The job analysis is being conducted to identify how the jobs of the Adult Corrections Officer (ACO), Juvenile Corrections Officer (JCO), and Probation Officer (PO) have changed since the last job analysis was completed and as a result of realignment. It will be used to identify and fill training gaps.

Staff recommended the Board approve the use of STC funds to pay the replacement costs for staff participating in the STC job analysis in accordance with the California Code of Regulations, Title 15, §299 provided that all training obligations have been met.

APPROVAL TO USE THE BOARD'S STANDING COMMITTEE ON GANG ISSUES AS THE EXECUTIVE STEERING COMMITTEE FOR THE CALIFORNIA GANG REDUCTION, INTERVENTION, AND PREVENTION GRANT PROGRAM BEGINNING FISCAL YEAR 2014/15, AND APPROVAL TO THE USE OF A 3-YEAR GRANT PERIOD FOR THESE FUNDS. REQUESTING APPROVAL.

(AGENDA ITEM C)

This report requested the Board's approval to use the Standing Committee on Gang Issues as the Executive Steering Committee (ESC) for the California Gang Reduction, Intervention, and Prevention (CalGRIP) Grant. In addition, this report sought the Board's approval for a 3-Year grant funding cycle strategy beginning with the 2014/2015 fiscal year (FY) state allocation.

Staff recommended the Board approve the use of the Board's Standing Committee on Gang Issues as the ESC for the development of the next CalGRIP RFP and approving a 3-Year competitive solicitation strategy in distributing annual state budget allocations for the CalGRIP Grant Program.

BOARD OF STATE AND COMMUNITY CORRECTIONS CONFLICT OF INTEREST CODE. REQUESTING APPROVAL.

(AGENDA ITEM D)

The Political Reform Act of 1974 (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. As an independent government agency, the BSCC is required to adopt an agency-specific Conflict of Interest Code (COI) to regulate the annual filing of Form 700, Statement of Economic Interests. This code outlines general filing requirements, position designations, and establishes disclosure categories.

The Fair Political Practices Commission (FPPC) is responsible for overseeing the regulation of

Form 700 filing and requirements. BSCC staff, working with the FPPC had drafted and finalized the BSCC COI.

Staff recommended the Board authorize the submittal of the proposed BSCC Conflict of Interest Code to the Office of Administrative Law.

ASSEMBLY BILL 900 PHASE II JAIL CONSTRUCTION FINANCING PROGRAM YOLO COUNTY SCOPE/BUDGET/SCHEDULE CHANGE. REQUESTING APPROVAL.

(AGENDA ITEM E)

At the January 2014 BSCC meeting, the Board approved a conditional award for partial funding in the amount of \$36,295,000 to Yolo County for the Assembly Bill 900 Phase II Jail Construction Financing Program. Yolo County requested a change of project scope, schedule and cost commensurate with the partial award.

Staff recommended the Board approve Yolo County's request for a scope, schedule and cost change of the Monroe Center Main Jail Expansion and Remodel Construction project for the AB 900 Phase II Jail Construction Financing Program.

ASSEMBLY BILL 900 PHASE II JAIL CONSTRUCTION FINANCING PROGRAM KERN COUNTY SCOPE MODIFICATION. REQUESTING APPROVAL.

(AGENDA ITEM F)

Upon completion of the performance criteria and concept drawings, Kern County had determined to adjust the square footage in the previously approved scope to correspond with the square footage in the performance criteria and concept drawings from approximately 231,000 square feet to 216,000 square feet. This square footage adjustment does not alter the previously approved bed count of approximately 822 beds.

This agenda item requested the Board's approval of Kern County's request to make square foot adjustments to the project scope after completion of the Performance Criteria and Concept Drawings for their current Assembly Bill (AB) 900 Phase II Jail Construction Financing Program project.

ASSEMBLY BILL 900 PHASE II JAIL CONSTRUCTION FINANCING PROGRAM PROJECT SAN BENITO COUNTY REQUEST FOR SCOPE MODIFICATION. REQUESTING APPROVAL.

(AGENDA ITEM G)

This agenda item requested the Board's approval of San Benito County's request for an additive alternate for up to 12 additional beds by changing from double occupancy cells to dormitory-style housing for their current Assembly Bill (AB) 900 Phase II Jail Construction Financing Program project.

ASSEMBLY BILL 900 PHASE I JAIL CONSTRUCTION FINANCING PROGRAM AMADOR COUNTY TIME EXTENSION REQUEST. REQUESTING APPROVAL.

(AGENDA ITEM H)

This agenda item provided the Board with an update on Amador County's project status specific to meeting the site assurance requirement as part of the Assembly Bill (AB) 900 Phase I Jail Construction Financing Program.

