



BSCC
CALIFORNIA

APRIL 11
2024

BOARD MEETING
AGENDA & REPORTS

STATE OF CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS

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KATHLEEN T. HOWARD
Executive Director, BSCC

BOARD MEMBERS

LINDA M. PENNER
Chair, BSCC

SCOTT BUDNICK
Founder
Anti-Recidivism Coalition

CINDY CHAVEZ
Supervisor
Santa Clara County

NORMA CUMPIAN
Assistant Deputy Director
Anti-Recidivism Coalition
Women's Department

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Sheriff
San Bernardino County

JANET GAARD
Retired Judge
Yolo County

KIRK HAYNES
Chief Probation Officer
Fresno County

JASON D. JOHNSON
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Operations, CDCR

JEFFREY D. MACOMBER
Secretary, CDCR

ANDREW MILLS
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BRIAN RICHART
Chief Probation Officer
El Dorado County

ERIC S. TAYLOR
Sheriff
San Benito County

ANGELES D. ZARAGOZA
Attorney
Los Angeles County
Alternate Public Defender

BOARD MEETING AGENDA

(PLEASE NOTE: AGENDA REVISED TO
REMOVE AGENDA ITEM K) *

Thursday, April 11, 2024
Start Time: 10:00 a.m.

2590 Venture Oaks Way
Board Meeting Room, First Floor
Sacramento, California 95833

Zoom link & instructions appear at the end of the Agenda.

Instructions for remote attendance appear on the last page of this agenda.

Remote Public Participants:

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Routine items are heard on the consent calendar. All consent items are approved after one motion unless a Board member asks for discussion or separate action on any item. Anyone may ask to be heard on any item on the consent calendar prior to the Board's vote. Members of the public will be given the opportunity to give public comment during the Board's discussion of each item. There is a two-minute time limit on public comment unless otherwise directed by the Board Chair.

I. Call Meeting to Order

II. Information Items

1. Chair's Report
2. Executive Director's Report
3. Legal Update
4. Legislative Update

III. Action: Consent Items

- A. Minutes from the February 15, 2024, Board Meeting: **Requesting Approval**
- B. Senate Bill 823: Youth Programs and Facilities Grant Program, six-month, no-cost extension: **Requesting Approval**
- C. Section 1046 (Death in Custody) of Title 15 of California Code of Regulations Final Approval of Proposed Regulations for Submission to Office of Administrative Law: **Requesting Approval**

IV. Action: Discussion Items

- D. Proposition 47 Grant, Cohort 2: Statewide Evaluation Findings 2019 - 2023: **Information Only**
- E. Proposition 47 Grant, Cohort 4, Release of Request for Proposals: **Requesting Approval**
- F. Medication-Assisted Treatment Grant Program, Funding Recommendations: **Requesting Approval**
- G. Residential Substance Abuse Treatment Grant, Funding Recommendations: **Requesting Approval**
- H. Opioids in Local Detention Facilities - Review of Survey: **Requesting Approval**
- I. Local Detention Facilities Inspection Update: **Requesting Approval**
- J. Determination of Suitability – Los Angeles County Juvenile Detention Facilities – (Welf. & Inst. Code, § 209, subds. (a)(4) & (d).): **Requesting Approval**
 - 1. Barry J. Nidorf Secure Youth Treatment Facility
April 10, 2024 Inspection Report of the Barry J. Nidorf SYTF
 - 2. Los Padrinos Juvenile Hall
April 10, 2024 Inspection Report of the Lost Padrinos JH
- ~~K. Corrective Action Plan Process – Welfare and Institutions Code Section 209(d): **Requesting Approval***~~

V. Closed Session – Consultation with Legal Counsel Regarding Pending Litigation (Gov. Code, § 11126, subds. (e)(1), (e)(2)(B), & (e)(2)(C).)

VI. Public Comments

Public comment about any other matter pertaining to the Board that is not on the agenda may be heard at this time.

VII. Adjourn

Next Board Meeting: June 13, 2024 (Tentative)

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Board of State & Community Corrections,
2590 Venture Oaks Way, Ste 200, Sacramento CA 95833*

Information Item 4
Legislative Update

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
1	<p><u>AB 1810</u></p> <p><u>Incarcerated persons: menstrual products</u></p> <p><u>Assemblymember Bryan, Isaac</u></p> <p><u>(D-55)</u></p>	<p>REVISED FEBRUARY 27, 2024</p> <p>This bill would require a person who is incarcerated in state prison or confined in a local detention facility, a state or local juvenile facility, or a county juvenile justice facility, and who menstruates, or experiences uterine or vaginal bleeding shall, without needing to request, have ready access to these menstrual products without having to request them.</p> <p>Existing law requires a person who is incarcerated, upon request, to have access to, be allowed to use, and continue to use materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system, including, but not limited to, sanitary pads and tampons.</p>	<p>May impact Title 15 regulations.</p>	<p>3/20/2024</p> <p>Referred to Assembly Appropriation Suspense file.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
2	<p><u>AB 1839</u></p> <p><u>Peace officers: education and hiring grants</u></p> <p><u>Assemblymember Alanis, Juan</u></p> <p><u>(R-22)</u></p>	<p>REVISED MARCH 13, 2024</p> <p>This bill would, subject to an appropriation, establish the Law Enforcement Officer Grant Program under the administration of the Student Aid Commission to provide grants of up to \$6,000 per year to individuals enrolled in a modern policing degree program at a California community college who commit to work for 4 years as a peace officer at a law enforcement agency, as specified. The bill would require grant recipients to agree to repay the grant to the state if certain conditions for the grant are not met, except as specified.</p> <p>By January 1, 2026, and subject to appropriation by the Legislature, the Board of State and Community Corrections to award grants to local law enforcement agencies that are significantly understaffed in order for the agency to provide hiring bonuses for peace officers employed by that agency. The bill would require a peace officer receiving these funds to agree to work for that agency for at least four years, except as specified. The bill would authorize the board to establish additional guidelines for the allocation of these hiring bonuses.</p>	<p>Would be required to administer the grant.</p>	<p>3/13/2024</p> <p>Re-referred to Assembly Committee on Public Safety.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
3	<p><u>AB 1845</u></p> <p><u>Crimes: Grant program for identifying, apprehending, and prosecuting resale of stolen property</u></p> <p><u>Assemblymember Alanis, Juan</u></p> <p><u>(R-22)</u></p>	<p>AMENDED IN ASSEMBLY FEBRUARY 21, 2024</p> <p>This bill would, until January 1, 2030, create the Identifying, Apprehending, and Prosecuting Resale of Stolen Property Grant Program to be administered by the Board of State and Community Corrections. The bill would require the board to award grants, on a competitive basis, to county district attorneys' offices and law enforcement agencies, acting jointly to investigate and prosecute receiving stolen goods crimes and criminal profiteering. The bill would require the board to prepare and submit a report to the Legislature, as specified, regarding the impact of the grant program. The bill's provisions would be operative only to the extent that funding is provided, by express reference, in the annual Budget Act or another statute.</p>	<p>Would be required to administer the grant.</p>	<p>2/22/2024</p> <p>Re-referred to Assembly Committee on Public Safety.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
4	<p><u>AB 2882</u></p> <p><u>California Community Corrections Performance Incentives.</u></p> <p><u>Assemblymember McCarty, Kevin</u></p> <p><u>(D-6)</u></p>	<p>CORRECTED FEBRUARY 22, 2024</p> <p>The BSCC currently collects and maintain available information and data about state and community correctional policies, practices, capacities, and needs, including, but not limited to, prevention, intervention, suppression, supervision, and incapacitation, as they relate to both adult corrections, juvenile justice, and gang problems.</p> <p>This bill would require each county to submit the County Community Corrections Outcomes, Accountability, and Transparency report annually to the BSCC that includes, among other things, the number of people who have a serious mental illness or substance use disorder who are connected to community-based treatment and support upon release from jail or completion of community supervision. The bill would require each county’s board of supervisors to verify that the report is complete and accurate before it is submitted to the board.</p> <p>This bill would require the BSCC to create the Community Corrections Outcomes, Accountability, and Transparency dashboard that displays the county’s goals listed above and the spending and outcomes data reported in the County Community Corrections Outcomes, Accountability, and Transparency report. The bill would require the dashboard to be accessible through the board’s internet website.</p>	<p>Would be required to collect data and develop a dashboard of corrections outcome.</p>	<p>4/3/2024</p> <p>Re-referred to Assembly Committee on Appropriations.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
5	<p><u>SB 950</u></p> <p><u>Reentry from incarceration: programs and benefits.</u></p> <p><u>Senator Skinner, Nancy (D-9)</u></p>	<p>AMENDED IN SENATE MARCH 13, 2024</p> <p>This bill would require the board to work in collaboration with drug and alcohol recovery experts and reentry advocates, among others, to develop recommendations for expanding existing grant programs to better serve people with special needs with permanent supportive housing options.</p> <p>The bill would require CDCR to work with the California Department of Aging, among others, to develop a report exploring alternatives to incarceration for individuals who are advanced in age or disabled and who would otherwise qualify for a community correctional reentry center. The bill would also require CDCR to convene a working group of certain vendors holding community-based reentry contracts to develop a plan for establishing statewide in-reach efforts available under specified Medi-Cal programs.</p> <p>The bill would require the BSCC and CDCR to make these recommendations and reports to the Legislature on or before March 31, 2025.</p>	<p>Would need to collect data and compile a recommendation report.</p>	<p>3/13/24</p> <p>Re-referred to Seante Committee Rules.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
6	<p><u>SB 1021</u></p> <p><u>Emergency vehicles: blue warning lights</u></p> <p><u>Senator Archuleta, Bob</u></p> <p><u>(D-30)</u></p>	<p>INTRODUCED: FEBRUARY 06, 2024</p> <p>This bill will authorize parole officers to display the blue warning light from their emergency vehicles if they complete a 4-hour classroom training course regarding the operation of emergency vehicles that is certified by the Standards and Training for Corrections Division of the Board of State and Community Corrections.</p>	<p>May impact Standards for Training in Corrections training regulations.</p>	<p>3/1/24</p> <p>Hearing set for April 9, 2024.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
7	<p><u>SB 1057</u></p> <p><u>Juvenile justice coordinating council</u></p> <p><u>Senator Menjivar, Caroline</u></p> <p><u>(D-20)</u></p>	<p>AMENDED IN SENATE MARCH 19, 2024</p> <p>Under the Juvenile Justice Crime Prevention Act (JJCPA), which was created under the Schiff-Cardenas Crime Prevention Act of 2000 (Chapter 353 of the Statutes of 2000), requires that each county establish a juvenile justice coordinating council that consists of representatives from a variety of local agencies and community groups to ensure the county’s multiagency juvenile justice plan is collaborative and comprehensive.</p> <p>In order to be eligible for funding this bill would require a county or city and county to establish a juvenile justice coordinating council with membership described in Section 749.22 of the Welfare and Institutions Code. If a county or city and county fails to establish a juvenile justice coordinating council, the Board of State and Community Corrections or any state agency overseeing the administration of these funds shall have the authority to determine appropriate remedial action or withhold the funding.</p> <p>This bill would include in the comprehensive multiagency juvenile justice plan assessment of current services, identification of high-need areas, juvenile justice action strategy, target population and youth and family input as specified.</p> <p>The BSCC shall post the annual plan within 45 days of receiving the report and submit a summary report on programs and strategies by March 1.</p> <p>To be eligible for a grant under this article, each county shall be required to establish a juvenile justice coordinating council with 50 percent of community representative and governmental agencies and at-promise youth and family members.</p>	<p>Would add to current duties by assessing county plans for establishment of a juvenile justice coordinating council and determining funding eligibility.</p>	<p>4/3/24</p> <p>Re-referred to Senate Committee on Public Safety.</p>

Agenda Item A

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY FEBRUARY 15, 2024
9:45 A.M.
BOARD MEETING

Meeting Held In-Person, Zoom & Teleconference

2590 Venture Oaks Way
BSCC Board Meeting Room
Sacramento, California 95833

The full recording of the meeting can be viewed here:

<https://www.youtube.com/watch?v=193UTZFJEhw>

I. Call Meeting to Order

Chair Linda Penner called the meeting to order at 9:45 a.m.

Chair Penner welcomed the Board Members and the public to the meeting.

Board Secretary Adam Lwin called roll and announced that there was a quorum.

The following members were in attendance:

Chair Penner	Mr. Johnson	Mr. Richart	Ms. Zaragoza
Mr. Budnick	Mr. Dicus	Ms. Zaragoza	Ms. Cumpian
Ms. Chavez ¹	Mr. Haynes	Mr. Macomber	Mr. Mills

Absent Board Members: Ms. Gaard

II. Closed Session – Consultation with Legal Counsel Regarding Pending Litigation (Gov. Code, § 11126, subds. (e)(1), (e)(2)(B), & (e)(2)(C).)

Closed Session start: 9:47 a.m.

Closed Session end: 10:00 a.m.

Public Meeting start: 10:06 a.m.

¹ Board members participated remotely through Zoom.

III. Information Items

1. Chair's Report

Chair Penner announced the retirement of Board Member Sheriff Dean Growdon and presented Mr. Growdon with a plaque of appreciation.

2. Executive Director's Report

Executive Director Kathleen Howard reported on the following:

On February 9, 2024, Howard presented to a joint hearing of the Assembly Public Safety Committee and an Assembly Select Committee on Organized Retail Theft (ORT).

- Said the hearing was a positive experience with members of the Legislature hearing from various stakeholders on the work being done in the field, including the BSCC grants for ORT-prevention and ORT vertical prosecution.
- Juvenile Justice Realignment Hearing in Sacramento was conducted by two Senate budget subcommittees.
 - Topics included issues in Los Angeles detention facilities related to juvenile justice realignment.
 - Scott Budnick also participated on a panel focused on issues in LA county.
 - Chair Penner and Ms. Zaragoza attended as guests.

Budget Update:

- Provided an update on the January Governor's budget and said there were changes to certain grant funding levels.
- Said that the budget process has begun, and California faces a significant deficit.

3. Legal Update

Chief Deputy Director & General Counsel Aaron Maguire reminded Board Members to review the Agenda Items and recuse themselves from items that may have potential conflicts of interest pursuant to Government Code section 1091.

4. Legislative Update – [PDF](#)

Executive Director Howard referred the Board to their reading materials for the Legislative Update.

IV. Action: Consent Items

- A. Minutes from the November 16, 2023, Board Meeting: **Requesting Approval** – [PDF](#)
- B. Implementation of Assembly Bill 268 – Annual Training Requirements, Cardiopulmonary resuscitation (CPR) Training, and Facility Operations – (Proposed Revisions to Sections 184 and 1028 of Title 15): **Requesting Approval** – [PDF](#)

Staff recommend the Board to direct staff to begin the rulemaking process for revisions to [Title 15, Section 1028](#) and to bring a final package for approval if substantive revisions are made to the draft language during the regulatory making process; and file the final regulatory package with the Office of Administrative Law and that this Board action constitute the final approval.

- C. Senate Bill 844 (Adult Local Criminal Justice Facilities Construction Financing Program) – Contra Costa County Scope Change: **Requesting Approval** – [PDF](#)
 - [Attachment C-1: January 09, 2024, Contra Costa County Sheriff's Office Request for Scope Change](#)

Staff requested the Board approve Contra Costa County's request for a scope change to reduce the number of rated beds from 288 to 272 for its SB 844 ALCJF Construction Financing Program project.

Mr. Dicus moved approval. Mr. Johnson seconded. The motion was approved by all other Board members for Agenda items A, B and C.

V. Action: Discussion Items

- D. Selection of a Vice Chair for the Board of State and Community Corrections: **Requesting Approval** – [PDF](#)

Chair Linda Penner nominated Board Member Kirk Haynes as the Vice Chair.

Chair Penner moved approval. Mr. Dicus seconded. The motion was approved by all other Board members for Agenda D.

E. Local Detention Facilities Inspection Update: **Requesting Approval** – [PDF](#)

Deputy Director Allison Ganter Presented this agenda item which outlined the items of [noncompliance in adult and juvenile detention facilities](#).

Ganter provided an update of Los Angeles and Alameda adult facilities items of noncompliance.

- Links to Smartsheet Items of Noncompliance: [ADULT](#) | [JUVENILE](#)
 - [2023 Adult](#) | [2024 Adult](#)
 - [Outstanding Items of noncompliance – Printable Version](#)

Ganter said the following:

Summary of Outstanding Items of Noncompliance (Adult)

- Separate data provided for 2023 and 2024 inspections.
- Notable improvements in Lassen County and Lake County jails.
- 68 items of noncompliance from 2023 inspections, down from 116 in November.
- Main issues: physical plant, exercise and recreation, personnel.
- Safety checks violations mostly related to policy and procedure.

Outstanding Items of Noncompliance (Juvenile)

- San Diego County has four outstanding items, due for correction by April 18.
- Most issues resolved, awaiting verification.
- Imperial County resolved all noncompliance items.

Los Angeles County, Men's Central Jail

- **Update from Sheriff Robert G. Luna**

Deputy Director Ganter summarized the status of items of noncompliance in LA county as follows:

- Los Angeles County Men's Central Jail (MCJ) notified of noncompliance on September 18, 2023.

Noncompliance Issues:

- Safety checks exceeded the 60-minute minimum.
- View into cells obstructed, impeding direct visual observation as required.

Corrective Action:

- Corrective action plan submitted by MCJ on October 16, 2023.

- Follow-up inspections conducted on November 21, 2023, and January 3, 2024.
- Improvement noted in safety checks timing, but obstructed view issue persists.

Chair Penner invited Los Angeles County Sheriff Robert Luna to present his response to the items of noncompliance.

Luna said:

- Acknowledged the seriousness of the issue.
- Committed to ensuring the safety and well-being of inmates.
- Working on culture change and policy reinforcement.
- Addressing challenges of eliminating tenting practice.
- Committed to compliance with Board's requirements.

The Board discussed the items of noncompliance and recognized the efforts made by Sheriff Luna and his team. The importance of durable compliance was emphasized.

The Board will continue to monitor MCJ's compliance efforts and provide additional technical support as needed.

Alameda County, Santa Rita Jail

- **Update from Sheriff Coroner Yesenia Sanchez**

Deputy Director Ganter summarized the status of items of noncompliance in Alameda County as follows:

Santa Rita Jail was notified of noncompliance on August 15, 2023. Noncompliance with safety checks exceeding the 60-minute minimum.

Corrective Action:

- Corrective action plan submitted by September 15, 2023.
- Follow-up inspections conducted on November 17-20, 2023, and January 25, 2024.
- Improvement noted but still some units reporting late safety checks.

Sheriff Sanchez, Assistant Sheriff Danny McNaughton, and Captain Ross Clippinger of Alameda County said the following:

- Shifted to Radio Frequency Identification (RFID) system for observation log-in March 2023.
- Emphasizes meaningful checks over mere completion of tasks.
- Highlights culture shift and progress in compliance percentage.
- Discussed various activities and responsibilities of staff during checks.
- Addressed staffing challenges and efforts to streamline hiring and retain personnel.
- Confirmed patrol staff's participation in mandatory overtime program.

Chair Penner and Board members recognized the progress made in compliance efforts and acknowledged concerns raised about staffing challenges and their impact on safety checks. The Board expressed appreciation for transparency and commitment to improvement.

The Board will continue to monitor compliance progress and provide additional technical assistance on staffing as needed.

Chair Penner called for public comment. Public comment was heard from 45 people; the full recording of the public comment and its transcription may be viewed by turning closed captions on here: <https://www.youtube.com/watch?v=193UTZFJEhw>. Public comment for Agenda Item E Start: 01:05:43 end: 01:15:30.

Board members discussed dignity of incarcerated individuals, staffing, inspections, increased frequency and intensity of inspections over the past few years.

This item did not require a vote.

F. Determination of Suitability – Los Angeles County Juvenile Detention Facilities – (Welf. & Inst. Code, § 209, subds. (a)(4) & (d).): **Requesting Approval**

Deputy Director Allison Ganter presented this item. Ganter said in May 2023 that Barry J. Nidorf (BJN) and Central Juvenile Halls were found unsuitable for the confinement of minors. Following this determination, youth from these facilities were relocated. At the time of this determination of suitability, the BSCC did not have the statutory authority to make determinations of suitability at Secure Youth Treatment Facility (SYTFs) and camps. Ganter noted that the statutory authority was granted in July 2023 to require the Board to make the determinations of suitability in all types of county juvenile detention facilities.

An inspection conducted in August 2023 identified multiple areas of noncompliance at BJN SYTF. The initial inspection report outlined ten items of noncompliance, triggering a 60-day period for the county to submit a corrective action plan (CAP). The CAP, due on

October 10, 2023, was submitted and approved, with the completion date set for January 5, 2024.

A follow-up inspection in December 2023 raised concerns about the lack of programming documentation, which led to discussions with facility management.

Subsequent inspections in January 2024 confirmed the correction of three non-compliant items but identified seven remaining areas of noncompliance.

Barry J. Nidorf Secure Youth Treatment Facility – [PDF](#)

- [August 11, 2023 Initial Inspection Report – BJN SYTF](#)
- [October 9, 2023 Final Corrective Action Plan – BJN SYTF](#)
- [January 5, 2024 Response Letter for Final Corrective Action Plan – BJN SYTF](#)
- [February 2, 2024 Follow Up Inspection Report – BJN SYTF](#)

Presentation from Los Angeles: Barry J. Nidorf SYTF

Sheila Williams, Deputy Director, and Kimberly Epps, Chief Deputy of Los Angeles County Probation Department presented on this item. Williams and Epps thank the Board for the opportunity to present a letter from Chief Viera Rosa, and additional documentation from LA. Williams outlined the significant organizational changes undertaken by the Probation Department to enhance safety and compliance.

Williams & Epps requested the board to reconsider the staff findings and deem BJN suitable for operation. Williams addressed specific areas of concern highlighted by the staff, providing evidence of compliance in staffing ratios, staff training, and policy procedures.

Board members had a lengthy discussion on what Los Angeles County needed to do to remedy the items of noncompliance and make BJN SYTF safe for the youth and staff.

Chair Penner called for public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed by turning closed captions on here: <https://www.youtube.com/watch?v=193UTZFJEhw>. Public comment for Agenda Item F-1 Start: 02:59:40; End: 04:00:01.

The Board motioned to determined Barry J. Nidorf SYTF unsuitable for the confinement of minors under Welfare and Institutions Code sec. 209 which includes:

- § 1321 Staffing
- § 1353 Orientation
- § 1357 Use of force
- § 1371 Programs and recreation
- §1390 discipline

Ms. Cumpian moved approval. Mr. Haynes seconded. Mr. Budnick and Ms. Zaragoza recused. The motion was approved by all other Board members for Barry J. Nidorf Secure Youth Treatment Facility.

The Board recessed at: 2:10 p.m.

The Board returned at: 2:25 p.m.

F-2: Los Padrinos Juvenile Hall – [PDF](#)

- [August 18, 2023 Initial Inspection Report – LPJH](#)
- [October 16, 2023 Final Corrective Action Plan – LPJH](#)
- [January 10, 2024 Response Letter for Final Corrective Action Plan – LPJH](#)
- [February 26, 2024 Follow Up Inspection Report – LPJH](#)
 - [Response from Los Angeles County Probation](#)
- [Public Comment – CJCJ – Youth Justice Imagined](#)
- [Public Comment from Peace and Justice Law Center](#)
- [Public Comment from Local 148 Board of Directors](#)
- [Public Comment from Liberation Fund](#)
- [Public Comments Received 2-15-2024](#)
 - [Response Letter from Los Angeles Department of Probation](#)

Ganter presented on the items of noncompliance for Los Padrinos which reopened in July 2023 to accommodate youth that had been housed in Central Juvenile Hall and BJN Juvenile Hall. Ganter said BSCC staff conducted a targeted inspection between August 14th and August 18th, 2023. Initial inspection findings highlighted several areas of non-compliance with Title 15 regulations.

Los Angeles County Probation Department submitted a CAP by October 16th, 2023, with a completion deadline of January 10th, 2024. Follow-up inspections conducted on January 20th and February 3rd, 2024, showed progress in resolving non-compliance issues. However, certain areas, such as staffing, fire safety plan, safety checks, room confinement, use of force, and educational programs, remained out of compliance. The facility's behavior management program also requires further implementation.

○ [Presentation from Los Angeles: Los Padrinos](#)

Sheila Williams, Deputy Director, and Kimberly Epps, Chief Deputy of Los Angeles County Probation Department presented on this item. Williams and Epps provided updates on their efforts to address staffing issues and training deficiencies.

They gave updates on the steps taken to address these issues, acknowledging areas where improvements were needed and outlining the actions they had taken to rectify the deficiencies.

Some of the key points include:

- Staffing: Ensuring that all staff meet the required training and deployment standards.
- Training: Providing comprehensive training for staff, particularly regarding youth supervision and use of force.
- Policy Manuals: Updating and ensuring staff awareness of policy manuals to maintain compliance.
- Fire Safety Plan: Implementing an emergency evacuation plan and consulting with local fire departments to ensure compliance.
- Safety Checks: Implementing a system to ensure timely and documented safety checks.
- Room Confinement: Clarifying the reasons and procedures for room confinement and ensuring proper documentation.
- Education Programs: Addressing issues related to student tardiness and offering compensatory tutoring.

These updates reflect the efforts made by Los Angeles County to address the compliance issues identified at Los Padrinos Juvenile Hall and move towards full compliance with the relevant regulations and standards.

Chair Penner called for public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed by turning closed captions on here: <https://www.youtube.com/watch?v=193UTZFJEhw>. Public comment for Agenda Item F-1 Start: 4:59:16; End: 5:34:39.

The Board had a lengthy discussion which acknowledged the efforts made by Los Angeles County but expressed grave concerns regarding persistent non-compliance in several critical areas and the steps needed to ensure full compliance with Title 15 regulations, including the implementation of corrective measures outlined in the CAP.

The Board determined Los Padrinos juvenile hall unsuitable for the confinement of minors under Welfare and Institutions Code sec. 209 which included:

- § 1321 Staffing
- § 1325 Fire safety plan
- § 1328 Safety checks
- § 1354.5 Room confinement
- § 1357 Use of force
- § 1360 Searches
- § 1370 Education program
- § 1371 programs, recreation and exercise

§ 1390 Discipline

Mr. Dicus moved approval. Mr. Richart seconded. Ms. Zaragoza and Mr. Budnick recused. The motion was approved by all other Board members for Los Padrinos juvenile hall.

G. Byrne State Crisis Intervention Program, Release of Request for Proposals: **Requesting Approval** – [PDF](#)

Field Representative Ian Silva presented this agenda item which requested the release of the [Request for Proposals](#) of the Byrne State Crisis Intervention Program (Byrne SCIP).

Applicants will be allowed to request up to \$500,000 for small-scope projects and up to \$1,000,000 for large-scope projects. Applicants must propose programs that address a minimum of one of the following Byrne SCIP Program Purpose Areas.

Staff recommended approval to release the RFP, delegate authority to the [Chair of the Advisory Committee](#) to establish a scoring panel, and the committee to approve awards with approval from the Board.

Ms. Zaragoza moved approval. Mr. Johnson seconded. Mr. Dicus and Mr. Haynes and Ms. Chavez recused pursuant to Government Code section 1091. Mr. Mills, and Mr. Budnick were absent during the vote. The motion was approved by all other Board members for Agenda item G.

H. Proposition 47 Grant, Cohort 2: [Statewide Evaluation Findings](#) 2019 – 2023: **Information Only** – [PDF](#)

- [Proposition 47 Grant, Cohort II: Statewide Evaluation Findings 2019-2023 PowerPoint presentation](#)
- [Proposition 47 Cohort II: Statewide Evaluation Report](#)

This agenda items' presentation was deferred to the April Board meeting.

I. ~~Suitability and Corrective Action Plan Process – Welfare and Institutions Code Section 209 (d):~~ **Requesting Approval** – ~~PDF~~ *

Agenda Item I was removed from the agenda.

VI. Public Comments

There were no other public comment.

VII. Adjourn

The meeting adjourned at: 3:46 p.m.

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Budnick, Founder of Anti-Recidivism Coalition
3. Ms. Chavez, Santa Clara County Supervisor
4. Ms. Cumpian, Director, Women's Department, Anti-Recidivism Coalition
5. Mr. Dicus, Sheriff, San Bernardino County
6. Ms. Gaard, Retired Judge, Yolo County
7. Mr. Haynes, Chief Probation Officer, Fresno County
8. Mr. Johnson, Director, California Department of Corrections & Rehabilitations - Division of Adult Parole
9. Mr. Macomber, Secretary, California Department of Corrections & Rehabilitations
10. Mr. Mills, Chief of Police, City of Palm Springs
11. Mr. Richart, Chief Probation Officer, El Dorado County
12. Ms. Zaragoza, Los Angeles County Alternate Public Defender's Office

Participated Remotely:

13. Ms. Chavez, Supervisor, Santa Clara County

BSCC STAFF:

Kathleen T. Howard, Executive Director
Aaron Maguire, Chief Deputy Director & General Counsel
Adam Lwin, Board Secretary
Allison Ganter, Deputy Director, Facility Standards and Operations
Collen Curtin, Deputy Director, Corrections Planning and Grant Programs
Ian Silva, Field Representative, Corrections Planning and Grant Programs
Stacy Riley, Research Data Specialist III, Research

ADDITIONAL GUESTS & PARTICIPANTS

Sheriff Robert G. Luna, Los Angeles County
Sheriff Coroner Yesenia Sanchez, Alameda County
Sheila Williams, Deputy Director, Los Angeles County Probation Department
Kimberly Epps, Chief Deputy, Los Angeles County Probation Department

Agenda Item B

DATE: April 11, 2024 **AGENDA ITEM: B**

TO: BSCC Chair and Members

FROM: Tonya Parker-Mashburn and Michael Shores, Field Representatives – County Facilities Construction (CFC), tonya.parker-mashburn@bscc.ca.gov, michael.shores@bscc.ca.gov

SUBJECT: Senate Bill 823: Youth Programs and Facilities Grant Program, six-month, no-cost extension: **Requesting Approval**

Summary

This agenda item requests Board approval of a six-month, no-cost grant-term extension for the Youth Programs and Facilities Grant Program (YPIFG) portion of Senate Bill 823. Grantees have experienced implementation delays and supply chain issues obtaining requested purchases. The extensions, if needed, would allow for additional time to operate programs and spend down grant funds in accordance with grant agreements.

Background

On September 30, 2020, Governor Newsom signed Senate Bill 823, which began the closure of the state's Division of Juvenile Justice, realigning those state functions to county governments. As part of SB 823, \$9.6 million was allocated to the Board of State and Community Corrections to "award one-time grants, to counties for the purpose of providing resources for infrastructure-related needs and improvements to assist counties in the development of a local continuum of care."

Fresno and Sonoma each accepted Part A grants for \$1 million, to develop regional hubs to serve youth referred by other counties in a high-needs programming and treatment area identified by the Board: youthful sex offenders. Six large, 14 medium, and 17 small counties accepted Part B grants totaling \$6.9 million to support infrastructure and improvements for local programs and facilities for their in-county population of realigned youth.

While most grantees are on track to expend funds by the end of the grant term, as a result of the continued effects of implementation delays and supply chain issues, providing a six-month, no-cost grant-term extension through December 1, 2024, will allow grantees additional time to operate programs and spend down grant funds to improve juvenile facilities. Without a grant term extension, the current agreements would end June 1, 2024.

Recommendation/Action Needed

Staff recommends that the Board approve a six-month, no-cost grant-term extension for the Youth Programs and Facilities Grant Program (YPPFG) through December 1, 2024.

Attachments

B-1 Application project summaries for Part A and Part B grantees.

Attachment B-1

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

PART A

Part A:

Applicant: Fresno

Grant requested: \$1,000,000

High-needs area: Sex Offenders

Project Summary: YPFG Program funding for Part A will enable the Fresno County Probation Department to establish a regional hub program for realigned youth who have been adjudicated and have a qualifying sexual offense. This program will provide a secure residential placement option for the following 8 counties located in the Central Valley Region of California: Fresno, Kern, Kings, Madera, Mariposa, Merced, Mono and Tulare. It will expand the local continuum of care by offering a more restrictive therapeutic environment than available community-based alternatives. In addition, the proposed program will be designed for realigned youth as a trauma-informed and evidence-based program to address both traditional criminogenic needs as well as problems more specifically related to sexual offending.

Part A:

Applicant: Sonoma

Grant requested: \$1,000,000

High-needs area: Sex Offenders

Project Summary: The Sonoma County Probation Department's program will provide custody, care, and supervision to as a regional hub for youth realigned from, or who were otherwise eligible for commitment, to the state Division of Juvenile Justice prior to its closure, who are either a ward of the juvenile court or under a sex offense described in Section 290.008 of the Penal Code. To accomplish this, the Department proposes infrastructure improvements to its information systems, redesign of therapeutic and programming spaces, and a career and technical education structure or space.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

PART B

Part B:

Applicant: Alameda

Grant requested: \$154,500

County size: Large

Project Summary: The ACPD Outdoor Recreation Enhancements for Youth Physical Activities Project is a portion of planned, critical improvements to the Alameda County Juvenile Justice Center (JJC), which houses the ACPD Juvenile Hall, in anticipation of the implementation of SB 823 Ch 337/20 in order to create a local, secure rehabilitation program that meets the specific and individualized needs of the youth and young adults previously housed at the Department of Juvenile Justice (DJJ). ACPD seeks to create a therapeutic housing environment that includes both indoor and outdoor activity areas for youth and their families to utilize. This project will specifically construct an outdoor exercise area, including fixed equipment and an outdoor gathering area of 4 pergolas for programming and visitation. These improvements are essential to the creation of a mentally, physically, and spiritually rehabilitative space for returning youth and young adults.

Part B:

Applicant: Butte

Grant requested: \$47,086

County size: Small

Project Summary: The Commitment to Success Program will provide multidisciplinary, evidence-based, trauma-informed, and culturally responsive programming for up to 16 male youth, ages 14 to 25, who are impacted by the realignment of the Department of Juvenile Justice. Funding will be used to purchase a gang curriculum and to train a contracted licensed mental health provider in Dr. Bruce Perry's Neurosequential Model of Therapeutics. Funding will also be used to increase security and to create a home-like environment within the existing Juvenile Hall facility. Enhanced security fencing will be installed to make full use of an existing outdoor space for vocational training programs and recreation. The personal living spaces and programming rooms will be updated with warm, soothing paint colors and comfortable furniture. Lockers will be installed for youth to store personal belongings. New mattresses and weighted blankets will be purchased to improve sleep quality.

Part B:

Applicant: Colusa

Grant requested: \$47,086

County size: Small

Project Summary: Effective July 1, 2021, the Department of Juvenile Justice will close intake to most youth which creates a great responsibility for counties to enhance housing, programming, and treatment of these youth. This population of youth tend to be more sophisticated, commit crimes of greater severity, and present higher risk to the community

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

and other youth within the facilities. The Tri-County Infrastructure Project (TCIP) will utilize an existing Secure Housing Unit (SHU) to house these long term "Secure Track" youth separate from the general population. The SHU facility has been vacant for an extended period of time and needs to be updated in order to provide a trauma informed space where these youth can thrive and be reintegrated into the community. Our intention is to utilize these grant funds to complete the updates to the SHU facility.

Part B:

Applicant: Contra Costa

Grant requested: \$82,400

County size: Medium

Project Summary: Contra Costa County will utilize its Juvenile Hall, located in Martinez. The treatment program developed by the County is intended to be viewed in its totality as a tiered program where residential placements are its most restrictive phase. During the program, youth may progress through levels to gain access to greater incentives. Upon a youth's reentry into the community, post-release supervision and community-based services will be utilized.

The County Probation Department and other involved partners, which include, Behavioral Health, Office of Education, and community-based organizations are committed to providing evidence-based, promising, trauma-informed, and culturally responsive services and programs to youth. The County will expand education and technical training programs; including collaborating with local colleges and trade unions, as well as offering skill development courses. In addition, family and community engagement will be prioritized at the earliest possible stage to prepare the youth for reentry.

Part B:

Applicant: El Dorado

Grant requested: \$47,086

County size: Small

Project Summary: Cedar Program is a secure track program located at the Juvenile Treatment Center in South Lake Tahoe for youth who fall under the jurisdiction of Welfare and Institutions Code Section 707(b) and require long-term treatment, services, and interventions prior to returning to the community. Cedar will provide long-term individualized treatment utilizing evidence-based programming models and cognitive-based intervention curriculum. Each youth will be assessed and provided specific treatment goals while evaluating the youth's strengths and stabilizing factors. Cedar will focus on preparation to return to the community with professional development skills, reduction in criminal thinking, practical vocational training, secondary education, and healthy lifestyle habits. Cedar will be offered to applicable El Dorado County and contract county youth as appropriate.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: Fresno

Grant requested: \$82,400

County size: Medium

Project Summary: YPFG Program funding for Part B (All County Distribution), will enable the Fresno County Probation Department to build infrastructure and make improvements to meet the needs of realigned youth. The Juvenile Court will commit the realigned youth to the Secure Track, which will include implementation of an Orientation Unit and a Core Programming Unit (CPU). The CPU will be a traditional housing unit, which is single-tiered and can hold up to 30 youth. The funding will be used to make improvements to the CPU, including but not limited to: movable and various types of furniture, personalization in room decoration, and areas for relaxation or socialization. This will include purchase of chairs/seats, tables, sofas, loungers and mattresses.

Part B:

Applicant: Glenn

Grant requested: \$34,587

County size: Small

Project Summary: The HABITS Program is designed to utilize economic motivation to incentivize the practice of behaviors that can result in rehabilitative change utilizing evidence-based practices. In doing so, youth serving out longer term commitments will develop pro-social behaviors. Many behaviors, no matter how outwardly maladaptive appearing are rooted in a need. The need serves as the motivation behind the behavior and many, and especially in youth who have experienced significant trauma, enter the juvenile justice system with a variety of needs that underpin their choices. The HABITS Program is based on changing those needs and motivations in an attempt to rehabilitate those youth into law abiding, productive citizens with the understanding they will mature into law abiding, productive citizens.

Part B:

Applicant: Humboldt

Grant requested: \$47,086

County size: Small

Project Summary: Installation of a touch screen security panel in juvenile hall to operate adjacent secure facility where the secure youth treatment program will provide services.

Part B:

Applicant: Kern

Grant requested: \$82,400

County size: Medium

Project Summary: Kern County intends to utilize the facility currently described as Kern Crossroads to operate a program for realigned youth called "APEX Academy." This facility is a secure residential institution with an operational capacity of 120 beds, 40 of which will be designated for APEX Academy. The facility is able to house youth for any amount of

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

commitment time they may serve up to age 25, understanding the current average length of stay for youth at DJJ is 28 months.

Grant funding will be used to increase youth safety by adding existing railing in the upper tier of the youth housing area, increase physical exercise options by obtaining gym equipment for opportunities to improve physical wellbeing through large muscle group exercises, and acquire transportation vans for youth to be able to participate in off-site community-based activities.

Part B:

Applicant: Kings

Grant requested: \$47,086

County size: Small

Project Summary: The Kings County Probation proposes to create a technology laboratory to provide the robust educational and vocational training necessary for the youth and young adults to be able to compete for good paying jobs upon transition back to the community. They can access both post-secondary education and vocational training, facilitated by the County's Jobs Training Office. This includes tablets, charging stations, and WiFi for their use on a daily basis.

Part B:

Applicant: Los Angeles

Grant requested: \$154,500

County size: Large

Project Summary: Los Angeles County Probation Department (Probation) is preparing to house older youth (19-25) beginning on July 1, 2021. These youth would have previously been committed to State of California Department of Juvenile Justice (DJJ) but will now remain in the County. In preparation, Probation will require resources to ensure that these youth are afforded proper mental health, health, substance abuse prevention services, and educational and work-related services. In the short-term, Probation will utilize and rehabilitate existing units at Barry J. Nidorf Juvenile Hall (BJNJH). If awarded, grant funding will be used to update and enhance the existing living space to create a more "home like" environment. This will allow the youth to work and live in a small group milieu, and the needed improvements will create a calming and age-appropriate living space for the youth.

Part B:

Applicant: Madera

Grant requested: \$47,086

County size: Small

Project Summary: Madera County justice partners in collaboration with Madera County Probation Department will respond appropriately to cultural diversity and offer evidenced based programs in an inclusive environment that promotes pro-social skills for justice involved youth. Madera County is dedicated to a trauma informed care approach and

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

training to recognize that many affected youths have experienced trauma in their lives. Providing services to the youth and assigned staff will develop positive interactions. Offer ongoing training efforts to probation staff, researching and coordinating formal and informal training for the Department and our collaborative partners that focuses on Trauma Informed care. A facility that promotes healthy and bonding families, include family visits and contacts with whom the youth identify as family and the extended family are conducive to their overall safety and well-being. Support successful youth re-entry to the community.

Part B:

Applicant: Mariposa

Grant requested: \$167,529

County size: Small

Project Summary: The Mariposa County Probation Department is seeking ways to enhance the safety and security of youth being transported to juvenile detention facilities by improving the department's transportation vehicle. The probation department is requesting the necessary funds to purchase a 2022, 15-passenger van to transport youth in custody to and from facilities, court, and other appointments.

Part B:

Applicant: Mendocino

Grant requested: \$47,086

County size: Small

Project Summary: The Mendocino County Probation Department Division of Juvenile Hall is seeking to re-open a previously closed unit in order to provide our secure track youth with housing and rehabilitative services. In order to provide the most impactful services, which will include distance education and programming with local community based organizations our IT network infrastructure along with the unit camera system will need upgraded. We will be adding video conferencing capabilities to the classroom to expand on our youth's access to on line post-secondary education and vocational platforms, as well as webinars, purchasing laptops in order for youth to access technology in the classroom and upgrading an older analog camera system to provide a safe and secure environment for our youth, community partners and staff.

Part B:

Applicant: Merced

Grant requested: \$82,400

County size: Medium

Project Summary: Expansion of program services, including vocational training, is a priority for all youthful offenders in custody. The goal of this project is to provide vocational solar training equipment for youthful offenders to learn the necessary skills and abilities to obtain employment upon release from a secured facility. In partnership with the Merced County Office of Education, a robust vocational training program will be established to

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

include solar technology with the ability for youth to receive certification in the North American Board of Certified Energy Practitioners.

Part B:

Applicant: Monterey

Grant requested: \$82,400

County size: Medium

Project Summary: Infrastructure project includes licensing of a risk and needs assessment tool validated on the population, furnishings to create a safe and inviting environment, and staff training for trauma-informed and culturally competent curricula.

Part B:

Applicant: Orange

Grant requested: \$154,500

County size: Large

Project Summary: The project proposal includes infrastructure enhancements at Juvenile Hall and Youth Leadership Academy (YLA) for Secure Track youth. The infrastructure proposal for Juvenile Hall is for the purchase of a body scanner machine to reduce incoming contraband during contact visitation between Secure Track youth and family or their own children. Long-term housing and contact visitation for high-risk, sophisticated youth will require increased vigilance regarding contraband. We propose funding for additional fencing at the Youth Leadership Academy. The YLA fencing will be an enclosed breezeway from the exit doors of the units to the administration building. This will enhance security allowing for Secure Track youth to safely participate in the YLA program without adding to or altering the perimeter fence.

Part B:

Applicant: Placer

Grant requested: \$82,400

County size: Medium

Project Summary: The Secure Youth Treatment Program is designed to provide local youth ages 14-25 community resources and services to ensure they transition into our community successfully. Youth will have a multidisciplinary team consisting of mental and behavioral health, educators, probation officers, medical and other treatment providers to develop an Individual Rehabilitation Plan. The team will focus on family reunification, reentry services, substance use, CSEC concerns, employment, mental health, sex offender treatment, career and higher education, cognitive behavior programming, mentorships, healthy relationships, poetry and writing, and culturally response programming. The youth will participate in the program for at least 30 days and have reviews with the court to ensure they are provided services inside the facility as well as when they transition back into the community. Once the youth is approved by the court, they will transition with these support services in place and a plan back into our community.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: Plumas

Grant requested: \$47,086

County size: Small

Project Summary: Develop a Youth Re-Entry Program supported by community partners through a local CoC for justice- system involved youth and youth who may be diverted from entering the criminal justice system.

Part B:

Applicant: Riverside

Grant requested: \$154,500

County size: Large

Project Summary: Riverside County Probation (RCP) believes the development of trauma-informed screenings, assessments, and care through staff training, will assist in avoiding the re-traumatization of youth. Through proper training, staff will be able to recognize the signs and symptoms of trauma and know how to create a safe space for the youth in our care. They will also be better equipped to assist youth and their families as the youth transition back into their communities. RCP will partner with BAYSHINE Consulting, an agency dedicated to researched and evidence-based practices, to provide program development, staff development, and targeted trainings to institute the principals of trauma informed care.

Part B:

Applicant: Sacramento

Grant requested: \$154,500

County size: Large

Project Summary: The Sacramento County Probation Department (Probation) respectfully requests \$154,500 of Youth Programs and Facilities Grant (YPFG) funding currently available for large counties. Probation intends to make necessary renovations to the existing Youth Detention Facility in order to provide the best services to realigned youth. The VOYA Improvements Project will allow Probation to provide further programming and include extensive outdoor activities beyond each unit's courtyard areas. The intent of this renovation project is to ensure youth receive much needed outdoor programming which will assist with youth's physical and mental health.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: San Benito

Grant requested: \$47,086

County size: Small

Project Summary: The San Benito County Juvenile Justice Coordinating Council (JJCC) Subcommittee proposed to develop a wraparound approach to deliver services to meet the needs of the realigned youth. The Partners Achieving Change Together (PACT) Team will provide wraparound services to 707(b) WIC offending youth who score moderate to high on the Positive Achievement Change Tool (PACT) assessment. This program will target youth at risk of being moved to the adult court system.

Part B:

Applicant: San Francisco

Grant requested: \$82,400

County size: Medium

Project Summary: With the impending closure of DJJ, there are sure to be infrastructure-related needs for the City and County of San Francisco to address in order to adequately respond to the needs of the realigned DJJ population. Though we are still determining what exactly those will be, these funds will go to addressing whatever is identified as our most pressing need (transportation, training materials, etc.).

Part B:

Applicant: San Joaquin

Grant requested: \$82,400

County size: Medium

Project Summary: Logistics is currently the highest area of need in the local employment market. San Joaquin County Probation Department in collaboration with the San Joaquin County Office of Education, will offer a Logistics Vocation Program onsite at Juvenile Hall. The program will provide a Career Technical Education instructor to teach the certified curriculum which includes the use of forklift simulators. In this program, students will become Certified Logistics Technicians and get the hands-on training needed for immediate employment in the local market. Graduates that complete this program will learn everything there is to know about the world of logistics. The program prepares individuals for frontline material handling and supply chain logistics jobs in fulfillment centers and warehouses. The funds from this grant will assist in the costs for this program, which includes two forklift simulators, curriculum software and training materials.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: San Luis Obispo

Grant requested: \$47,086

County size: Small

Project Summary: Considerations for the safety and protection of all youth in the facilities will take on additional importance given the target population of youth who will remain in local commitment for extended periods. One-time grant funds are intended to make improvements and enhancements to the existing security camera system that monitors the Juvenile Hall and Coastal Valley Academy Camp program. Funds will be used to replace older analog and video streaming gateway (VSG) cameras with updated digital cameras and install new cameras in areas of the facilities where there are blind spots that impede video monitoring on various living units and outside within the secured yards. Security camera enhancements will improve overall safety and protection of youth and staff and support the implementation of SB 823 Juvenile Justice Realignment.

Part B:

Applicant: Santa Barbara

Grant requested: \$82,400

County size: Medium

Project Summary: Santa Barbara County Probation's Juvenile Justice Realignment Implementation Plan identified a lack of multi-use space for long-term commitments. This proposal is for one-time expenses to re-develop an outdoor space at the county's Juvenile Hall to provide a combination of greenspace and improved hardscape for exercise, and outdoor events such as visiting and outdoor programs. A review of research for associations between green space and adolescents' mental health indicates positive benefits of green space, especially in terms of reduced stress, positive mood, less depressive symptoms, improved behavior, and lower psychological distress. Re-aligned youth serving longer commitments will likely have had repeated exposure to traumatic events presenting challenges to responsivity to treatment interventions. Enhancing and expanding pro-social and physical activities in green outdoor environments will allow for increased feelings of wellbeing, opening pathways for improved responses to evidence-based interventions offered in the facility and enhance positive youth development.

Part B:

Applicant: Santa Clara

Grant requested: \$154,500

County size: Large

Project Summary: The funding will allow the County to “soften” the look and feel of the two designated living environments within the Juvenile Hall to the extent feasible. This will support limited infrastructure redesign and improvements that are rooted in a trauma informed design. The goal is to create spaces that are welcoming, demonstrating a safe environment, and providing some degree of privacy. Funding will also be utilized to redesign double occupancy rooms to a single occupancy room and add a desk and appropriate furniture within each room. Funds could be used for paint, comfortable

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

furniture to encourage social interaction between staff and youth, carpeting, and sound panels to reduce noise. Additionally, funding could be utilized for the redesign of a portable classroom for provision of vocational curriculum for trades apprenticeship classes.

Part B:

Applicant: Santa Cruz

Grant requested: \$47,086

County size: Small

Project Summary: Santa Cruz County does not have adequate facilities to host youth who are ordered into secure treatment facility whom prior to SB823 would be sent to DJJ. Santa Cruz County Juvenile Probation will therefore contract with host sites to support these youth. Local families face transportation challenges and do not have adequate digital capacity stay connected to their children who are in confinement. Santa Cruz County Juvenile Probation is committed to building and strengthening family relations. We will therefore prioritize family engagement and utilize Youth Program Facilities Grant Program funds to acquire a passenger van, digital devices and WiFi units to ensure youth and their families are connected.

Part B:

Applicant: Shasta

Grant requested: \$47,086

County size: Small

Project Summary: This project is intended to enhance the security within Shasta County's Juvenile Rehabilitation Facility by upgrading the current monitoring/security system in preparation for the implementation of the Secure Track Treatment Program.

Part B:

Applicant: Solano

Grant requested: \$82,400

County size: Medium

Project Summary: Wi-Fi installation for Solano County Juvenile Detention Facility to expand education, vocational and programming opportunities for youth committed to the facility under Division of Juvenile Justice Realignment. Wi-Fi installation will also enable the facility to incorporate Edovo tablets for youth, engage with community programs and assist in maintaining and strengthening family connections.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: Sonoma

Grant requested: \$82,400

County size: Medium

Project Summary: Prioritizing the local continuum of care, the Department's aim is to bolster the existing case management model for local realigned youth flowing from their longer commitments and heightened needs, in three ways: Information system upgrades; redesign improvements for visitation, therapy, and tele-health spaces; and the virtual systems upgrades to support those spaces.

Part B:

Applicant: Stanislaus

Grant requested: \$82,400

County size: Medium

Project Summary: The Stanislaus County Probation Department is requesting funding from this grant to purchase programming materials, furniture, and make infrastructure improvements for an existing unit in which we intend to house our SB 823 youth. The unit is in need of furniture to meet the needs of this population to effectively respond to programming. A multi-sensory, de-escalation room will be created, based on Sacramento County Probation's model, which has shown desirable results. Evidence-based interactive journaling will be purchased and utilized to instill positive life changes. Outcomes will be tracked to determine the effectiveness of the interactive journaling. Infrastructure changes includes an addition of an upgraded perimeter fence and gate. It is anticipated the furniture and materials will incentivize youth, while the infrastructure additions will provide a safe and secure environment, in a home-like setting.

Part B:

Applicant: Sutter

Grant requested: \$47,086

County size: Small

Project Summary: Effective July 1, 2021, the Department of Juvenile Justice will close intake to most youth which creates great responsibility for counties to enhance housing, programming, and treatment of these youth. This population of youth tend to be more sophisticated, commit crimes of greater severity, and present higher risk to the community and other youth within the facilities. The Tri-County Infrastructure Project (TCIP) will utilize an existing Secure Housing Unit (SHU) to house these long term "Secure Track" youth separate from the general population. The SHU facility has been vacant for an extended period of time and needs to be updated in order to provide a trauma informed space where these youth can thrive and be reintegrated into the community. Our intention is to utilize these grant funds to complete the updates to the SHU facility.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: Tulare

Grant requested: \$82,400

County size: Medium

Project Summary: On September 30, 2020, Governor Newsom signed Senate Bill 823 (Chapter 337, Statutes of 2020), which began the closure of the state's Division of Juvenile Justice (DJJ), realigning those state functions to county governments. There are currently 30 realigned DJJ youths that are expected to be returned to Tulare County. Tulare County plans to allocate grant funds for infrastructure-related needs and improvements necessary to develop a local continuum of care to serve realigned youth. Specific plans for improved infrastructure include the installation of perimeter fences and addition of cameras, which allow for the development of outdoor recreational areas envisioned to provide realigned youth an outlet for therapeutic activities, space for recreational sports, and vocational programs, including carpentry, plumbing, and masonry. The vocational programs and outdoor recreational space will not only equip youth with the job skills necessary to obtain employment but will support their rehabilitation and reintegration into our community.

Part B:

Applicant: Tuolumne

Grant requested: \$47,086

County size: Small

Project Summary: The Tuolumne County, through its Probation Department, is seeking funds through the Youth Programs and Facilities Grant (YPPFG), part B, for infrastructure improvements at the Mother Lode Regional Juvenile Detention Facility (MLRJDF). Such improvements would allow the department to provide for the increased supervision and security needs associated with the realignment population as defined in S8823.

Part B:

Applicant: Ventura

Grant requested: \$82,400

County size: Medium

Project Summary: The Ventura County Probation Agency (VCPA) plans to create a state-of-the-art Vocational Center embedded in the campus of our Juvenile Facilities. Utilizing promising practices as noted in the Results First Clearinghouse Database, our goals will be to have our realigned youth further their education, become job ready, trade certified and have a job waiting for them upon reentry. Data to be collected will include number of program participants, classes offered and completed, number of trade and high school equivalency certificates earned, number of job placements, number of youth enrolled in college courses, and recidivism rates. Our outcomes will be better behavior while in custody, high school equivalency certificates, college course credits earned, opportunities for increased earnings, job placements and reduced recidivism.

Youth Programs and Facilities Grant Program Application Project Summaries
Part A and Part B (In alphabetical order)

Part B:

Applicant: Yuba

Grant requested: \$47,086

County size: Small

Project Summary: Effective July 1, 2021, the Department of Juvenile Justice will close intake to most youth which creates great responsibility for counties to enhance housing, programming, and treatment of these youth. This population of youth tend to be more sophisticated, commit crimes of greater severity, and present higher risk to the community and other youth within the facilities. The Tri-County Infrastructure Project (TCIP) will utilize an existing Secure Housing Unit (SHU) to house these long term "Secure Track" youth separate from the general population. The SHU facility has been vacant for an extended period of time and needs to be updated in order to provide a trauma informed space where these youth can thrive and be reintegrated into the community. Our intention is to utilize these grant funds to complete the updates to the SHU facility.

Agenda Item C

MEETING DATE: April 11, 2024

AGENDA ITEM: C

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director allison.ganter@bscc.ca.gov

SUBJECT: Section 1046 (Death in Custody) of Title 15 of California Code of Regulations Final Approval of Proposed Regulations for Submission to Office of Administrative Law: **Requesting Approval**

Summary

This agenda item requests that the Board approve the final proposed regulations for adult local detention facilities to report in-custody deaths. This regulation is needed in connection with the upcoming appointment of the Director of In-custody Death Review, a new position created by Senate Bill (SB) 519 (Chapter 306, Statutes of 2023).

The proposed revisions in this report, approved by the Board in November 2023, have proceeded through the Administrative Procedures Act process, including a 45-day public comment period. BSCC staff received comments during the public comment period that were related to the proposed revisions; however, after considering comments, staff determined that no reasonable alternatives were presented that would improve the proposed revisions or correct any perceived problems.

BSCC staff is providing the Final Express Terms of the regulations and Final Statement of Reasons, including public comments received, and requesting approval to complete the rulemaking activities pursuant to the Administrative Procedures Act.

Background

On October 4, 2023, Governor Newsom signed SB 519, which establishes the Director of In-Custody Death Review (Director) and, beginning July 1, 2024, requires the Director to “review investigations of any death incident... occurring within a local detention facility.” Following these reviews, the Director shall “make specific and customized recommendations to the sheriff or administrator of the local detention facility who operates the local detention facility regarding those incidents, including changes to policies, procedures, and practices, facility upgrades, staffing considerations, the delivery of medical and behavioral health services within local detention facilities, and operational and capital funding requirements to address the director’s recommendations.” (Pen. Code, § 6034, subd. (b).)

The BSCC is in the initial planning stages of preparing for these new requirements. Part of this preparation is anticipating regulation revisions that may be necessary to facilitate the Director’s review of investigations of death incidents.

Government Code section 12525 requires correctional and law enforcement agencies to report in writing to the Attorney General within 10 days following any death that occurs while a person in the agency’s custody. Existing section 1046 of Title 15 of the California Code of

Regulations requires each facility administrator to conduct an initial review of each in-custody death within 30 days. The regulation also requires that if a minor housed in an adult facility dies while in custody, that a copy of the report submitted to the Attorney General pursuant to Government Code Section 12525 is submitted to the BSCC within 10 calendar days of the death.

BSCC staff anticipates that the Director will need timely access to the initial review of each in-custody death and a copy of the Government Code section 12525 report to the Attorney General. BSCC staff is proposing to add language to Section 1046 of Title 15 that would require the facility administrator to provide a copy of each initial review of death in custody to the BSCC within 60 days of the death, and require that a copy of the Attorney General's report is submitted for all deaths, adult and juvenile, within 10 days of the death. The regulation would also specify the minimum contents of the review, including information on the time, place, and circumstances surrounding the in-custody death.

At the November 16, 2023 meeting, the BSCC Board approved draft regulations, which proceeded through a 45-day public comment period beginning February 2, 2024 and closing March 20, 2024. Public comments were received and considered by BSCC staff. No reasonable alternatives were identified that would improve the proposed revisions or correct any perceived problems with the text as proposed. The public comments are summarized in Attachment C-2.

Staff is requesting that the Board approve the final Title 15 proposed regulation revisions and direct staff to complete the Administrative Procedures Act process for regulation adoption.

Recommendation/Action Needed

BSCC Staff recommends the following:

1. The Board approve the final regulation revisions to Title 15, Section 1046, requiring facility administrators to provide reports of deaths in custody to the BSCC pursuant to specified time frames.
2. The Board direct staff to complete the rulemaking activities for adoption of the regulation revisions, pursuant to the Administrative Procedures Act.

Attachments

- C-1: Proposed Revisions to Title 15, Section 1046, Death in Custody
C-2: Final Statement of Reasons

Attachment C-1

**BOARD OF STATE AND COMMUNITY CORRECTIONS
TITLE 15, DIVISION 1, CHAPTER 1, SUBCHAPTER 4
MINIMUM STANDARDS FOR LOCAL DETENTION FACILITIES**

FINAL REGULATION TEXT

1046. Death in Custody

(a) ~~Death in Custody Reviews for Adults and Minors.~~ The facility administrator shall develop written policy and procedures to comply with the in-custody death reporting requirements of Government Code section 12525. The facility administrator shall submit a copy of the report filed pursuant to section 12525 to the BSCC within 10 days of an in-custody death.

(b) The facility administrator, in cooperation with the health administrator, shall develop written policy and procedures to ~~conduct~~ ensure that there is an initial review and complete a written report of every in-custody death within 30 days of the death. The ~~review~~ team that conducts the initial review at a minimum shall include, at a minimum, the facility administrator or designee, the health administrator, the responsible physician and other health care, and supervision staff who are relevant to the incident.

Deaths shall be reviewed to determine the appropriateness of clinical care; whether changes to policies, procedures, or practices are warranted; and to identify issues that require further study.

(c) The facility administrator shall submit a copy of the initial review report of every in-custody death to the BSCC within 60 days of the death. The facility administrator shall provide a copy of the initial review report that comports with the disclosure requirements of section 832.10 of the Penal Code.

The initial review report shall contain the following information:

(1) Demographic information

- (A) Full name of the decedent
- (B) Date of birth
- (C) Date of death
- (D) Time of death
- (E) Gender
- (F) Race and ethnicity
- (G) Relevant medical history

(2) Facility Information

- (A) Name and location of the detention facility
- (B) Description of the location where the death occurred within the facility
- (C) Date and time of the incident
- (D) Detention facility personnel (including names and roles) involved in the reporting of the death or incident

(3) Any relevant circumstances leading up to death, including behavioral health or medical issues.

~~(b) Death of a Minor~~

(d) In any case in which a minor dies while detained in a jail, lockup, or court holding facility: the BSCC may inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter within 30 calendar days of the death. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

~~(1) The administrator of the facility shall provide to the Board a copy of the report submitted to the Attorney General under Government Code Section 12525. A copy of the report shall be submitted within 10 calendar days after the death.~~

~~(2) Upon receipt of a report of death of a minor from the administrator, the Board may within 30 calendar days inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.~~

NOTE: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Sections 832.10, 6030, 6034, Penal Code.

Attachment C-2

**BOARD OF STATE AND COMMUNITY CORRECTIONS
TITLE 15, DIVISION 1, CHAPTER 1, SUBCHAPTER 4
MINIMUM STANDARDS FOR LOCAL DETENTION FACILITIES**

FINAL STATEMENT OF REASONS

UPDATE TO INITIAL STATEMENT OF REASONS

The BSCC did not make any changes to the proposed regulation text as originally noticed on February 2, 2024.

LOCAL MANDATE DETERMINATION

Pursuant to Government Code Section 11346.9(a)(2), the Board of State and Community Corrections (BSCC) has determined that adoption, amendment, or repeal of these Title 15 regulations as proposed, do not impose a mandate on local agencies or school districts.

ALTERNATIVES DETERMINATION

Pursuant to Government Code section 11346.9, subdivision (a)(4), the BSCC has determined that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

There have been no updates to the original Economic Impact Analysis published in the Notice of Proposed Action on February 2, 2024. Pursuant to Government Code section 11346.9, subdivision (a)(5), the BSCC has determined that no reasonable alternative would lessen any adverse economic impact on small business; the BSCC did not receive any proposed alternatives.

DOCUMENTS INCORPORATED BY REFERENCE

No documents have been incorporated by reference during the 45-day public comment period or otherwise.

SUMMARY AND RESPONSE TO 45-DAY PUBLIC COMMENT

**COMMENTER #1
Robert Michael Vanleeuwen
Received February 26, 2024**

Summary of Comment

Policies and procedures related to investigating in-custody violence and deaths should include variables that incite violence, such as high levels of frustration, discontent with one's surroundings, having to hand-write letters or format legal documents without extreme effort, debt, or rule violations.

Mr. Vanleeuwen also commented on Title 15, section 1064, Library Services, the basis of convictions, pre-trial detention orders, prosecutor-requested bail, group punishments, and privileges in facilities. In accordance with Government Code section 11346.9(a)(3), the BSCC has determined these comments to be irrelevant as they are not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action.

COMMENTS #2

ACLU California

Received March 19, 2024, Via Email (*Letter erroneously dated March 19, 2023*)

Summary of Comment

Expand the list of information required for the initial review report to include:

- Case information, including date of arrest or admission, case status, bail amount (if pretrial), and any finding of incompetence to stand trial, whether the decedent was waiting for placement with the Department of State Hospitals, and the date of commitment to the Department of State Hospitals. Including case information will inform the Board's and Director of In-Custody Death's recommendations to address the in-custody death crisis.
- Details of the onset of illness or injury, and if death occurred in the hospital, onset of illness or injury that led to hospitalization, if death occurs while hospitalized. Including details for deaths that occur in hospitals reduces obscurity in reporting and prevents the potential for a facility to not report an in-custody death when the death occurs in the hospital because the location of the death is not within the detention facility.
- Date and time of the last safety check. Including safety check information will help the Board and Director of In-Custody Death evaluate problems related to custodial oversight.

COMMENTS #3

ACLU California Action et al.

Received March 20, 2024, Via Email

Summary of Comment

In addition to the recommendation summary for commenter #2, expand the list of information required for the initial review report to include disabilities and mental health diagnoses and relevant information relating to an individual's repeated time in custody until the date of their death, to provide a more comprehensive snapshot of individuals before an in-custody death occurs.

BSCC RESPONSE

The proposed changes to Title 15, section 1046, Death in Custody, include additional requirements for the initial review report that facility administrators must submit to BSCC within 60 days of a death in custody. BSCC has proposed a list of information that must be included in the initial review report, including but not limited to “Any relevant circumstances leading up to death, including behavioral health or medical issues.” The proposed requirement is intentionally broad, so any relevant circumstances that occurred leading up to the death are provided rather than explicitly defined circumstances that would limit the scope of information provided to BSCC. Pursuant to Penal Code Section 6034(b), the scope of the director’s review is limited to death incidents occurring within a local detention facility. Further, upon determination by the Board that it is necessary and appropriate, the director may conduct further review of a death incident, which allows for the Board and the director to determine what additional information is necessary and appropriate during further review of each individual incident.

No modifications will be made to the proposed regulation text.

01 ROBERT MICHAEL VANLEEUWEN (TAFOYA) #BS8619
02 P.O. BOX 1050 (SVSP-A2-132)
03 SOLEDAD, CA - 93960
04

05 # COMMENT ON '2024-5-CRLB-131'

06 - COMMENT PERIOD: 2-2-24 ~ 3-20-24
07

08 WITH RESPECT, THIS BOARD CONTINUES TO ACT WITH THE BEST INTENTIONS
09 YET SOMEHOW IGNORES THE QUALITY OF LIFE ISSUES AND THE MODERNIZATION
10 DISPARITY PREVELANT IN STATE AND COMMUNITY FACILITIES.
11

12 SECTION § 1064 REMAINS INCOMPLETE, OPEN ENDED AND UTTERLY USELESS IN
13 DEFINING THE MOST IMPORTANT MINIMUM STANDARDS FOR INMATE ACCESS TO, NOT
14 ONLY INFORMATION, BUT LEGAL AND EDUCATIONAL MATERIAL.
15

16 IT IS 2024, YET TO SUBMIT A TYPED LETTER, DOCUMENT OR COURT PLEADING WE
17 MUST PAY \$400.00 FOR A TYPEWRITER, WHICH NO INMATE CAN AFFORD WITHOUT ANY
18 ASSISTANCE OR PAY OTHER INMATES TO COMPLETE THE MOST BASIC TYPING TASK. IN
19 STATE FACILITIES, COMPUTERS PROVIDE LEGAL ACCESS, BUT NO MEANS OF USING
20 MICROSOFT OFFICE WORD OR OPENSOURCE ALTERNATIVE. THESE COMPUTERS SIT IN A
21 ROOM WITH A PRINTER, YET NO ATTEMPT TO PROVIDE MODERN ACCESS TO OFFICE
22 APPLICATIONS OR PRINT SERVICES HAS EVER BEEN ATTEMPTED. IN COUNTY JAIL,
23 MOST COMPUTERS ARE NOT ALLOWED TO BE USED WITH A MOUSE OR KEYBOARD.
24

25 ONE SENTENCE IN SECTION § 1064 CAN CHANGE THINGS.
26

27 WHILE THE BSCC CONTINUES TO SEEK IMPLEMENTATION OF POLICY AND PROCEDURE
28 TO PROTECT INMATES, INVESTIGATE IN CUSTODY VIOLENCE AND DEATHS,.. SOME OF
29 THE ATTENTION SHOULD BE PLACED ON THE VARIABLES THAT INCITE VIOLENCE - A
30 HIGH LEVEL OF FRUSTRATION, DISCONTENT WITH ONES SURROUNDINGS WHEN A PERSON
31 CANNOT MICROWAVE A BAG OF POPCORN, WRITE A LETTER OR FORMAT APPROPRIATE
32 LEGAL DOCUMENTS, ETC... WITHOUT EXTREME EFFORT, DEBT OR RISK OF RULE-
33 VIOLATIONS IN THE CASE OF CONDUCTING RISKY BUSINESS WITH OTHER INMATES.
34

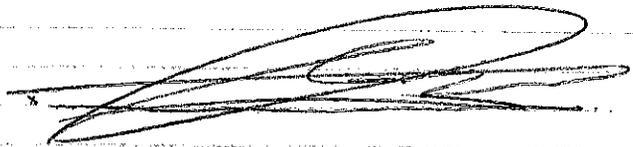
35 SINCE THE LATE 1970'S AND THE DAWN OF "INFERRED LIABILITY", WE MUST NOT
36 FORGET THAT A GROWING PERCENTAGE OF CONVICTIONS ARE BASED ON AN LACK OF
37 ABILITY TO PAY FOR A SERIOUS DEFENSE, PLEAS OF GUILT TO AVOID UNJUSTIFIED
38 PENALTY, AND CLASS ISSUES. YET INMATES ARE OFTEN PUNISHED AS A GROUP IN
39 FACILITY ADMINISTRATION, WHERE EVEN WHEN SOMETHING CAN BE PROVIDED, IT
40 ISNT, SIMPLY BECAUSE REGULATIONS DONT SPECIFY IT. MANY OF US MAY NOT BE IN
41 THIS PLACE IF WE HAD MINIMUM STANDARDS TO INCLUDE SPECIFIC PRIVILEGES. A
42 SET OF PRIVILEGES MANY MAY FEEL ARE INCLUSIVE, OBVIOUS, BUT DENIED OUT OF
43 HATE, ILL-WILL, A LACK OF REQUIREMENT.
44

01 DARE WE ALSO BRING UP SELF-REPRESENTATION OR THE PENALTY OF COUNTY-JAIL
02 THAT HAS PROSECUTORS REQUESTING HIGH-BAIL OR ABSURD PRE-TRIAL DETENTION
03 ORDERS BECAUSE IT GUARANTEES (1) THE PERSON LOOKS GUILTY, (2) YOU CAN
04 MONITOR CONTACT WITH LEGAL ISSUES, (3) LIMIT DEFENSE ABILITY TO FIND OR
05 LOCATE WITNESSES, (4) TORTURE A PERSON THROUGH THE DAY-TO-DAY TO INCITE A
06 PLEA OF GUILT, (5) MAKE RESEARCH VIRTUALLY IMPOSSIBLE... THE LIST GOES ON...
07 THE "GUILTY" RECEIVE MORE PRIVILEGES THAN THE "INNOCENT" IN OUR STATE /
08 COMMUNITY FACILITIES - BUT THE "GUILTY" MAY NEVER HAVE BEEN FOUND "GUILTY"
09 HAD BASIC PRIVILEGES OR QUALITY OF LIFE ISSUES BEEN DIFFERENT,
10

11 HAVING SPENT 3 YEARS IN COUNTY AND GOING ON 2 IN STATE - I AM A VICTIM OF
12 THE AMBIGUITY AND LACK OF MINIMUM STANDARDS.
13

14 RESPECTFULLY,
15

16 ROBERT MICHAEL VANLEEUWEN
17

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25 COPY MACHINE WONT DEGRADE.
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ROBERT M. VANLEEUWEN (TAROYA) #B58619
P.O. BOX 1050 (SVSP-A2-132)
SOLEDAD, CA- 93960

SAN JOSE CA 950

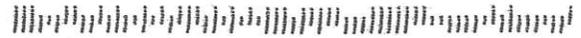
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STATE PRISON
GENERATED MAIL

AMANDA FERREIRA, AGPA
2590 VENTURE OAKS WAY #200
SACRAMENTO, CA - 95833

95833-328850



PUB. COMMENT - PROPOSED REGULATION 2024-S (RLB 13)



March 19, 2023

VIA EMAIL

Amanda Ferreira
Associate Governmental Program Analyst
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
regulations@bscc.ca.gov

Re: Proposed Amendment of Section 1046 of Title 15 – Written Public Comment and Request for Public Hearing

Dear Ms. Ferreira,

For the past 50 years, the American Civil Liberties Union (ACLU) has led litigation, monitoring efforts, and legislative lobbying regarding conditions in carceral facilities in California. Relevant bills ACLU Cal Action has sponsored include AB 732 (Strengthening Reproductive Healthcare for People in Jails and Prisons) and SB 132 (Transgender Respect, Agency, and Dignity Act). ACLU SoCal currently maintains hotlines for people incarcerated in Los Angeles and Orange County jails and is plaintiffs' counsel for four conditions-related lawsuits stemming from issues within the Los Angeles County Jails.

Our affiliates closely track in-custody death trends and have worked with coalitions across the state to bring attention to the sharp rise in in-custody deaths over the last five years.¹ We applaud SB 519 (Corrections) and hope the new Director of In-Custody Death position at the Board of State and Community Corrections (Board) will bring much needed oversight to this issue and, ultimately, save lives.

We write to provide public comment on the proposed amendment of section 1046 of Title 15, Division 1, Chapter 1, Subchapter 4 of the California Code of Regulations and to request a public hearing.

The Board's Notice of Proposed Action and Amendment of Regulations lists anticipated benefits of the proposed amendments to Title 15. The Board notes that the revisions should result in "improved investigative accountability and transparency in reporting, and the necessary data and reporting to

¹ See, for example, Care First California, *A Decade of Lives Lost: a Report of In-Custody Deaths in California between 2011-2022*, at <https://carefirstca.org/wp-content/uploads/2024/02/InCustodyDeaths.pdf>.

support the enhanced mission of the BSCC to review, inspect, and promote legal and safe conditions in local detention facilities.”²

The proposed regulations, while constructive, contain gaps that will hinder the Board’s mission and, particularly, the ability of the new Director of In-Custody Death to determine the nature of the problems in detention facilities. We recommend revisions to proposed subdivisions (c) and (d) of section 1046, noted in red below.

1046. Death in Custody

(c) The facility administrator shall submit a copy of the initial review report of every in-custody death to the BSCC within 60 days of the death. The facility administrator shall provide a copy of the initial review report that comports with the disclosure requirements of section 832.10 of the Penal Code.

The initial review report shall contain the following information:

(1) Demographic information

- (A) Full name of the decedent
- (B) Date of birth
- (C) Date of death
- (D) Time of death
- (E) Gender
- (F) Race and ethnicity
- (G) Relevant medical history

(2) Case Information

- (A) Date of arrest or admission
- (B) Case status
- (C) Bail amount (if pretrial)
- (D) Any finding of incompetence to stand trial, whether decedent was waiting for placement with the Department of State Hospitals, and the date of commitment to the Department of State Hospitals

(3) Facility Information

- (A) Name and location of the detention facility where death or onset of illness or injury occurred
- (B) Description of the location where the death or onset of illness or injury occurred within the detention facility
- (C) If death occurred in the hospital, date and time of the incident, onset of illness or injury that led to hospitalization
- (D) Detention facility personnel (including names and roles) involved in the reporting of the death or incident

(4) Any relevant circumstances leading up to death, including behavioral health or medical issues and date and time of last safety check.

(b) Death of a Minor

(d) In any case in which a minor dies while detained in a jail, lockup, or court holding facility, or in a hospital after being injured or falling ill while detained in a jail, lockup or court holding facility, the BSCC

² BSCC, Notice of Proposed Action and Amendment of Regulations, p. 3, at https://www.bscc.ca.gov/wp-content/uploads/2024/02/B.NOPA_T15AdultReg1046_FINAL.pdf.

may inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter within 30 calendar days of the death. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

The changes proposed in red above are necessary if the Board is to achieve its goal of robust data collection that will allow the Director of In-Custody Death to address root causes of death in detention facilities.

1. Deaths in hospital obscure problems in detention facilities.

Frequently, people who are injured or fall ill while in a detention facility ultimately die in a hospital. When local agencies are only required to report the location of the death, they simply report the name of the hospital. As a result, local agencies with multiple detention facilities can escape effective oversight because the number of deaths per facility is obscured.

For example, Los Angeles County has reported five in-custody deaths so far this year.³ Four out of the five deaths occurred at Los Angeles General Medical Center. Without the name and location of the detention facility where the onset of illness or injury occurred or any description of the location where the onset of illness or injury occurred, the Board and Director of In-Custody Death will not be able to identify problems or trends in the individual detention facilities. Only requiring the location of death obscures this vital information when someone dies in a hospital. All information about whether a person fell ill or was injured or assaulted in a cell, living area, or recreation yard is lost when an agency only has to report that a person died in a hospital ward.

Similarly, the provision in subdivision (d) related to juvenile facilities currently fails to give the BSCC power to inspect jail, lockups, or court holding facilities if a minor dies in a hospital.

Conversely, if hospitals are not explicitly included in the reporting requirement, local agencies may not report an in-custody death at all. In 2022, Riverside County publicly reported 18 deaths in custody, yet failed to publicly report⁴ an additional death that occurred in a local hospital.

2. Lack of case information will prevent the Board and Director of In-Custody Death from offering a full range of recommendations to address the in-custody death crisis.

Basic case information is important in understanding the context of the in-custody death and can help the Board more effectively advocate for alternatives to incarceration that will address the in-custody death crisis.

Arrest date and case information matter when determining reasons for death and recommending changes in the custodial setting to prevent certain types of death. A United States Department of Justice

³ Los Angeles County Sheriff's Department, In-Custody Deaths Current Year: 2024, at <https://lasd.org/transparency/icd/>.

⁴ Albani-Burgio, Paul, "Amid overdose, man was arrested, sat in Riverside County jail cell and died, lawsuit says," Desert Sun, September 11, 2023, at: https://www.desertsun.com/story/news/crime_courts/2023/09/11/police-riverside-county-deputies-let-inmate-die-in-riverside-county-after-overdose-new-lawsuit-says/70823193007/

study found that two-thirds of deaths by suicide in local jails occurred within the first 30 days of admission.⁵ The same study found that 77% of the people who died by suicide were unconvicted.

Data collected must also help the Board and Director of In-Custody Death determine whether lives can be saved by investing more in alternatives to incarceration and shortening wait times for state hospitals. Realignment tasked local law enforcement with “managing offenders in smarter and cost-effective ways.”⁶ Community Corrections Partnership Plans submitted to the Board demonstrate law enforcement efforts to create alternatives for incarceration, particularly for those with mental illness. For example, the primary goal in San Diego County CCPP is “to enhance prevention, diversion, and alternatives to custody; reserve jail for individuals posing a serious risk to public safety or sentenced for serious crimes.” County of San Diego, Community Corrections Partnership Plan FY 2022-23, p. 10, at <https://www.bscc.ca.gov/wp-content/uploads/San-Diego-Updated-Annual-Plan-22-23.pdf>. The same plan includes a Behavioral Health Court that provides “treatment in lieu of detention” for people diagnosed with severe mental illness. *Id.*, p. 27. Information related to a person’s involvement in a mental health court will help the Board determine whether more robust alternatives to incarceration are needed to address the in-custody death crisis.

The Board must also be able to determine whether a person who dies should have been in local custody at all. The California Department of State Hospitals (DSH) treats people charged with felonies yet found incompetent to stand trial (IST).⁷ Because DSH does not have enough beds, and there is insufficient use of noncustodial responses to IST determinations. People declared IST languish in local detention facilities for months. In response to a Public Records Act request submitted by ACLU of Northern California in 2023, DSH admitted that at least 35 people died in local custody between 2018 and late last year while awaiting treatment at a state hospital.⁸ The Board must identify people who died while waiting for DSH placement, and have access to sufficient information about the circumstances of their deaths, in order to understand all factors at play when someone dies in a local detention facility.

3. Information on safety checks will help the Board and Director of In-Custody Death evaluate problems related to custodial oversight.

Title 15 requires safety checks at least hourly for adults (section 1027.5), at least every 30 minutes for minors (section 1104), and every 15 minutes if the minor displays outward signs of being under the influence of any substance (section 1151). Because effective safety checks should reduce the incidence of death in detention facilities, it is imperative for the Board to know whether missed safety checks played a role in any in-custody death.⁹

⁵ U.S. Dep’t of Just., *Suicide in Local Jails and State and Federal Prisons, 2000-2019 – Statistical Tables* (Oct. 2021), p. 3, at <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/sljsfp0019st.pdf>.

⁶ BSCC, Realignment & Community Corrections Partnerships, at https://www.bscc.ca.gov/m_realignment/.

⁷ California Legislative Analyst Office, *The 2021-22 Budget: Behavioral Health: Community Care Demonstration Project*, p. 1, at <https://lao.ca.gov/reports/2021/4382/behavioral-health-CCDP-021921.pdf#page=3>.

⁸ DSH response to public records act request on file with ACLU NorCal.

⁹ See, for example, the LA County Office of the Inspector General noting “several missed Title 15 safety checks” prior to a December 2023 death at the North County Correctional Facility. Office of the Inspector General of Los Angeles County, *Reform and Oversight Efforts: Los Angeles County Sheriff’s Department, October 2023 through December 2023*, p. 36, at <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/431627bf-2e3d-4e27-b83b->

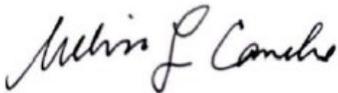
While these recommendations reflect our work and experience with those incarcerated in detention facilities throughout California, we do not speak for those directly impacted. ACLU formally requests a public hearing so that the Board can discuss these suggested amendments and hear from people who have lost loved ones in-custody.

We are grateful for the opportunity to submit public comment and would be pleased to discuss any of these recommendations further.

Sincerely,



Eric Henderson
ACLU Cal Action



Melissa L. Camacho
ACLU of Southern California



Yoel Y. Haile
ACLU of Northern California

/s Branden Sigua
Branden Sigua
ACLU of San Diego and Imperial Counties

JUSTICE2JOBS
S A C R A M E N T O

**YOUNG WOMEN'S
FREEDOM CENTER**

**FREEDOM
4 YOUTH**

**ELLA BAKER
CENTER for
HUMAN RIGHTS**
She led. So can you.

r'epair

**ACLU CALIFORNIA
ACTION**

BEND THE ARC
jewish action
southern california



Amanda Ferreira
Associate Governmental Program Analyst
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
regulations@bscc.ca.gov

Re: Proposed Amendment of Section 1046 of Title 15 – Written Public Comment

Dear Ms. Ferreira and Board,

On behalf of the undersigned organizations, we are writing regarding the proposed changes and revisions to section 1046 of Title 15, Division 1, Chapter 1, Subchapter 4 of the California code of regulations. Our collective of organizations has been working with families who have lost loved ones in custody alongside advocates who have done intensive reviews and [analysis of death reporting data](#).

We are happy to see the proposed changes include critical data points missing from current regulations. However, additional points should be included to ensure that the BSCC and the new incoming Director of In-Custody Death Reviews have the required amount of information to be able to conduct thorough analyses of each death and provide comprehensive recommendations.

As such, we are suggesting the following revisions to the proposed regulations that we have marked in red below:

§ 1046 (c)(1) Demographic Information

- (A) Full name of the decedent
- (B) Date of birth
- (C) Date of death
- (D) Time of death
- (E) Gender
- (F) Race and ethnicity
- (G) Relevant medical history, **including disabilities and mental health diagnoses.**
- (H) Relevant information relating to an individual's repeated time in custody until the date of their death**
- (I) Date of arrest**
- (J) Case status**
- (K) Bail amount, if pretrial**
- (L) Any finding of incompetence to stand trial, whether decedent was waiting for placement with the Department of State Hospitals, and the date of commitment to the Department of State Hospitals**

Reasoning for additions and changes:

We have included the revisions in red that can help provide a more comprehensive snapshot of the individuals before an in-custody death occurs. For example, the date of initial arrest is often omitted in most public reporting, but it can help provide more context as to what interventions the custodial facility engaged in before the individual passed. Information like case status and bail amount can help show the concerning trends across the state of individuals dying in county jails while being detained pre-trial.

§ 1046 (c)(2) Facility Information

(A) Name and location of the detention facility **where death or onset of illness or injury occurred**

(B) Description of the location where the death or **onset of illness or injury** occurred within the **detention** facility

(C) **If death occurred in a hospital, the date and time of onset of illness or injury that led to hospitalization**

(D) Detention facility personnel (including names and roles) involved in the reporting of the death or incident

§ 1046 (c)(4) Any relevant circumstances leading up to death, including behavioral health or medical issues and the time last safety check was conducted

Reasoning for additions and changes:

Often the information that is reported fails to include information as to where the onset of illness occurred or where injuries were sustained. These incidents ultimately result in deaths at hospitals, but no information is provided as to what led to the hospitalization. Current requirements only mandate the location of death which obscures county jail systems that have a multitude of detention facilities. Los Angeles County is a perfect example: the county has reported five in-custody deaths so far this year, out of which four deaths occurred at Los Angeles General Medical Center.¹

Without this crucial background, the Board and future Director of In-Custody Death will not be able to identify problems or trends in the detention facilities. Only requiring that localities submit the location of death obscures this vital data point. Conversely, if hospitals are not explicitly included in the reporting requirement, local agencies may not report an in-custody death at all. For example, in 2022, Riverside County publicly reported 18 deaths in custody yet failed to publicly report an additional death that occurred in a local hospital.²

¹ Los Angeles County Sheriff's Department, In-Custody Deaths Current Year: 2024, at <https://lasd.org/transparency/icd/>.

² Albani-Burgio, Paul, "Amid overdose, man was arrested, sat in Riverside County jail cell and died, lawsuit says," Desert Sun, September 11, 2023, Available at: https://www.desertsun.com/story/news/crime_courts/2023/09/11/police-riverside-county-deputies-let-inmate-die-in-riverside-county-after-overdose-new-lawsuit-says/70823193007/

§ 1046 (d)

In any case in which a minor dies while detained in a jail, lockup, or court holding facility, **or in a hospital after being injured or falling ill while detained in a jail, lockup or court holding facility:** the BSCC may inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter within 30 calendar days of the death. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

Reasoning for additions and changes:

As stated above, the issue of under-reporting deaths in hospitals and/or not counting those deaths properly is a data point that should be extended to juvenile facilities to best capture a wide breadth of information relating to the minor who dies in custody.

We hope that the BSCC can take the above additions into consideration, and we look forward to working with you to ensure that our state is properly capturing all this critical information.

Sincerely,

ACLU California Action
Bend the Arc Southern California
Black Men Build - Los Angeles
California Coalition for Women Prisoners
Care First California
Carceral Ecologies
Community Interventions
Communities United for Restorative Youth Justice
Ella Baker Center
Freedom 4 Youth
Fresh Start Training & Employment Services
Justice2Jobs Coalition
LOVE Center
MILPA
North County Equity & Justice Coalition
Peace and Justice Law Center
Racial Justice Coalition of San Diego
Repair
Sheriff Accountability Coalition (Riverside)
Starting Over, Inc.
Young Women's Freedom Center

Agenda Item D

MEETING DATE: February 15, 2024

AGENDA ITEM: D

TO: BSCC Chair and Members

FROM: Stacy Rilea, Research Data Specialist III, stacy.rilea@bscc.ca.gov

SUBJECT: Proposition 47 Grant, Cohort II: Statewide Evaluation Findings 2019-2023: **Information Only**

Summary

This information item provides a summary of the Proposition 47 Cohort II grant program evaluation administered by the Board of State and Community Corrections. Cohort II began in August 2019 and ended May 2023, except for five grantees who accepted a no-cost, one-year extension. During that time, 21 grantees provided more than 21,000 individuals with services, including mental health services, substance use disorder treatment and diversion programs. For the individuals who identified housing or employment as a goal, homelessness and unemployment rates were markedly lower at program completion relative to program enrollment. The statewide recidivism rate for Proposition 47 Cohort II participants was lower than the statewide average, suggesting that participants who received services through this grant program may be less likely to recidivate.