In February 2014, the county requested a time extension until September 11, 2014. While it represents both additional time and a departure from the county's previous direction in terms of site location, the county believes the shift will benefit them by meeting their jail construction needs and meet the site assurance requirement of AB 900.

Staff recommended that the Board approve Amador County continuing in the jail construction financing process and grant the county's request for an extension of time to September 11, 2014 in order to meet the site assurance requirement.

~~SENATE BILL 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES PROGRAM PROJECT, MONTEREY COUNTY REQUEST TO CHANGE SCOPE AND BUDGET. REQUESTING APPROVAL~~

~~**(AGENDA ITEM I)**~~

This item was pulled prior to the meeting date.

~~SENATE BILL 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES PROGRAM PROJECT, LOS ANGELES COUNTY'S REQUEST TO DECREASE SCOPE AND BUDGET. REQUESTING APPROVAL.~~

~~**(AGENDA ITEM J)**~~

This agenda item requested the Board's approval of Los Angeles County's request to change the scope and budget of their Senate Bill (SB) 81 Local Youthful Offender Rehabilitative Facilities Program Project by removal of the Demolition Phase (Make Ready). The subtractions to the project budget for the changed scope items will remove \$3,716,641 from the original Project budget of \$48,223,073 for a new Project Budget of \$44,506,432 (Attachment A). The State's allotment for the award remains unchanged.

~~PROPOSED MEMBERSHIP OF THE EXECUTIVE STEERING COMMITTEE FOR SENATE BILL 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITY CONSTRUCTION FINANCING PROGRAM ROUND 2. REQUESTING APPROVAL.~~

~~**(AGENDA ITEM K)**~~

This agenda item requested the Board's approval of the establishment of the Executive Steering Committee (ESC) membership and direct staff to work with the ESC for the purpose of creating a rank-ordered list to disburse remaining funds from Senate Bill (SB) 81 Local Youthful Offender Rehabilitative Facility Construction.

Staff recommended the Board approve the proposed ESC membership, direct the co-chairs to convene the ESC to initiate the development of the grant process and timeline and authorize the ESC to develop the competitive juvenile facility construction revenue bond process.

There were no Public Comments.

Mr. Maggard moved to adopt items A, B, C, D, E, F, G, H, J, and K. Mr. Steinhart seconded. The motion carried.

DISCUSSION AGENDA ITEMS:

SENATE BILL 1022 CONSTRUCTION FINANCING PROGRAM REPORT FROM APPEALS PANEL. CONSIDER RECOMMENDATIONS.

(AGENDA ITEM L)

Appeals were submitted by Humboldt, Stanislaus and Monterey counties regarding the evaluation of preference criteria and ranking of their Senate Bill (SB) 1022 – 2012 Local Jail Construction Funding Program Proposal, an appeal panel convened on March 11, 2014. The recommendations of the appeals panel were summarized and presented to the Board.

The Board was asked to review the recommendations of the appeals panel and determine the next steps consistent with Title 15, Division 1, Subchapter 6, Article 5. Appeal Procedures, Sec. 1792.

Copies of each county's appeal were included in the meeting material.

Executive Director Kathleen Howard gave a synopsis of the Appeals Hearing and stated that the Board could accept the Panel's recommendations, deny the Panel's recommendations or ask that a further hearing be conducted. Ms. Howard introduced Ms. Karen Finn, Program Budget Manager; Department of Finance who was present to answer questions on behalf of the Department of Finance. The Hearing Panel consisted of the Hon. William Pounders, Secretary Jeffery Beard and Sheriff Dean Growdon. Judge Pounders presided over the hearings and presented the panel's recommendations to the Board.

A motion was made by Mr. Steinhart to accept the Hearing Panel's recommendation to deny Humboldt County's appeal. Ms. Silbert seconded. Ms. Brown opposed stating she wished to hear all of the recommendations prior to making a decision (voting). Mr. Steinhart made a motion to vacate the motion that was made. Ms. Silbert seconded.

Testimony was provided by Chris Macedo, Captain, Lake County Sheriff's Office; Alan Flora, Deputy County Administrative Officer, Lake County; Patricia Hill Thomas, Chief Operations Officer/Project Manager, Stanislaus County; Steve Moore, Sheriff-Coroner, San Joaquin County; Dave Souza, Assistant Sheriff, San Joaquin County; and Bob Elliott, Supervisor, San Joaquin County Board of Supervisors.

The Board heard and took action on each recommendation from the Appeals Panel in the order that the appeals were received by the BSCC. The motions and approvals were as follows:

Mr. Budnick moved to adopt the Hearing Panel's recommendation to deny Humboldt County's appeal. Mr. Growdon seconded. The motion carried.