The attached presentation (Attachment D-1) and statewide evaluation report (Attachment D-2) highlight results and progress made by the Cohort II grant recipients toward providing services to individuals with a history of mental health and/or substance-use disorder issues who were or are involved in the justice system.

Background

Pursuant to Proposition 47, a 2014 voter-approved initiative to reduce penalties and encourage rehabilitation for people who commit lower-level crimes, this grant provides funding for mental health services, substance-use disorder treatment and diversion programs for people in the justice system. Grantees may also provide housing-related assistance and other community-based supportive services, including job skills training, case management and civil legal services. The grant funds projects that serve both adults and juveniles.

The Proposition 47 Cohort II grant period began on August 15, 2019, and concluded May 15, 2023. The statewide evaluation of the Cohort II grant compiled participant information from the 21 grantees, including demographics, services received, and program outcomes. Three outcome measures were examined: 1) change in housing status for participants who indicated housing was a goal, 2) change in employment status for participants who identified employment as a goal, and 3) recidivism rates after program enrollment. Variations in recidivism rates based on demographic information, participation status, and housing and employment status at program completion were also examined.

Attachments

- D-1: Proposition 47 Grant, Cohort II: Statewide Evaluation Findings 2019-2023 PowerPoint presentation
- D-2: Proposition 47 Cohort II: Statewide Evaluation Report

Attachment D-1

A photograph of the California State Capitol building, showing its iconic dome and classical architectural details, set against a clear blue sky. An American flag is visible on the left side of the building.

PROPOSITION 47 GRANT, COHORT II: STATEWIDE EVALUATION FINDINGS 2019-2023

April 11, 2024

PROPOSITION 47 PRESENTATION

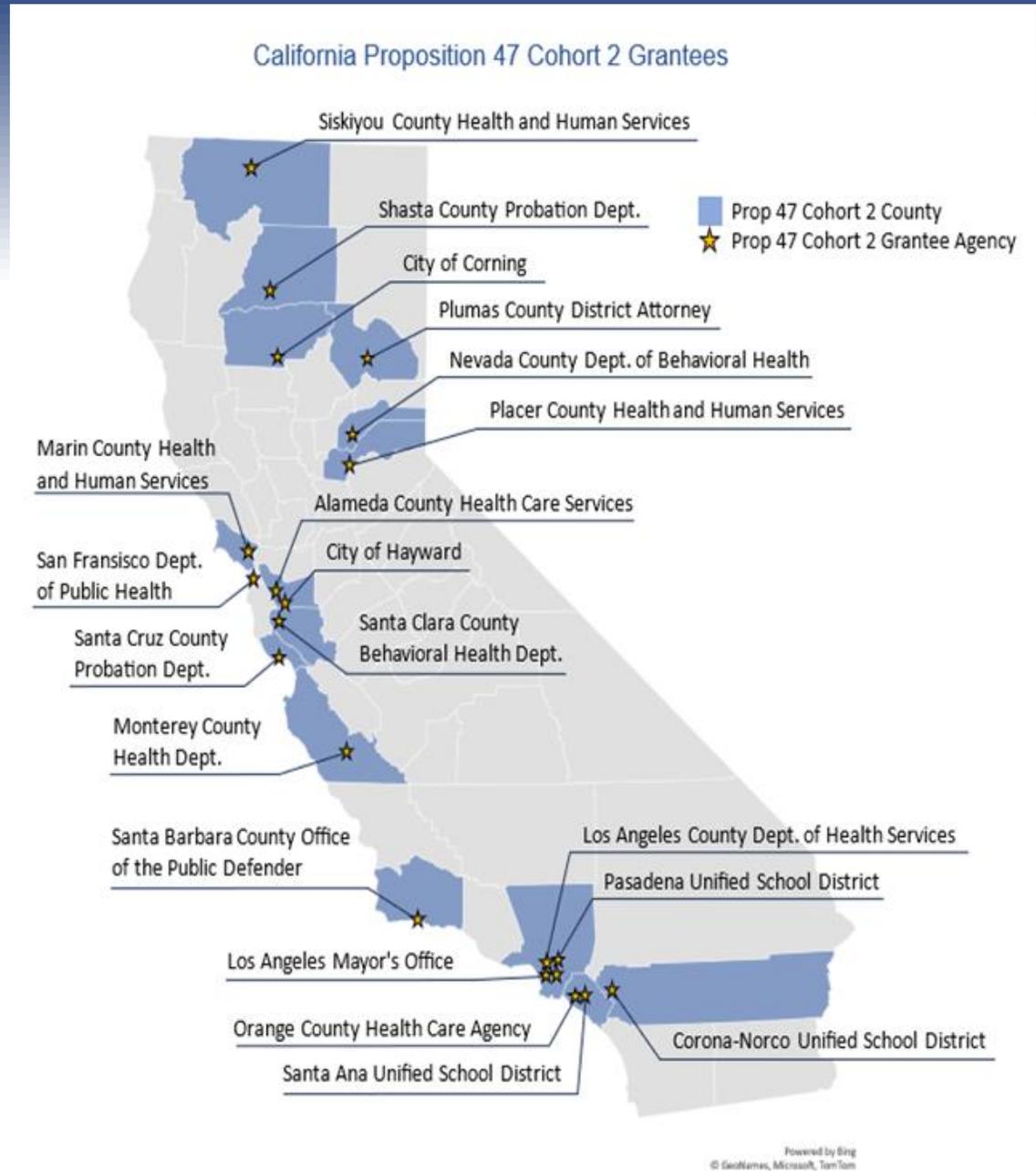
- Grantee information
- Participant information
- Services provided
- Housing and employment outcome data
- Recidivism rates for participants

PROPOSITION 47

- Reduce low-level, nonviolent, property and drug crimes from felonies to misdemeanors
- 65% of the net state savings are distributed to the BSCC
- Program is designed to serve:
 - Individuals involved in the justice system
 - AND have a history of mental health or substance use disorder

PROPOSITION 47 COHORT II

- August 15, 2019 – May 15, 2023
- **21** grantees were awarded **\$92,779,390**



SERVICES PROVIDED

Required Services



Mental Health Services	<i>Provided by 95% of grantees</i>
Substance Use Disorder Treatment	<i>Provided by 91% of grantees</i>
Diversion Programs	<i>Provided by 62% of grantees</i>

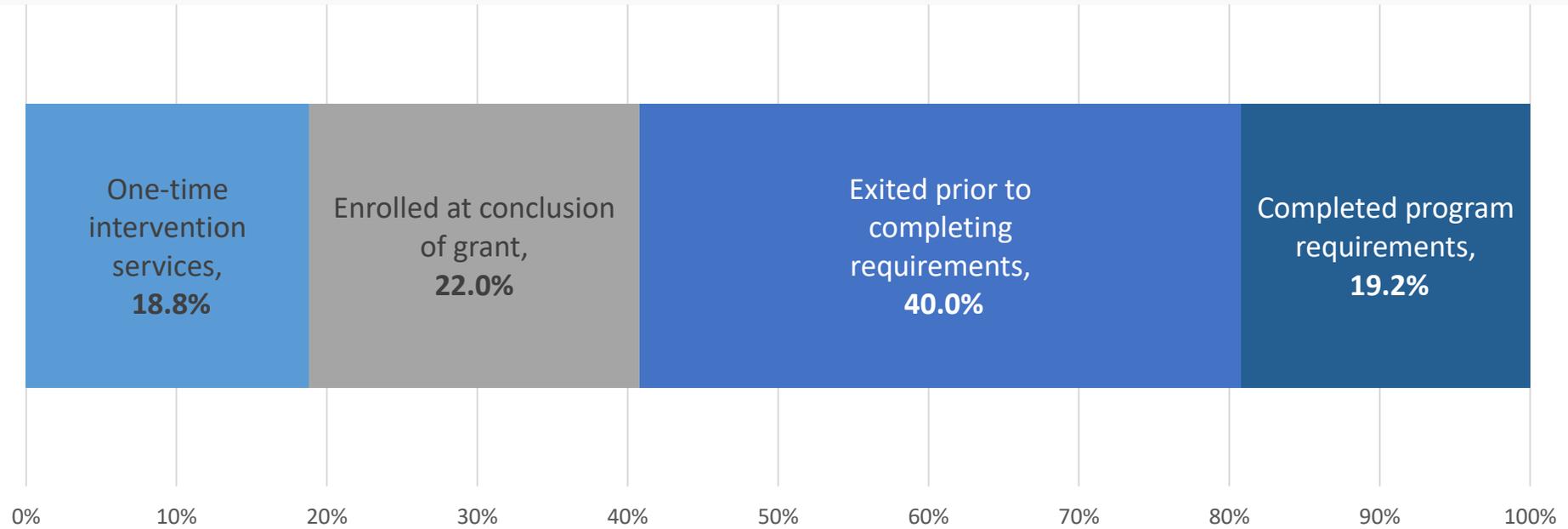
Optional Support Services

- Assistance with food
- Basic necessities
- Case management
- Education services
- Employment services
- Housing services
- Legal services
- Social services
- Transportation services

PROPOSITION 47 PARTICIPANTS

- 21,706 participants received services
 - 72% were male
 - Average age was 38
 - Largest racial/ethnic groups included
 - Hispanic, Latino or Spanish
 - Black or African American
 - White
 - 37% had less than a high school diploma
 - 31% were unhoused
 - 65% were unemployed

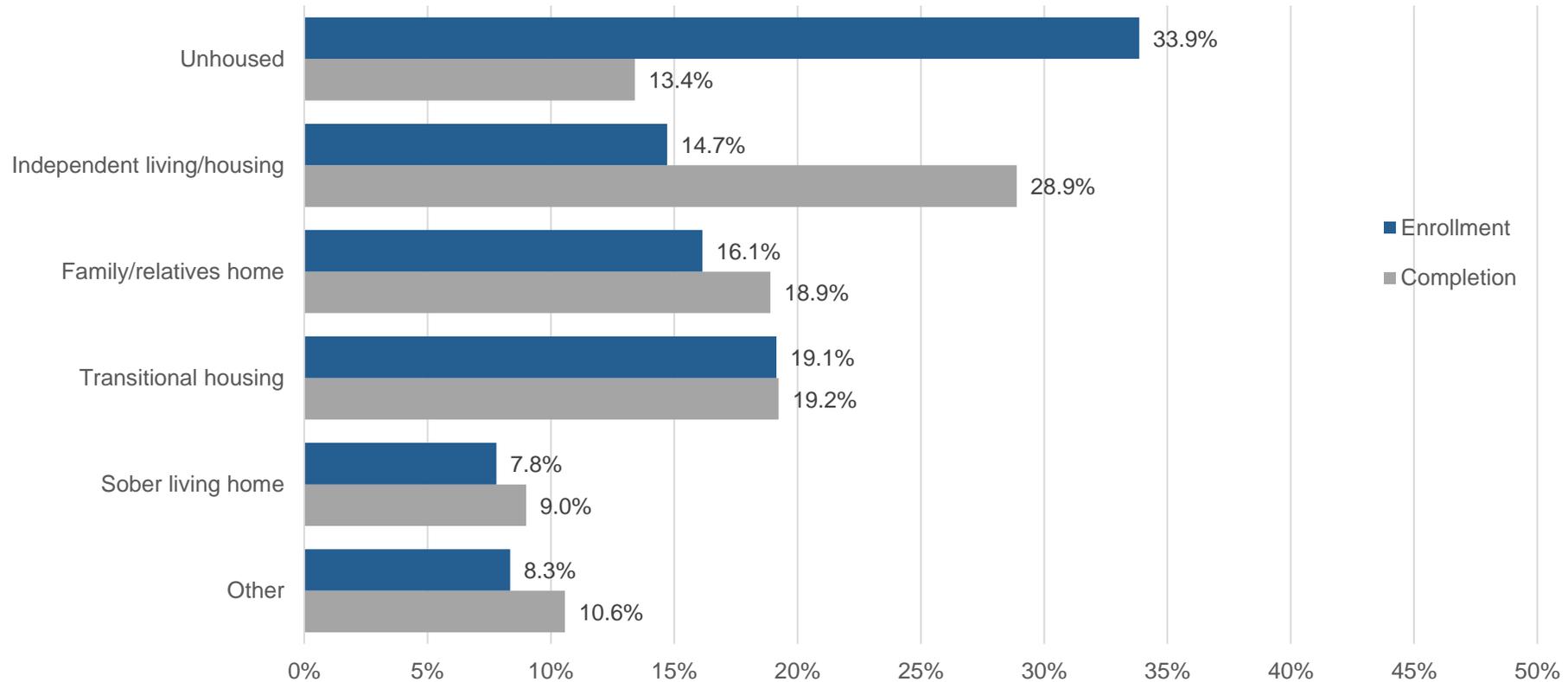
PARTICIPATION STATUS



PROPOSITION 47 PROGRAM OUTCOMES

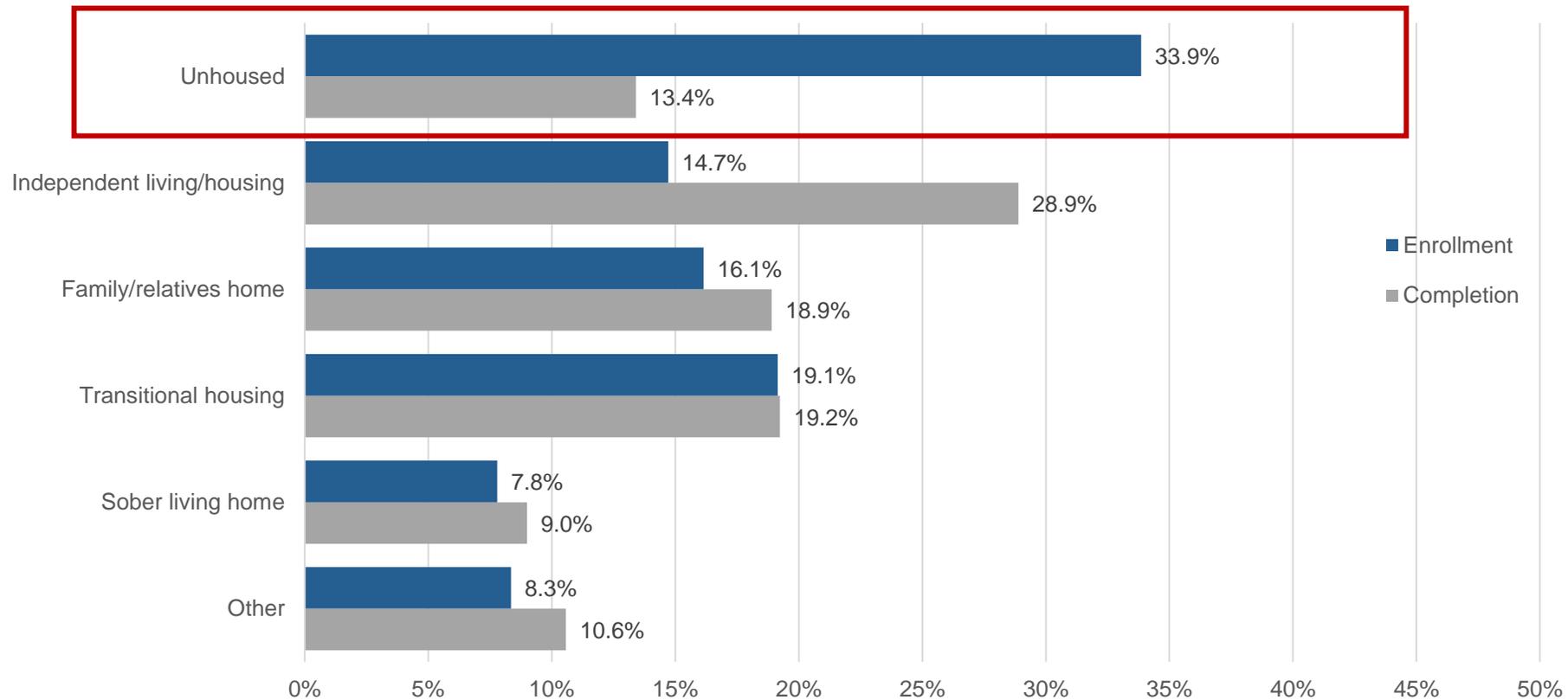
HOUSING OUTCOMES

Participants who indicated housing was a goal *and* completed program requirements
N = 2,168



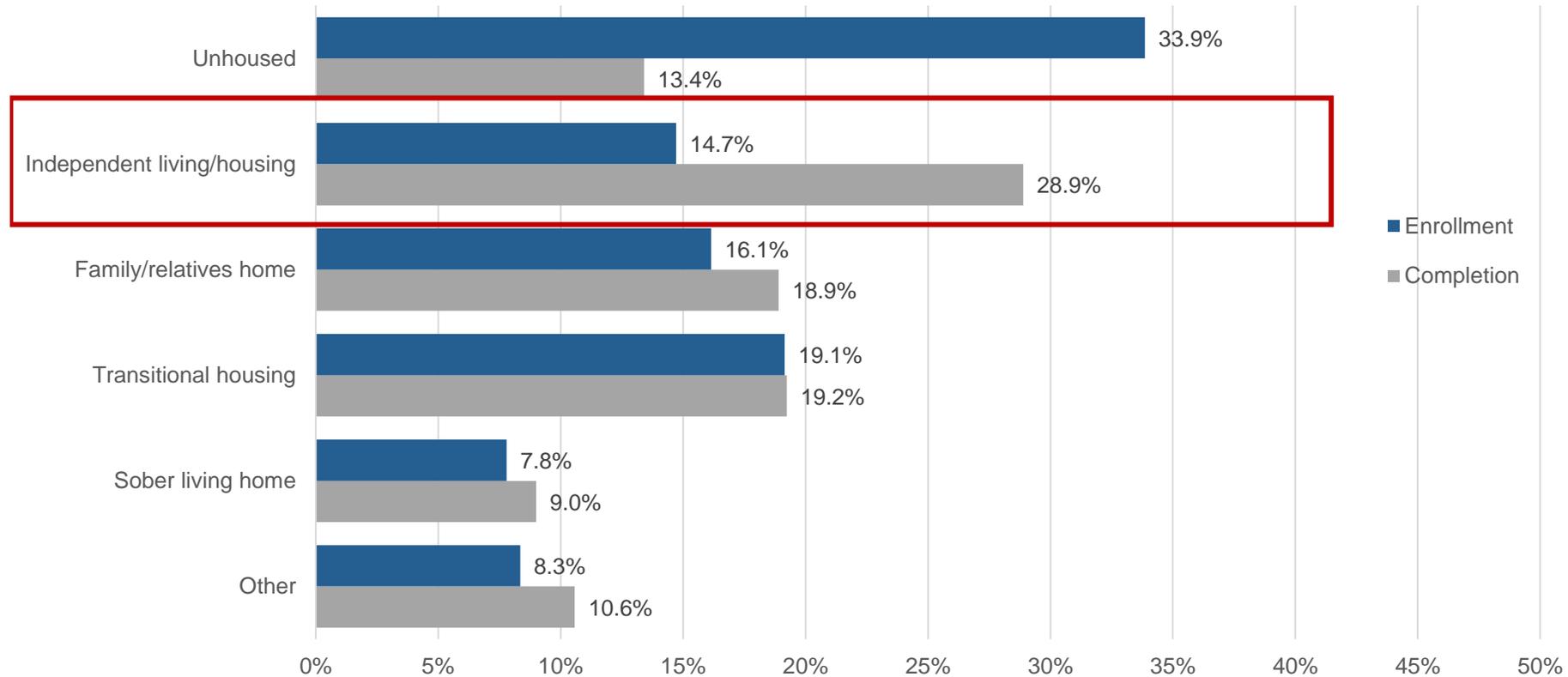
HOUSING OUTCOMES

Participants who indicated housing was a goal *and* completed program requirements
N = 2,168



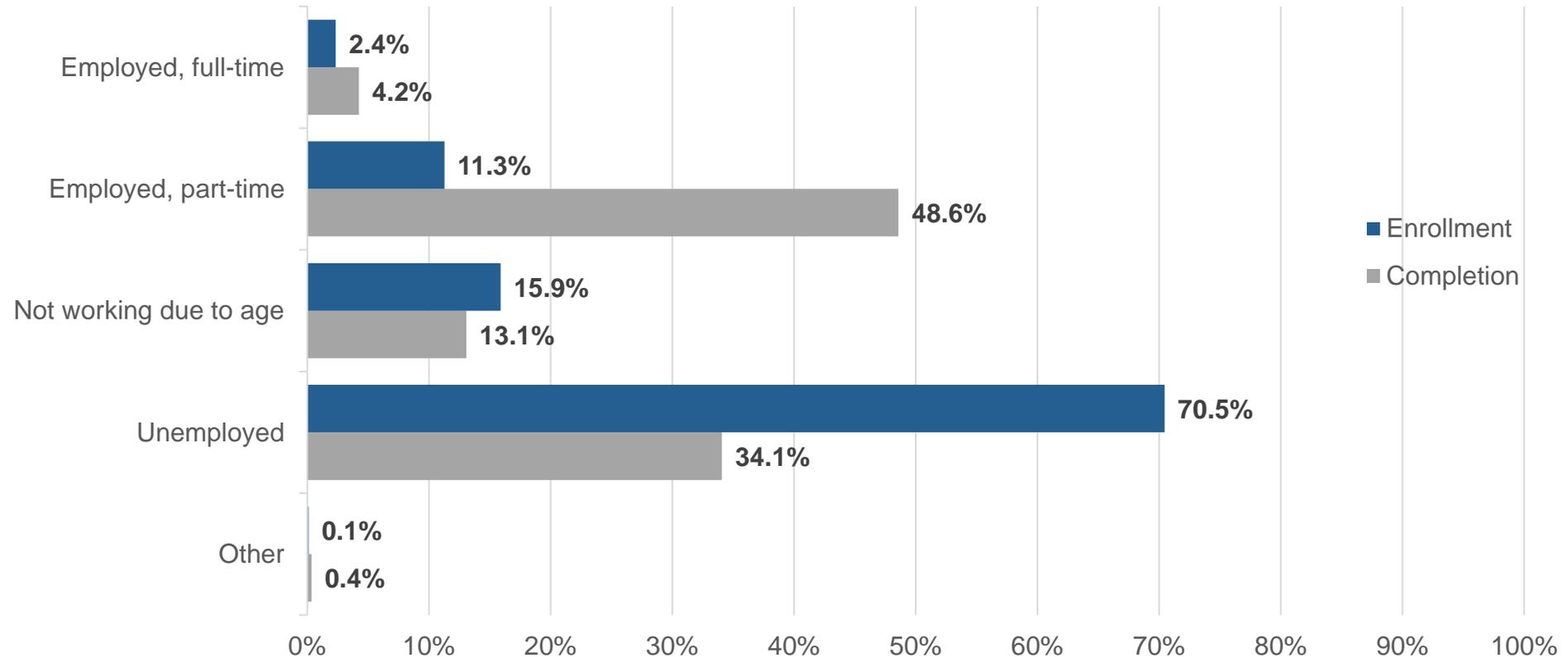
HOUSING OUTCOMES

Participants who indicated housing was a goal *and* completed program requirements
N = 2,168



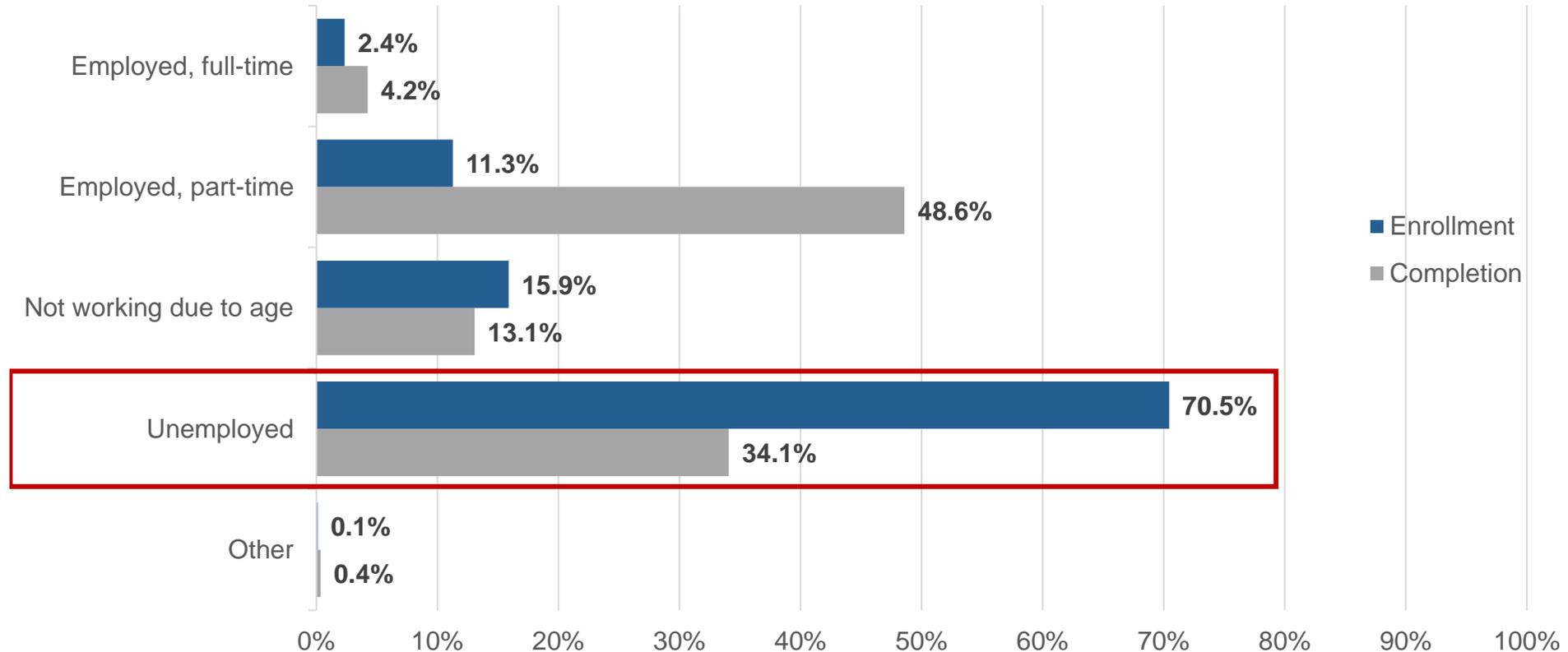
EMPLOYMENT OUTCOMES

Participants who indicated employment was a goal *and* completed program requirements
N = 1,871



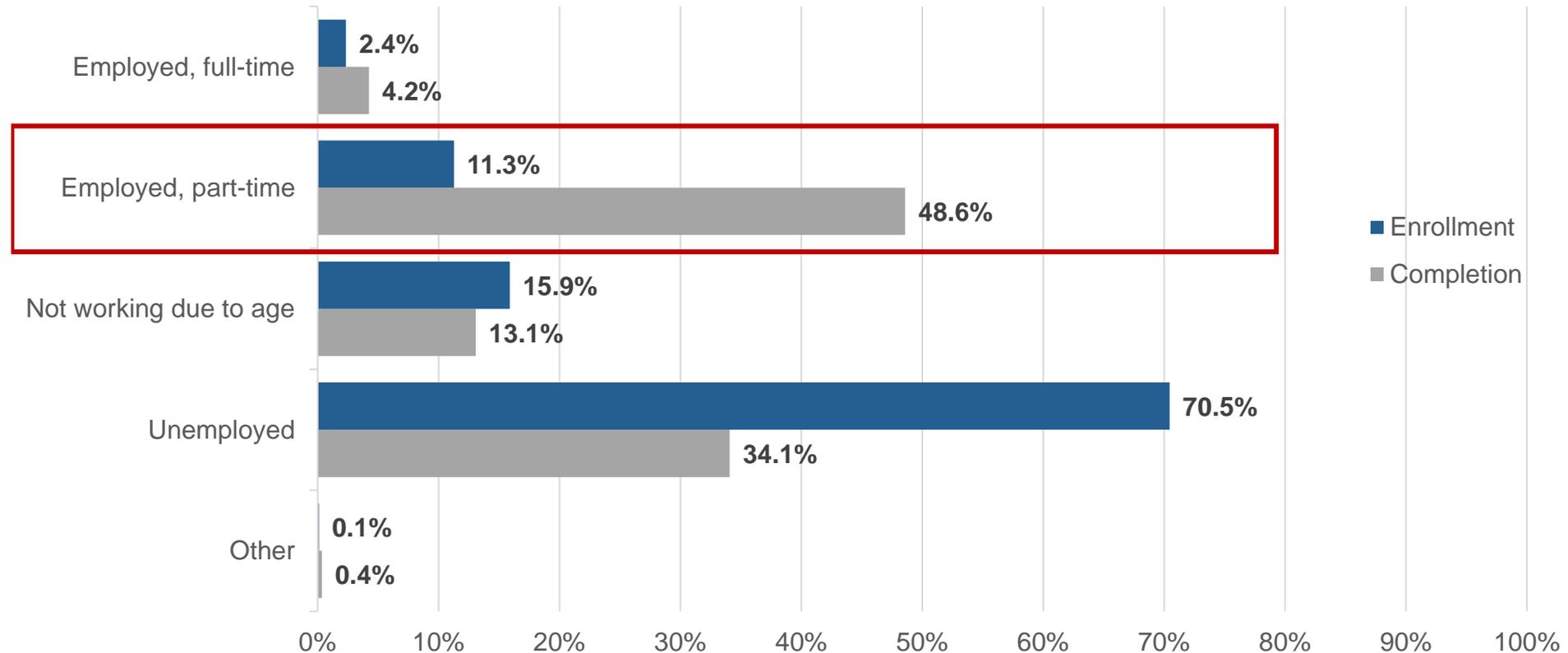
EMPLOYMENT OUTCOMES

Participants who indicating housing was a goal *and* completed program requirements
N = 1,871



EMPLOYMENT OUTCOMES

Participants who indicating housing was a goal *and* completed program requirements
N = 1,871



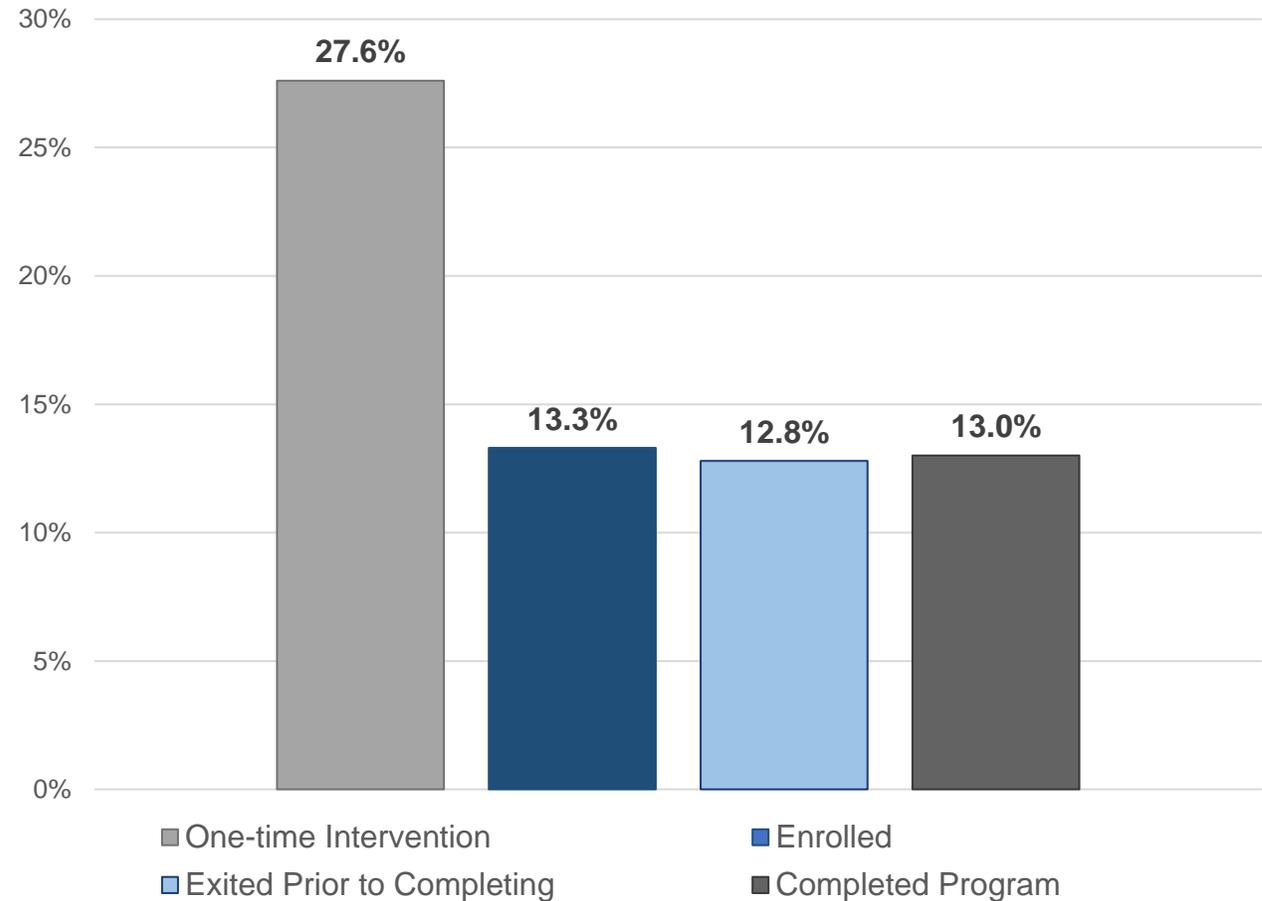
RECIDIVISM

- Conviction of a new felony or misdemeanor after enrolling in a Proposition 47 grant program.

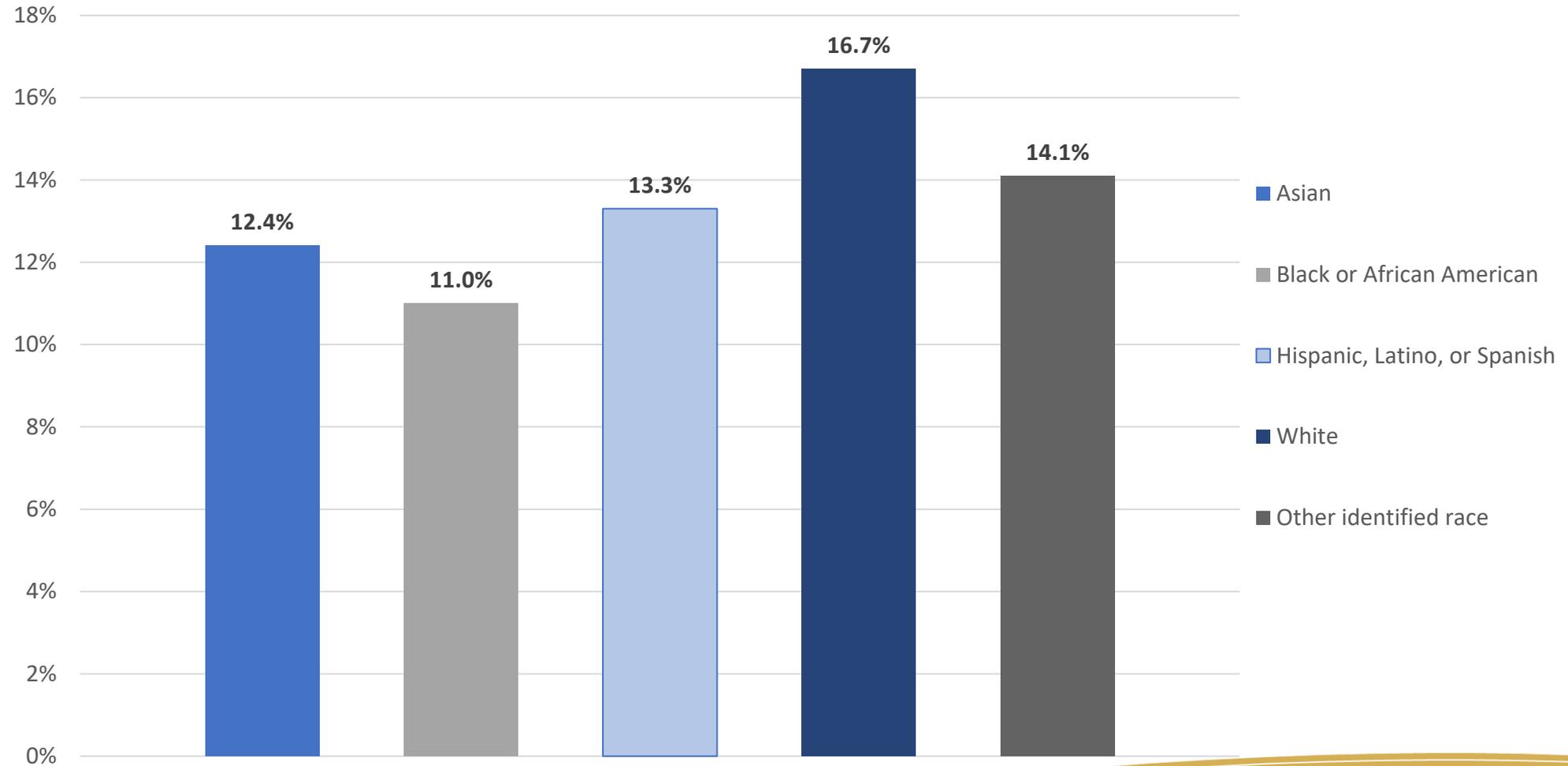
Overall recidivism rate

15.3%

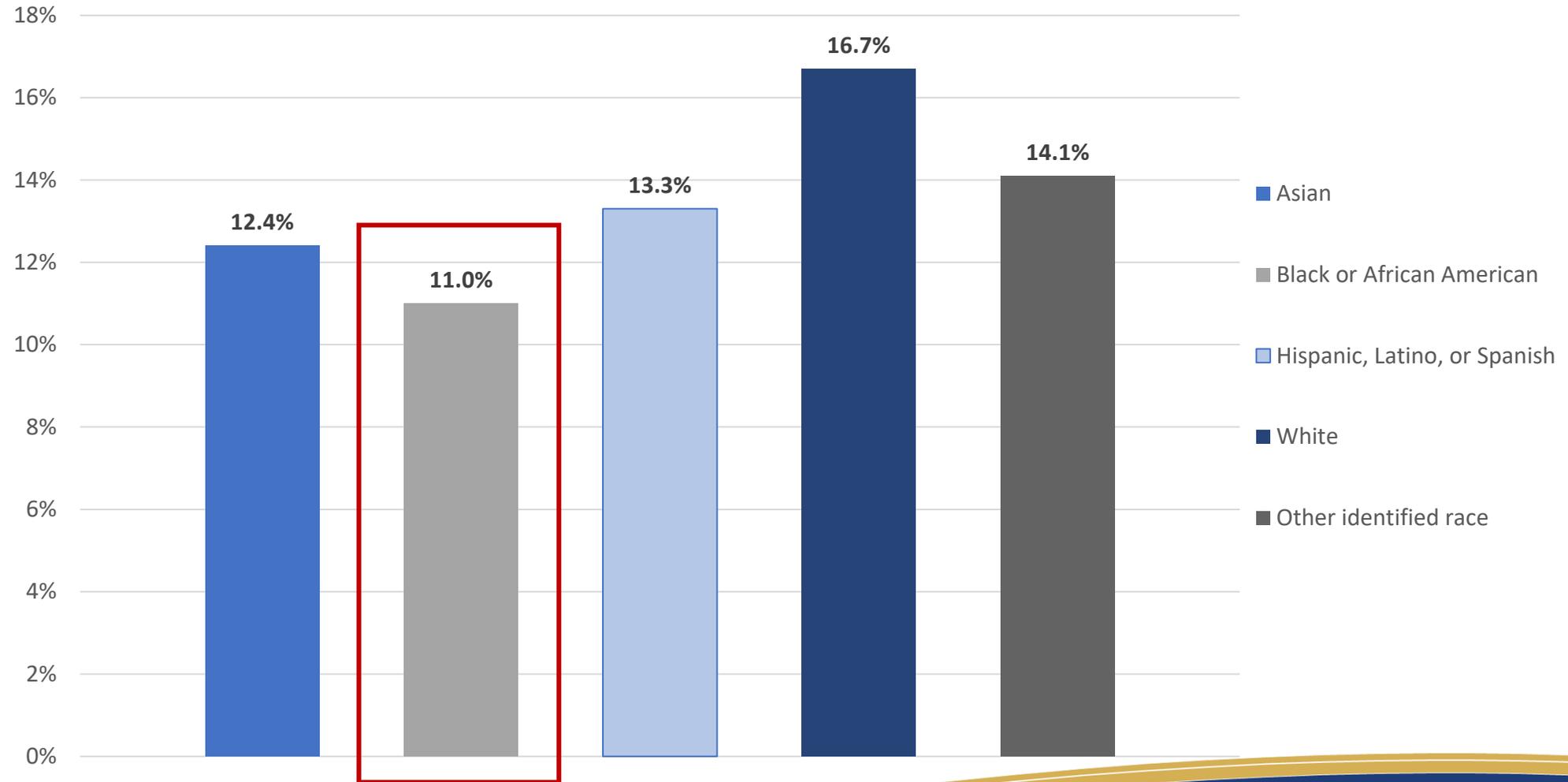
Recidivism Rate by Participation Status



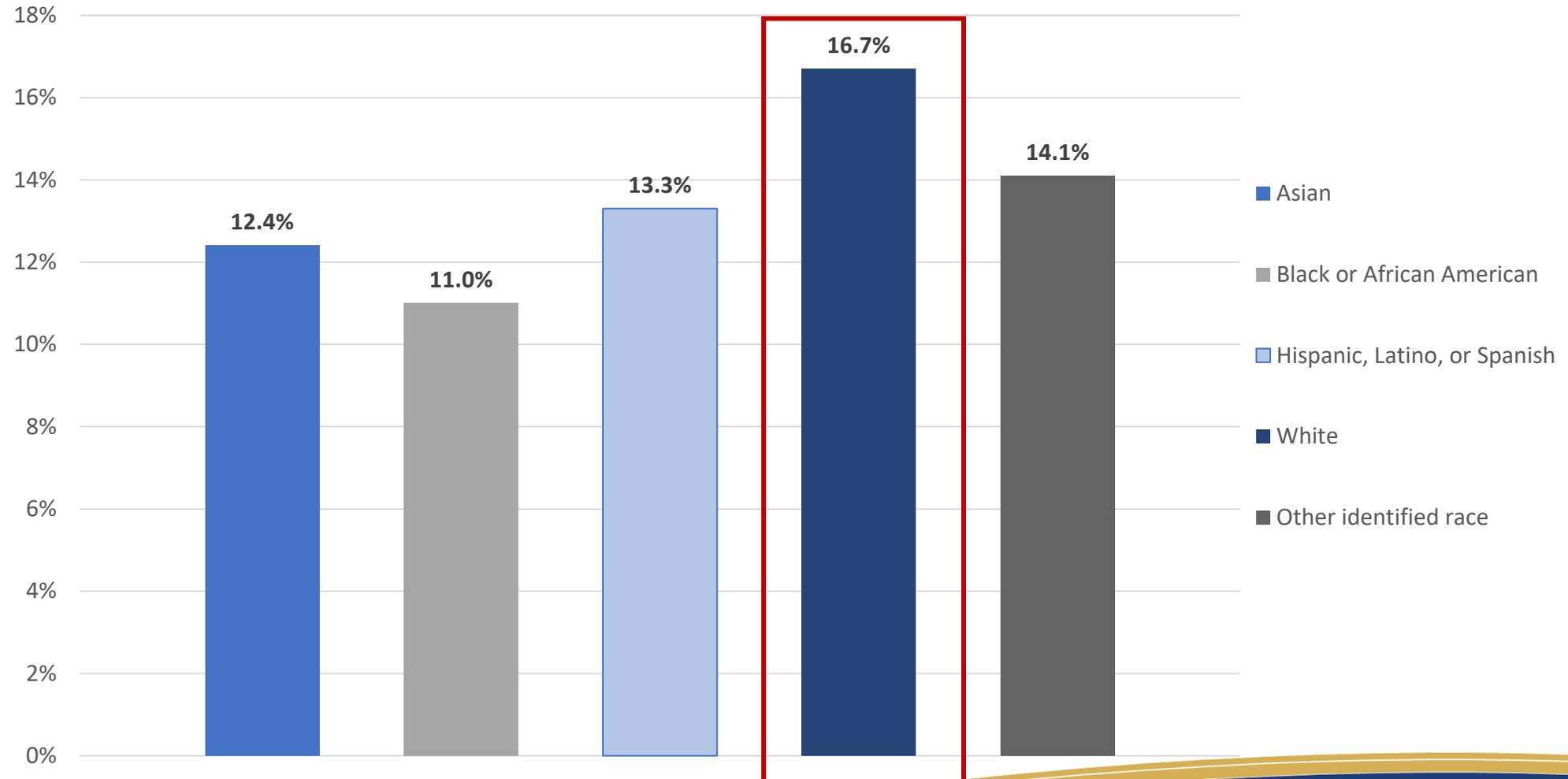
RECIDIVISM RATES BY RACE/ETHNICITY



RECIDIVISM RATES BY RACE/ETHNICITY



RECIDIVISM RATES BY RACE/ETHNICITY



Challenges

- COVID-19 pandemic
- Housing
- Staffing issues

Benefits of Services

- Reflected in lower recidivism rates
- Increased positive outcomes in housing and employment

ANY QUESTIONS?

Attachment D-2



PROPOSITION 47 COHORT II

STATEWIDE EVALUATION

FEBRUARY 2024



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Executive Summary

The Proposition 47 grant program administered by the Board of State and Community Corrections provides funding to public agencies to support mental health services, substance use disorder treatment and/or diversion programs for people in the criminal justice system.

Grantees and Funding

For Cohort II, BSCC awarded a total of \$92,779,390. By grant conclusion, a total of \$81,151,583 of the grant funds were spent with \$64,012,661, or 78 percent, passed through to Community Based Organizations (CBOs).

Participants and Services Provided

Over the course of the grant period, **21,706 participants** received services through the Proposition 47 Cohort II grant program. Most participants were male (72.3%); and between the ages of 26 and 35 (35.0%). The race/ethnicity of program participants was:

Hispanic/Latino: 36.9%

Black/African America 23.6%

White 20.6%

Other 18.9 %

Sixty percent of participants had a high school diploma or less. At the time of enrollment, 31 percent of participants were unhoused, and 65 percent were unemployed.

Grantees were required to provide either mental health or substance use disorder treatment or diversion program services to participants. The required service most commonly reported was mental health treatment (see graphic below). Grantees also provided a wide range of support services including assistance with food, basic necessities, case management, housing, legal services, employment services, education services, social services, and transportation. Case management was the most frequently reported support service provided to participants.



Mental Health Services
Provided by 95% of
grantees



**Substance Use Disorder
Treatment**
Provided by 91% of grantees



Diversion Programs
Provided by 62% of
grantees

Approximately 19 percent of participants received one-time intervention services, such as mental health crisis intervention or diversion to a sobering center. At the end of the grant

period, 22 percent of participants were still receiving services. Statewide, 32.5 percent of participants completed the program requirements¹.

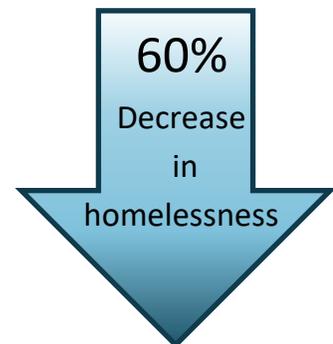
Program Outcomes

BSCC examined three of the outcome measures reported by Cohort II Proposition 47 grantees: housing status, employment status, and recidivism.

Housing Status

Housing status at program enrollment and completion were compared for participants who identified housing as a goal *and* completed the program requirements. For those participants, between enrollment and completion:

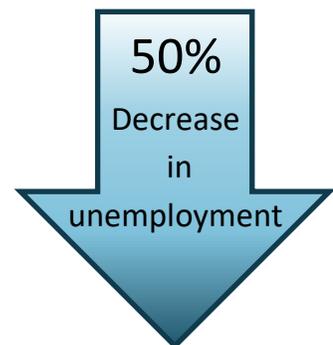
- The proportion of participants who were **homeless decreased by 60 percent**.
- The proportion of participants living independently nearly doubled.



Employment Status

Employment status at program enrollment and completion were compared for participants who identified employment as a goal *and* completed program requirements. For those participants, between enrollment and completion:

- The proportion of participants who were **unemployed decreased by 50 percent**.
- The majority of employment gains were in part-time employment, although the proportion of participants who were employed full-time also increased.



Recidivism Rates

Recidivism rates were examined for all participants, regardless of whether they completed the program requirements. For the purpose of evaluating program effectiveness, the definition of recidivism used for this report was the conviction of a misdemeanor or felony after enrolling in the Proposition 47 program². Grantees were unable to obtain recidivism information for 14.5 percent of participants. For the participants where recidivism data were available:

15.3 percent of participants were convicted of a new felony or misdemeanor after enrolling in a Proposition 47 Cohort II program, which is lower than other reported

¹ The definition of what constituted program completion varied by grantee. Program completion rates were greatly influenced by this definition, the target population being served, and program requirements.

² The timeframe for the for the Proposition 47 grant program enrollment is shorter than the generally used recidivism timeframe of a new conviction within three years.

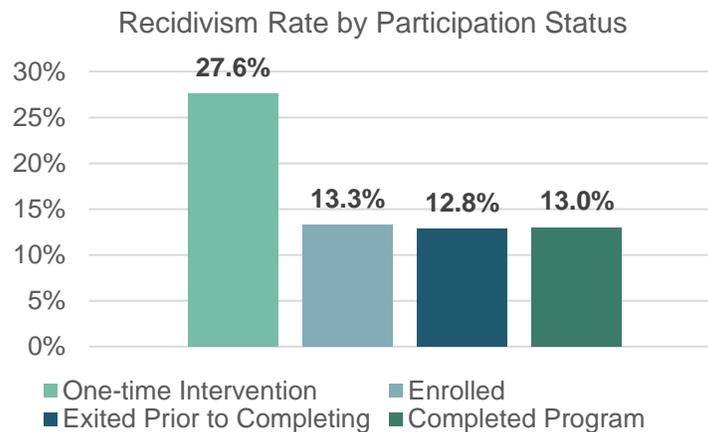
statewide recidivism estimates which range from 35 to 45 percent³, It is important to note that the data from these reports may not be equitable recidivism timeframe comparison groups.

Recidivism Rates by Demographic Variables

- **Participants over the age of 45 (7.7% - 13.3%) and juveniles (5.0%) were less likely to recidivate** compared to participants between the ages of 18 – 45 (16.3% - 17.8%).
- **Females were less likely to recidivate (13.9%)** relative to males (16.3%).
- Participants who identified as **black or African American were less likely to recidivate (11.0%)** compared to other race/ethnicities (12.4% - 16.7%).

Recidivism Rates by Participation Status at Grant Conclusion

Recidivism rates were lower for participants who received ongoing services, regardless of whether they were still enrolled (13.3%), had exited prior to completing program requirements (12.8%), or completed program requirements (13.0%), when compared to participants who received one-time intervention services (27.6%).



Recidivism Rates by Employment and Housing Status at Program Completion

- **Participants who were employed either part-time (12.5%) or full-time (12.3%) were less likely to recidivate** than those who were unemployed (15.4%).
- **Participants living independently were less likely to recidivate (11.1%)** relative to those who were homeless (18.1%) or living with family or relatives (18.9%).

Challenges and Accommodations

While all grantees encountered challenges – including the COVID-19 pandemic, staffing shortages, and lack of affordable housing – grantees were still able to accomplish most of their goals. The biggest challenge all grantees encountered was the COVID-19 pandemic, which started five months into the grant period, when many grantees were preparing to or had just started providing services to participants. The pandemic led to

³ Bird, Goss & Nguyen (2019); California Department of Corrections and Rehabilitation (2023).

delays in start times, reduced participant capacities, and reductions in referrals. Grantees adapted to this challenge by providing telehealth options, providing personal protective equipment to staff working in the field, adhering to social distancing guidelines when meeting participants, and meeting outdoors.

Many grantees also noted challenges surrounding availability of housing, particularly low-income housing, and the complexity of obtaining subsidized or permanent supportive housing. Another common theme reported by the majority of grantees included issues related to recruiting and retaining quality staff. These shortages impacted grantees' ability to provide comprehensive services to participants, particularly when the vacant position was for a key role such as licensed clinical staff, substance use specialists, or therapists. As with the COVID-19 pandemic, grantees found creative ways to address these challenges, allowing them to provide services to participants and achieve or partially achieve the majority of their goals.

Moving Forward

As the Proposition 47 grant program continues, BSCC staff continue to refine the program. For Cohort II, this included enhanced data collection procedures to strengthen conclusions about the effectiveness of the Proposition 47 grant program at reducing recidivism rates for program participants. BSCC staff plan on using local arrest and conviction data as reported to the California Department of Justice (DOJ) in order to create an equivalent comparison group for the statewide evaluation of Proposition 47 Cohort III. However, for the current report, recidivism rates for participants were compared to other published recidivism rates for California, which may not be an equivalent comparison group.

Note that five grantees⁴ accepted a one-year, no-cost extension and their grant period will end May 15, 2024. For those five grantees, some of their data has been included in this report, such as participant information for the first three years and the services provided. Other data from these grantees will be added to this report as an addendum at the conclusion of the extension, such as participation status at grant conclusion and recidivism rates.

Benefits of Grant Funding

Overall, the findings presented in this report suggest that the Proposition 47 grant funds benefited California in several ways. More importantly, thousands of participants received mental health or substance use disorder treatments or were diverted away from the criminal justice system. These individuals also received other supportive services, including case management, legal, housing and employment services. The benefits of these services are reflected in the lower recidivism rates of participants. The benefits are

⁴ City of Corning, Nevada County Department of Behavioral Health, Orange County Health Care Agency, Pasadena Unified School District, and Santa Ana Unified School District accepted a one-year, no-cost extension.

also reflected in a reduction in homelessness and unemployment levels of program participants who identified those as goals. The findings also provide additional support for the importance of stable housing and employment at reducing recidivism rates. For the thousands of participants whose life trajectory has taken a positive turn as a result of these services, the benefits are immeasurable.

Introduction

Proposition 47, also known as the Safe Neighborhoods and Schools Act of 2014 (Appendix A), was a voter-approved initiative. Its primary purpose was to reduce low-level felonies (non-serious, nonviolent property and drug crimes) to misdemeanors. The net savings to the state realized from fewer individuals being arrested, convicted and sentenced to prison would be used to fund mental health and substance use treatment programs. The ultimate goal of the initiative was to provide services to address mental health treatment and substance use disorder needs and thereby reduce recidivism among individuals involved in the legal system, fund crime prevention and support programs in K – 12 schools and promote trauma recovery services for crime victims. Funds reallocated through Proposition 47 are distributed annually across three state agencies:

- **Board of State and Community Corrections (BSCC)** – Receives 65 percent to provide mental health and substance-use disorder treatments to individuals who are or were justice involved, with an emphasis on reducing recidivism.
- **Department of Education** – Receives 25 percent to fund truancy and dropout prevention programs.
- **Victim Compensation and Government Claims Board** – Receives 10 percent to fund trauma recovery centers for victims of crime.

With the net savings to the state, Section 7599 of the Government Code requires the BSCC to “administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for individuals involved in the legal system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems.” Assembly Bill 1056 (Chapter 438, Statutes of 2015) (Appendix B) provided additional programmatic priorities for the types of recidivism-reduction services that would be funded, including housing assistance, employment related services, and civil legal services.

Instead of developing a new Request for Proposals (RFP) for the second funding cycle (Cohort II), the Proposition 47 Cohort I RFP was re-issued with only non-substantive changes⁵. In January 2019, the RFP for the Proposition 47 Grant Program was released with applications due by March 2019. The RFP identified two project categories: small scope proposals were applicants requesting up to \$1,000,000; large scope proposals were applicants requesting between \$1,000,000 and \$6,000,000, with a special set aside of \$18,616,627 for Los Angeles County in the large scope funding category. In April 2019, a BSCC Scoring Panel was convened. It was composed of statewide subject matter experts and stakeholders representing both the public and private sectors (Appendix C). The Scoring Panel read and rated proposals and developed grant award recommendations. The grant period began on August 15, 2019, and ended May 15, 2023, or May 15, 2024⁶ proposals and accepted the one-year, no-cost extension.

⁵ An example of a non-substantive change was the addition of a four-month implementation period.

⁶ In Summer 2022, a 1-year, no-cost extension was offered to grantees who had not been awarded Proposition 47 Cohort III grant funds; five of the grantees accepted the offer extending these programs through May 15, 2024.

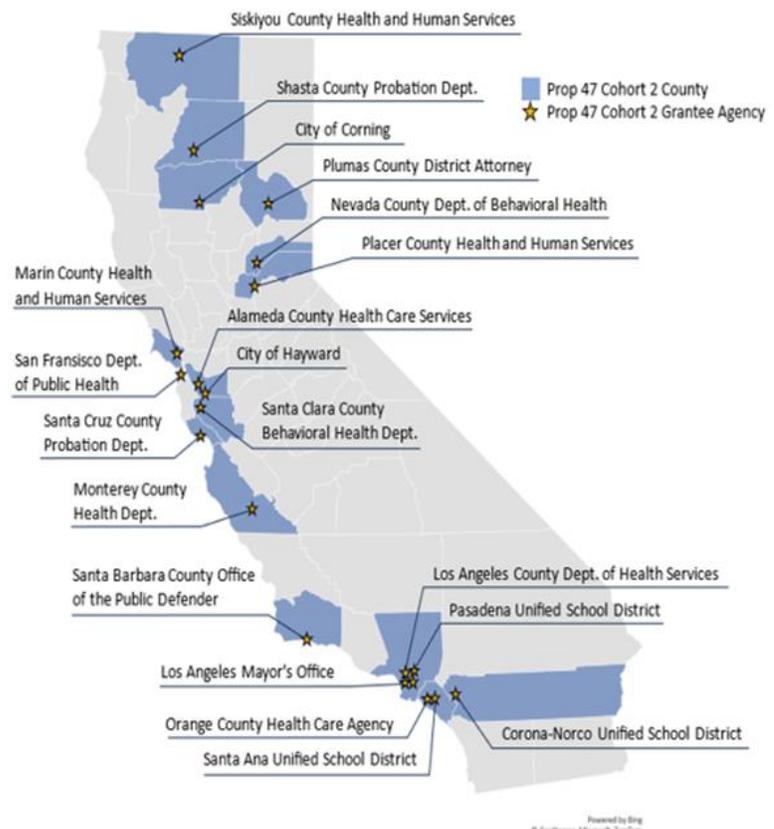
To apply for Proposition 47 funding, local government agencies were required to submit a proposal which described the need for funding, how community input would be incorporated into all stages of the project, a detailed description of the proposed project, the evaluation plan, and budget. The eligible populations included adults and/or juveniles who have been arrested, charged with, or convicted of a criminal offense and have a history of mental health or substance-use disorders. Proposals must also demonstrate how a minimum of 50 percent of funds would be passed through to Community-Based Organizations (CBOs) that had a proven track record of working with the target population and the capacity to support data collection and evaluation efforts.

Proposition 47 projects were required to provide mental health treatment, substance-use disorder treatment, diversion programs, or some combination thereof. In addition, AB 1056 established housing and other support services as priorities. The RFP encouraged the use of both evidence-based approaches into proposed projects, and the use of promising, data-driven, and innovative approaches.

In June 2019, the BSCC Board approved a total of \$96,434,500 awarded to 23 grantees across the state. Successful applicants included 15 counties, five cities and three school districts. Two grantees, both county agencies, declined to accept the funding award. Unfortunately, these decisions

were made late enough into the grant period that the funds were not able to be reallocated to applicants further down the ranked award list. This resulted in a total of 21 grantees receiving a total of \$92,779,390 in Cohort II funding (see Figure 1).

Figure 1. Proposition 47 Cohort II grantees.



During the Proposition 47 Cohort II grant period, excluding the one-year, no-cost extension, a total of \$81,851,583 was spent, with \$64,012,661, or 78 percent being passed through to CBOs. For each grantee, Table 1 provides the grant award, grant funds spent, and the amount passed through to CBOs over the duration of the grant period. For grantees who accepted the one-year extension, these values reflect the amount spent through May 15, 2023. At the conclusion of the no-cost

extension, an addendum will provide updated totals to include funds expended during the extension.

Table 1. Grant award, funds spent, and amount passed through to CBOs by grantee.

Grantee	Grant Award	Grant Funds Spent	Funds Passed Through to CBOs
Alameda County, Health Care Services	\$ 6,000,000	\$ 4,963,344	\$ 3,669,569
Corning, City of	\$ 3,535,485	\$ 3,216,397	\$ 3,030,626
Corona-Norco Unified School District	\$ 1,000,000	\$ 715,350	\$ 386,159
Hayward, City of	\$ 999,881	\$ 963,849	\$ 817,401
Los Angeles City Attorney's Office	\$ 6,000,000	\$ 5,431,709	\$ 4,095,174
Los Angeles Mayor's Office, Office of Reentry	\$ 5,999,304	\$ 5,403,546	\$ 4,321,934
Los Angeles County Dept. of Health Services	\$ 18,616,627	\$ 18,616,369	\$ 15,968,803
Marin County Health and Human Services	\$ 999,965	\$ 495,448	\$ 396,125
Monterey County Health Dept.	\$ 6,000,000	\$ 5,545,262	\$ 3,951,104
Nevada County Dept. of Behavioral Health	\$ 1,000,000	\$ 989,307	\$ 880,879
Orange County Health Care Agency	\$ 6,000,000	\$ 5,354,329	\$ 4,823,302
Pasadena Unified School District	\$ 999,528	\$ 307,177	\$ 201,850
Placer County Health and Human Services	\$ 6,000,000	\$ 4,766,769	\$ 3,417,904
Plumas County District Attorney	\$ 1,000,000	\$ 994,976	\$ 700,000
San Francisco Dept. of Public Health	\$ 6,000,000	\$ 4,494,255	\$ 3,473,737
Santa Ana Unified School District	\$ 2,756,857	\$ 1,713,962	\$ 1,354,455
Santa Barbara County, Office of the Public Defender	\$ 5,998,511	\$ 5,804,950	\$ 4,007,638
Santa Clara County, Behavioral Health Dept.	\$ 5,999,171	\$ 5,229,953	\$ 4,082,265
Santa Cruz County, Probation Dept.	\$ 5,998,164	\$ 5,258,043	\$ 3,381,676
Shasta County, Probation Dept.	\$ 1,000,000	\$ 906,010	\$ 596,529
Siskiyou County, Health and Human Services	\$ 875,897	\$ 680,578	\$ 455,531
TOTAL	\$ 92,779,390	\$ 81,851,583	\$ 64,012,661

This report includes a summary of the Proposition 47 grant projects, participant information, services provided, statewide evaluation of changes in housing and employment status for participants who identified these as goals, a statewide evaluation of effectiveness at reducing recidivism in program participants, challenges and accommodations, and grantee highlights. This report does not evaluate the specific local projects, as each grantee is required to complete their own final local evaluation⁷.

Data Collection Approach

Information included in this report was compiled from grantees' original proposal submissions in response to the RFP; Quarterly Progress Reports (QPR) across the

⁷ Proposition 47 Cohort II grantees' Final Local Evaluation Reports are available on the BSCC's Proposition 47 grant program web page (https://www.bscc.ca.gov/s_bsccprop47/).

duration of the grant, which included de-identified, individual-level, participant data; annual recidivism reports; and the Final Local Evaluation Reports.

Proposals

Each grantee submitted a proposal in response to the Proposition 47 RFP. In addition to the description of the proposed project, the proposals also included a description of the need for the project within the community and the level of community engagement, an evaluation plan, and a project budget⁸.

Quarterly Progress Reports

Quarterly Progress Reports (QPR) were submitted to the BSCC six weeks after the close of each quarter, for a total of 14 quarters. Those grantees who accepted the one-year, no-cost extension received up to an additional four quarters, however, data for those additional four quarters are not included in this report. Once the additional year has expired, a report addendum will provide the additional information for these grantees.

QPRs comprised of two separate components: 1) narrative responses describing grantees progress, and 2) de-identified, individual level participant data. QPRs were standardized across all grantees. Narrative responses included progress towards goals, challenges encountered and how they were addressed, accomplishments, spending of grant and leveraged funds, staffing and training, fidelity assessments, local advisory committee meetings, and training. De-identified participant data, which was the primary source of information for this report, included demographic information; assessment, program enrollment, and completion dates; housing, employment and education status at program enrollment and completion; and services received during the quarter.

Annual Recidivism Reports

Once a year, grantees submitted recidivism information for all participants who received services since the beginning of the grant. AB 1056 defines recidivism as the conviction of a felony or misdemeanor within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction. To better assess the effectiveness of the interventions funded by the Proposition 47 grant, the definition was modified to focus on the conviction of a felony or misdemeanor *after enrolling in the Proposition 47 program*, as many participants were not entering the program directly from custody. If a participant recidivated based on this definition, the date of the recidivism was reported. Grantees obtained recidivism data from various sources. Some grantees, such as probation departments, had access to this information directly. Other grantees, such as behavioral health departments, did not have direct access to this information, and so developed data sharing agreements with local law enforcement agencies who could provide the information. As such, the vast majority of recidivism data is limited to the county where services were provided.

⁸ Copies of each grantee's proposal in response to the RFP can be found on the BSCC website using the following link: https://www.bscc.ca.gov/s_bscprop47/.

Final Local Evaluation Report

Each grantee was required to complete a Final Local Evaluation Report (FLER) at the conclusion of the grant to determine project results and document evidence of the project's efficacy and overall impact, including recidivism rates for participants enrolled in the project. Requirements for the report included a description of the project, the research methodology and data collection process, process and outcome evaluations, including recidivism rates of participants, and a project logic model.⁹

Limitations

Each grantee endeavored to provide accurate QPR, de-identified participant, and recidivism data, and quality FLERs. However, data collection processes and evaluation expertise varied across projects. Due to project-specific limitations, some projects were limited in terms of the data they could collect, or the quality of data they could report. BSCC does not evaluate or audit data collection or reporting processes. The data presented in this report are descriptive. No causal statements related to program effectiveness can be made.

Grantee Project Features

While there were similarities between grantee projects, there was also a great deal of variability. Each project was unique with respect to the array of services provided, how they were implemented, the population served, and the project goals.¹⁰

Project Services

One of the grant requirements was that grantees provide mental health services, substance use disorder treatment, and/or diversion programming. The majority of grantees provided more than one of the required services in addition to multiple support services. While there is extensive overlap in the services provided, each grant project was uniquely designed to serve the identified target population within the community. Ninety-five percent of grantees provided mental health services; 91 percent of grantees provided substance use disorder (SUD) treatment, and 62 percent of grantees provided diversion programs (see Table 2). It is important to note that these are broad categories that encompass a wide range of approaches. For example, most grantees providing SUD services provided outpatient SUD treatment; however, San Francisco Department of Public Health provided a wide array of SUD services, including withdrawal management, residential treatment, and outpatient SUD services.

⁹ Copies of the Final Local Evaluation Reports prepared by each grantee can be found on the BSCC website using the following link: https://www.bscc.ca.gov/s_bsccprop47/.

¹⁰ Proposition 47 Cohort II project descriptions for each grantee can be found on the BSCC website using the following link: https://www.bscc.ca.gov/s_bsccprop47/.

Table 2. Services provided and percentage of grantees providing service.

Proposition 47 Services	
Required Services	
	<p>Mental Health Services 95% of grantees</p> <p>Participant receives any type of mental health service from a trained, mental health professional. This may include services such as individual counseling, psychiatric care, or group therapy.</p>
	<p>Substance Use Disorder Treatment 91% of grantees</p> <p>Participant receives any type of substance use disorder treatment from a trained professional. This may include services such as withdrawal management, residential treatment, outpatient treatment or medication-assisted treatment (MAT).</p>
	<p>Diversion Program 62% of grantees</p> <p>Participant engages in any type of program that deters them from entering the criminal justice system and avoid prosecution if the participant successfully completes the program.</p>
Support Services	
	<p>Assistance with Food 91% of grantees</p> <p>Participant receives services to secure food. This may include gift cards to grocery stores, snacks/meals, or referrals to food banks.</p>
	<p>Basic Necessities 91% of grantees</p> <p>Participant receives basic necessities (excluding food). This may include items such as clothing, hygiene kits, phone chargers, etc.</p>
	<p>Case Management 100% of grantees</p> <p>Participant meets with someone who assesses, plans, implements, coordinates, monitors, and/or evaluates services and progress towards goals.</p>
	<p>Education Services 91% of grantees</p> <p>Participant receives education related services or support. This may include GED preparation, vocational training, and college planning or enrollment.</p>
	<p>Employment Services 100% of grantees</p> <p>Participant receives services or support to increase the likelihood of securing employment. This may include assistance with preparing resumes, mock interviews or job placement.</p>
	<p>Housing Services 95% of grantees</p> <p>Participant receives housing related support. This may include motel vouchers, referral to a shelter, rental or security deposit assistance, and landlord disputes.</p>
	<p>Legal Services 95% of grantees</p> <p>Participant received services or support to address legal issues. This may include assistance with obtaining social security cards or driver's license, record expungement, and reclassification of prior Proposition 47 convictions.</p>
	<p>Social Services 91% of grantees</p> <p>Participant received assistance with enrollment in government funded programs such as MediCal and CalFresh.</p>
	<p>Transportation Assistance 91% of grantees</p> <p>Participant received some form of transportation assistance. This may include bus passes, Uber rides, or gift cards to gas stations.</p>
	<p>Other Services 100% of grantees</p> <p>Participant received some other type of service that did not fall in any of the above categories. Common services falling into this category included medical services, family assistance, and social skills training.</p>

The most commonly reported support service provided by grantees included case management and employment services (see Table 2). “Other” services were services that were only being provided by a few grantees and included services such as medical care, family advocacy, and jail in-reach. See Appendix D for a breakdown of required services provided by each grantee, and Appendix E for support services provided by each grantee. As with the required services, the categories of support services are broad and may vary by grantee. For example, housing services may include assistance finding housing, assistance with rental payments or security deposits, addressing disputes with landlords, providing a referral to a shelter, or providing participants with hotel vouchers.

Target Population

AB 1056 required eligibility to be restricted to projects designed to serve people who have been arrested, charged with, or convicted of a criminal offense and also have a history of mental health and/or substance use disorders. It further specifies that funds can be used for both adults and juveniles. Table 3 provides a summary of the target population for each of the Proposition 47 Cohort II grantees. The majority of grantees focused on the adult population (81%), however 38 percent of grantees targeted transition age youth¹¹, while 24 percent targeted the juvenile population. Additionally, 38 percent focused on individuals who were unhoused or had insecure housing, and 29 percent of grantees focused on underserved populations¹².

Project Goals

As part of the application process, grantees identified at least three goals and corresponding objectives for their project (see Table 4). Overall, the goals aligned with the intent of the Proposition 47 grant program, with 95 percent of grantees identifying a reduction in recidivism as a project goal. Additionally, 76 percent of grantees identified addressing mental health or substance use disorder needs of participants

95% of grantees identified a reduction in recidivism as a project goal.

as a goal. Increasing participation in diversion programming was a goal for 29 percent of grantees. Other commonly-identified goals included increasing system capacity and/or collaboration (29%), reducing homelessness or improving housing stability (43%), and connecting individuals with supportive services (38%). One-third of grantees included a goal that was unique to their project or that only one other grantee identified as a goal; these comprise the “Other” category in Table 4. A review of grantees’ FLERs indicated that most goals were either partially or fully achieved at the conclusion of the grant period.

¹¹ Transition age youth are individuals between the ages of 16 to 25 (9 CA Code of Regs 3200.280).

¹² Underserved populations refer to groups of individuals who face barriers in accessing and using mental health or substance use disorder services. This includes populations underserved because of geographical location, sexual orientation, gender identity, underserved racial and ethnic populations, or populations underserved because of special needs (such as language barriers, disabilities, immigration status, or age).

Table 3. Target populations served by grantees.

Grantee	Mental Health Needs	Substance Use Disorder	Juveniles	Transition Age Youth	Adults	Unhoused/ Housing Insecure	Underserved Populations
Alameda County Health Care Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City of Corning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corona-Norco Unified School District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
City of Hayward	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Los Angeles City Attorney's Office	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Los Angeles County Dept. of Health Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Los Angeles Mayor's Office of Reentry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marin County Health and Human Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Monterey County Health Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nevada County Dept. of Behavioral Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orange County Health Care Agency	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pasadena Unified School District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Placer County Health and Human Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
Plumas County District Attorney	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
San Francisco Dept. of Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Santa Ana Unified School District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Santa Barbara County, Office of the Public Defender	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Santa Clara County Behavioral Health Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Santa Cruz County Probation Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shasta County Probation Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Siskiyou County Health and Human Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Table 4. Project goals identified by grantees.

Grantee	Address Mental Health or Substance Use Disorder Needs	Increase Participation in Diversion Programming	Reduce Recidivism Rates	Increase System Capacity and/or Collaboration	Reduce Homelessness or Improve Housing Stability	Connect Individuals With Supportive Services	Other
Alameda County Health Care Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
City of Corning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corona-Norco Unified School District	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
City of Hayward	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Los Angeles City Attorney's Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Los Angeles County Dept. of Health Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Los Angeles Mayor's Office of Reentry	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marin County Health and Human Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monterey County Health Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nevada County Dept. of Behavioral Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Orange County Health Care Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pasadena Unified School District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Placer County Health and Human Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Plumas County District Attorney	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
San Francisco Dept. of Public Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Santa Ana Unified School District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Santa Barbara County, Office of the Public Defender	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Santa Clara County Behavioral Health Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Santa Cruz County Probation Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shasta County Probation Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Siskiyou County Health and Human Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Participants

Throughout Cohort II, a total of 21,706 participants received services through Proposition 47 grant projects (see Table 5 for breakdown by grantee). Given the unique characteristics of each Proposition 47 grant project, comparisons between the number of participants served should not be made. Any interpretation of the number of participants served should only be made within the context of the project requirements, services provided, service implementation, and the population being served. Please refer to the grantees' Final Local Evaluation Reports for this information. For grantees who accepted the no-cost, one-year extension, participant data is included through quarter 14. Updated participant totals will be added to this report as an addendum at the conclusion of the extension period. Note that any individual who was assessed, screened, or received referrals, but did not enroll, was not included in this total.

Table 5. Total number of participants served by grantee.

Grantee	Total Participants
Alameda County, Health Care Services	490
Corning, City of	288
Corona-Norco Unified School District	233
Hayward, City of	188
Los Angeles City Attorney's Office	1,045
Los Angeles Mayor's Office, Office of Reentry	384
Los Angeles County Dept. of Health Services	11,070
Marin County Health and Human Services	133
Monterey County Health Dept.	1,469
Nevada County Dept. of Behavioral Health	91
Orange County Health Care Agency	2,643
Pasadena Unified School District	106
Placer County Health and Human Services	249
Plumas County District Attorney	246
San Francisco Dept. of Public Health	449
Santa Ana Unified School District	192
Santa Barbara County, Office of the Public Defender	1,146
Santa Clara County, Behavioral Health Dept.	475
Santa Cruz County, Probation Dept.	631
Shasta County, Probation Dept.	127
Siskiyou County Health and Human Services	51
TOTAL	21,706

Demographics

Based on the available demographic data, the most likely characteristics of a Proposition 47 grant program participant was a 38-year-old Latino or Hispanic male who was unemployed and homeless, with some high school education. More specifically, approximately 72 percent of participants were male (see Figure 2). The majority of participants identified as either Hispanic, Latino or Spanish (36.9%); black or African American (23.6%) or white (20.6%) (see Figure 3). The average age of participants was 38 years (*SD* = 12.6 years). One third of participants were between the ages of 26 and 35 years old, and 58 percent were between 26 and 46 years old (see Figure 4). At the time of enrollment, 42.6 percent of participants were on probation, parole, or post-release community supervision (PRCS).

Relative to the population of California¹³, a disproportionate number of males and blacks received Proposition 47 grant services. However, the demographics of Proposition 47 participants better align with the demographics of crime statistics¹⁴ in California. Specifically, 76 percent of individuals arrested for a misdemeanor were male, and 60 percent were between the ages of 20- and 39-years age. However, the race/ethnicity of participants differs from misdemeanor arrests in 2022. While there is no expectation of proportional racial distribution relative to the Proposition 47 grant projects, a higher-than-expected proportion of participants who identify as black or African American (23.6%) received services relative to the proportion arrested for

Figure 2. Gender of participants.

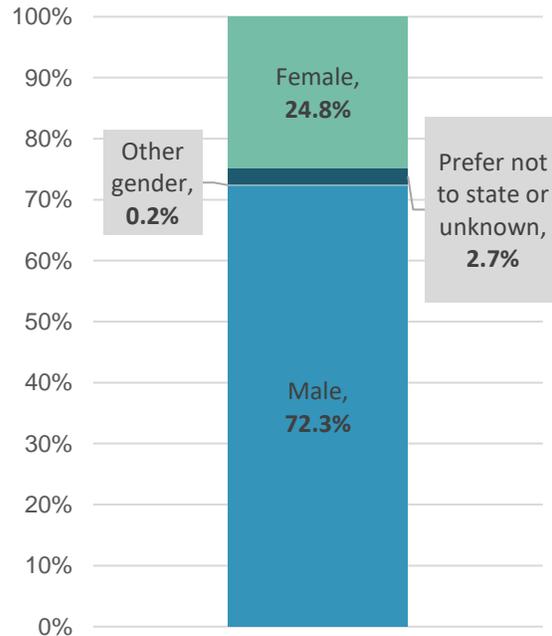
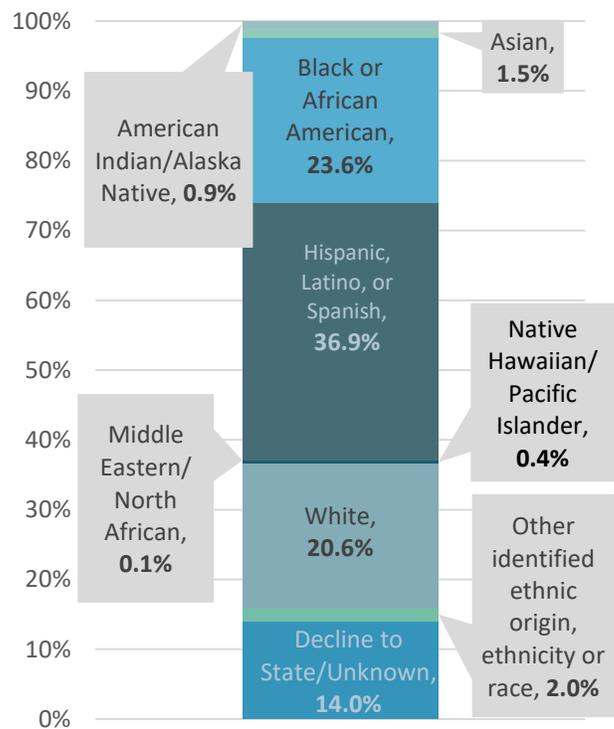


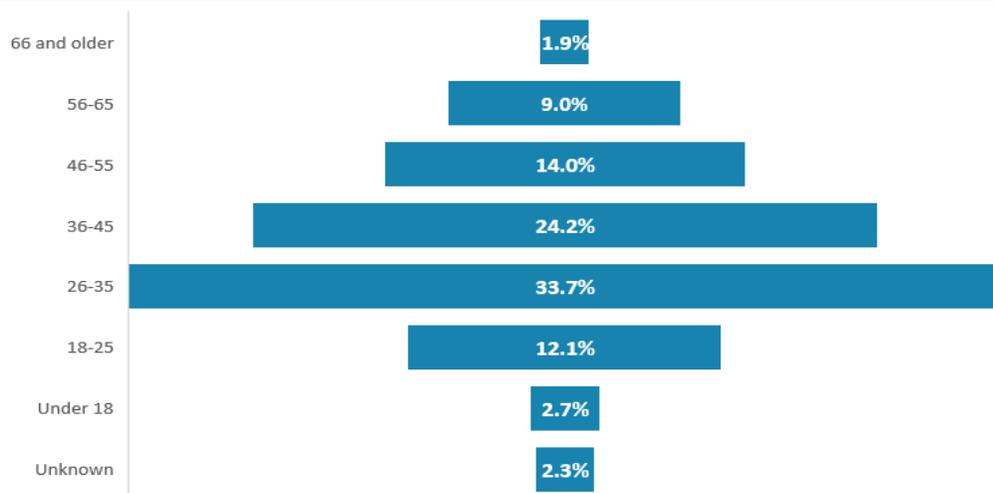
Figure 3. Race/ethnicity of participants.



¹³ California population data based on American Community Survey (ACS) 5-year estimates (2022).

¹⁴ California Department of Justice (2022).

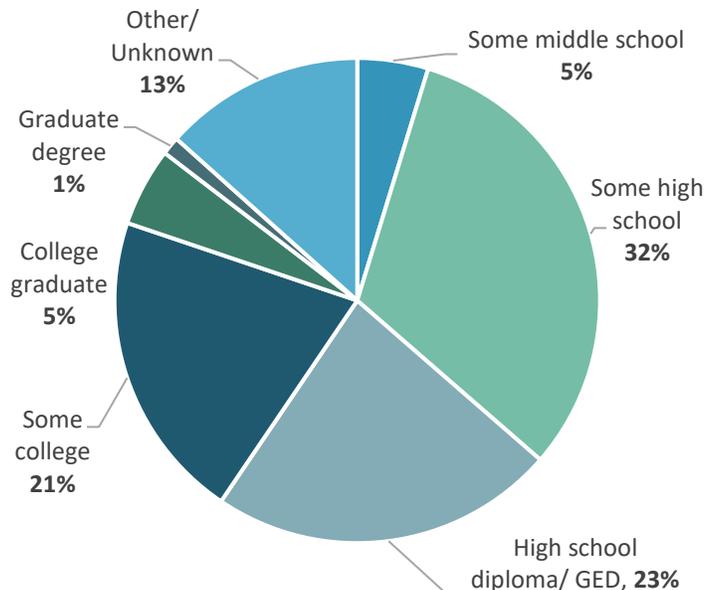
Figure 4. Age of participants.



misdemeanors (12.0%). The proportion of Hispanics receiving services (36.9%) is lower than relative to the proportion arrested for misdemeanors (45.0%). There are several possible explanations for this discrepancy including the target population selected by grantees; legal status; finding culturally competent care; or cultural stigma around receiving mental health or substance use disorder treatments.

The highest level of education completed, housing status, and employment status at the time of enrollment were collected for participants who enrolled in the Proposition 47 grant program. Participants who received one-time intervention services were not required to provide this information, although some did. These three demographics are intimately intertwined and associated with obtaining a higher quality of life. Higher education is associated with higher paying jobs making it easier to maintain a safe and stable household. For those participants who provided this information, 32 percent completed some high school, while 60 percent of participants had a high school diploma/GED or less (see Figure 5). In comparison, 84.2 percent of adults over the age of 25 graduated high school in California¹⁵.

Figure 5. Highest level of education completed at enrollment.



¹⁵ U.S. Census Bureau (2022).

Nearly one-third of participants were experiencing homelessness at the time of enrollment, 23 percent were living independently, and 17 percent were living with family or relatives (see Figure 6). Individuals who are unhoused is an ongoing issue in California with 44 in every 10,000 individuals experiencing homelessness¹⁶. Based on this data, a disproportionate number of Proposition 47 participants were experiencing homelessness relative to the population.

Finally, 65 percent of enrolled participants were unemployed at the time of enrollment, and only 10 percent were employed full-time (see Figure 7). Given that the COVID-19 pandemic began early in the Proposition 47 Cohort II grant program, statewide unemployment rates have fluctuated greatly throughout the duration of the grant. However, even at its peak of 16.1 percent, the statewide unemployment rate¹⁷ was substantially lower than the unemployment rate of participants. These data indicate that participants faced significant challenges, which is not uncommon for individuals experiencing mental illness¹⁸ or substance use disorders¹⁹.

Figure 6. Housing status at enrollment.

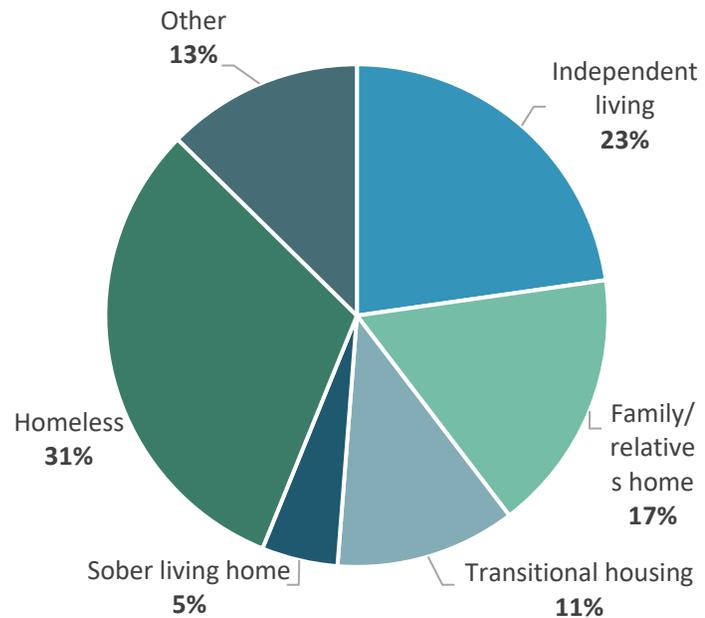
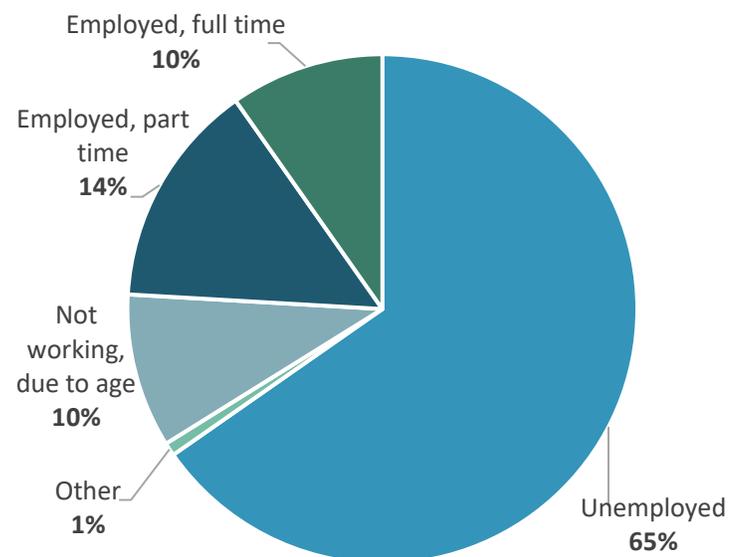


Figure 7. Employment status at enrollment.