Mr. Budnick moved to accept Stanislaus County’s appeal as recommended by the Hearing Panel’s recommendation to grant the County’s appeal, which placed Stanislaus County as number two on the SB 1022 Executive Steering Committee’s Evaluation Results for a Medium Size County granting Stanislaus County an award of \$40 million and San Joaquin County losing its partial award. Ms. Silbert seconded.

Chair Penner called for a vote on the motion; to adopt the Appeals Panel’s recommendation to grant Stanislaus County’s appeal. The members voted at follows:

County	Support	Oppose
Stanislaus	Mr. Beard Mr. Stone Mr. Dean Ms. Brown Judge Pounders Mr. Maggard Mr. Budnick Mr. Steinhart Ms. Silbert	Ms. Penner Mr. Growdon Ms. Arnold
Total	9	3

The motion carried, 9-3.

Mr. Budnick moved to adopt the Hearing Panel’s recommendation to deny Monterey County’s appeal. Mr. Maggard seconded. The motion carried.

SENATE BILL 1022 CONSTRUCTION FINANCING PROGRAM; PROPOSAL DETAILS. INFORMATION ONLY.

(AGENDA ITEM M)

At its January 16, 2014 Board of State and Community Corrections meeting, the Board directed staff to provide a summary of the Senate Bill (SB) 1022 Construction Financing Program proposals approved for conditional award. This agenda item provided an overview and summary of the 15 SB 1022 proposals that were recommended by the SB 1022 Executive Steering Committee for conditional funding at the January 16, 2014 BSCC meeting. A summary of each proposal that was recommended for funding was provided.

This item was informational only. No action was taken and there were no public comments.

11:35 a.m. the Board took a break.

11:55 a.m. the Board reconvened.

OVERVIEW OF THE STATE ADVISORY COMMITTEE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND OF THE JUVENILE JUSTICE STANDING COMMITTEE. INFORMATION ONLY.

(AGENDA ITEM N)

This item provided the Board with an update of activities associated with the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) and the Board's Juvenile Justice Standing Committee (JJSC).

Overviews were provided by SACJJDP Chair Sandra McBrayer and JJSC Chair David Steinhart.

This item was informational only. No action was taken.

PRINCIPLES FOR JUVENILE JUSTICE SYSTEM DEVELOPMENT IN CALIFORNIA. REQUESTING APPROVAL.

(AGENDA ITEM O)

This agenda item asked the Board to approve the adoption of the Juvenile Justice Standing Committee's (JJSC) Principles of Development statement. On October 30, 2013 the Principles of Development statement were adopted by the JJSC. At the request of the BSCC management team, the Principles Statement was revised on February 13, 2013.

The revised Principles Statement was presented to the Board for its review and approval.

Testimony was provided by Michelle Mule, Children's Defense; Barrie Becker, Director, Fight Crime, Invest in Kids; and Brian Goldstein, Policy Analyst, Center on Juvenile and Criminal Justice; Ruben Lizardo, Deputy Director, PolicyLink of Alliance for Boys and Men of Color.

Mr. Steinhart moved to adopt the Juvenile Justice Standing Committee's Principles of Juvenile Justice System Development in California statement. Mr. Budnick seconded. The motion carried.

PUBLIC COMMENTS

Ms. Elizabeth Siggins, Director, Local Safety Solutions Project, Californians for Safety and Justice gave a report of the various resources available through Californians for Safety and Justice and presented a new report, Reading Between the Bars.

There were no further comments.

Next meeting: May 8, 2014

Meeting adjourned at 12:48 pm.

Respectfully submitted,

Originally signed by

MARIA RODRIGUEZ-RIEGER
Executive Assistant
Board of State and Community Corrections

ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Ms. Penner, Chair, Board of State and Community Corrections
Mr. 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. Dean, Ventura County Sheriff's Department
Ms. Brown, San Bernardino County Probation Department
Ms. Arnold, Tuolumne County Probation Department
Judge Pounders, Retired Judge of Los Angeles County
Mr. Maggard, City of Irvine Police Department
Mr. Budnick, Founder, the Anti-Recidivism Coalition (ARC)
Mr. Steinhart, Juvenile Justice Program Commonweal
Ms. Silbert, Delancey Street Foundation

BSCC Staff

Kathleen Howard, Executive Director
Tracie Cone, Communications Director
Maria Rodriguez-Rieger, Executive Assistant
Kara Ueda, Attorney, Best Best & Krieger
Robert Takeshta, Deputy Director, Admin & Research
William Crout, Deputy Director, CPP
Gary Wion, Deputy Director, FSO
Evonne Garner, Deputy Director, STC
Robert Oates, Project Director III, FSO
Daryle McDaniel, Field Representative, CPP
Ricardo Goodridge, Field Representative, CPP