¹⁶ U.S. Department of Housing and Urban Development (2022).

¹⁷ Allegretto and Liedtke (2020).

¹⁸ Berghofer, Martin, Hence, Weinmann, & Roll (2020).

¹⁹ Vederhus, Pripp, & Clausen (2016).

Participation Status

The status of each participant was reported to the BSCC on a quarterly basis until the services were terminated, either by exiting the program or completing the program requirements. Participation status was not provided for eight percent of participants. Of the participants whose status was provided ($n = 19,962$), 22.0 percent were still receiving services at the conclusion of the grant period (see Figure 8). Although the grant ended, these participants should continue to receive services through other funding streams. Many Proposition 47 Cohort II grantees received additional Proposition 47 funds in Cohort III and transitioned these participants into their Cohort III project.

Figure 8. Participation Status at grant conclusion.



One-Time Intervention Services

Nearly 19 percent of participants received one-time intervention services but did not subsequently enroll in the Proposition 47 grant program²⁰. One example of these types of services includes Monterey County's Sobering Center located in Salinas. People with DUI infractions (PC 32152[a/b]) or Public Intoxication (647[f]) who were detained by law enforcement agencies were diverted from jail to the Sobering Center. The Sobering Center allowed these people to recover from intoxication under the supervision of trained facility personnel. They also received information related to available substance use disorder treatment programs. This diversion model "improv[es] care and health outcomes for individuals while reducing costs to the local criminal justice system and hospitals."²¹ Over the course of the grant period, 676 people were diverted away from jail to Monterey County's Sobering Center.

A second example of a one-time intervention service is Santa Barbara County's Co-Response team. The Co-Response team included a mental health clinician and a Sheriff's

²⁰ Not all grantees provided one-time intervention services.

²¹ Monterey County Health Department, Behavioral Health Bureau, Proposition 47 Cohort II Final Evaluation Report, page 11. <https://www.bscc.ca.gov/wp-content/uploads/Monterey-County-Prop-47-C2-FLER.pdf>

deputy trained in crisis intervention who responded to mental health crisis calls. Members of the team were trained to identify severe mental illness and substance use disorder. The goal was to divert individuals away from the criminal justice system and provide referrals and/or warm handoffs to services such as mental health stabilization support, long-term mental health treatment, social services, and housing services. Over the course of the grant period, Santa Barbara County's Co-Response team responded to 460 encounters, serving 367 unique individuals.²²

Program Completion

At the conclusion of the Cohort II grant term, 19.2 percent of participants had successfully completed the program requirements. There was no common definition for program completion; each grantee defined program completion differently depending on the services provided and the target population. A breakdown of how each grantee defined program completion is located in Appendix F.

For participants who enrolled in an ongoing Proposition 47 program, the program completion rate across all grantees was 32.5 percent. Program completion rate was calculated using the following formula:

$$\text{Program completion rate} = \frac{\text{Number of participants who successfully completed}}{\text{Total participants – currently enrolled - one time intervention participants}}$$

The program completion rate varied greatly by grantee (see Table 5). Target population, project requirements, and definitions of successful program completion can greatly impact program completion rates. Given the unique characteristics of each Proposition 47 grant project, comparisons between grantees' program completion rates should not be made. Any interpretation of the program completion rates should only be made within the context of the project requirements, definition of program completion, and the population being served. Please refer to the grantees' Final Local Evaluation Reports for this information.

The broad target population of the Proposition 47 grant program is people with a history of substance use disorder (SUD) and/or mental health conditions. Research consistently reports challenges treating these conditions. For example, Evans, Grella, Washington and Upchurch (2017) observed high levels of SUD persistence three years after treatment, with 40 percent of women and 52 percent of men having a persistent SUD. Individuals with mental health conditions, particularly those with severe mental illness, also have low rates of recovery/remission. Salzer, Brusilovskiy, and Townley (2018) found that only one-third of individuals with severe mental illness reported being in recovery/remission. Santa Clara County's Behavioral Health Services Department was one of the Proposition 47 grantees whose target population included individuals with

²² Santa Barbara County Proposition Cohort II Final Local Evaluation Report, page 19. <https://www.bscc.ca.gov/wp-content/uploads/Santa-Barbara-Prop-47-C2-FLER.pdf>

moderate to severe mental illness, for which they provided outpatient treatment, case management, and housing navigation. In addition, they also targeted individuals with co-occurring mental health and SUD diagnoses. For this population, treatment challenges are compounded. The Substance Abuse and Mental Health Administration SAMSHA (2023) reports that more than 25 percent of individuals with a serious mental health condition also have a SUD. San Francisco Department of Public Health's Proposition 47 grant project focused primarily on individuals with co-occurring SUD and mental health conditions by providing wraparound services including withdrawal management, residential treatment, and outpatient case management.

Project requirements and definitions of program completion can also influence program completion rates. For

example, the City of Corning's Proposition 47 grant project focused on adolescents and transition-age youth and included an evidence-based diversion program that was 12 months long for transition-age youth (18-26 years) and 18 weeks long for juveniles. In contrast, the Los Angeles City Attorney's Office provided an extremely low-barrier, outreach program to people experiencing homelessness, substance dependence and mental illness. A mobile team comprised of a licensed vocational nurse, mental health therapist, and substance use specialist met participants where they were and provided assessments and services to participants. After eight weeks of engagement, participants

Table 6. Program completion rate by grantee.

Grantee	Program Completion Rate
Alameda County, Health Care Services	62.9%
Corning, City of	39.3%
Corona-Norco Unified School District	84.2%
Hayward, City of	62.5%
Los Angeles City Attorney's Office	60.9%
Los Angeles Mayor's Office, Office of Reentry	70.8%
Los Angeles County Dept. of Health Services	25.3%
Marin County Health and Human Services	39.5%
Monterey County Health Dept.	64.8%
Nevada County Dept. of Behavioral Health	54.4%
Orange County Health Care Agency	38.1%
Pasadena Unified School District	70.0%
Placer County Health and Human Services	24.2%
Plumas County District Attorney	79.0%
San Francisco Dept. of Public Health	13.2%
Santa Ana Unified School District	40.8%
Santa Barbara County, Office of the Public Defender	66.7%
Santa Clara County, Behavioral Health Dept.	33.2%
Santa Cruz County, Probation Dept.	48.6%
Shasta County, Probation Dept.	29.6%
Siskiyou County, Health and Human Services	23.7%
TOTAL	32.5%

are deemed to have completed program requirements, although they may continue to receive services beyond those eight weeks. Based on the duration of the projects alone, it would be expected that the program completion rates would be higher in Los Angeles than Corning.

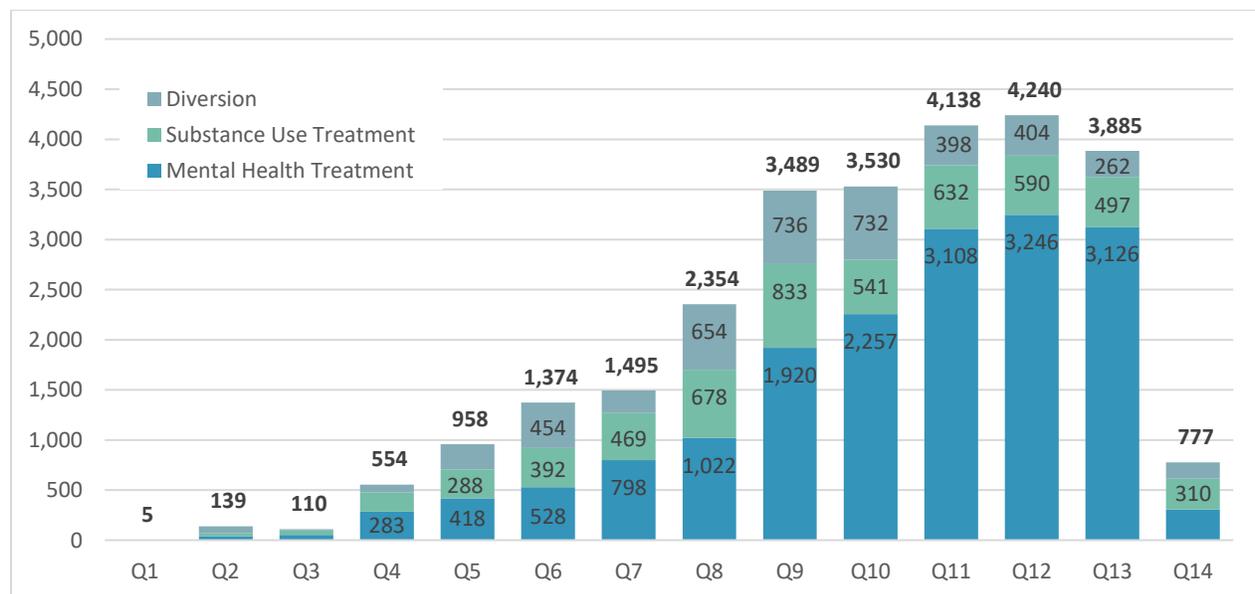
Services

Proposition 47 grantees provided a wide array of services to program participants. For reporting purposes, these services were assigned to one of thirteen categories: three required services (mental health treatment, SUD treatment, and diversion programs) and ten support services (assistance with food, basic necessities, case management, education, employment, housing, legal, social services, transportation, and other).

Services by Quarter

Proposition 47 grantees reported the required and supportive services that participants received on a quarterly basis. Note that these are not unduplicated counts, as participants may be receiving multiple services in a quarter. Additionally, if a participant received services across multiple quarters, they are counted in each quarter they received the service. Figure 9 shows the total number of participants who received required services by quarter, and Figures 10 and 11 show the number of participants who received support services by quarter.

Figure 9. Required services provided by quarter.



To provide additional context, Quarter 1 was an implementation period, and there was no expectation of grantees to provide services to participants. The first quarter was an opportunity for grantees to secure contracts and hire and train staff. However, if grantees were able to, they could choose to serve participants in Quarter 1. Two grantees, City of

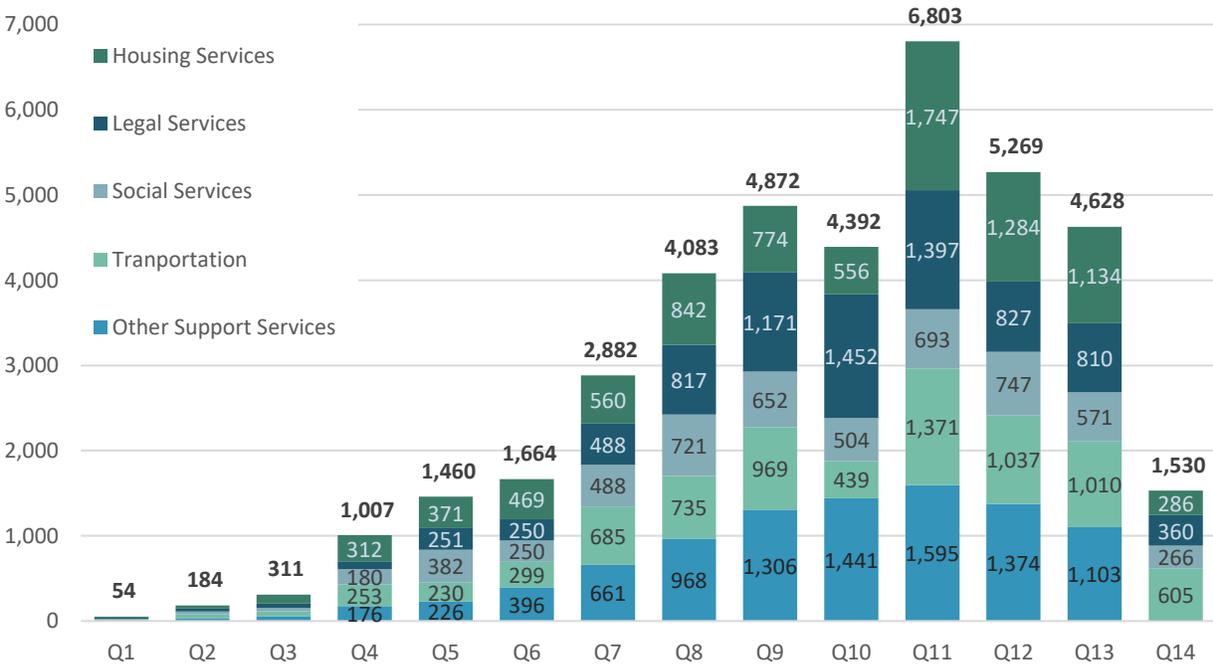
Hayward and Placer County Health and Human Services provided services during Quarter 1.

As can be seen in the graphs, services took time to start up. The greatest factor that contributed to delays in start-up was the COVID-19 pandemic. Stay-at-home orders were established during Quarter 2. Virtually all aspects of the grantees' projects were impacted by the pandemic and are discussed in greater detail later in this report.

Figure 11. Support services provided by quarter.



Figure 10. Support services provided by quarter.



Another factor that contributed to the slow start was the overlap in funding between Proposition 47 Cohort I and Cohort II. During Cohort I, grantees were offered a one-year, no-cost extension; eleven Cohort I grantees, who were also awarded Cohort II funding, accepted the extension. This extended Cohort I funding until August 2021, leading to an 18-month overlap between the two Cohorts. These grantees were provided clear instructions by BSCC staff to ensure all aspects of the two funding streams were kept separate. Keeping the funding streams separate was easier for some grantees than others. For example, during Cohort I, Placer County's target population was limited to transition age youth. For Cohort II, they expanded their target population to all adults. To ensure the funding streams were kept separate, any transition-age youth who enrolled during the overlapping period were assigned to Cohort I and all related expenses were billed to Cohort I. All other adults enrolled during this time were assigned to Cohort II. This resulted in fewer participants assigned to Cohort II during the first 18 months of the grant. For grantees where there was no clear distinction between Cohort I and Cohort II projects, many chose to delay the start of Cohort II until they had exhausted their Cohort I funding. As such, some overlapping grantees did not start serving Cohort II participants until Quarters 5 or 6.

A dramatic decrease in services was also observed for Quarter 14. With the exception of the grantees who accepted the one-year, no-cost extension, Quarter 14 was truncated, with the time frame running from January 1, 2023, to February 15, 2023. This quarter also overlapped with the beginning of the service period for the Proposition 47 Cohort III grant, and many Cohort II grantees received Cohort III funding. Given this, many grantees chose to end Cohort II services at the end of Quarter 13 (December 31, 2022).

Outcomes

For the Proposition 47 Cohort II statewide evaluation, three outcome measures were examined: housing, employment, and recidivism. Because not all participants sought housing or employment services, those outcomes were only evaluated for participants who identified them as a goal and completed program requirements, as post-enrollment housing and employment information were only collected at program completion. However, recidivism data was collected for all participants, regardless of their participation status at the end of the grant period.

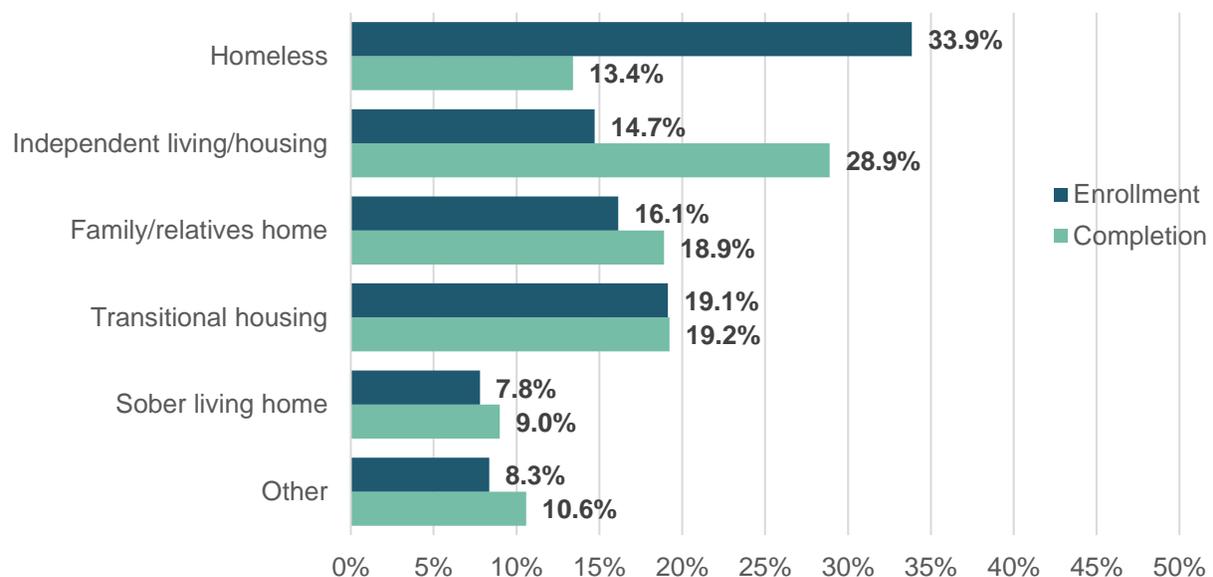
Housing Goal

The housing shortage in California is an ongoing issue that disproportionately impacts low-income people. Additionally, people with a criminal history are further impacted by the housing shortage. California Department of Housing and Community Development (CDHCD) estimates that 2.5 million housing units, with one million being low-income housing, need to be developed in each of the next eight years to address the current

shortage²³. This shortage has resulted in increases in housing costs. Between October 2020 and September 2021, the average rent in California for a two-bedroom apartment was \$2,030. A household must earn over \$80,000 per year to afford this rental rate without being cost-burdened¹⁷. With 65 percent of Proposition 47 participants unemployed at program enrollment, finding affordable housing is challenging, particularly in regions where average rent is higher than the statewide average.

Across all grantees, 5,888 participants identified housing as one of their goals. Housing status at enrollment and completion were compared for those participants who identified housing as a goal and completed the program requirements ($n = 2,168$). For these participants, the proportion of participants who were experiencing homelessness at program completion was reduced by 60 percent relative to program enrollment (see Figure 12). Additionally, the proportion of participants living independently nearly doubled.

Figure 12. Housing status at program enrollment and completion for participants who completed program requirements.



Employment Goal

Employment is an important component to reintegrating into society after incarceration and preventing recidivism. However, the unemployment rate among formerly incarcerated people is nearly five times higher than the general population²⁴. Research has found that employment reduces recidivism of non-violent offenders by one-third²⁵. Many Proposition 47 grantees provided employment services either directly or through

²³ California Department of Housing and Community Development (2022).

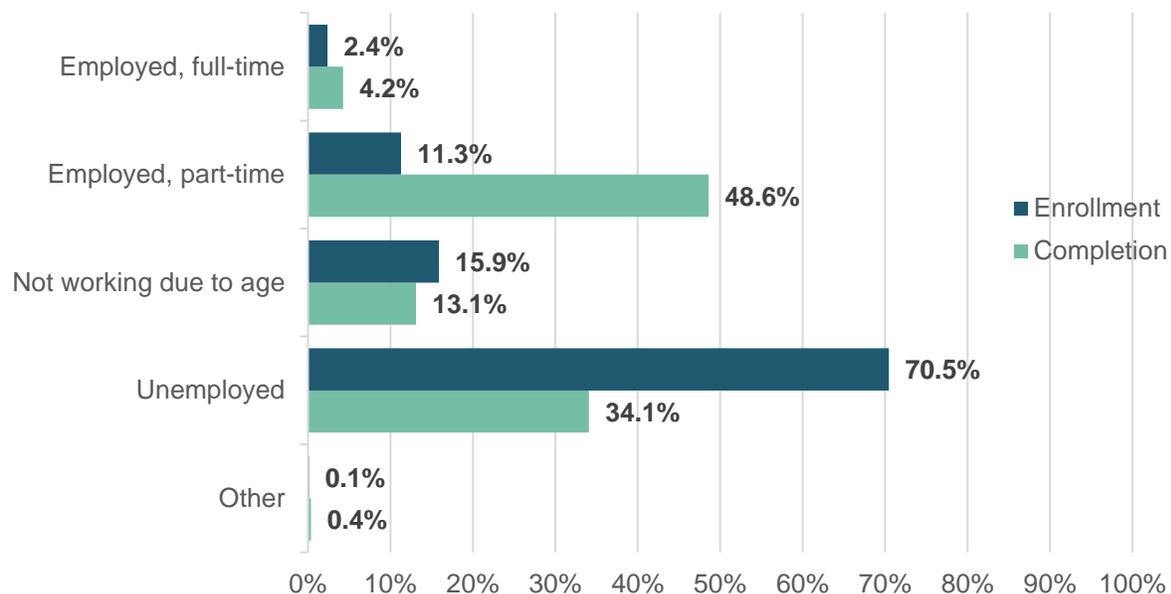
²⁴ Couloute, Lucius, and Daniel Kopf. 2018.

²⁵ Yelowitz, Aaron, and Christopher Bollinger. 2015.

referral to participants. And for some grantees, the project focus was wholly on employment services. For example, one of Los Angeles County’s Office of Diversion and Reentry’s projects was designed to “connect individuals to training opportunities that provide a livable wage, career advancement opportunities, and benefits for participants”²⁶. Within one year of enrolling in the project only four percent of participants had new convictions.

Across all grantees, 6,162 participants identified employment as one of their goals. Employment status at enrollment and completion were compared for those participants who identified employment as a goal and completed the program requirements ($n = 1,871$). As can be seen in Figure 13, the proportion of participants who were unemployed at program completion was half of what it was at program enrollment. However, the majority of employment gains were in part-time employment, suggesting that program participants were likely underemployed at program completion.

Figure 13. Employment status at program enrollment and completion for participants who completed program requirements.



Recidivism

To analyze the recidivism data, participant data from three grantees²⁷ who accepted the one-year, no-cost extension were excluded, as they have not yet submitted their final

²⁶ Los Angeles County Office of Diversion and Reentry. Not Just a Job: A Career Implementation of a Sectoral Training Program for People Impacted by the Criminal Legal System. <https://www.bscc.ca.gov/wp-content/uploads/LA-County-Prop-47-C2-FLER-SECTOR-Employment.pdf>

²⁷ The three grantees excluded from recidivism analysis include City of Corning, Pasadena Unified School District, and Santa Ana Unified School District.

recidivism data. Two other grantees, Orange County Health Care Agency and Nevada County Department of Behavioral Health, did accept the extension, but did not use the entire year. Since their final recidivism data were available, they were included in the analysis. In addition, one grantee, Siskiyou County Health and Human Services, had not provided final recidivism at the time of this report and was also excluded from the recidivism analyses. Recidivism data for these grantees will be added to this report as an addendum once they are available.

AB 1056 defines recidivism as the conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction. However, many grantees reported that some participants' release from custody or placement on supervision was greater than three years prior to enrolling in the Proposition 47 grant program. As such, in order to evaluate recidivism rates as a means to measure program effectiveness, the definition of recidivism was modified to the conviction of a new felony or misdemeanor committed within three years of program enrollment. It is important to note that the duration between program enrollment and the end of the grant (when final recidivism reports were submitted to the BSCC) is less than three years. Delays in start-up discussed previously resulted in the majority of participants having approximately 12 to 18 months between enrollment and the end of the grant. In addition to the limited amount of time between program enrollment and obtaining recidivism data, it is also important to note that the majority of data are from county-level sources, meaning that if participants recidivated in other counties, it would not be reflected in the recidivism data.

Recidivism Rates by Grantee

Of the participants included in the recidivism analysis ($n = 20,370$), grantees were unable to determine the recidivism status for 3,063 (15.0%) of participants. Of the remaining participants, 2,648 (15.3%) of participants were convicted of a new felony or misdemeanor between the time of enrollment into the program and the conclusion of the grant program. Recidivism rates vary greatly by grantee (see Table 8), ranging from a low of 0 percent to a high of 36.9

percent. As with program completion rates, recidivism rates should not be compared across grantees as unique characteristics associated with each grant project may affect recidivism rates. For example, the target population of some grantees included people with severe mental illness and/or dual diagnoses. It would not be appropriate to compare recidivism rates for that population to a grantee project whose target population was juveniles, who are more likely to be diverted away from the criminal justice system.

15.3%

*of participants were convicted of
a new misdemeanor or felony*

Detailed information about each grantee’s project is located in their FLERs which can provide the necessary context when interpreting recidivism rates.

Table 7. Recidivism rate by grantee.

Grantee	Recidivism Rate
Alameda County, Health Care Services	21.2%
Corona-Norco Unified School District	3.0%
Hayward, City of	0.0%
Los Angeles City Attorney's Office	5.6%
Los Angeles Mayor's Office, Office of Reentry	7.1%
Los Angeles County Dept. of Health Services	13.5%
Marin County Health and Human Services	8.3%
Monterey County Health Dept.	7.5%
Nevada County Dept. of Behavioral Health	6.6%
Orange County Health Care Agency	36.9%
Placer County Health and Human Services	23.7%
Plumas County District Attorney	17.6%
San Fransisco Dept. of Public Health	2.7%
Santa Barbara County, Office of the Public Defender	15.1%
Santa Clara County, Behavioral Health Dept.	10.9%
Santa Cruz County, Probation Dept.	19.6%
Shasta County, Probation Dept.	18.3%
TOTAL	15.3%

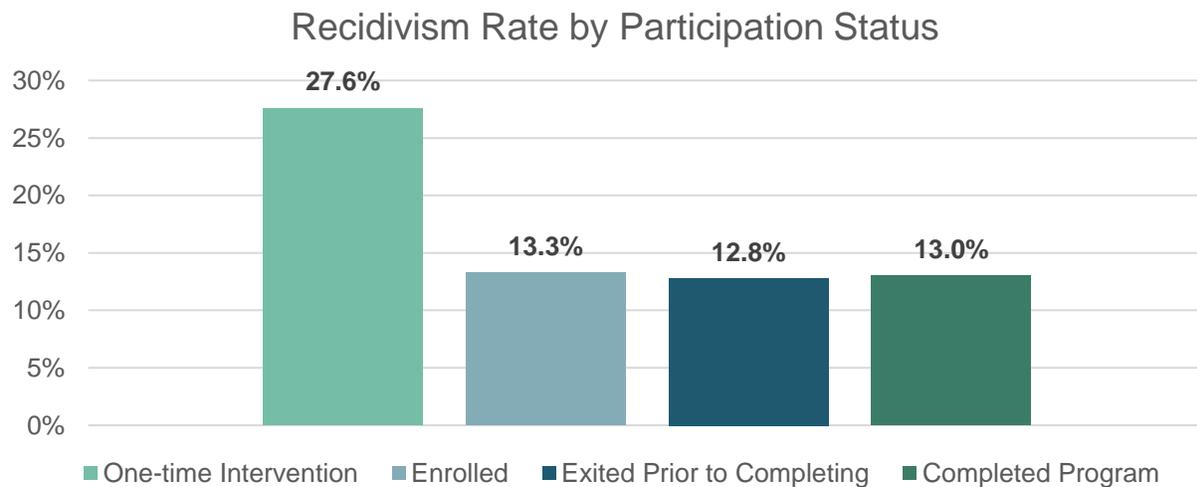
An overall statewide recidivism rate for Proposition 47 Cohort II participants of 15.3 percent is substantially lower than other statewide recidivism rates²⁸, which generally range from 35 to 45 percent. However, the reporting duration for the Proposition 47 grant program is between 12 and 18 months for most program participants, much shorter than most recidivism evaluations. While not an ideal comparison group, the California Department of Corrections and Rehabilitation (2023) does provide one- and two-year recidivism rates. For the cohort of people released from state prison during FY 2017-18, 21.8 percent were reconvicted within one year and 38.1 percent were reconvicted within two years, both higher than the recidivism rates of Proposition 47 Cohort II participants.

²⁸ Bird, Goss & Nguyen (2019); California Department of Corrections and Rehabilitation (2023).

Recidivism Rate by Participation Status

Another approach to evaluating effectiveness of the Proposition 47 grant program at reducing recidivism is by comparing the recidivism rates of participants based on their participation status at the end of the Cohort II grant program. Participants were included in this analysis if 1) they had a participation status of one-time intervention, enrolled, exited prior to completion, or completed program requirements, and 2) their recidivism status was known. This resulted in a total number of 16,804 participants included in the analysis. The chi-square analysis was significant, $\chi^2(3) = 415.6, p < 0.001$, with one-time intervention service participants having higher recidivism rates relative to participants who were enrolled, exited prior to completing, and completed program requirements (see Figure 14).

Figure 14. Recidivism rate by participation status at the end of the grant program.



These data suggest that the statewide recidivism rate for program participants is influenced by participants who received one-time intervention services. When focusing on participants who received ongoing services and were either still enrolled in the program, completed the program requirements, or exited prior to completion, the recidivism rates are even lower than the statewide rate across all participants. While the recidivism rate was slightly higher for participants who completed program requirements relative to those who exited prior to completing, based on Chi-Square analysis, the groups were not significantly different. This analysis provides further evidence suggesting the Proposition 47 grant program effectively reduces recidivism rates in program participants, particularly for participants who received ongoing services, even if they had not completed the program requirements.

Recidivism Rates by Demographics

Recidivism rates were also examined by participant demographics. To maximize reliability and validity of the data, only those demographic categories that included more than one percent of the total number of participants were included (see Figure 15). Participants under the age of 18 were the least likely to be convicted of a new crime. This is not surprising as the juvenile justice system emphasizes diversion and rehabilitation in lieu of formal adjudication. The highest recidivism rates based on age were participants between the ages of 18 and 45 years. Male participants were more likely to recidivate. When comparing race/ethnicity, participants who identified as black or African American were less likely to recidivate (11.0%) than other races/ethnicities (12.4% - 16.7%).

Participants who identified as Black or African American were less likely to recidivate than other races/ethnicities (11.0% vs. 12.4% - 16.7%).

Stable employment and housing have been associated with a reduction in recidivism²⁹. Given this, recidivism rates were examined by housing and employment status at program completion, and level of education in adult participants (18 years and over). Juveniles were excluded due to little variability in the measures; most juveniles were not working, enrolled in school, and living with family. It is important to note that employment and housing status at completion are small subsets of participants; only those who completed the program requirements, reported employment ($n = 3,792$) and/or housing ($n = 4,526$) status at completion, and had recidivism data were included (see Figure 16). Note that the number of participants in these analyses were higher than the evaluation of change in housing and employment status between program enrollment and completion because that evaluation only included participants who identified housing and/or employment as goals.

Recidivism rates for participants who were employed, regardless of whether it was full-time or part-time, were lower than those who were unemployed. Participants who were living independently or identified their housing status at program completion as “other”, had the lowest recidivism rates, with rates 60 percent lower than participants who were homeless or living with family/relatives at program completion. These data support the notion that housing, and employment are important factors related to recidivism reduction. Finally, recidivism rates for college graduates were lowest (11.4%) and participants who completed some high school had the highest recidivism rates (16.2%).

Participants living independently had recidivism rates 60% lower than those who were homeless or living with family/relatives.

²⁹ Jacobs & Gottlieb (2020); Yelowitz, A., & Bollinger, C. (2015).

Figure 15. Recidivism rate by age, gender, and race/ethnicity.

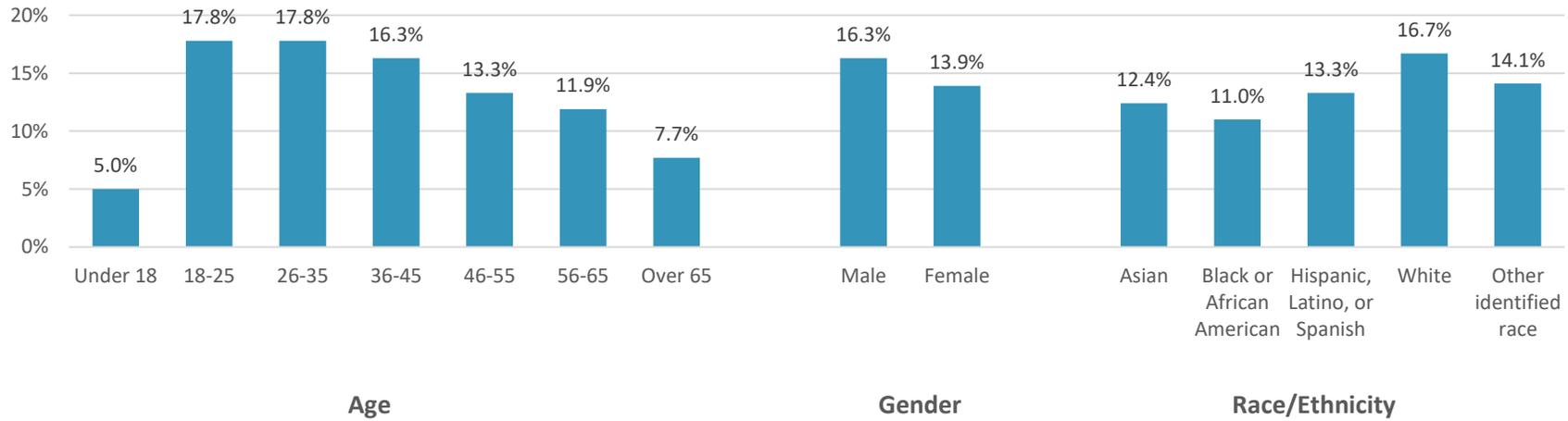
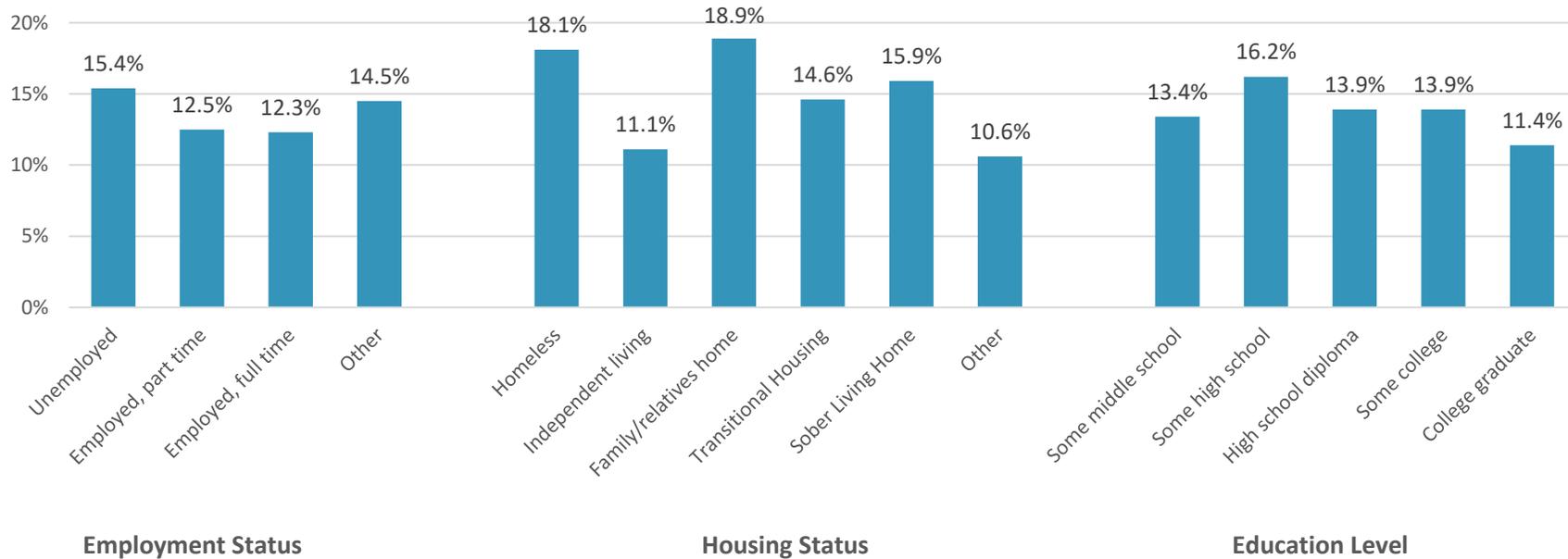


Figure 16. Recidivism rate by employment and housing status at program completion and level of education at enrollment.



Challenges and Accommodations

Grantees encountered several challenges during the grant period including challenges related to housing and staffing shortages. However, the greatest challenge that impacted all grantees was the onset of the COVID-19 pandemic. In spite of these challenges, grantees were able to adapt as needed and achieved, partially or fully, most of the goals and objectives identified in their original proposals.

COVID-19 Pandemic

Stay-at-home orders for all Californians were implemented early in the grant period (Quarter 2) when many grantees were preparing to or had just started serving participants. Grantees needed time to modify their implementation plans to adhere to the new COVID-19 guidelines and acquire personal protective equipment (PPE) for staff working in the field. Some grantees were required to pause services temporarily, others continued to provide services as best as possible in challenging conditions. Many grantees were still in the process of hiring staff and finalizing contracts, which were also delayed by the pandemic.

Once grantees made the necessary modifications to their programs to adjust for the pandemic, participation rates were also impacted by the pandemic for many participants. School districts, such as Corona-Norco Unified School District, noted that “without the connections formed at school, and the relationships that encourage program participation, families and students already under stress retreated from services rather than reaching out”³⁰. Changes to policies and procedures in the criminal justice system also affected participation rates. Several grantees relied on the courts for referrals to their projects; with the courts closed, those referrals stopped. Grantees also relied on referrals from local law enforcement agencies. With most law enforcement agencies targeting only more serious crimes to reduce the number of people in detention facilities, the law enforcement referrals to Prop 47 grant programs also slowed down or stopped. These grantees were required to find a new source for participants. Marin County Health and Human Services initially designed their project to rely on referrals from the jail and other court system partners. To address this issue, their project started to provide more direct outreach to people experiencing homelessness³¹.

Finally, grantees providing housing or residential treatment programs reported significant impacts as a result of the COVID-19 pandemic. Many reported that during the first year of the pandemic they were operating live-in type facilities at reduced capacity, affecting the number of participants they were able to serve. The San Francisco Department of

³⁰ Corona-Norco Unified School District Proposition 47 Cohort II Final Evaluation Report. Page 18.

<https://www.bscc.ca.gov/wp-content/uploads/Corona-Norco-USD-Prop-47-C2-FLER.pdf>

³¹ Marin County Health and Human Services Proposition 47 Services Cohort II: Final Local Evaluation Report. Page 3. <https://www.bscc.ca.gov/wp-content/uploads/Marin-County-Prop-47-C2-FLER.pdf>

Public Health's Proposition 47 project provided all levels of substance use treatment, including withdrawal management, residential inpatient, and outpatient treatment programs. Limited quarantine space for people entering withdrawal management created a bottleneck, further impacting services. In addition, during Quarter 6, they reported a COVID-19 outbreak at the withdrawal management facility resulting in the inability to enroll new participants for nearly two months³².

Grantees relying on partner agencies for group housing opportunities also experienced a decrease in available beds as a result of reduced capacity levels. This occurred at the same time that there was an increase in the number of individuals being released from jails and prisons for the same reason. Even when beds were available, additional challenges were encountered. Participants were often reluctant to accept congregate living arrangements due to health concerns surrounding COVID-19, required quarantine periods, or proof of a negative COVID-19 test.

In spite of the challenges encountered by the COVID-19 pandemic, grantees were able to modify how their services were provided and continue to meet the needs of participants, as can be seen in the services provided by quarter in Figures 9 – 11. Many grantees initially turned to telehealth options to maintain contact and provide services for participants. Some grantees were able to provide in-person services in a way that reduced the health risks for staff and participants. For example, Orange County Health Care Agency initially had peer navigators meeting individuals being released from jail in the lobby of the facility. Early in the pandemic, the peer navigators moved outdoors wearing personal protective equipment and maintaining a socially appropriate distance. Once COVID-19 case rates declined, the peer navigators were allowed to return to the lobby, with the Sheriff's Office providing them a more formal space than what they previously had, with dedicated tables and chairs.

Housing

In addition to the housing issues related to the pandemic, many grantees reported that finding stable, affordable housing for participants was challenging. Many areas within the state have a lack of available rental units, especially in areas with low vacancy rates. For example, Placer County noted that the vacancy rate within the county is less than one percent. Screening barriers, especially for individuals with felony convictions, and the discouraging housing application process also hindered participants' progress towards obtaining stable housing.

Other avenues to obtain housing were equally challenging. In their FLER, Santa Clara County noted that "staff, stakeholders, and clients described the system and process of

³² San Francisco Department of Public Health. Supporting Treatment and Reducing Recidivism (STARR): Final Evaluation Report. Page v. <https://www.bscc.ca.gov/wp-content/uploads/San-Francisco-Prop-47-C2-FLER.pdf>

obtaining permanent supportive housing as lengthy, cumbersome, and frequently resulting in a lack of successful placement”³³. Similar feedback was obtained from participants in the Los Angeles City Attorney’s Office. Participants that were interviewed described being frustrated by the “convoluted process associated with finding housing”³⁴. Participants who had successfully obtained Section 8 housing described the process as long and difficult, often taking more than two years. For participants who received housing vouchers, finding a landlord that would accept the voucher was difficult. Grantees also reported that waiting lists for subsidized apartments were long.

Grantees developed strategies to help participants obtain stable housing, including working with community partners to identify available options, build rapport with local landlords, helping participants develop clear responses to inquiries about their past legal challenges, addressing negative items on credit reports, and ensuring they submit applications for waiting lists at subsidized apartment complexes. One strategy developed to provide temporary housing by Santa Barbara County³⁵ was through the utilization of their Stabilization Center. The Center was designed to provide sobering services in a safe, supportive environment for up to 24 hours. However, due to delays in treatment, shelter and housing facilities, some participants were allowed to stay longer than 24 hours until they were able to be placed in the appropriate setting.

Staffing

Another common theme across many grantees was challenges related to staffing shortages and turnover which impacted service delivery. Grantees in rural areas were particularly challenged to recruit and retain quality staff with the appropriate skillset. An inability to fill key positions, such as licensed clinical staff, substance use specialists, and therapists, hindered grantees’ ability to provide comprehensive services to participants. Some grantees reported difficulty hiring bilingual staff which can impact communication and providing culturally appropriate services. Grantees also reported high turnover rates for case managers/peer navigators, which negatively affected program workflow and coordination. Several grantees noted that these positions often carry high caseloads and burnout is common. Los Angeles City Attorney’s Office noted in their FLER that their partner CBO was addressing this concern by providing a class to staff on “self-care in times of burnout”³⁶.

³³ Santa Clara County Final Local Evaluation Report. <https://www.bscc.ca.gov/wp-content/uploads/Santa-Clara-County-Prop-47-C2-FLER.pdf>

³⁴ Los Angeles City Attorney’s Office. Final Local Evaluation Report. <https://www.bscc.ca.gov/wp-content/uploads/Los-Angeles-City-Attorney-Prop-47-C2-FLER.pdf>

³⁵ Santa Barbara County Final Local Evaluation Report. <https://www.bscc.ca.gov/wp-content/uploads/Santa-Barbara-Prop-47-C2-FLER.pdf>

³⁶ Los Angeles City Attorney’s Office. Final Local Evaluation Report. Page 43. <https://www.bscc.ca.gov/wp-content/uploads/Los-Angeles-City-Attorney-Prop-47-C2-FLER.pdf>

Limitations to the Evaluation

When interpreting the findings from this statewide evaluation, it is important to keep several limitations in mind. These include:

- First, outcome data related to housing and employment are limited to a small sub-sample of all participants: those who indicated these were goals and completed the program requirements. Participants who exited prior to completing were excluded due to the challenges obtaining that information as it was unlikely they provided updated housing and employment status prior to exiting.
- Second, recidivism rates for Proposition 47 Cohort II participants are compared to recidivism rates in other published reports. While this does provide some insight into what participants' recidivism rates might have been had they not enrolled in the Proposition 47 program, it is likely not an equivalent comparison.
- Third, the duration between program enrollment and obtaining recidivism data was approximately 12 to 18 months for most participants. Additionally, the duration varied across participants; some participants may have as many as three years between enrollment and obtaining the recidivism data, while others may have as little as three months. As such, evaluation of the effectiveness of the Proposition 47 grant programs is limited to short-term outcomes whereas mental health conditions and substance use disorders are often long-term, ongoing conditions. Having a longer duration between when services are received, and extraction of recidivism data would provide a clearer understanding of the benefits of the Proposition 47 grant program at reducing recidivism in program participants, especially for those experiencing mental health or substance use issues.
- Finally, the majority of grantees obtained recidivism data from a local source, such as local law enforcement agencies or county courts. Given this, recidivism data is limited to the county in which the services were provided. It is possible that participants may have recidivated in another county, but not included due to the limited source of recidivism data.

Moving Forward

With Cohort I, the BSCC was unable to calculate a statewide recidivism rate due to the different approaches grantees took to reporting the data. For the Proposition 47 Cohort II grant program, enhanced data collection procedures were implemented. These procedures provide a clearer picture of what services are being provided and some outcome information, including recidivism rates, at the statewide level. Being able to calculate a statewide recidivism rate strengthens our ability to draw conclusions about the effectiveness of the Proposition 47 grant program at reducing recidivism rates for program participants. However, there is still room for improvement.

As previously mentioned, the recidivism rates for program participants were compared to recidivism rates reported in other published reports, which are likely not equivalent comparisons. BSCC staff are currently working with DOJ staff to obtain recidivism data to create an equitable comparison group for the evaluation of the Proposition 47 Cohort III.

Demographic data on Proposition 47 Cohort II participants indicate that while Latino and Hispanic individuals were the largest racial/ethnic group receiving Proposition 47 services, at the county level (based on where they received services) they were receiving services at rates lower than would be expected based on the proportion of Latino and Hispanics within the county and the proportion arrested. This pattern is not unique to the Proposition 47 grant program. According to the National Alliance on Mental Illness (NAMI), Hispanic/Latino adults with mental illness were less likely to receive mental health care when compared to the U.S. average (34% versus 45%)³⁷. Similarly, less than 9 percent of Hispanic/Latinos with a SUD received treatment, relative to the U.S. average of 12.2 percent³⁸. However, this pattern was not universal across all grantees; three grantees were serving Latino and Hispanic participants at rates higher than expected based on the proportion of Latino and Hispanic individuals within their county and proportion arrested in their county. The BSCC is working with these grantees to better understand the characteristics of their projects that afforded them greater success with the Hispanic/Latino population and plans to share the findings with BSCC grantees and other interested stakeholders.

Conclusions

The purpose of the Proposition 47 grant program is to provide rehabilitative services as an alternative to incarceration to individuals involved in the justice system with mental health and/or substance use disorders. Proposition 47 Cohort II grantees made substantial progress toward this goal. Over 21,000 unduplicated participants received mental health and/or substance use disorder treatment services, diversion programming, and a wide range of support services.

In spite of the challenges grantees encountered during the grant period, including the COVID-19 pandemic, lack of affordable housing, and staffing shortages, grantees achieved, either partially or fully, the majority of goals identified in their original proposals. Across the state, there was a 60 percent reduction in homeless participants at program completion for those participants who identified housing as a personal goal. Similarly, there was a 50 percent reduction in unemployed participants at program completion for those participants who identified employment as a personal goal. However, many of those participants were employed part-time, suggesting they were likely underemployed.

³⁷ <https://www.nami.org/Your-Journey/Identity-and-Cultural-Dimensions/Hispanic-Latinx>, retrieved May 17, 2022.

³⁸ <https://www.samhsa.gov/data/data-we-collect/nsduh-national-survey-drug-use-and-health>, retrieved May 19, 2022.

Recidivism rates further emphasize the importance of housing and employment when working to reduce recidivism rates. Across all participants who received services, the recidivism rate was 15.3 percent, which is lower than other reported statewide recidivism rates.³⁹ However, the recidivism rate for participants who were living independently at program completion was lower at 11.1 percent. Additionally, recidivism rates for those employed both full-time and part-time were lower at 12.3 percent and 12.5 percent, respectively. Conversely, recidivism rates were higher for participants who were homeless (18.1%) or living with family/relatives (18.9%).

With Proposition 47 Cohort III grantees entering their second year and Cohort IV starting up soon, these projects will continue to provide much needed mental health and substance use disorder treatment, along with other support services, to Californians who have been involved in the criminal justice system. Based on the data from the first two Cohorts of the Proposition 47 grant program, these types of services appear to be effective at reducing recidivism rates in program participants. BSCC will continue to monitor these projects and collect data that can further our understanding of the benefits of these types of programs at reducing criminal behavior in individuals committing low-level offenses.

³⁹ Bird, Goss & Nguyen (2019); California Department of Corrections and Rehabilitation (2023).

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Grantee Highlights

Proposition 47 Cohort II grantees were invited to submit a one-page project highlight or success story to include in this report. The following pages present these grantee highlights. Additional details about each Cohort II grantee's success can be found in their Final Local Evaluation Reports posted on the BSCC's website.

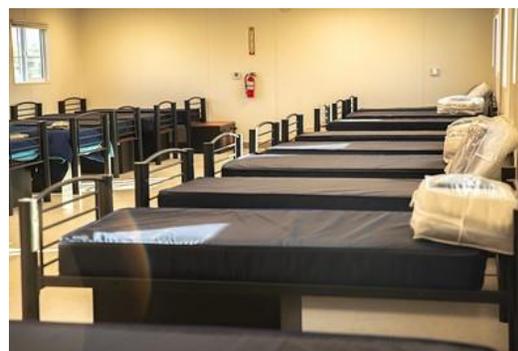
Corona- Norco Unified School District

A 16-year-old participant entered the Youth Diversion Team (YDT) program following interaction with the Corona Police Department. Initially they were apathetic, pushing adults away with a tough exterior and clear communication that they thought the whole process was "stupid." After initial assessment, it became clear the student did not have reliable adults in their life and was not attending classes consistently. Despite an interest in music, the student was not connected to any opportunities to pursue this passion as a positive outlet. They were referred to Big Brothers Big Sisters to fulfill their diversion contract and were successfully matched with a mentor in October 2021. Their mentor saw the student's apathy as a protective behavior to keep themselves from being let down by adults and worked hard to earn their trust and build rapport. That trust is still budding, and the participant remains closed off when it comes to their mom, holding things inside rather than sharing freely. But they are letting their excitement about hanging out with their new mentor show. They are avoiding criminal and delinquent behavior and living up to their end of the contract. It is still early in the process with this student, but the value of positive interaction, encouragement, and accountability is definitely on display with this participant.

City of Hayward

GRANTEE HIGHLIGHT – HAYWARD NAVIGATION CENTER PROP 47 (HNCP47)

Opened in November 2019 as a response to the growing homelessness crisis, HNCP47 is a transitional housing site that provides comprehensive, evidence-based, trauma-informed diversion services for the local homeless population. It is operated by Bay Area Community Services (BACS) and referrals are made by the Hayward Police Department (HPD), BACS outreach staff, and community members through 211. HNCP47 residents are part of the Re-Entry Team, which provides clinical-level behavioral health care and services that center the experience of individuals with a history of justice involvement. Below are key program accomplishments for HNCP47.



- **Continued service through a global pandemic.** HNCP47 remained fully operational during the continued COVID-19 pandemic, despite capacity restrictions.
- **All participants received assessments to determine proper treatment paths to provide wrap-around services.** Even with the challenges of the pandemic and initial start-up barriers, 100% of HNCP47 participants received temporary housing. Almost all participants (98.9%) received mental health, substance use, or diversion assessments. Nearly 70% of participants who finished the program exited to permanent housing, reflecting positively on the wrap-around services provided.
- **Positive participant experience.** HNCP47 clients reported a positive experience through the referral and transitional housing process. Participants felt safe and supported by BACS staff and outlined the quality of the facilities and programs available to them.
- **Reduction in homelessness.** The 2022 point-in-time (PIT) count showed a 21.8% decrease in homelessness in the City of Hayward, while there was a 21.5% increase in the overall Alameda County homeless population (Everyone Counts, 2022a; Everyone Counts, 2022b). The HNCP47 program was one of several important investments made by the City of Hayward that helped contribute to the reduction in homelessness in Hayward.
- **Low recidivism rates.** The local definition of recidivism, including when an arrest was made for a new crime, was 9.6%. The BSCC definition of recidivism, including prosecution for a new crime, was 0% for all participants. The average recidivism rate within three years of release from prison is 68% (Alper et al., 2018), with crimes being up to 514 times more likely to be committed by those who are homeless when compared to the non-homeless population (San Diego County District Attorney's Office, 2022).

Los Angeles County, Department of Health Services

Paving the Way in Partnership with Center for Living and Learning

"I've been doing this work for a long time and being able to be a pioneer with the SECTOR program is truly an honor," said Janie Hodge, the Executive Director of Paving the Way. "I can't wait to see all the people we will help get to that next step as well as the doors we'll help open for them." (SECTOR Press Release)

Paving the Way in partnership with **Center for Living and Learning (PTW/CLL)** is one of the five community-based organizations delivering SECTOR services under the Los Angeles County Proposition 47 Cohort 2 Grant. Founded in 2006, PTW provides employment and supportive services to individuals transitioning from incarceration, homelessness, and addiction in the Antelope Valley. Likewise, CLL, which was founded in 2001, is a nonprofit organization providing similar services to individuals in the San Fernando Valley. Under the SECTOR program, both organizations aimed to serve a total of 100 participants in Year 1. Through the integration of employment readiness services, sectoral training, and Cognitive Behavioral Interventions–Employment Adult (CBI-EA), PTW/CLL continues to work toward placing individuals with past legal system involvement in careers in high-growth employment sectors. The main sectors include green jobs, healthcare and social assistance, and construction.



Participation

Within one year of enrollment, PTW/CLL participants have shown positive engagement in SECTOR:

90% attended a career coaching meeting^a

41% completed a skills training program

71% started CBI-EA and **18%** completed the curriculum

26% received a mental health service from the Los Angeles County Department of Mental Health

7% received substance use disorder services from Los Angeles County Substance Abuse Prevention and Control

Reflections

"That's the part that I think is the **biggest success**, that we can see that we're helping, that their lives are **growing**, that they're doing more than they thought they could do."
—Staff person

"I'm planning on staying here at Center for Living and Learning for a while. I love this place, this organization. I think I'll still be here a year from now, but eventually I want to go back to school to learn more about substance abuse."
—Participant

"If it wasn't for **Paving the Way**, I don't know where I'd be right now because they've been my number one supporter, my number one backer, my number one on everything."—Participant

^aThe Reentry Division and the California Board of State and Community Corrections define career coaching meetings and CBI-EA as a mental health service. Participation in mental health services as defined by the Reentry Division and the California Board of State and Community includes one-on-one meetings with a SECTOR program staff person, one-on-one therapy sessions, other internal mental health services, mental health services received in the community, utilization of county Mental Health Services Act-funded mental health services, and participation in Cognitive Behavioral Interventions–Employment Adult (CBI-EA).

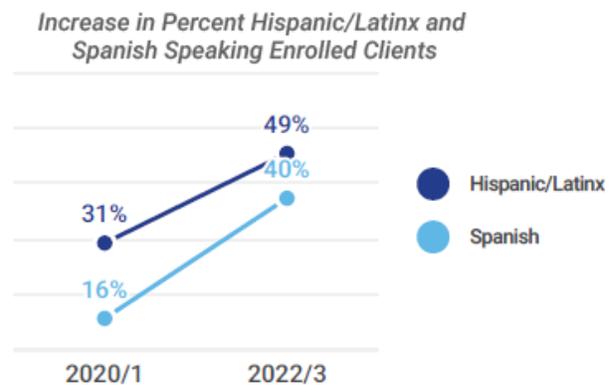
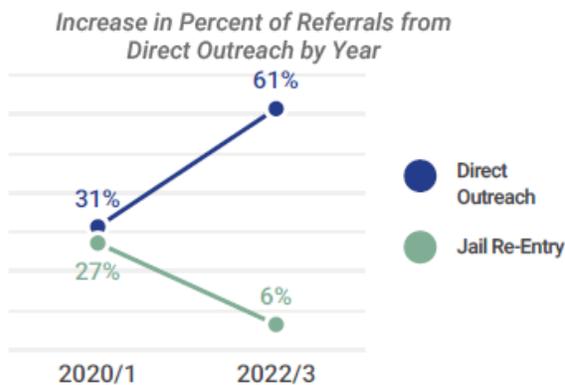
Marin County Health and Human Services

Program Description

Prop 47 Cohort 2 aimed to provide services to individuals with criminal justice involvement and behavioral health issues, particularly transitional aged youth (aged 18-26), Spanish speakers, and individuals experiencing homelessness. From April 1, 2020 to February 15, 2023, 233 individuals were referred to Prop 47 Cohort 2 services, and 133 clients enrolled in the program. Two (1.5 FTE) Recovery Coach/Case Managers (RC/CMs), both bilingual Spanish speakers, met the needs of this population through providing case management services with a particular focus on substance use recovery. RC/CMs collaborated with community service providers and justice-system partners to identify individuals who were eligible for Prop 47 services and to assist clients in meeting their own goals.

Responding to Changing Needs

Although the program was initially designed to primarily rely on referrals from the jail and other court system partners, due to COVID-19 impacts on the court system and Marin County jail, and changing needs in the community, the program pivoted to providing more direct outreach to people experiencing homelessness. This increased the proportion of clients who identified as Hispanic/Latinx and/or spoke Spanish. Additionally, many unhoused clients were oriented towards getting basic needs met and finding stable housing, before seeking substance use treatment and/or mental health services.



Top Services Provided by RC/CMs

-  65% of clients had recovery-oriented conversations with RC/CMs
-  52% of clients received basic necessities
-  28% of clients received received transportation assistance
-  27% of unhoused clients moved to more stable housing
-  14% of clients completed a referral to community mental health and/or substance use treatment services

Recidivism

Among the 93 clients enrolled prior to July 1, 2022, 11.8% (n=11) were convicted of a new misdemeanor or felony committed within two years after enrollment in Prop 47 services.

The count of booking per client reduced by 56% comparing the 365 prior to enrollment (1.26 bookings/client) to 365 days post discharge (0.55 bookings/client).

56% reduction in jail bookings

Client Story

" Before your services, I had just lost my mom to cancer, I was drinking every day, getting in trouble, in and out of jail, but since Prop 47 has helped, it got me sober living, I've been living clean and sober, I've been taking care of everything I messed up one day at a time. I'm now trying to go from sober living into housing, my own place, is what I'm hoping for. "

Report prepared by Bethany Dominik Consulting LLC

Monterey County Health Department, Behavioral Health Bureau

The following lines were written by a client that received case management services from the NZLB Prop 47 project. We include it as a highlight because it clearly reflects that clients' needs are often multi-faceted and services are scarce and, when available, are usually fragmented.

Before I got into Sun Street Centers I was drinking and homeless and didn't know how I was going to pick myself back up. I was beginning to lose hope because all of the rehabilitation centers and homeless shelters in my county were telling me that they were all filled up with no beds available. Then Sun Street Centers answered and they were willing to take me in. At first, I was very hesitant to turn myself into a rehabilitation center because I was afraid that I was going to just waste my time by doing the program and then after I graduate just end up right back in my homeless situation and most likely that would lead to me drinking again. I was then notified by a job that I applied for that they were going to hire me and my thinking process was to take the job, be homeless, save up, and then get back on my feet from there. I was going to take the job and go that route but I just couldn't trust myself. I knew that my urge to drink was too powerful at that time and I would never get out of that situation, so as much as I didn't want to, I chose to go to Sun Street Centers because it was the right thing to do and I needed discipline. Once I got into Sun Street Centers counselors started talking to me about Prop. 47 and how, after successful completion of the program, it helps you with housing and pays for your rent for a year. I was so relieved when I found out about this because my fears of just being left back out on the streets after graduating the program were gone and I actually had a path to look forward to. Fast forward to today, I have completed the entire program and currently have my own place. HRC has been so helpful with the entire process from the start. They contacted me about a place that was available because it lined up with the location of where I wanted to live. From there, the entire process was so quick and so smooth. Everything from the paperwork to them transporting me to my new place. I hate asking for help, but HRC has gone above and beyond to making sure my move in transition was smooth. They've helped me out with things that I thought I was going to have to pay for myself such as a bed, pillows and blankets, towels, and even a tv which was very unexpected. Sun Street Centers, Prop. 47, and HRC saved my life. They have sparked a new life in me and have given me an opportunity to get back on my feet and I feel so motivated. I'm so thankful for all of the help I've received and words are not enough to express my gratitude.—

Orange County Health Care Agency



OC Health Care Agency Proposition 47 Grantee Highlight (Cohort 2)

The State of California's Proposition 47 aims to reduce the number of people with mental health or substance use disorders incarcerated in county jails by reducing recidivism. To meet this goal, the OC Health Care Agency (HCA) established the Community Support and Recovery Center (CSRC)—a hub for people returning from jail in the County of Orange (County) to receive supportive services and referrals/linkages to other community resources. Project Kinship, a local community organization, operates the CSRC. The HCA received additional Proposition 47 funding under Cohort 2, which allowed Project Kinship to continue and expand housing services and housing support for clients.



Project Kinship staff member welcoming a visitor to the office.

Project Kinship offers clients direct services, such as case management; mental health and substance use; counseling; access to basic needs such as food and clothing; "Kinship Kits" packed with toiletries and other essential items; and onsite computer access. Project Kinship also provides referrals and linkages to other services and resources; restorative services; housing; employment training and support; public assistance programs; legal services; and other programs to serve basic needs. Project Kinship also maintains strong ties with housing providers across the county.

Project Kinship is recognized by clients, staff, and others in the county for providing trauma-informed services and a welcoming environment in which the

reentry population can access crucial services. Project Kinship's staff includes Peer Navigators who were hired for their lived experience and exceptional ability to forge trusting and successful connections with clients and provide ongoing social support.

Project Kinship is getting me into a healthier atmosphere and willing to actually go to any lengths to get me the help that I need, whether it be mental, physical, emotional, or spiritual. They are going to every length, they are really trying.

— Project Kinship client

Evaluation Findings:

- 1) As part of a broader goal to improve Orange County's reentry system, the HCA's Proposition 47 initiative helped strengthen access to and coordination of reentry services across the county.
- 2) Project Kinship was able to adapt to the federal and state health-related guidelines around the COVID-19 pandemic and continued providing critical support to Proposition 47 clients.
- 3) Project Kinship successfully provided a variety of behavioral health and substance use disorder services and referrals to meet the varying needs of its target population, including referrals to housing service providers.
- 4) Although recidivism analyses throughout the evaluation show mixed results, earlier analyses relying on more robust data sources suggest that Proposition 47 services were successful in reducing recidivism and keeping participants out of the justice system.

Placer County Health and Human Services

The Placer County ACTion Team Cohort 2 began delivering services in November 2019 and has achieved many positive outcomes for individuals enrolled in the program. The ACTion Team is a multidisciplinary team that offers an array of services and resources, including substance use disorder (SUD) and mental health (MH) treatment services, to promote health and well-being and to reduce criminal recidivism in justice-involved individuals, with histories of SUD and/or MH issues.

The ACTion Team is a collaboration between Granite Wellness Centers (GWC), Placer County Probation Department (PD), and Placer County Health and Human Services (HHS). Services were available at GWC's sites in Roseville, Auburn, and Lincoln, as well as in community settings including the member's home. This collaboration has proved to work well to deliver services to this complex, high-risk population. Staff regularly received referrals of potential new members to the program and members achieved positive outcomes, which included placement in and successful completion of residential SUD treatment; receiving outpatient SUD and MH services; maintaining stable housing; obtaining education and/or employment; and reducing criminal recidivism.

While the ongoing COVID-19 pandemic presented new and unexpected challenges in the implementation of the Cohort 2 program, the ACTion Team quickly adapted new strategies and processes to continue to deliver services while ensuring the safety of everyone involved in the program. Extra precautions were taken regarding admitting new members as well as delivering services to team members. These precautions included, but were not limited to, increased telehealth services, and expanding the use of ride-share programs, to support members to attend needed appointments. Services were also enhanced to provide additional support for persons with increased symptoms as a result of extended isolation, prolonged shelter in place, and an inability to visit with family and friends.

Management and staff planned and implemented new and revised strategies to modify services to ensure the safety, health, and welfare of both staff and members.

The success of this program is evident in the outcomes for its members. As of February 15, 2023, a total of 249 unduplicated individuals had been enrolled in the ACTion Team. Of those 249 members enrolled in the program, 178 members (71.5%) had maintained or achieved stable housing; 159 members (63.9%) had obtained or maintained employment; and 83 of the 92 members (90.2%) who entered SUD residential treatment successfully completed residential SUD treatment. Only 59 of the 249 unduplicated members (23.7%) have had new offenses or convictions.

The achievements of the ACTion Team are best illustrated with a member success story. One of our many success stories was a male who was 40 years of age. He started ACTion Team services during the summer of 2021. He had a history of substance use, lost custody of his two elementary age daughters, and was unemployed. During his time with the ACTion Team, he had two successful residential treatment episodes; lived in a recovery residence; graduated from Placer County Drug Court; and completed the requirements of his probation. From the ACTion Team he received outpatient substance use treatment and mental health therapy services, and vocational education services. He learned to develop healthy boundaries with family members. Through all of his hard work, this member has been substance free since winter 2022. He is employed; living in a permanent independent home through Volunteers of America's Home Start Program; and has connected to a local 12-step community program where he gives back to others in recovery.

This member also participated in the Child Advocates of Placer County Parent Empowerment Group, which supports reunification and provides a peer support group for parents who are navigating the child welfare system. As a result of this important program, he has successfully reunified with his two daughters, and been awarded custody. As a part of the McKinney Vento program through the Placer County Office of Education, which supports homeless students and their families, this member has learned to be a strong advocate with the school district to ensure his daughters have the education they need.

As a result of his hard work with the ACTion Team, he has achieved many positive outcomes and is successful in this new chapter of life. He has a safe and stable place to live, is employed full-time, and has custody of his children. He is in recovery and is supporting others to also be successful in their recovery. We all celebrate his continued success!

Plumas County, Office of the District Attorney's

PLUMAS COUNTY CALIFORNIA

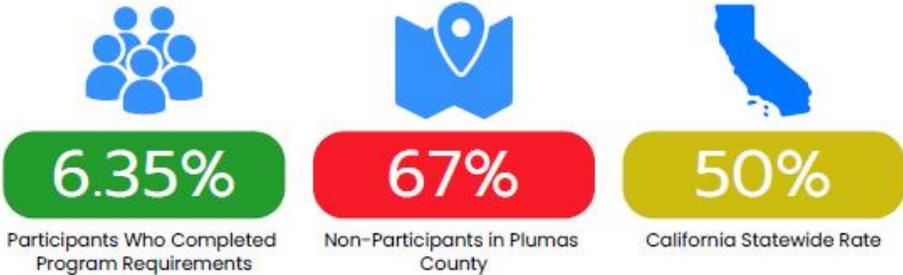
**Creating Change:
Reducing Recidivism**

Plumas County Office of the District Attorney - Alternative Sentencing Program

Incorporating the principals of restorative justice, trauma-informed care, and recidivism reduction, and providing early identification and engagement through intensive wraparound case management, the Alternative Sentencing Program encourages strategic system changes to reduce recidivism and improve the lives of transitioning offenders, their families and community.

Alternative Sentencing Diversion & Support Services Delivered!

Recidivism Rates



- Mental Health**
- Alcohol & Drug**
- Transitional Housing**
- Life-Skills Education**
- Workforce Development**

Plumas County Office of the District Attorney | 520 Main St Quincy CA 95971 | 530-283-6303

San Francisco Department of Public Health

In 2019, the San Francisco Department of Public Health (SFDPH) received three years of funding to initiate its Supporting Treatment and Reducing Recidivism (STARR) Program. The program provided case management, withdrawal management, and residential treatment services to San Francisco County residents with prior justice-system involvement and co-occurring substance use disorder (SUD). Felton Institute (FI) provided outpatient case management, while Salvation Army Harbor Light Center (SA-HLC) provided inpatient withdrawal management and residential treatment. While the program was initially greatly impacted by the pandemic, STARR eventually achieved a majority of the original objectives outlined in the grant.



126 individuals met with a case manager once or more

“One of the most significant changes I have noticed is that clients start to take care of their mental health, stay focused, and stay sober. They begin to believe in themselves and have faith in the program.” – Felton Institute Case Manager



52% success rate for withdrawal management



1.8% recidivism rate across three years of programming

*“My quality of life is so much better now, I’m sober and clear-headed.”
– STARR Residential Treatment Participant*

“My life is improving from the life I once had. I’m learning new stuff I can use in the future, I’m thankful that this program is in my life, that I can live and look forward to the future.” – STARR Residential Treatment Participant

*“On the outside it is better, getting better, on the inside it is slowly getting better.”
– STARR SA-HLC Participant*

*“What keeps me here is the idea of going back to the same madness. A lot of things that keep me here besides the court, ankle monitor; the idea of going back to same lifestyle, I don’t want to do it. I want to recreate my life.”
– STARR Residential Treatment Participant*

*“I’m glad I got into the program, because it’s helping me get back my life again, make me back to a good citizen again, functioning in society not homeless on drugs.”
– STARR Residential Treatment Participant*

STARR CASE MANAGEMENT TESTIMONIAL

“My client since 2021 was released on parole with several strict requirements that he needed to meet on a weekly, monthly, and quarterly basis. When he was released, he had very little resources and support; he was homeless, unemployed, and had less than a couple hundred dollars to his name. We were able to secure temporary housing with the help of his parole officer for up to 12 months which gives him time to find and secure long-term housing. He enrolled in a two-year union work-study program to be an iron worker and has made outstanding progress towards completing all the requirements, both in the field work and in the classroom... He has been working with a counselor to manage his finances and learn personal finances, which includes that he saves 30% of each paycheck (which is being held in a trust account for him that

Santa Barbara County

Santa Barbara County CREDO47 Program

Santa Barbara County's Crisis, Recovery, Engagement, Diversion, and Outreach (CREDO47) program diverts individuals with a history of SMI and/or SUD from the criminal justice system to trauma-informed, community-based treatment services. The program includes four key components:



Pre-Arrest Diversion Through Co-Response

From January 2020 through December 2022, **Co-Response served 360 unique clients across 479 encounters**. Of these encounters, only **3% resulted in arrest**. Instead, **the team provided referrals, warm service handoffs, and/or facilitated** appropriate placements.



Pre-Filing and Post-Filing Diversion

From May 2020 through December 2022, **281 clients were referred to pre- or post-filing diversion and 24 successfully completed and had their cases dismissed by the District Attorney** (5 clients were still enrolled at the time of reporting). Clients engaged in behavioral health and other services.



CREDO47 Stabilization Center

From February 2020 through December 2022, **the Center served 703 unique clients across 975 encounters**. Clients were medically monitored and received sobering services. They also received support transitioning into treatment and out of jail into the community.



Step Down Housing

From February 2020 and December 2022, Step Down Housing served **63 unique clients**, including **27 who successfully completed** the program. Clients received case management services; life skills education; and medical, behavioral, and sobriety support.

Program Highlight: Step Down Housing

Of the 27 clients who successfully completed Step Down Housing at the time of reporting:



100% Secured Stable Housing

All were unoused prior to program engagement



63% Advanced Employment

Of the 19 clients who were employed while enrolled



33% Furthered Education

Of the 9 clients who were engaged in educational programming while enrolled



Santa Clara County, Behavioral Health Department



Santa Clara County Prop 47 Program Highlights

Santa Clara County's Prop 47 program was designed to increase outpatient co-occurring and substance use treatment, expand transitional housing units, fund case management services, and facilitate referrals to employment services and housing navigation. The program is a partnership between the County Behavioral Health Services Department, the Office of Supportive Housing, the Office of Reentry Services, the Probation Department, and community-based organizations: Community Solutions, Family and Children Services of Silicon Valley-Caminar, Pathway Society, Momentum for Mental Health, Goodwill Industries, and Abode Services. Data presented is from April of 2020 through February of 2023.

Co-occurring Services (COD)



254 participants served. Of them, 94 (37%) successfully completed the program, 4 (1%) had a neutral discharge, and 156 (61%) exited unsuccessfully.

Substance use Treatment Services (SUTS)



227 participants served. Of them, 130 (57%) successfully completed the program, 4 (2%) had a neutral discharge, and 93 (41%) exited unsuccessfully.

Housing Navigation Services



98 participants served. Of them, 18 (18%) were housed, 59 (60%) were unhoused, and 21 (21%) refused to provide their ending housing status.

Employment Services



29 participants served. Of them, 14 (48%) secured employment, including three clients hired by the employment services provider.

Transitional Housing and Recovery Residence Units



171 transitional housing placements were made for 148 clients receiving COD, and **113 recovery residence placements** were made for 93 clients receiving SUTS. Of these, 7 COD clients and 33 SUTS clients exited to permanent housing.

1. Outpatient co-occurring program offers case management, crisis services, individual and group therapy, medication support, and a variety of evidence-based practices, including cognitive behavioral therapy.
2. Substance use outpatient and intensive outpatient program provides case management, crisis and peer services, individual and group therapy, and evidence-based practices including dialectical behavior therapy.
3. Housing navigation program assists with connection to housing resources, Emergency Assistance Program enrollment for immediate and short-term housing support, and other housing case management needs
4. Employment program provides job readiness training, transitional employment, peer support, and educational opportunities, using evidence-based practices such as Moral Reconciliation Therapy.
5. Transitional housing units are offered through the outpatient co-occurring services program, and recovery residences are offered through the outpatient substance use treatment services.

Prop 47 Impact

Post-program enrollment date recidivism (felony or misdemeanor conviction) rates for clients who received COD, SUTS, housing navigation, employment, transitional housing services, and recovery residence services were 22%, 21%, 13%, 14%, 27%, and 30%, respectively. These rates are lower than 3-year and 5-year recidivism rates for comparable County and State populations. A 2022 report revealed that five-year recidivism rates for those in SCC released under AB 109 was 48%, and California has seen three-year recidivism rates for the general population over the last 15 years range from 44.6% to 54.3%.

"Without the [Prop 47] services, I would not have progressed the way that I have. I don't consider myself a success yet, but I have progressed tremendously. My family and kids notice it. The services of Prop 47 have been invaluable. I would not be where I am without it." – Prop 47 Participant

Client Story

At the time of his enrollment into SCC's Prop 47 program, Michael was homeless and using substances to cope with years of life stressors and struggles. During his last period of confinement, Michael made the decision to work toward a better life by trying to find a job and obtain housing. After enrolling in Prop 47, Michael did everything asked of him and never missed an appointment. He worked to overcome initial employment barriers by engaging with the Prop 47 program to obtain his birth certificate, social security card, and ID. Although he faced challenges, Michael never gave up and always worked with the Prop 47 team to provide any additional signatures or information needed to progress to the next step. Through all his effort and perseverance, Michael successfully completed the Prop 47 program and graduated to a lower level of care. Since then, he has remained clean and sober for over a year.

Santa Cruz County Probation Department

COORDINATED ACCESS FOR EMPOWERING SUCCESS (CAFES) PROJECT

Santa Cruz County's CAFES project engaged project partners in prevention and diversion activities to reduce recidivism and engagement in the justice system, while improving the health and well-being of adults who committed low-level crimes. Led by the Probation Department, the CAFES project was based on a multi-agency continuum of care model that included the Superior Court, the District Attorney's Office, County Behavioral Health, and multiple community-based organizations (CBOs).

The project model was designed to address specific gaps in services for people who were first-time offenders or are ineligible for county behavioral health services. By dedicating upstream support early in the judicial process, CAFES intended to reduce further downstream engagement in the justice system. CAFES clients were referred to the project by attorneys, judges, probation staff, collaborative court staff, local CBOs, and self-referral. Clients were eligible to participate in restorative justice programs, receive mental health treatment, substance use treatment, case management, and housing support.

PROJECT GOALS:

- **GOAL 1:** Increase Diversion Opportunities
- **GOAL 2:** Reduce Recidivism and Improve Individual and Community Health and Wellbeing
- **GOAL 3:** Improve Existing Systems and Collaborative Efforts for those in the Criminal Justice System.

Ultimately, the goal of CAFES was to reduce the number of people who entered the justice system by providing necessary treatment and support before they committed a serious offense rather than after.

On what has been the most meaningful part of volunteering:

"Helping people know that they are more than their mistakes."

- NHC Volunteer Panelist

"I learned what impact my actions can have on the community members and people around me."

- NHC Participant

"I have found that the NHC Program can be a vital and necessary part of a more effective, encompassing and valued judicial system for a community."

- NHC Volunteer Panelist

PROGRAM SPOTLIGHT:

Neighborhood Courts Successes & Community Impact

The CAFES project supported the establishment of a Neighborhood Courts (NHC) program in 2019, making it Santa Cruz County's first pre-plea/pre-filing diversion program for low-level, first-time offenders. The [District Attorney's Office](#), and local nonprofit, the [Conflict Resolution Center](#), worked in partnership to develop and implement the NHC program. Volunteer panelists were recruited and trained to support the process and act as protectors for the broader community and those harmed. As part of the NHC process, participants worked with volunteer panelists and staff to develop agreements that were part of the restitution for their offense to try to repair the harm they may have caused as a result of their actions. Participants were given two months to complete their agreements. Program representatives worked with participants regarding additional voluntary services to support their success. Upon completion, participants were referred to the Clean Slate Program to explore record clearance options.

Program Successes: During the grant period the NHC program recruited and trained **34 community volunteers** and held **110 conferences** (virtually or in-person). By the end of the grant period, **77% of participants successfully completed the program**, 18% of participants were still in the process of completing their agreements, and 5% (or 5 participants) chose not to continue in the program.

Impact on Community Volunteers: Post-conference surveys and focus groups conducted at the end of the grant period revealed a great sense of community connection, appreciation for this new path in the local criminal justice system, and hope for long-term sustainability and growth of the program.

NHC program had been featured in several publications:

- [Santa Cruz Neighborhood Courts program aims to expand in year two](#), Santa Cruz Sentinel, October 26, 2021
- [Santa Cruz Neighborhood Courts diverts 93 cases in two years](#), Santa Cruz Sentinel, November 14, 2022

Shasta County Probation Department

The Shasta County Misdemeanor Community Engagement Program (CEP) aimed to reduce rates of recidivism and reentry into the criminal justice system by helping misdemeanor offenders navigate the court system and access community-based services and resources to address unmet housing, mental health, and substance use disorder (SUD) treatment needs.

About the Program

The CEP program model was implemented through a partnership between Shasta County Probation and Hill Country Health and Wellness Center (HCHWC)—a Federally Qualified Health Center (FQHC). The project funded a Probation Assistant (PA) who served as a liaison between justice system partners (e.g., Probation, jail, attorneys, and the court) and HCHWC. The PA identified and engaged eligible clients based on failure to appear (FTA) lists, jail release lists, and contact lists from local defense attorneys and the District Attorney’s office. The information was shared with HCHWC case managers who conducted direct outreach and recruitment to initiate the enrollment process. Hill Country offered case planning and assessment services, transportation assistance, court advocacy, and referrals to an array of community services based on identified needs.

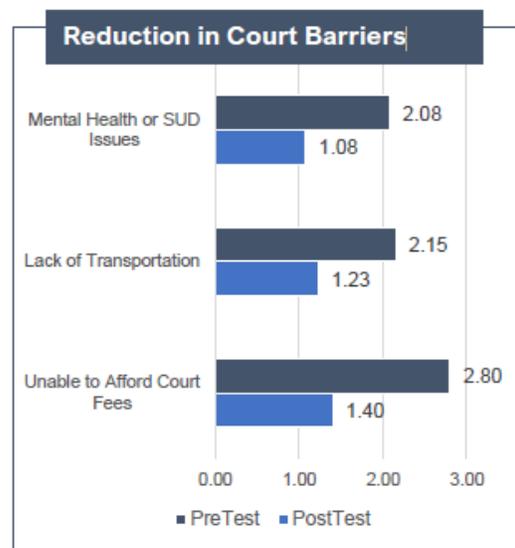
CEP Client Services and Outcomes

The CEP Program successfully recruited and enrolled 115 clients over the three-year grant period. Case managers completed more than 1,974 in-person or telephone contacts with CEP clients addressing a broad range of service needs.

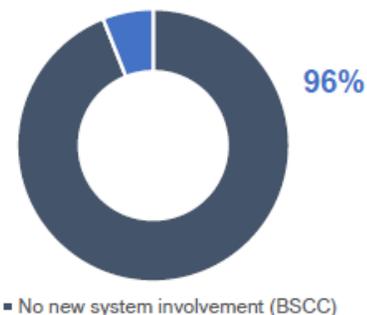
- Clients had 14.8 case management contacts on average and had an average duration of enrollment of 9.6 months.
- One in five CEP clients completed all program requirements and 23% were still active at the close of the grant.
- Nineteen percent of clients accessed SUD treatment and 4% enrolled in mental health services in the community.

CEP Successes

The CEP program had a transformative impact on the Shasta County justice system by removing barriers to court participation and changing the way that system and community partners collaborate and collectively advocate for the needs of misdemeanor offenders. The project has also impacted individual lives in profound ways. As part of a BSCC site visit, CEP clients were invited to share their stories. One young woman with a history of drug use and court involvement spoke about actively using and being pregnant and homeless at the time of CEP enrollment. After working with case managers, she was able to access and complete SUD treatment, find employment and permanent housing, and retain full custody of her newborn. She and her baby are now thriving, she is in recovery, and she credits CEP for a new life trajectory.



No New System Involvement (BSCC)



Siskiyou County, Health and Human Services

Siskiyou Revive Grantee Highlights

Siskiyou Revive gave each participant the opportunity, resources, and advocacy to improve their mental health and SUD outcomes and to reduce or eliminate actions that cause recidivism through supportive transitional housing and evidence-based practices.

Revive offered paid housing, a case manager, an SUD counselor, mental health and SUD treatment, job readiness training, basic life skills development, and as appropriate, any other services to foster wellness and rehabilitation.

Outcomes

Revive had 102 applicants and 47 people were accepted into the program. We made excellent progress toward meeting the program's goals and objectives. Sixteen participants successfully graduated from the program. Other highlights include:

- Average attendance rate for scheduled services was 91%.
- Data shows that clients participating in their treatment planning.
- 93% of all drug tests were negative.
- All participants who are not working are referred to participate in community service.
- Although the participants had moderate to high risk for recidivism, the program only had two minor incidents with local law enforcement.

Revive Homes

The men's home (left) has seven bedrooms, and the women's home (right) has five bedrooms. Both homes are located within walking distance to services and include an office, outdoor gardening area, shared kitchen and living room spaces, fenced yards, and private bedrooms.



My name is Thomas, and I was released from federal prison in 2021 with only the clothes on my back. My counselor at SCBH told me about the Revive program, but I thought it was another recovery program that just wanted money I didn't have. I learned that it was a FREE program that only required me to attend a few SUD classes, trauma classes, and AA meetings; this program changed my life. I seriously don't know where I would be if it weren't for Revive. I nervously attended my first job fair and went to every booth, and I got a job! The company I worked for then asked me to run the booth at the next job fair! It was truly amazing to be a part of that, and I owe it to the Revive program! Revive gave me an opportunity to save up money and get on my feet. The day I graduated Revive, the SCBH Director asked me if I would like to apply to be an SUD counselor, and I did! I get emotional when I talk about this because it really means a lot to me and where my life is today. I know I put in the work, but I had the support that I needed every step of the way, and I am forever grateful for that. Thank you for helping me change my life because now I am making an impact on other people's lives!

Featured Participant



Appendix A: Proposition 47

Proposition 47 – In Pertinent Part

THE SAFE NEIGHBORHOODS AND SCHOOLS ACT

SEC. 4. Chapter 33 (commencing with Section 7599) is added to Division 7 of Title 1 of the Government Code, to read:

Chapter 33. Creation of Safe Neighborhoods and Schools Fund

7599. (a) A fund to be known as the “Safe Neighborhoods and Schools Fund” is hereby created within the State Treasury and, notwithstanding Section 13340 of the Government Code, is continuously appropriated without regard to fiscal year for carrying out the purposes of this chapter.

(b) For purposes of the calculations required by Section 8 of Article XVI of the California Constitution, funds transferred to the Safe Neighborhoods and Schools Fund shall be considered General Fund revenues which may be appropriated pursuant to Article XIII B.

7599.1. Funding Appropriation.

(a) On or before July 31, 2016, and on or before July 31 of each fiscal year thereafter, the Director of Finance shall calculate the savings that accrued to the state from the implementation of the act adding this chapter (“this act”) during the fiscal year ending June 30, as compared to the fiscal year preceding the enactment of this act. In making the calculation required by this subdivision, the Director of Finance shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data. The Director of Finance shall certify the results of the calculation to the Controller no later than August 1 of each fiscal year.

(b) Before August 15, 2016, and before August 15 of each fiscal year thereafter, the Controller shall transfer from the General Fund to the Safe Neighborhoods and Schools Fund the total amount calculated pursuant to subdivision (a).

(c) Moneys in the Safe Neighborhoods and Schools Fund shall be continuously appropriated for the purposes of this act. Funds transferred to the Safe Neighborhoods and Schools Fund shall be used exclusively for the purposes of this act and shall not be subject to appropriation or transfer by the Legislature for any other purpose. The funds in the Safe Neighborhoods and Schools Fund may be used without regard to fiscal year.

7599.2. Distribution of Moneys from the Safe Neighborhoods and Schools Fund.

(a) By August 15 of each fiscal year beginning in 2016, the Controller shall disburse moneys deposited in the Safe Neighborhoods and Schools Fund as follows:

(1) Twenty-five percent to the State Department of Education, to administer a grant program to public agencies aimed at improving outcomes for public school pupils in kindergarten and grades 1 to 12, inclusive, by reducing truancy and supporting students who are at risk of dropping out of school or are victims of crime.

(2) Ten percent to the California Victim Compensation and Government Claims Board, to make grants to trauma recovery centers to provide services to victims of crime pursuant to Section 13963.1 of the Government Code.

(3) Sixty-five percent to the Board of State and Community Corrections, to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems.

(b) For each program set forth in paragraphs (1) to (3), inclusive, of subdivision (a), the agency responsible for administering the programs shall not spend more than 5 percent of the total funds it receives from the Safe Neighborhoods and Schools Fund on an annual basis for administrative costs.

(c) Every two years, the Controller shall conduct an audit of the grant programs operated by the agencies specified in paragraphs (1) to (3), inclusive, of subdivision (a) to ensure the funds are disbursed and expended solely according to this chapter and shall report his or her findings to the Legislature and the public.

(d) Any costs incurred by the Controller and the Director of Finance in connection with the administration of the Safe Neighborhoods and Schools Fund, including the costs of the calculation required by Section 7599.1 and the audit required by subdivision (c), as determined by the Director of Finance, shall be deducted from the Safe Neighborhoods and Schools Fund before the funds are disbursed pursuant to subdivision (a).

(e) The funding established pursuant to this act shall be used to expand programs for public school pupils in kindergarten and grades 1 to 12, inclusive, victims of crime, and mental health and substance abuse treatment and diversion programs for people in the criminal justice system. These funds shall not be used to supplant existing state or local funds utilized for these purposes.

(f) Local agencies shall not be obligated to provide programs or levels of service described in this chapter above the level for which funding has been provided.

Appendix B: Assembly Bill 1056**Assembly Bill No. 1056**

[Approved by Governor October 02, 2015. Filed with Secretary of State
October 02, 2015.]

AB 1056, Atkins. Second Chance Program.

(1) Existing law, until January 1, 2020, establishes the Social Innovation Financing Program, and requires the Board of State and Community Corrections to administer the program. Existing law, among other things, authorizes the board, upon appropriation of funds by the Legislature for deposit into the Recidivism Reduction Fund, to award grants in amounts of not less than \$500,000 and not more than \$2,000,000 to each of 3 counties, selected as specified, for the purpose of entering into a pay for success or social innovation financing contract, pursuant to which private investors agree to provide financing to service providers to achieve social outcomes agreed upon in advance and the government agency that is a party to the contractual agreement agrees to pay a return on the investment to the investors if successful programmatic outcomes are achieved by the service provider. Existing law limits the total amount of the grants awarded to \$5,000,000. Existing law requires each county receiving an award to report annually to the Governor and Legislature on the status of its program. Existing law requires the board to compile the county reports and submit a summary report to the Governor and the Legislature annually.

This bill would extend the operation of that program and the reporting requirements until January 1, 2022.

This bill would also require the board to administer a competitive grant program that focuses on community-based solutions for reducing recidivism. The bill would establish minimum criteria for the grant program and would require the board to establish an executive steering committee, as specified, to make recommendations regarding the design, efficacy, and viability of proposals and to make recommendations on guidelines for the submission of proposals for the grant program, including threshold or scoring criteria, or both. Among other things, the bill would require those guidelines to prioritize proposals that advance principles of restorative justice while demonstrating a capacity to reduce recidivism, and that leverage certain other federal, state, and local funds or social investments. The bill would define recidivism, for the purposes of these provisions, as a conviction of a new felony or misdemeanor committed within 3 years of release from custody or committed within 3 years of placement on supervision for a previous criminal conviction.

(2) The Safe Neighborhoods and Schools Act establishes within the State Treasury the Safe Neighborhoods and Schools Fund to receive moneys transferred from the General Fund in an amount equal to the savings resulting from the implementation of the act, as specified. The act requires that 65% of the moneys in the Safe Neighborhoods and Schools Fund be allocated the Board of State and Community Corrections to administer a grant program to public agencies aimed at supporting specified types of

programs, including diversion programs, for people in the criminal justice system with an emphasis on programs that reduce recidivism, as specified.

This bill would create the Second Chance Fund in the State Treasury for the purpose of funding the above-described recidivism reduction program. The bill would require the Controller, upon order of the Director of Finance, to transfer the moneys available to the Board of State and Community Corrections from the Safe Neighborhoods and Schools Fund into the Second Chance Fund. The bill would also authorize the Second Chance Fund to receive moneys from any other federal, state, or local grant, or from any private donation. The bill would prohibit the board from using the moneys in the fund to supplant existing programs and from spending more than 5% per year of the total moneys in the fund for administrative purposes.

The bill would require the board to administer these provisions, and moneys in the fund would be continuously appropriated to the board for expenditure for these purposes. By creating a continuously appropriated fund, this bill would make an appropriation.

(3) The Safe Neighborhoods and Schools Act provides that its provisions may be amended by a statute, passed by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor, that is consistent with and furthers the intent of the act.

This bill would declare that its provisions further the intent of the Safe Neighborhoods and Schools Act.

Bill Text

The people of the State of California do enact as follows:

SECTION 1.

The Legislature finds and declares all of the following:

(a) California voters approved Proposition 47, known as the Safe Neighborhoods and Schools Act of 2014. The measure was enacted to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonviolent and nonserious crime, and to invest the resulting savings into prevention and support programs.

(b) Research has shown that people in the criminal justice system disproportionately suffer from mental health issues and substance use disorders. Nationally, over one-half of all people in prisons or jails have experienced a mental health issue within the last year, and over one-half of women and 44 percent of men in jail have a drug or alcohol dependency.

(c) People in the criminal justice system and formerly incarcerated individuals have difficulty securing housing and employment following their incarceration. These challenges are compounded for people living with mental health issues or substance use disorders. As a result, many formerly incarcerated people, especially those with mental health issues or substance abuse disorders experience homelessness. Experiencing homelessness greatly increases the likelihood that a formerly incarcerated person will recidivate.

(d) Offering people in the criminal justice system and formerly incarcerated individuals meaningful access to mental health services, substance use treatment services, housing, housing-related job assistance, job skills training, and other community-based supportive services has been shown to decrease the likelihood of future contact with law enforcement and the criminal justice system.

(e) Prioritizing the state savings realized by the implementation of the Safe Neighborhoods and Schools Act of 2014 for projects that combine mental health services, substance use treatment services, housing, housing-related job assistance, job skills training, and other community-based supportive services will help the state meaningfully reduce recidivism.

(f) By prioritizing projects that offer comprehensive interventions, the Legislature intends for public agencies, nonprofits, and other community-based providers of services to people in the criminal justice system and formerly incarcerated individuals to leverage additional federal, state, and local funds for social investment resources.

(g) The Legislature intends to promote the use of restorative justice principles in addressing recidivism.

SEC. 2.

Section 97013 of the Government Code is amended to read:

97013.

(a) Each county receiving an award shall report annually to the board on the status of its ongoing social innovation financing program. The report shall also contain an accounting of the moneys awarded.

(b) The board shall compile the county reports and submit a summary report to the Governor and Legislature annually.

(c) A report made pursuant to this section shall be made in accordance with the requirements of Section 9795.

(d) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 3.

Section 97015 of the Government Code is amended to read:

97015.

This title shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 4.

Article 5 (commencing with Section 6046) is added to Chapter 5 of Title 7 of Part 3 of the Penal Code, to read:

Article 5. Second Chance Program

6046.

(a) The purpose of this article is to build safer communities by investing in community-based programs, services, and initiatives for formerly incarcerated individuals in need of mental health and substance use treatment services.

(b) The program established pursuant to this article shall be restricted to supporting mental health treatment, substance use treatment, and diversion programs for persons in the criminal justice system, with an emphasis on programs that reduce recidivism of persons convicted of less serious crimes, such as those covered by the Safe Neighborhoods and Schools Act of 2014, and those who have substance use and mental health problems.

(c) The Board of State and Community Corrections shall administer a grant program established pursuant to this article.

6046.1.

For the purposes of this article, the following definitions shall apply:

(a) "Board" means the Board of State and Community Corrections.

(b) "Fund" means the Second Chance Fund established pursuant to Section

6046.2.

(c) "Public agency" means a county, city, whether a general law city or a chartered city, or city and county, the duly constituted governing body of an Indian reservation or rancheria, a school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, entities that are legislative bodies of a local agency pursuant to subdivision (c) or (d) of Section 54952 of the Government Code, a housing authority organized pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code, a state agency, public district, or other political subdivision of the state, or any instrumentality thereof, which is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income.

(d) "Recidivism" means a conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

6046.2.

(a) The Second Chance Fund is hereby created in the State Treasury. The board shall be responsible for administering the fund. Moneys in the fund are hereby continuously appropriated without regard to fiscal year for the purposes of this article.

(b) (1) The Controller, upon order of the Director of Finance, shall transfer moneys available to the Board of State and Community Corrections pursuant to paragraph (3) of subdivision (a) of Section 7599.2 of the Government Code into the Second Chance Fund.

(2) The Second Chance Fund may receive moneys from any other federal, state, or local grant, or from any private donation or grant, for the purposes of this article.

(c) The board shall not spend more than 5 percent annually of the moneys in the fund for administrative costs.

6046.3.

(a) The board shall administer a competitive grant program to carry out the purposes of this article that focuses on community-based solutions for reducing recidivism. The grant program shall, at minimum, do all of the following:

(1) Restrict eligibility to proposals designed to serve people who have been arrested, charged with, or convicted of a criminal offense and have a history of mental health or substance use disorders.

(2) Restrict eligibility to proposals that offer mental health services, substance use disorder treatment services, misdemeanor diversion programs, or some combination thereof.

(3) Restrict eligibility to proposals that have a public agency as the lead applicant.

(b) The board shall form an executive steering committee that includes, but is not limited to, a balanced and diverse membership from relevant state and local government entities, community-based treatment and service providers, and the formerly incarcerated community. The committee shall have expertise in homelessness and housing, behavioral health and substance abuse treatment, and effective rehabilitative treatment for adults and juveniles. The committee shall make recommendations regarding the design, efficacy, and viability of proposals, and make recommendations on guidelines for the submission of proposals, including threshold or scoring criteria, or both, that do all of the following:

(1) Prioritize proposals that advance principles of restorative justice while demonstrating a capacity to reduce recidivism.

(2) Prioritize proposals that leverage other federal, state, and local funds or other social investments, such as the following sources of funding:

(A) The Drug Medi-Cal Treatment Program (22 Cal. Code Regs. 51341.1, 51490.1, and 51516.1).

(B) The Mental Health Services Act, enacted by Proposition 63 at the November 2, 2004, general election, as amended.

(C) Funds provided for in connection with the implementation of Chapter 15 of the Statutes of 2011.

(D) The Community Corrections Performance Incentives Act (Stats. 2009, Ch. 608; Chapter 3 (commencing with Section 1228) of Title 8 of Part 2).

(E) The tax credits established pursuant to Sections 12209, 17053.57, and 23657 of the Revenue and Taxation Code.

(F) The federal Department of Housing and Urban Development funds, such as the Emergency Solutions Grant program (42 U.S.C. Sec. 11371 et seq.).

(G) The federal Department of Veterans Affairs Supportive Services for Veteran Families program (38 U.S.C. Sec. 2044).

(H) Social Innovation Funds established by the Corporation for National and Community Service pursuant to Section 12653k of Title 42 of the United States Code.

(I) The Edward Byrne Memorial Justice Assistance Grant Program (42 U.S.C. Sec. 3750 et seq.).

(3) Prioritize proposals that provide for all of the following:

(A) Mental health services, substance use disorder treatment services, misdemeanor diversion programs, or some combination thereof.

(B) Housing-related assistance that utilizes evidence-based models, including, but not limited to, those recommended by the federal Department of Housing and Urban Development. Housing-related assistance may include, but is not limited to, the following:

(i) Financial assistance, including security deposits, utility payments, moving-cost assistance, and up to 24 months of rental assistance.

(ii) Housing stabilization assistance, including case management, relocation assistance, outreach and engagement, landlord recruitment, housing navigation and placement, and credit repair.

(C) Other community-based supportive services, such as job skills training, case management, and civil legal services.

(4) Prioritize proposals that leverage existing contracts, partnerships, memoranda of understanding, or other formal relationships to provide one or more of the services prioritized in paragraph (3).

(5) Prioritize proposals put forth by a public agency in partnership with a philanthropic or nonprofit organization.

(6) Prioritize proposals that promote interagency and regional collaborations.

(7) Consider ways to promote services for people with offenses identical or similar to those addressed by the Safe Neighborhoods and Schools Act of 2014, without precluding assistance to a person with other offenses in his or her criminal history.

(8) Consider geographic diversity.

(9) Consider appropriate limits for administrative costs and overhead.

(10) Consider proposals that provide services to juveniles.

(11) Permit proposals to expand the capacity of an existing program and prohibit proposals from using the fund to supplant funding for an existing program.

SEC. 5.

The Legislature finds and declares that this act furthers the intent of the Safe Neighborhoods and Schools Act enacted by Proposition 47 at the November 4, 2014, general election.

Appendix C: Proposition 47 Scoring Panel Membership Roster

	Name	Title / Organization	Geographic Location (County)
1	Gordon Baranco, Scoring Panel Chair	Retired Judge, BSCC Board Member	Alameda
2	Michelle Scray Brown	Chief Probation Officer, San Bernardino County	San Bernardino
3	Edgar Campos	Principal Manager, EC Consulting	Los Angeles
4	Sharon Green	Founder and Executive Director, Victor Valley Family Resource Center	San Bernardino
5	Curtis Hill	Board Member, California Victim Compensation Board	San Benito
6	Tony Hobson, Ph.D.	Behavioral Health Director, Plumas County Behavioral Health	Plumas
7	Stephanie Kozofsky	Regional Impact Coordinator, Leadership for Educational Equity	Los Angeles
8	Kelly Martin	Custody Supervisor, El Monte Police Department	Los Angeles
9	Karen McDaniel	Co-Founder and Executive Director, The Place4Grace	Riverside
10	Lois Perkins	CEO, Life Community Development	San Bernardino
11	Patrick Rowe	Deputy, Sacramento County Sheriff's Department	Sacramento
12	Sarah Ruby	Deputy Public Defender, Santa Clara County Public Defender's Office	Santa Clara
13	Dorthea "Lynn" White	Employee Relations Officer, California Department of Corrections and Rehabilitation, Valley State Prison	Merced

Appendix D: Required Services Provided by Grantee

Grantee	Mental Health Treatment	Substance Use Disorder Treatment	Diversion Program
Alameda County Health Care Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
City of Corning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Corona-Norco Unified School District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
City of Hayward	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Los Angeles City Attorney's Office	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Los Angeles County Dept. of Health Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Los Angeles Mayor's Office of Reentry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marin County Health and Human Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Monterey County Health Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nevada County Dept. of Behavioral Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Orange County Health Care Agency	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pasadena Unified School District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Placer County Health and Human Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Plumas County District Attorney	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
San Francisco Dept. of Public Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Santa Ana Unified School District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Santa Barbara County, Office of the Public Defender	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Santa Clara County Behavioral Health Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Santa Cruz County Probation Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Shasta County Probation Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Siskiyou County Health and Human Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Appendix E: Support Services Provided by Grantee

Grantee	Assistance with Food	Basic Necessities	Case Management	Education Services	Employment Services	Housing Services	Legal Services	Social Services	Transportation Services
Alameda County Health Care Services	<input checked="" type="checkbox"/>								
City of Corning	<input checked="" type="checkbox"/>								
Corona-Norco Unified School District	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City of Hayward	<input checked="" type="checkbox"/>								
Los Angeles City Attorney's Office	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Los Angeles County Dept. of Health Services	<input checked="" type="checkbox"/>								
Los Angeles Mayor's Office of Reentry	<input checked="" type="checkbox"/>								
Marin County Health and Human Services	<input checked="" type="checkbox"/>								
Monterey County Health Dept.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nevada County Dept. of Behavioral Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Orange County Health Care Agency	<input checked="" type="checkbox"/>								
Pasadena Unified School District	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Placer County Health and Human Services	<input checked="" type="checkbox"/>								
Plumas County District Attorney	<input checked="" type="checkbox"/>								
San Francisco Dept. of Public Health	<input checked="" type="checkbox"/>								
Santa Ana Unified School District	<input checked="" type="checkbox"/>								
Santa Barbara County, Office of the Public Defender	<input checked="" type="checkbox"/>								
Santa Clara County Behavioral Health Services	<input checked="" type="checkbox"/>								
Santa Cruz County Probation Dept.	<input checked="" type="checkbox"/>								
Shasta County Probation Dept.	<input checked="" type="checkbox"/>								
Siskiyou County Health and Human Services	<input checked="" type="checkbox"/>								

Appendix F: Grantee Definitions of Program Completion

Grantee	Program Completion Definition
Alameda County, Health Care Services	The individual exits the program having met all treatment plan goals or made significant progress on goals.
Corning, City of	When a participant has met the goals identified in the individualized Case Plan.
Corona-Norco Unified School District	<u>Mental health and substance use treatment</u> : The individuals providing services will indicate whether or not each participant met his/her goals, based on the objectives from the intake process.
	<u>Diversion</u> : based on individual dispensation and whether or not the terms of the diversion program are fulfilled.
Hayward, City of	No definition provided.
Los Angeles City Attorney's Office	LA DOOR is an extremely low-barrier program. Program completion is any two-month period of engagement in any client-directed social services.
Los Angeles Mayor's Office, Office of Reentry	Fellow has reduced mental health-related barriers to obtaining and retaining employment as identified on the treatment plan or has completed one year in Project imPACT.
Los Angeles County Dept. of Health Services	<u>Mental health</u> : when participants have completed all required sessions of the program.
	<u>Substance use disorder: Interim recovery housing</u> – Program completion is defined as their exit from interim housing.
	<u>Substance use disorder</u> : will vary depending on the needs of the participant and program requirements
Marin County Health and Human Services	Completion of program requirements of the program referred to (diversion, mental health or substance use treatment). Or completion of 6 months of an ongoing program.
Monterey County Health Dept.	<u>Mental health and substance use treatment</u> : participant completes the services as outlined in the service plan and successfully meets their treatment goals.
	<u>Diversion</u> : Up to two years or per court's decision that clients have successfully completed.
Nevada County Dept. of Behavioral Health	<u>Mental Health and substance use treatment</u> : continued engagement in mental health/substance use treatment on some level, for a continuous 6-month period.
	<u>Diversion</u> : will be defined as the date that the court determines that the participant has successfully completed all components set forth at the onset of enrollment in the diversion program.
Orange County Health Care Agency	An individual who makes satisfactory progress towards one or more stated treatment goals.

Grantee	Program Completion Definition
Pasadena Unified School District	<u>Mental health and substance use treatment</u> : The individuals providing services will indicate whether or not each participant met his/her goals, based on the objectives from the intake process.
	<u>Diversion</u> : individual completes requirements based on the recommendations from the court and law enforcement.
Placer County Health and Human Services	Successful completion of a treatment plan for inpatient or outpatient treatment program.
Plumas County District Attorney	<u>Mental health and substance use treatment</u> : Participants will meet a minimum of three individualized goals prior to completion.
	<u>Diversion</u> : will attend all required sessions and court appearances and have their case dismissed or adjudicated.
San Francisco Dept. of Public Health	Client will have successfully met all program goals.
Santa Ana Unified School District	Individuals will participate in a minimum of eight sessions.
Santa Barbara County, Office of the Public Defender	<u>Mental health and substance use treatment</u> : Successfully discharged from program after their first diversion encounter.
	<u>Diversion</u> : The first date that the client (1) encountered the diversion program, (2) determined to be eligible for diversion, and (3) was diverted.
Santa Clara County, Behavioral Health Dept.	Individual partially or fully completed program goals.
Santa Cruz County, Probation Dept.	<u>Mental health and substance use treatment</u> : completion of client's self-identified treatment goals.
	<u>Diversion</u> : Once diversion is granted, a completion for a pre-filing case = "no-filed;" for a pre-conviction case = "dismissed."
Shasta County, Probation Dept.	<u>Mental health</u> : when the participant is enrolled and maintaining treatment services according to their treatment plan.
	<u>Substance use treatment</u> : when the participant completes all tasks and has made satisfactory progress outlined in the criteria of completion.
	<u>Diversion</u> : completion of assignments given by the District Attorney's Office.
Siskiyou County, Health and Human Services	<u>Mental health</u> : the participant successfully meeting all treatment plan goals and no longer meeting criteria for a moderate to severe level of care.
	<u>Substance use treatment</u> : the participant meeting all treatment plan goals and objectives.
	<u>Diversion</u> : the participant successfully meeting the Court requirements pursuant to PC 1001.36 and having the Judge dismiss the criminal charges that were the subject of the criminal proceedings at the time of the initial diversion.

Agenda Item E

MEETING DATE: April 11, 2024 **AGENDA ITEM:** E

TO: BSCC Chair and Members

FROM: Dameion Renault, Field Representative, dameion.renault@bscc.ca.gov

SUBJECT: Proposition 47 Grant Program, Cohort 4 Request for Proposals:
Requesting Approval

Summary

This agenda item requests Board approval to release a Request for Proposals (RFP) in the amount of \$152 million for Cohort 4 of the Proposition 47 Grant. Eligible applicants are California public agencies. This agenda item also requests approval to convene a Scoring Panel to read and rate the proposals submitted in response to this RFP (Attachment E-1).

Background

Proposition 47 codified Government Code sections 7599-7599.2 in a 2014 voter-approved initiative that reduced sentencing penalties for some lower-level crimes. Its purpose, as stated in the ballot initiative, is as follows:

The people enact the Safe Neighborhoods and Schools Act to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonserious, nonviolent crime, and to invest the savings generated from this act into prevention and support programs in K–12 schools, victim services, and mental health and drug treatment.

As stated in the proposition, the BSCC's responsibilities are to:

Administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems. (Gov. Code, § 7599.2, subd. (a)(3).)

Assembly Bill 1056 (Chapter 438, Statutes of 2015) added related legislative priorities for this grant program, including housing-related assistance and other community-based supportive services, job-skills training, case management, and civil legal services. (Pen. Code, § 6046.3, subd. (b)(3).) Grants may fund programs that serve both adults and juveniles.

On September 16, 2021, the Board appointed Board Member Judge Janet Gaard as Chair of the Proposition 47 Executive Steering Committee (ESC). Concurrently, the Board approved the establishment of an ESC membership (Attachment E-2) and directed the ESC to oversee the comprehensive development and release of the Cohort 3 Proposition 47 RFP.

In November 2023, the BSCC conducted a survey ahead of the Cohort 4 Request for Proposal (RFP) release, seeking input on the administration of the Proposition 47 Grant. The

survey focused on ranking community needs related to Proposition 47 and prioritizing fund allocation across mandatory program areas and supplemental support services. Respondents were also asked for suggestions for how to improve or change grant requirements. Survey results revealed that while the previously developed RFP by the Proposition 47 ESC remains aligned with California communities' needs and priorities, there's a greater need for residential treatment options. As a result, the BSCC is recommending the reissuance of the Cohort 3 RFP with increased funding thresholds to address these needs.

Successful applicants will be funded for a 45-month grant period from October 1, 2024 to June 30, 2028. Key components of the grant include:

- Funds must be used for mental health services, substance use disorder treatment, diversion programs, or some combination thereof.
 - In addition to these required services and programs, applicants are encouraged to provide supplemental housing-related services and other community-based supportive services, such as job skills training, case management, and civil legal services.
- Eligible applicants are public agencies.
- Public agencies must partner with one or more non-governmental, community-based organization(s).
- Public agencies must pass through a minimum of 50 percent of the total grant award to one or more non-governmental, community-based organizations.
- Grant funds may not be used for programs or services provided in a custodial setting.
- Applicants will choose to apply in either a “Small Scope” or “Large Scope” category, depending on the size of their proposed project.
- In the Small Scope category, public agencies may apply for **up to \$2 million** (increased from the \$1 million threshold contained in the Cohort 3 RFP).
- In the Large Scope category, public agencies may apply for **up to \$8 million** (increased from the \$6 million threshold contained in the Cohort 3 RFP).

Proposed Timeline

Below are the proposed activities and tentative timeline necessary to administer a competitive RFP for the Proposition 47 Cohort 4 Grant Program:

Activity	Tentative Timeline
Release Request for Proposals	April 12, 2024
Grant Information Session for Prospective Applicants	April 30, 2024
Notice of Intent to Apply (Optional)	May 10, 2024
Proposals Due to the BSCC	June 10, 2024
Proposal Rating Process and Development of Funding Recommendations	July-August 2024
Present Funding Recommendations to the Board	September 12, 2024
Grant Period Begins	October 1, 2024

Recommendation/Action Needed

Staff recommends that the Board:

- Approve the release of the Proposition 47 Cohort 4 Request for Proposals.
- Delegate authority to BSCC staff to establish a diverse Scoring Panel with relevant subject matter expertise and to modify membership as needed, including the potential inclusion of BSCC staff as raters.

Attachments

E-1: Proposition 47 Cohort 4 Request for Proposals

E-2: Proposition 47 Executive Steering Committee Membership

Attachment E-1



Proposition 47 Grant Program: Safe Neighborhoods and Schools Act

Cohort 4 Request for Proposals (RFP)

Grant Purpose: Mental Health Services, Substance Use Disorder Treatment and Diversion Programs for People in the Criminal Justice System.

Grant Period: October 1, 2024 to June 30, 2028

Eligible Applicants: Public Agencies as Lead, in Partnership with Community-Based Organizations

RFP Released: April 12, 2024
Notice of Intent to Apply Due: May 10, 2024

Proposals Due: June 10, 2024



BOARD OF STATE & COMMUNITY CORRECTIONS
2590 VENTURE OAKS WAY, SUITE 200
SACRAMENTO CA 95833
WWW.BSCC.CA.GOV



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CONFIDENTIALITY NOTICE:

All documents submitted as a part of the Proposition 47 Cohort 4 Grant Program proposal are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, §§ 6250 et seq.)

PART I: BACKGROUND AND GRANT INFORMATION

Background

Proposition 47 was a voter-approved initiative on the November 4, 2014 general election ballot. As stated in the ballot measure:

The people enact the Safe Neighborhoods and Schools Act to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonserious, nonviolent crime, and to invest the savings generated from this act into prevention and support programs in K–12 schools, victim services, and mental health and drug treatment (**Attachment A**).

As further stated in the proposition, the BSCC's responsibilities are to:

Administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems. (Gov. Code, § 7599.2, subd. (a)(3).)

Assembly Bill 1056 (Statutes of 2015, Chapter 438) added additional priorities to the grant program including housing-related assistance and community-based supportive services such as job skills training, case management and civil legal services (**Attachment B**).

Contact Information

This Request for Proposals (RFP) provides the information necessary to prepare a proposal to the Board of State and Community Corrections (BSCC) for grant funds available through the Proposition 47 Cohort 4 Grant Program.

The BSCC staff cannot assist the applicant or its partners with the actual preparation of the proposal. Any technical questions concerning the RFP, the proposal process or programmatic issues must be submitted by email to: Prop47Cohort4@bscc.ca.gov.

BSCC will create a Frequently Asked Questions page and update it periodically up to the proposal submission deadline. See the [Proposition 47 website](#) for more information.

Proposal Due Date and Submission Instructions

Proposal Due Date

The Proposition 47 Grant Program Proposal Package submission is available through an online portal submission process. Applicants must submit proposals through the BSCC Submittable portal by **5:00 P.M. (PST) on June 10, 2024**, at which time the portal will close and no longer accept proposals.

****Please allow sufficient time to begin and submit your proposal. Be advised that completing the proposal and uploading the required documents into the Submittable portal may take a significant amount of time. If the BSCC does not receive a submission by 5:00 p.m. (PST) on June 10, 2024, the proposal will not be considered for funding. Applicants are strongly advised to submit proposals in advance of the due date and time to avoid disqualification.**

Submission Instructions

READ THIS ENTIRE RFP DOCUMENT PRIOR TO INITIATING THE RFP PROCESS.

This RFP Instruction Packet contains all the necessary information to successfully complete and submit the Proposition 47 Grant Program Proposal. As part of the online BSCC Submittable process, applicants will be required to download several mandatory forms that must be completed, signed, and uploaded at specific prompts within the BSCC Submittable portal prior to submission. These documents, listed below, are available for download at the BSCC [Proposition 47 website](#):

1. Proposition 47 Local Advisory Committee Membership Roster
2. Proposition 47 Local Advisory Committee Letter of Agreement
3. Project Work Plan
4. Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards
5. Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft, and Embezzlement
6. Budget Attachment (Project Budget Table and Budget Narrative)

Proposals for the Proposition 47 Grant Program **must be submitted through the BSCC Submittable Portal**. The link to the BSCC Submittable Application portal, Proposition 47 Grant Program Application Instruction Packet, and all required attachments are available on the BSCC [Proposition 47 website](#).

The Proposition 47 Grant Program RFP is accessible by clicking the “Click here to Submit; Powered by Submittable” button located on the BSCC [Proposition 47 website](#). You will be prompted to create a free Submittable account and log-in (or sign into an existing account) prior to accessing the online RFP. Once the account has been established, applicants may proceed with the submission process. Additional RFP instructions are provided within the online BSCC Submittable Portal.

****Note:** You must click the “Save Draft” button at the end of the proposal page to save any updates and/or changes you have made to your proposal prior to applying, each time you log in to your proposal. In addition, most of the fields within the RFP require information to

be entered; therefore, the system will not allow proposal submission if all mandatory fields are not completed.

If the BSCC does not receive a submission by the deadline, the proposal will not be considered for funding. Applicants are strongly advised to submit proposals well in advance of the due date and time to avoid disqualification.

Once you have successfully submitted your application and all required attachments, you will receive an email acknowledging your application has been received.

If you experience technical difficulties with submitting your proposal through the Submittable portal, you should submit a Help Ticket through Submittable, as the BSCC does not control that site. Please also email the BSCC at Prop47Cohort4@bscc.ca.gov and/or call the BSCC main line at (916) 445-5073 and ask to speak to someone about the Proposition 47 Grant.

Be advised that applicants contacting Submittable and/or the BSCC on the due date may not receive timely responses.

Please allow sufficient time for Submittable and BSCC to provide technical assistance.

Prospective Applicant Information Session

Prospective applicants are invited – but not required – to attend a virtual Grant Information Session. The purpose of this session is to provide clarity on RFP instructions and answer technical questions from prospective applicants. BSCC staff will review proposal submission instructions, funding information, eligible grant activities, and the rating process. Details for the virtual Grant Information Session are listed below:

Proposition 47 Cohort 4
Virtual Grant Information Session for Prospective Applicants
Tuesday, April 30, 2024 at 10:00 A.M.

Public access options for this meeting include:

Join by Zoom:

<https://us02web.zoom.us/j/87362215592>

Meeting ID: 873 6221 5592

Call In:

646-931-3860

Meeting ID: 873 6221 5592

Applicants interested in attending the Grant Information Session are asked to submit an RSVP to Prop47Cohort4@bscc.ca.gov. Please include the name, title, and agency the attendee(s) will be representing. Please note: The Proposition 47 Grant Information Session will be recorded and posted to the BSCC [Proposition 47 website](#) for future reference.

Letter of Intent to Apply

Prospective applicants are asked, but not required, to submit a non-binding letter indicating their intent to apply. These letters will aid the BSCC in planning for the proposal review process. Please submit the letter as a Microsoft Word or PDF file.

There is no formal template for the Letter of Intent, but it should include the following information:

- Name of the applicant entity;
- Name and title of a contact person from the applicant entity that can be posted and shared with interested members of the public; and
- A brief statement indicating the applicant's intent to submit a proposal.

Failure to submit a Letter of Intent is not grounds for disqualification. Prospective applicants who submit a Letter of Intent and decide later not to apply will not be penalized.

Please email your non-binding Letter of Intent by **May 10, 2024**. Please identify the email subject line as "Proposition 47 Cohort 4 Letter of Intent to Apply" and submit the letter to: Prop47Cohort4@bscc.ca.gov.

Proposition 47 Executive Steering Committee & Scoring Panel

The BSCC uses Executive Steering Committees (ESC) and Scoring Panels to inform decision-making related to the Board's programs. ESCs and Scoring Panels are composed of subject matter experts, community partners, and interested parties representing both the public and private sectors. The BSCC makes every attempt to include a diverse representation on its ESCs and Scoring panels, in breadth of experience, geography and demographics.

In November 2021, BSCC convened an ESC that performed a comprehensive evaluation of grant requirements and subsequently developed recommendations for the Proposition 47 Cohort 3 RFP. In February 2022, BSCC released the Cohort 3 RFP to the public.

To increase the BSCC's understanding of the needs of its stakeholders in relation to appropriate uses for Proposition 47 grant funds, BSCC conducted a statewide survey in November 2023. The results of the survey indicated that the RFP previously developed by the Proposition 47 ESC still aligns with the needs and priorities of California's communities, but that there is a greater need for residential treatment options. Therefore, this RFP contains increased funding thresholds to meet those needs.

The BSCC will use a Scoring Panel process to complete the reading and rating of the Proposition 47 Cohort 4 proposals and to develop funding recommendations for the Board. The Board may approve, reject, or revise those recommendations.

Members of the Scoring Panel are not paid for their time but are reimbursed for travel expenses incurred to attend meetings. If the BSCC is unable to convene a full Scoring Panel, BSCC staff may participate in the rating process.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party who participated on the Scoring Panel from receiving funds from the Proposition 47 grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Scoring Panel membership roster and ensuring that no grant dollars are passed through to any entity represented by any member of the Scoring Panel. Please check the BSCC [Proposition 47 website](#) for updated information on the Scoring Panel.

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Guiding Principles for the Proposition 47 Grant

In developing the original Proposition 47 RFP, the ESC agreed on the guiding principles listed below, which reflect the priorities and values of the Proposition 47 Grant Program. They are woven throughout the RFP and incorporated into the rating criteria. Applicants should develop proposals that reflect these principles.

GUIDING PRINCIPLES for BSCC's PROPOSITION 47 GRANT

- Incorporate community partnerships and collaborations.
- Encourage culturally competent services and approaches that foster the principles of restorative justice.
- Define target populations, especially those populations that are:
 - traditionally underserved or inappropriately served through mental health and substance use disorder service providers, or
 - overrepresented within the criminal justice system, or
 - experiencing or at risk for homelessness
- Expand access to culturally congruent quality mental health and substance use disorder services, including services for co-occurring mental health and substance use disorder needs and the use of evidence-based or community defined practices.
- Identify and address known barriers to serving target populations, such as:
 - Lack of jobs, housing, or employment
- Prioritize client-focused/client-centered holistic programs and approaches, including healing strategies and trauma-informed care.
- Expand and improve on efforts to divert individuals away from criminal justice involvement through increased diversion programs and improved behavioral health services or community supports.
- Include community-based organizations with diverse staffing, including those who are system-impacted individuals, or who have varying educational levels and life experiences.
- Demonstrate capacity building for service providers at every level.
- Be mindful of regional equity and geographic diversity, including smaller and rural counties.
- Collect program data and measure/evaluate outcomes and publish and share information.
- Encourage community engagement, where members of the community participate in the identifying, informing, and shaping of policies, goals, services, and solutions.

Eligibility to Apply

Eligible Applicants

Eligible applicants are **public agencies** located in the State of California. For the purposes of this RFP a public agency is defined as:

A county, city, whether a general law city or a chartered city, or city and county, the duly constituted governing body of an Indian reservation or Rancheria, a school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, entities that are legislative bodies of a local agency pursuant to subdivision (c) or (d) of Section 54952 of the Government Code, a housing authority organized pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code, a state agency, public district, or other political subdivision of the state, or any instrumentality thereof, which is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income. (Pen. Code, § 6046.1, subd. (c).)

Current Cohort 3 Grantees Are Not Eligible to Apply

Public agencies currently receiving a Cohort 3 Proposition 47 grant (as the Lead Agency) **are not eligible to apply** for Cohort 4 funding (see **Attachment C**).

- **Los Angeles County:** Because Los Angeles County received a \$20 million award in Cohort 3, **all** county agencies within Los Angeles County are ineligible to apply for Cohort 4. Note that city public agencies and non-county public agencies within Los Angeles County **are** eligible to apply.

A public agency from the same city or county as a Cohort 3 grantee may still apply (with the exception of county agencies in Los Angeles County, as noted in the bullet above).

Definition of Lead Agency

For the purposes of this RFP, the public agency applicant will be considered the **Lead Agency**. Lead agencies (i.e., individual agencies or departments within a city, county, or other jurisdiction) may not submit more than one proposal.

Non-lead agencies (including community-based organizations, faith-based organizations, non-governmental or governmental entities, etc.) may serve as a partner on more than one proposal, as long as they have the capacity to separately track the services provided to each.

Required Pass-Through to Community-Based Organizations

In order to be eligible, a Lead Agency **must**:

- Subcontract with one or more non-governmental, community-based organizations for a **minimum of 50 percent** of the total grant award in order to demonstrate a shared partnership rooted in community engagement and economic equity.

Note: Additional points will be awarded to applicants that pass-through 60 to 69 percent or 70 percent and higher of the total grant award (See *Preference Points* section, later in this document).

Joint Proposals

Two or more public agencies may partner to submit a joint proposal, but one must be designated as Lead Agency for contracting purposes. Joint proposals must comply with all other eligibility criteria. A public agency may apply on both an individual and a joint proposal. There is no funding or scoring incentive for joint proposals.

Funding Information

The Proposition 47 Grant is funded from savings generated from the enactment of the Safe Neighborhoods and Schools Act of 2014. Each year, the Department of Finance calculates the savings and distributes funding to the BSCC, State Department of Education, and California Victim Compensation and Government Claims Board. By law, the BSCC receives 65 percent of the state savings to administer a grant program.

Approximately **\$152 million** in funding is available for the Proposition 47 Cohort 4 RFP.

This funding is contingent on:

- 1) The amount of funds available in the Safe Neighborhoods and Schools Fund;
- 2) Grantee's adherence to the Proposition 47 RFP requirements and applicable statutes; and
- 3) Grantee's ability to demonstrate that annual implementation goals and objectives (as listed on the Proposition 47 Project Work Plan – described later on) have been met.

The BSCC may select additional proposals for awards from the ranked list if the deposits into the Safe Neighborhoods and Schools Fund significantly increase the BSCC's expected allocation.

Funding Categories and Corresponding Funding Thresholds

Recognizing that different-sized jurisdictions have different capacities, resources, and needs, there are two categories within which public agency applicants will compete.

Maximum funding thresholds have been set within each category. These categories were established so that projects of a smaller scope do not compete against projects of a larger scope. Applicants will **self-select a funding category**, depending on the size of the proposed project. See the table below:

Funding Category	Applicants in this Category may Request:	Funds Available in this Category
1) Small Scope	Up to \$2 million for the entire grant period.	\$60,800,000
2) Large Scope	More than \$2 million and up to \$8 million for the entire grant period.	\$91,200,000
Total Available Funds:		\$152,000,000

Applicants are strongly encouraged to apply for only the amount of funding needed to meet their program goals within the grant period. The Scoring Panel will rate proposals based in part on the reasonableness of the proposed budget.

Note: Applicants must earn at least 65 percent of the total weighted score to be considered for funding (more information on scoring is provided later in this document). If there are not sufficient qualified applicants in one category to exhaust all funds, those funds will be recommended for qualified applicants in the other category.

Financial Leveraging

Assembly Bill 1056 (2015) calls for the BSCC to prioritize Proposition 47 funding to public agency applicants that demonstrate how they plan to leverage other federal, state, and local funds or other social investments, such as the following:

- A. The Drug Medi-Cal Treatment Program (22 Cal. Code Regs. 51341.1, 51490.1, and 51516.1).
- B. The Mental Health Services Act, enacted by Proposition 63 at the November 2, 2004, general election, as amended.
- C. Funds provided for in connection with the implementation of Chapter 15 of the Statutes of 2011.
- D. The Community Corrections Performance Incentives Act (Stats. 2009, Ch. 608; Chapter 3 (commencing with Section 1228) of Title 8 of Part 2).
- E. The tax credits established pursuant to Sections 12209, 17053.57, and 23657 of the Revenue and Taxation Code.
- F. The federal Department of Housing and Urban Development funds, such as the Emergency Solutions Grant program (42 U.S.C. Sec. 11371 et seq.).
- G. The federal Department of Veterans Affairs Supportive Services for Veteran Families program (38 U.S.C. Sec. 2044).
- H. Social Innovation Funds established by the Corporation for National and Community Service pursuant to Section 12653k of Title 42 of the United States Code.
- I. The Edward Byrne Memorial Justice Assistance Grant Program (42 U.S.C. Sec. 3750 et seq.).

Leveraged Contributions

Grantees must maintain documentation that support all leveraged contributions to the grant. Expenditures for leverage funds must be reported on the BSCC invoice as the expenditures occur. Grantees are responsible for ensuring budgeted leverage contributions are made and grantees should not reduce or waive contributions once the grant agreement is fully executed. Failure to account for or provide budgeted leverage funds may result in a commensurate reduction in BSCC grant funds or termination of the grant agreement.

Supplanting

BSCC grant funds shall be used to support new program activities and/or to augment existing funds that expand current program activities. BSCC grant funds shall not be used to replace existing funds.

Supplanting is strictly prohibited for all BSCC grants. When leveraging outside funds, public agency applicants must be careful not to supplant. Supplanting is the deliberate reduction

in the amount of federal, state, or local funds being appropriated to an existing program or activity because grant funds have been awarded for the same purposes.

It is the responsibility of the Grantee to ensure that supplanting does not occur. The Grantee must keep clear and detailed financial records to show that grant funds are used only for allowable costs and activities.

Denial of Future Funding

The BSCC reserves the right to consider the denial of future funding to any project and its officers based on its failure to comply with any term or condition of a current or previous Grant Award, poor past performance in a previous Grant Award, or failure to cooperate with state auditors/monitors.

DRAFT

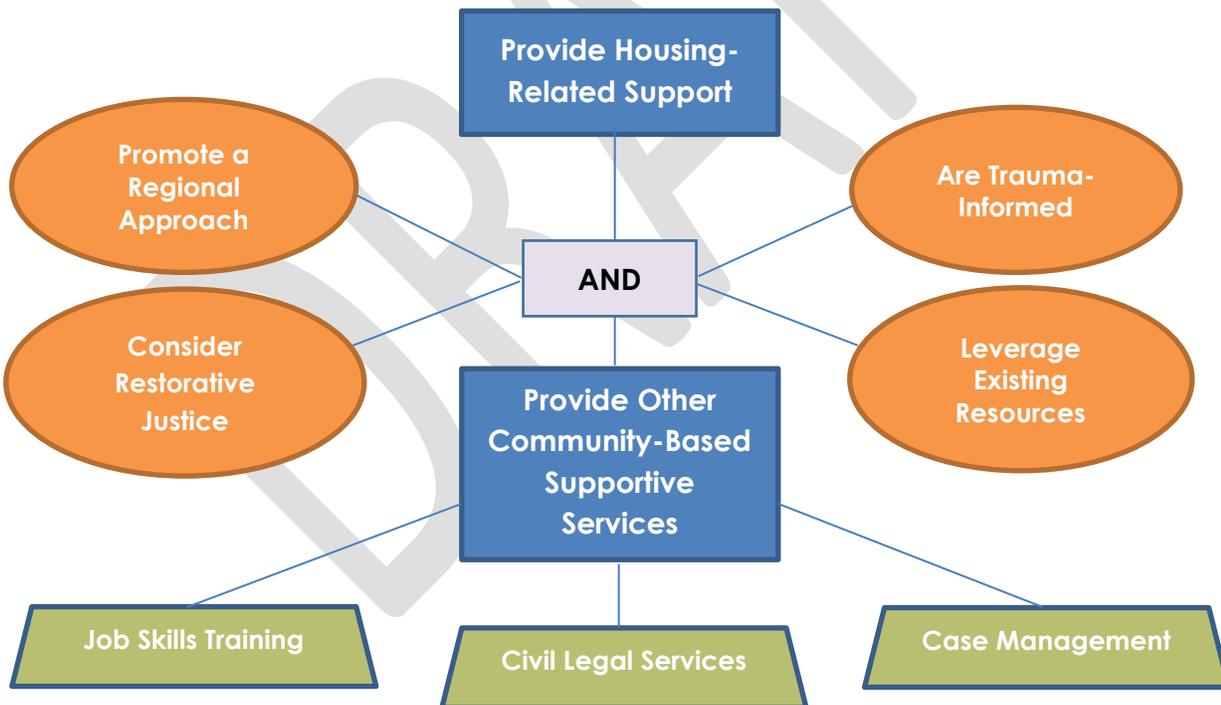
Eligible Grant Activities and Target Population

The following flowchart provides a visual representation of types of services that can be funded under the Proposition 47 Grant Program. Additional information is provided on the following pages.

REQUIRED for ALL APPLICANTS



With PRIORITY given to projects that also:



Eligible Population: Adults and/or Juveniles

Arrested, charged with, or convicted of a criminal offense AND a history of mental health issues or substance use disorders.

As shown above, Proposition 47 grant funds must be used for mental health services, substance use disorder treatment, diversion programs, or some combination thereof for people in the criminal justice system, defined further in the Target Population section.

In addition to these required services and programs, applicants are encouraged to provide supplemental housing-related services and other community-based supportive services, such as job skills training, case management, and civil legal services.

The grant can fund programs that serve adults and/or juveniles. Examples of substance use disorder treatment and diversion programs can be found in **Attachment D: Glossary of Key Terms**.

Public agency applicants will be allowed to implement new services or programs and/or expand existing services or programs.

Ineligible Grant Expenditures

Grant funds may be used to implement new activities and programs and/or augment existing funds dedicated to a project but may not replace or supplant funds that have been appropriated for the same purpose.

Proposition 47 grant funds may not be used for:

- the acquisition of real property, or
- programs or services provided in a custodial setting (with the exception of outreach and reentry planning)¹.

For information on eligible and ineligible costs, refer to the *BSCC Grant Administration Guide*, found on the BSCC [website](#).

Target Population

Services and programs proposed in response to this RFP must be designed to serve people who:

- Have been arrested, charged with, or convicted of a criminal offense **and** have a history of mental health or substance use disorders.

For purposes of this RFP, a person has a history of mental health issues or substance use disorders if the person:

- has a mental health issue or substance use disorder that limits one or more of their life activities;
- has received services for a mental health issue or substance use disorder;
- has self-reported to a provider that they have a history of mental health issues, substance use disorders, or both; or
- has been regarded as having a mental health issue or substance use disorder.

¹ For the purposes of this RFP, a locked facility (e.g., jail, prison, etc.) is considered a custodial setting. The intent of this RFP is to prohibit the use of grant funds for programs or services provided in a custodial setting with the exception of outreach and reentry planning.

In addition, the target population of Proposition 47 should have been convicted of less serious crimes such as those covered by Proposition 47 and have substance abuse and/or mental health problems.

If services and programs are provided to juveniles, juveniles must fall under the jurisdiction of the juvenile court pursuant to Welfare and Institutions Code section 602. Juveniles that come under the jurisdiction of the juvenile court under Welfare and Institutions Code section 601 (i.e., status offenses, truancy) should not be considered arrested for or charged with criminal offenses.

Public agency applicants are required to describe how they will ensure that this target population is the one to be served by the proposed program. This could include a description of the program's referral, engagement to services, screening, assessment, and documentation processes.

Service Delivery Approach

Applicants will be required to describe the service delivery approach, i.e., who will deliver the services and how, and why it is most appropriate for the community and target population. Key questions to consider include:

- What are the needs of your community and how does your project provide services reflective of the racially and ethnically diverse communities served?
- How does your project ensure services will be provided in locations accessible to the community?
- How does your project ensure services will be tailored to meet an individual's holistic needs, e.g., wraparound services?
- How does your project provide services in a culturally competent manner?
- How does your approach ensure that services and programs adhere to the principles of trauma-informed care?
- How does your project provide services in a collaborative manner with the community, governmental and nongovernmental agencies?
- How does your project take steps to advance the principles of Restorative Justice and reduce recidivism in your community?
- How will this project change or improve the lives of participants?

Grant Period

Proposals selected for funding will be under contract agreement with the BSCC from **October 1, 2024 to June 30, 2028**. The term of the grant agreement includes a 3-½-year service delivery period (October 1, 2024 through March 31, 2028) and an additional three (3) months (April 1, 2028 through June 30, 2028) to finalize and submit the required Local Evaluation Report and program-specific compliance audit.

A visual illustration of the grant agreement period is provided in the table below:

Implementation	Service Delivery	Service Delivery	Service Delivery	Evaluation and Close-Out
6 months	Year 1	Year 2	Year 3	3 months
October 1, 2024 - March 31, 2025	April 1, 2025 - March 31, 2026	April 1, 2026 - March 31, 2027	April 1, 2027 - March 31, 2028	April 1, 2028 - June 30, 2028
<p>Implementation period to allow for local procurement, hiring, and other activities that can facilitate a timely start.</p> <p>Grantees who <u>do not need</u> the full implementation period can begin service delivery at any time once under contract.</p>	Service delivery and data collection.	Service delivery and data collection.	Service delivery and data collection.	<p>Compile and analyze data gathered from three full years of service delivery.</p> <p>Complete Local Evaluation Report.</p> <p>Complete program-specific compliance audit.</p>

Important note: The service delivery period ends on March 31, 2028. From April 1, 2028 to June 30, 2028, only expenses associated with completion of the Local Evaluation Report and the required program-specific compliance audit may be incurred. Additional information about the invoicing process and reporting requirements will be provided later in this RFP.

Proposition 47 Local Advisory Committee

In order to apply for Proposition 47 funding, the Lead Agency must develop a Proposition 47 Local Advisory Committee that includes local stakeholders who have experience and expertise in the prospective programs and/or services to be implemented by the proposal. This advisory committee will, at a minimum, advise on:

- How to identify and prioritize the most pressing needs to be addressed (to include target population, target area, etc.);
- How to identify the strategies, programs and/or services to be undertaken to address those needs;
- The development of the grant project; and

- Ongoing implementation of the grant project.

The Proposition 47 Local Advisory Committee must include a broad range of stakeholders from within the communities, organizations, departments, etc. impacted by the proposal. Examples include behavioral health professionals, educators, community-based and faith-based organizations, individuals impacted by the justice system, law enforcement, probation, prosecutors, defense attorneys, courts, social service providers, advocacy groups, housing providers, housing navigators and citizens.

Lead Agencies should consider state and local conflict of interest laws when selecting members of the Proposition 47 Local Advisory Committee. The Lead Agency is advised to check with its counsel about potential conflicts. The Lead Agency may use an existing body, but it must include individuals with the appropriate experience and expertise and address all the requirements listed in this section.

The Lead Agency must host regular community meetings to invite ongoing feedback and non-confidential updates from the Proposition 47 Local Advisory Committee and the community.

Throughout the duration of the grant, Lead Agencies must maintain documentation of:

- Public outreach efforts soliciting committee membership and publicizing community meeting information;
- Attendance at both committee and community meetings;
- Agendas and minutes of committee and community meetings;
- Examples of processes for collaboration plan; and
- Partnering agencies' details of their plans for collaboration.

As a part of the application, each Lead Agency will be required to include a Membership Roster for the Proposition 47 Local Advisory Committee and a Letter of Agreement signed by all members (see **Attachments E and F**).

Evidence-Based, Data-Driven and Innovative Strategies

The BSCC is committed to supporting a focus on better outcomes in the justice system and for those involved in it. Applicants are therefore encouraged to use data to drive decision-making in the development, implementation, and appraisal of their overall projects. Applicants should be able to demonstrate that their proposal is linked to the implementation of practices and strategies supported by data. In developing a proposal, applicants should focus on the following three basic principles:

- 1. Is there evidence or data to suggest that the intervention or strategy is likely to work, i.e., produce a desired benefit?** *For example, was the intervention or strategy you selected used by another jurisdiction with documented positive results? Is there published research on the intervention you are choosing to implement showing its effectiveness? Is the intervention or strategy being used by another jurisdiction with a similar problem and similar target population?*

2. **Once an intervention or strategy is selected, will you be able to demonstrate that it is being carried out as intended?** *For example, does this intervention or strategy provide for a way to monitor quality control or continuous quality improvement? If this intervention or strategy was implemented in another jurisdiction, are there procedures in place to ensure that that you are following the model closely (so that you are more likely to achieve the desired outcomes)?*
3. **Is there a plan to collect evidence or data that will allow for an evaluation of whether the intervention or strategy worked?** *For example, will the intervention or strategy you selected allow for the collection of data or other evidence so that outcomes can be measured at the conclusion of the project? Do you have processes in place to identify, collect and analyze that data/evidence?*

Public agency applicants are encouraged to develop an overall project that incorporates these principles but is tailored to fit the needs of the communities they serve. Innovation and creativity are encouraged, but projects that have not been validated must demonstrate a promising approach using existing data and research such as best practices in the field. Plans to measure the effectiveness of a project should include the use of both qualitative and quantitative research. While quantitative research is based on numbers and mathematical calculations, qualitative research is based on written or spoken narratives. The purpose of quantitative research is to explain, predict and/or control events through focused collection of numerical data, while the purpose of qualitative research is to explain and gain insight and understanding of events through intensive collection of narrative data.

Data Collection, Reporting and Evaluation Requirements

Projects selected for funding will be required to submit the following to the BSCC:

- Quarterly Progress Reports
- A Local Evaluation Plan (due **March 31, 2025**) and
- A Local Evaluation Report (due **June 30, 2028**).

Required Set-Aside for Evaluation Efforts

To ensure that grantees can comply with BSCC's data collection and reporting requirements in a meaningful way that benefits the applicants, their communities, and the State of California, grantees are required to budget **a minimum of 5 percent (or \$50,000, whichever is greater), but not more than 10 percent**, of the total grant award for data collection and evaluation efforts. These efforts include development of the Local Evaluation Plan, completion of Quarterly Progress Reports and completion of Local Evaluation Report.

Applicants are encouraged, but not required, to use outside evaluators to ensure objective and impartial evaluations. Specifically, applicants are encouraged to partner with institutions of higher learning universities, state universities and community colleges. See **Attachment D** for key definitions related to project evaluation.

Applicants are also strongly encouraged to identify research partners early on and include them in the development of the proposal, so that the goals and objectives listed in the Proposition 47 Project Work Plan are measurable.

Quarterly Progress Reports

Grant recipients are required to submit Quarterly Progress Reports (QPRs) to the BSCC. Progress reports are a critical element in BSCC's monitoring and oversight process. Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and that funds are being spent in accordance with the Grant Agreement and Proposition 47 Work Plan could be subject to the withholding of funds. Once grants are awarded, BSCC staff will work with grantees to create custom progress reports. Applicable forms and instructions will be available to grantees on the BSCC's website after the Grantee Orientation.

As part of the QPRs, grantees will be required to submit de-identified individual level data in a Microsoft Excel file located in a secure cloud storage platform. **BSCC will not request or retain personal identifying information.** Grantees will be required to provide the following information for each participant:

- Age at enrollment
- Gender
- Race/Ethnicity
- Level of education at enrollment
- Employment and housing status at enrollment
- Employment and housing status at completion
- Prior arrests and convictions (yes/no responses)
- Probation, Parole, or PRCS status at enrollment
- Participation status (e.g., active participant, received one-time intervention services, exited program without completing program requirements, completed program requirements, etc.)
- Number of days between program enrollment and program completion (for participants who complete program requirements)
- Services the participant received during the quarter (checkbox).
- Recidivism
 - Due to the complexity of obtaining recidivism information for many grantees, this information will only be requested annually, instead of quarterly.
 - The definition of recidivism, as established in AB 1056, will be used for reporting purposes.
 - Recidivism data must be obtained from a reliable source, such as local law enforcement. Self-report will not be accepted. Note that obtaining this information from a reliable source may require the establishment of data sharing agreements.
 - Grantees will be required to report the following recidivism information:
 - Number of days between program enrollment/services received and the recidivating event.
 - Whether the conviction was a misdemeanor or felony

Local Evaluation Plan

The purpose of the Local Evaluation Plan is to ensure that projects funded by the BSCC can be evaluated. Grantees will be expected to include a detailed description of how the public agency applicant will assess the effectiveness of the proposed program in relationship to each of its goals and objectives. A relationship between the goals and objectives identified in the Proposition 47 Project Work Plan should be apparent in the Local Evaluation Plan.

The Local Evaluation Plan should describe the evaluation design or model that will be used to evaluate the effectiveness of the project component(s), with the project goals and the project objectives clearly stated. Public agency applicants should include criteria for both process and outcome evaluations. Once submitted, any modifications to the Local Evaluation Plan must be approved in advance by the BSCC. More detailed instructions on the Local Evaluation plan will be made available to successful applicants.

Local Evaluation Report

Following project completion, grantees are required to complete a Local Evaluation Report. The Local Evaluation Report must be in a format prescribed by the BSCC. More detailed instructions on the Local Evaluation Plan will be made available to successful applicants. The purpose of the Final Local Evaluation Report is to determine whether the overall project (including each individual component) was effective in meeting the goals laid out in the Local Evaluation Plan. To do this, the grantee must assess and document the effectiveness of the activities that were implemented within each individual project component. These activities should have been identified in the previously submitted Local Evaluation Plan. More detailed instructions on the Local Evaluation Report will be made available to successful applicants.

Evaluation Dissemination

The BSCC will make public the Local Evaluation Plan and Local Evaluation Report from each grantee. Reports may be posted to the BSCC website and information from them may be incorporated into a Statewide Evaluation Report to be shared with the Administration, the Legislature, and the public.

Projects selected for funding are encouraged to make public (e.g., post online, disseminate, share at meetings) the Local Evaluation Report to the community and the grantee's Governing Board (e.g., Board of Supervisors, City Council, etc.).

If the grantee plans to publish the Local Evaluation Report, it must be submitted to the BSCC for review prior to publication.

General Grant Requirements

Governing Board Resolution

Successful applicants will be required to submit a Resolution from their Governing Boards before the grant award can be finalized and funds awarded. A signed resolution is not required at the time of proposal submission, but public agency applicants are advised that no financial invoices will be processed for reimbursement until the Governing Board Resolution has been received by the BSCC. A sample Governing Board Resolution can be found in **Attachment G**.

Grant Agreement

Public agency applicants approved for funding by the BSCC Board are required to enter into a Grant Agreement with the BSCC. Grantees must agree to comply with all terms and conditions of the Grant Agreement. A sample BSCC Grant Agreement can be found on the BSCC [Proposition 47 website](#).

The Grant Agreement start date is expected to be **October 1, 2024**. Grant Agreements are considered fully executed only after they are signed by both the Grantee and the BSCC, and the BSCC is in receipt of all required attachments including documentation of signing authority (i.e., Governing Board Resolution). Work, services, and encumbrances cannot begin prior to the Grant Agreement start date. Any work, services, and encumbrances that occur after the start date but prior to Grant Agreement execution may not be reimbursed. Grantees and all subgrantees are responsible for maintaining their Grant Agreement, all invoices, records, and relevant documentation for at least three (3) years after the final payment under the Grant Agreement.

Debarment, Fraud, Theft or Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. Debarred by any federal, state, or local government entities during the period of debarment; or
2. Convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state, or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

All applicants must complete **Appendix C** certifying they are in compliance with the BSCC's policies on debarment, fraud, theft, and embezzlement.

Criteria for Non-Governmental Organizations Receiving Grant Funds

This RFP includes requirements that apply to non-governmental organizations² that receive funds under this grant. All grantees are responsible for ensuring that any contracted third parties continually meet these requirements as a condition of receiving grant funds. These requirements are described in the box below:

Eligibility Criteria for Non-Governmental Organizations Providing Services with BSCC Grant Funds

Any non-governmental organization (NGO) that receives Proposition 47 grant funds (as either a direct grantee, subgrantee, or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its Grant Agreement with the BSCC or with the start date of the grantee's subcontract agreement;

Note: Non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six (6) month date are also eligible, provided all necessary agreements have been executed and filed with the [California Secretary of State](#) prior to the start date of the Grant Agreement with the BSCC or the start date of the grantee's subcontract agreement.

- Be registered with the [California Secretary of State's Office](#), if applicable;
- Be registered with the [California Office of the Attorney General, Registry of Charitable Trusts](#), if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable.

In addition to the administrative criteria listed above, any non-governmental, community-based organization service provider that receives Proposition 47 grant funds must have a proven track record working with the target population and the capacity to support data collection and evaluation efforts.

² Non-Governmental Organizations (NGOs) include community-based organizations, faith-based organizations, non-profit organizations/501(c)(3)s, for profit service providers, evaluators (except government institutions such as universities), grant management companies and any other non-governmental agency or individual.

NOTE: These criteria do not apply to government organizations (e.g., counties, cities, school districts, etc.).

All applicants must complete, sign, and submit the Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards form (see **Appendix A**), even if there are no plans to subcontract at the time of submission or if the name of the subcontracted party is unknown. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms, should the applicant choose to enter into an agreement with an NGO at a later date.

Once under contract, grantees must submit an updated *Criteria for Non-Governmental Organizations Receiving BSCC Grant Funds* form throughout the life of the grant agreement for any additional NGOs that receive funds through subcontracts after awards are made. The BSCC will not reimburse for costs incurred by NGOs that do not meet the BSCC's requirements.

Audit Requirement

Grantees are required to provide the BSCC with a program-specific compliance audit that covers the service delivery period of the grant. The audit report will be due no later than **June 30, 2028**. The program-specific compliance audit shall be performed by a Certified Public Accountant or a participating county or city auditor that is organizationally independent from the participating county or city's project financial management functions. Expenses for the final audit may be reimbursed for actual costs up to \$25,000.

In addition, BSCC reserves the right to call for a program or financial audit at any time between the execution of the grant agreement and three (3) years following the end of the grant period. The Department of General Services, State Controller³, the California State Auditor, the Department of Finance, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this grant.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a mandatory Virtual Grantee Orientation (date to be determined). The purpose of this mandatory session is to review the program requirements, invoicing, and budget modification processes, data collection and reporting requirements, as well as other grant management and monitoring activities. Typically, the Project Director, Financial Officer, and Day-to-Day Contact must attend. Grantees are also strongly encouraged to include the individual tasked with Data Collection and Evaluation and a minimum of one community partner.

Invoicing for Grant Expenditures

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. The State Controller's Office (SCO) will issue the warrant (check) to the individual designated as the Financial Officer for the grant. Grantees will submit invoices to the BSCC on quarterly basis through an online process no later than 45 days following the end of the invoicing period (**grantees wishing to invoice on a monthly basis must request an exception prior to entering into Grant Agreement**).

³ The State Controller has independent authority to audit Proposition 47 grant programs administered by the BSCC. (Gov. Code, § 7599.2, subd. (c).)

Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct a desk review process which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period. In addition, BSCC staff will conduct on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures with grant funds.

Additional information about invoicing can be found in the BSCC Grant Administration Guide located on the BSCC [website](#).

Travel

Travel is usually warranted when personal contact by project staff is the most appropriate method of conducting project-related business. Travel to and from training conferences may also be allowed. The most economical method of transportation, in terms of direct expenses to the project and the employee's time away from the project, must be used. Projects are required to include sufficient per diem and travel allocations for project-related personnel, as outlined in the Grant Award, to attend any mandated BSCC training conferences or workshops outlined in the terms of the program.

- **Units of Government**

Units of government may follow either their own written travel and per diem policy or the State's policy. Units of government that plan to use cars from a state, county, city, district carpool, or garage may budget either the mileage rate established by the carpool or garage, or the state mileage rate, not to exceed the leasing agency rate.

- **Non-Governmental Organizations (NGOs)**

An NGO receiving BSCC funds must use the State travel and per diem policy, unless the Grantee's written travel policy is more restrictive than the State's, in which case it must be used. Reimbursement is allowed for the cost of commercial carrier fares, parking, bridge, and road tolls, as well as necessary taxi, bus, and streetcar fares.

- **Out-of-State Travel**

Out-of-state travel is restricted and only allowed in exceptional situations. Grantees must receive written BSCC approval prior to incurring expenses for out-of-state travel. Even if previously authorized in the Grant Award, Grantees must submit to the BSCC a separate formal request (on Grantee letterhead) for approval. Out-of-state travel requests must include a detailed justification and budget information.

Compliance Monitoring Visits

The BSCC staff will monitor each project to assess whether the project is in compliance with grant requirements and making progress toward grant objectives. As needed, monitoring visits may also occur to provide technical assistance on fiscal, programmatic, evaluative, and administrative requirements. For your reference, a sample Comprehensive Monitoring Visit checklist can be found on the Corrections Planning and Grant Programs [website](#).

Overview of the RFP Process

Confirmation of Receipt of Proposal

Upon submission of a proposal in the BSCC Submittable Application Portal, applicants will receive a confirmation email from the BSCC stating that the proposal has been received.

Disqualification

Disqualification” means the proposal will not move forward to the Scoring Panel for the Proposal Rating Process and, therefore, will NOT be considered for funding under this grant.

■■■■ S T O P ■■■■ PLEASE READ CAREFULLY!

The following will result in an automatic disqualification:

- Proposal submission is not received by **5:00 P.M. (PST) Monday, June 10, 2024**. *(Allow sufficient time to upload all required documents in the BSCC Submittable Application portal. Do not wait until the last minute!)*
- Proposal is not submitted via the BSCC Submittable portal. **Email submissions will not be accepted.**
- Applicant is not a public agency as defined in Penal Code section 6046.1, subdivision (c).
- Proposal does not address one or more of the program areas required by Proposition 47: mental health services, substance use disorder treatment, and/or diversion.
- Budget Attachment (Excel attachment) is not submitted through the BSCC Submittable Portal.
- Budget Attachment does not clearly show the mandatory 50 percent pass-through to one or more community-based organizations.
- Funding request exceeds allowable amount in the Small Scope or Large Scope funding categories.
- Applicant is proposing to provide services in a custodial setting (with the exception of in-reach and reentry planning).
- Attachments are illegible.
- Attachments will not open or the files are corrupted.

Proposal Rating Process

Unless disqualified, proposals will advance to the Scoring Panel for the Proposal Rating Process. Proposals will be evaluated in accordance with the BSCC’s [Grant Proposal Evaluation Process](#) and as described below. The Scoring Panel will read and assign ratings to each proposal in accordance with the prescribed rating factors listed in the table below. Scoring Panel members will base their points on how well an applicant addresses the criteria listed under each rating factor within the Proposal Narrative and Budget Sections. Scoring Panel ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the Scoring Panel’s funding recommendations. It is anticipated that the Board will act on the recommendations at its meeting in September 2024. Applicants and partners are not to contact members of the Scoring Panel or the BSCC Board to discuss proposals.

Rating Factors

The Rating Factors that will be used and the maximum points allocated to each factor are shown in the table below. Applicants are asked to address each of these factors as part of their proposal. The Proposition 47 ESC assigned a percent value to each Rating Factor, correlating to its importance within the overall project (see Percent of Total Value column).

	Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
1	Project Need	0 - 5	25%	50
2	Community Engagement	0 - 5	15%	30
3	Project Description	0 - 5	30%	60
4	Data Collection and Evaluation	0 - 5	15%	30
5	Project Budget	0 - 5	15%	30
Total Score (before Preference Points):			100%	200
<p>Preference Points: Applicants are required to dedicate a minimum of 50 percent of the grant funds requested to subcontracts with non-governmental, community-based organizations. Additional points will be added to the final score if an applicant dedicates 60 percent or more, as follows:</p> <p style="text-align: right;">60-69 percent of grant funds = 2 additional points 70+ percent of grant funds = 4 additional points</p>				
Maximum Possible Score with Preference Points:				204

Scoring Panel members will rate an applicant’s response to each Rating Factor on a scale from 0 to 5, according to the Six-Point Rating Scale shown below. For each Rating Factor, the rating point received is then weighted according to the “Percent of Total Value” column associated with the Rating Factor to arrive at the final Weighted Rating Factor Score. The Weighted Rating Factor Scores are then added together for a Total Score. Preference points are added to the Total Score, as applicable. The Maximum Possible Proposal Score is **204**.

Preference Points

An applicant may earn up to four additional points based on the amount of grant funds that are dedicated to non-governmental, community-based organizations. Specifically, applicants are required to dedicate a minimum of 50 percent of their grant funds to subcontracts with non-governmental, community-based organizations. An additional two points will be added to the final score if an applicant dedicates 60 to 69 percent of grant funds to a non-governmental, community-based organization, and an additional four points if the applicant dedicates 70 percent or more.

Six Point Rating Scale

Not Responsive 0	Poor 1	Fair 2	Satisfactory 3	Good 4	Excellent 5
The response fails to address the criteria.	The response addresses the criteria in a very inadequate way.	The response addresses the criteria in a non-specific or unsatisfactory way.	The response addresses the criteria in an adequate way.	The response addresses the criteria in a substantial way.	The response addresses the criteria in an outstanding way.

Minimum Scoring Threshold

To be considered for funding, a proposal must meet a threshold of **65 percent (65%)**, or a minimum Proposal Score of **130** total points.

Funding Decisions

Applicants will compete for funds within either the Small or Large Scope category. Once the proposals have been scored and ranked, BSCC will move down the ranked lists to fund all qualified applicants (i.e., proposals that meet the scoring threshold requirements) in each category until all funds in that category are exhausted. Applicants that fall at the cut-off point may be offered a partial award if there are not sufficient remaining funds to make a full award.

If there are not sufficient qualified applicants to exhaust all funds in one category, those funds will be recommended for qualified applicants in the other category. Any funds remaining after all possible qualified applicants have been funded will be held for the next Proposition 47 Request for Proposal.

Summary of Key Dates

The following table shows a timeline of key dates related to the Proposition 47 Cohort 4 Grant Program.

Activity	Tentative Timeline
Release Request for Proposals	April 12, 2024
Optional "Letter of Intent to Apply" Due	May 10, 2024
Rater Panel Recruitment and Formation	April to June 2024
Grant Information Session for Prospective Applicants	April 30, 2024
Proposals Due to the BSCC	June 10, 2024
Proposal Rating Process and Development of Funding Recommendations	June to August 2024
BSCC Board Considers Funding Recommendation	September 12, 2024
Grant Period Begins	October 1, 2024
Mandatory New Grantee Orientation	TBD, October or November 2024
Grant Service Period Ends	March 31, 2028
Final Evaluation Report and Audit Report Due and Grant End Date	June 30, 2028

PART II: PROPOSAL INSTRUCTIONS

The following section contains pertinent information on how to complete the Proposition 47 Grant Proposal Package. The proposal and all required attachments are provided on the BSCC [Proposition 47 website](#).

Proposal Narrative and Budget Instructions

The five rating factors will be addressed in two separate parts, the Proposal Narrative and the Proposal Budget Section, as shown here:

Section	Rating Factors	Percent of Total Value	Addressed in:
1	Project Need	25%	Proposal Narrative
2	Community Engagement	15%	
3	Project Description	30%	
4	Data Collection and Evaluation	15%	
5	Project Budget	15%	Budget Attachment (Excel Attachment)

Proposal Narrative Instructions

Applicants will complete the Proposal Narrative by accessing the BSCC Submittable Application Portal (see Submittable Instructions on page 2) and responding to a series of prompts. The Proposal Narrative section must address Rating Factors 1-4, as listed in the table above. Within each section, address the Rating Criteria (found on the following pages) in a cohesive, comprehensive narrative format.

Within the Proposal Narrative, each Rating Factor has a character limit as shown below:

Rating Factor		Total Characters	Microsoft Word Equivalent*
1	Project Need	8,948	Up to four (4) pages
2	Community Engagement	6,711	Up to three (3) pages
3	Project Description	11,185	Up to five (5) pages
4	Data Collection and Evaluation	6,711	Up to three (3) pages

**Assumes text is in a Microsoft Word document in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.*

Character Counter

The BSCC Submittable Application portal includes an automatically enabled character counter. This feature shows the number of characters used and the remaining number of characters before the limit is met. If the limit is exceeded, a red prompt will appear with the message "You have exceeded the character limit." The Submittable Application portal will not allow applicants to submit the Proposition 47 Cohort 4 Proposal Narrative until they comply with all character limit requirements.

Bibliography

Applicants may, but are not required to, include a bibliography containing citations, using either the Modern Language Association (MLA) or American Psychological Association (APA) style in the "OPTIONAL Bibliography" field on the BSCC Submittable Application page. The bibliography may not exceed **2,218 total characters** (includes punctuation, numbers, spaces, and any text). In Microsoft Word, this is approximately one (1) page in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.

Required Attachments

In addition to the Proposal Narrative, the following attachments, located on the BSCC [Proposition 47 website](#), must be completed and uploaded in the identified fields in the BSCC Submittable portal at the time of submission (unless noted as "if applicable" below):

- Budget Attachment (Project Budget Table and Budget Narrative)
- Proposition 47 Cohort 4 Work Plan (**Attachment H**)
- Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards (**Appendix B**)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (**Appendix C**)
- Proposition 47 Local Advisory Committee Membership Roster (**Attachment E**)
- Proposition 47 Local Advisory Committee Letter of Agreement (**Attachment F**)
- Governing Board Resolution – Sample (*not required at time of submission; however, must be submitted if awarded grant funds*) (**Attachment G**)

Note: Letters of general support (i.e., from elected officials, community members, etc.) from individuals not actually working on the grant project will not be accepted. If these are uploaded to Submittable, they will be discarded.

Proposal Narrative Rating Factors

Section 1: Project Need (Percent Value – 25%)

Within this section, address the criteria that defines the Project Need Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Need: The applicant described a community need that is pertinent to the intent of the grant program. The elements that comprise the Rating Factor are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
1.1	Identify and describe the need to be addressed by the Proposition 47 program. Include: <ul style="list-style-type: none">• Quantitative and qualitative data to support the need,• Gaps in services that contribute to the need, and• Citations of data sources.
1.2	Identify and describe the target population. The description should: <ul style="list-style-type: none">• Demonstrate that the target population is measurable,• How it correlates to the need,• Include quantitative and qualitative data to support the description, and• Include citations of data sources.
1.3	Describe the steps that will be taken to address the needs of underserved populations in the community, including disparities based on race, ethnicity, gender, sexual orientation, immigration status, etc.
1.4	Describe how the need(s) and target population align with the intent of Proposition 47 (see Attachment A).

Section 2: Community Engagement (Percent Value – 15%)

Within this section address the criteria that defines the Community Engagement Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Community Engagement: The applicant provided a description of the community engagement process that is related to the need(s) and intent of the grant. The elements that comprise the Rating Factor are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
2.1	The Proposition 47 Local Advisory Committee Membership Roster is attached, as is the Letter of Agreement signed by all members. The make-up of the committee should: <ul style="list-style-type: none">• Include a diverse group of stakeholders and other interested parties, and• Reflect the make-up and culture of the community and identified need.
2.2	Describe the engagement process used to solicit membership to the Proposition 47 Local Advisory Committee. The description should address: <ul style="list-style-type: none">• How input was obtained from a cross-section of stakeholders and other interested parties,• How and why certain community partners were selected, and• Steps taken to ensure the process was fair, inclusive, comprehensive, and transparent.
2.3	Describe the process of ensuring the Proposition 47 Local Advisory Committee meetings are sufficiently noticed, accessible to the public and include opportunities for participation.

Section 3: Project Description (Percent Value – 30%)

Within this section address the criteria that defines the Project Description Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

<p>Project Description: The applicant provided a description of the project that is related to the need(s) and intent of the grant. The elements that comprise the Rating factor are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.</p>	
3.1	<p>Describe the proposed program goals, objectives and impacts that includes the relationship to the need and intent of the Prop 47 program. In addition:</p> <ul style="list-style-type: none"> • Complete the Project Work Plan (Attachment H), identifying the top three goals and objectives of the project and how these will be achieved in terms of the activities, responsible staff/partner agencies, outcome measures, data sources and start and end dates.
3.2	<p>Describe how the target population will be identified according to the following criteria:</p> <ul style="list-style-type: none"> • Referral process, • Risk/needs assessments, and • Having a mental health or substance use disorder need.
3.3	<p>Describe the types of service, sources of service, and method of delivery that will be made available to the target population, including:</p> <ul style="list-style-type: none"> • The plan for selecting the types and kinds of services to be provided to each participant (e.g., risk and needs assessments). • The projected number of the target population to be served and a plan for ensuring that individuals who have been most impacted by Proposition 47, with an emphasis on racial and ethnic disparities, receive the proposed services. • How the services will be delivered, including length and duration. • How the design and implementation plan of the project demonstrates value in community partnerships and collaboration. • The roles, responsibilities and activities of the case managers, system navigators or other staff delivering services.
3.4	<p>Describe how the service delivery approach:</p> <ul style="list-style-type: none"> • Is culturally competent and responsive, trauma-informed, gender responsive, and provides for accessibility, • Advances principles of Restorative Justice, and • Acknowledges and addresses known barriers to serving target populations.

Section 3: Project Description (continued)

3.5	Describe the process used to determine who will provide services, including: <ul style="list-style-type: none">• How providers address the needs and interests of the target population• How the providers' administration (staff, leadership, etc.) involves people with lived experience, have been system impacted, or have varying educational levels and life experiences.
3.6	Describe the plan to minimize start-up time so that services can be delivered as soon as possible.
3.7	Describe how the project meets the spirit and intent behind the statute and the Proposition 47 Guiding Principles.
3.8	If your agency plans to leverage outside funds*, include a brief description of which "other federal, state, and local funds or other social investments" will be leveraged and how they will contribute toward the success of the proposed project. If you do not plan to leverage outside funds, explain why.

Section 4: Project Evaluation and Monitoring (Percent Value – 15%)

Within this section, address the criteria that define the Project Evaluation and Monitoring Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Evaluation and Monitoring: The applicant described how it will monitor and evaluate the effectiveness of the proposed project. The elements that comprise the Rating Factor are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
4.1	Describe the plan to determine the staff and/or entity that will conduct the project evaluation and how monitoring activities to ensure that interventions are implemented as intended will be incorporated in the various phases of the project; for example, start-up, implementation, service delivery period, etc.
4.2	Identify the process and outcome measures that are quantifiable and in line with the intent of Proposition 47, the proposed project, and the goals and objectives listed in the Work Plan. Recidivism, as defined by the BSCC, must be included as an outcome measure.
4.3	Describe the preliminary research plan for how the applicant will collect and evaluate baseline and outcome data related to the process and outcome indicators identified in 4.2. Describe a plan for entering into data sharing agreements, including agreements to obtain recidivism data.

Proposal Budget Instructions

As part of the application process, applicants are required to complete and upload a Proposal Budget with Budget Narrative (“Proposition 47 Budget Attachment”) in the identified field on the BSCC Submittable Application portal. The Proposition 47 Budget Attachment (an Excel workbook) is provided on the BSCC [Proposition 47 website](#).

- *Detailed instructions for completing the Budget Attachment are listed in the **Instructions tab** of the Excel workbook.*
- *Remember: Grantees are required to budget a minimum of 5 percent (or \$50,000, whichever is greater), but not more than 10 percent, of the total grant funds requested in the Data Collection and Evaluation budget category.*

Applicants are solely responsible for the accuracy and completeness of the information entered in the Budget Attachment. All project costs must be directly related to the objectives and activities in the project. **Do not submit an annual budget; the grant funds requested in the Budget Attachment must cover the entire grant period.**

Generally, once an award is approved by the Board, the proposed budget becomes the approved grant budget and will be incorporated in the Standard Grant Agreement. However, applicants should be aware that budgets *will be subject to review and approval by the BSCC staff to ensure all proposed costs listed within the Proposal Budget are allowable and eligible for reimbursement*. In these situations, the revised grant budget will be used for the Grant Agreement. For additional guidance related to grant budgets, refer to the July 2023 [BSCC Grant Administration Guide](#).

Proposal Budget Rating Factor

The following items are rated as part of this section and must be addressed by the applicant in the Budget Attachment.

Section 5: Budget Attachment (Percent Value – 15%)

Proposal Budget: The applicant provided a complete Budget Attachment (Budget Table with Budget Narrative) for the proposed project. The elements against which the Budget Attachment will be rated are listed below. Addressing each element does not itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
5.1	Provide complete and detailed budget information in each section of the Proposition 47 Budget Attachment that includes: <ul style="list-style-type: none">• A brief explanation supporting each expense.• Expenses that are appropriate for the project’s goals and planned activities.
5.2	In the “Leveraged Funds” column, show outside funds if any, including “other federal, state, and local funds or other social investments” that you plan to include as a part of the proposed grant project.

PART III: ATTACHMENTS and APPENDICES

This section includes the following Attachments and Appendices:

- **Attachment A:** Proposition 47 Ballot Measure (*reference only*)
- **Attachment B:** Assembly Bill 1056 (2015) (*reference only*)
- **Attachment C:** Proposition 47 Cohort 3 Grantees (*reference only*)
- **Attachment D:** Glossary of Key Terms (*reference only*)
- **Attachment E:** Proposition 47 Local Advisory Committee Membership Roster **(REQUIRED)**
- **Attachment F:** Proposition 47 Local Advisory Committee Letter of Agreement, signed by all members **(REQUIRED)**
- **Attachment G:** Sample Governing Board Resolution (*must be submitted once grant funds are awarded*)
- **Attachment H:** Proposition 47 Project Work Plan **(REQUIRED)**
- **Appendix A:** Proposition 47 Executive Steering Committee Roster (*reference only*)
- **Appendix B:** Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards **(REQUIRED)**
- **Appendix C:** Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft, and Embezzlement **(REQUIRED)**

Attachment A: Proposition 47 Ballot Measure

Proposition 47 – In Pertinent Part

THE SAFE NEIGHBORHOODS AND SCHOOLS ACT

SEC. 4. Chapter 33 (commencing with Section 7599) is added to Division 7 of Title 1 of the Government Code, to read:

Chapter 33. Creation of Safe Neighborhoods and Schools Fund

7599. (a) A fund to be known as the "Safe Neighborhoods and Schools Fund" is hereby created within the State Treasury and, notwithstanding Section 13340 of the Government Code, is continuously appropriated without regard to fiscal year for carrying out the purposes of this chapter. (b) For purposes of the calculations required by Section 8 of Article XVI of the California Constitution, funds transferred to the Safe Neighborhoods and Schools Fund shall be considered General Fund revenues which may be appropriated pursuant to Article XIII B.

7599.1. Funding Appropriation.

(a) On or before July 31, 2016, and on or before July 31 of each fiscal year thereafter, the Director of Finance shall calculate the savings that accrued to the state from the implementation of the act adding this chapter ("this act") during the fiscal year ending June 30, as compared to the fiscal year preceding the enactment of this act. In making the calculation required by this subdivision, the Director of Finance shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data. The Director of Finance shall certify the results of the calculation to the Controller no later than August 1 of each fiscal year.

(b) Before August 15, 2016, and before August 15 of each fiscal year thereafter, the Controller shall transfer from the General Fund to the Safe Neighborhoods and Schools Fund the total amount calculated pursuant to subdivision (a).

(c) Moneys in the Safe Neighborhoods and Schools Fund shall be continuously appropriated for the purposes of this act. Funds transferred to the Safe Neighborhoods and Schools Fund shall be used exclusively for the purposes of this act and shall not be subject to appropriation or transfer by the Legislature for any other purpose. The funds in the Safe Neighborhoods and Schools Fund may be used without regard to fiscal year.

7599.2. Distribution of Moneys from the Safe Neighborhoods and Schools Fund.

(a) By August 15 of each fiscal year beginning in 2016, the Controller shall disburse moneys deposited in the Safe Neighborhoods and Schools Fund as follows:

(1) Twenty-five percent to the State Department of Education, to administer a grant program to public agencies aimed at improving outcomes for public school pupils in kindergarten and grades 1 to 12, inclusive, by reducing truancy and supporting students who are at risk of dropping out of school or are victims of crime.

(2) Ten percent to the California Victim Compensation and Government Claims Board, to make grants to trauma recovery centers to provide services to victims of crime pursuant to Section 13963.1 of the Government Code.

(3) Sixty-five percent to the Board of State and Community Corrections, to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems.

(b) For each program set forth in paragraphs (1) to (3), inclusive, of subdivision (a), the agency responsible for administering the programs shall not spend more than 5 percent of the total

funds it receives from the Safe Neighborhoods and Schools Fund on an annual basis for administrative costs.

(c) Every two years, the Controller shall conduct an audit of the grant programs operated by the agencies specified in paragraphs (1) to (3), inclusive, of subdivision (a) to ensure the funds are disbursed and expended solely according to this chapter and shall report his or her findings to the Legislature and the public.

(d) Any costs incurred by the Controller and the Director of Finance in connection with the administration of the Safe Neighborhoods and Schools Fund, including the costs of the calculation required by Section 7599.1 and the audit required by subdivision (c), as determined by the Director of Finance, shall be deducted from the Safe Neighborhoods and Schools Fund before the funds are disbursed pursuant to subdivision (a).

(e) The funding established pursuant to this act shall be used to expand programs for public school pupils in kindergarten and grades 1 to 12, inclusive, victims of crime, and mental health and substance abuse treatment and diversion programs for people in the criminal justice system. These funds shall not be used to supplant existing state or local funds utilized for these purposes.

(f) Local agencies shall not be obligated to provide programs or levels of service described in this chapter above the level for which funding has been provided.

DRAFT

Attachment B: Assembly Bill 1056 (2015)

[Approved by Governor October 02, 2015. Filed with Secretary of State October 02, 2015.]

AB 1056, Atkins. Second Chance Program.

(1) Existing law, until January 1, 2020, establishes the Social Innovation Financing Program, and requires the Board of State and Community Corrections to administer the program. Existing law, among other things, authorizes the board, upon appropriation of funds by the Legislature for deposit into the Recidivism Reduction Fund, to award grants in amounts of not less than \$500,000 and not more than \$2,000,000 to each of 3 counties, selected as specified, for the purpose of entering into a pay for success or social innovation financing contract, pursuant to which private investors agree to provide financing to service providers to achieve social outcomes agreed upon in advance and the government agency that is a party to the contractual agreement agrees to pay a return on the investment to the investors if successful programmatic outcomes are achieved by the service provider. Existing law limits the total amount of the grants awarded to \$5,000,000. Existing law requires each county receiving an award to report annually to the Governor and Legislature on the status of its program. Existing law requires the board to compile the county reports and submit a summary report to the Governor and the Legislature annually.

This bill would extend the operation of that program and the reporting requirements until January 1, 2022.

This bill would also require the board to administer a competitive grant program that focuses on community-based solutions for reducing recidivism. The bill would establish minimum criteria for the grant program and would require the board to establish an executive steering committee, as specified, to make recommendations regarding the design, efficacy, and viability of proposals and to make recommendations on guidelines for the submission of proposals for the grant program, including threshold or scoring criteria, or both. Among other things, the bill would require those guidelines to prioritize proposals that advance principles of restorative justice while demonstrating a capacity to reduce recidivism, and that leverage certain other federal, state, and local funds or social investments. The bill would define recidivism, for the purposes of these provisions, as a conviction of a new felony or misdemeanor committed within 3 years of release from custody or committed within 3 years of placement on supervision for a previous criminal conviction.

(2) The Safe Neighborhoods and Schools Act establishes within the State Treasury the Safe Neighborhoods and Schools Fund to receive moneys transferred from the General Fund in an amount equal to the savings resulting from the implementation of the act, as specified. The act requires that 65% of the moneys in the Safe Neighborhoods and Schools Fund be allocated the Board of State and Community Corrections to administer a grant program to public agencies aimed at supporting specified types of programs, including diversion programs, for people in the criminal justice system with an emphasis on programs that reduce recidivism, as specified.

This bill would create the Second Chance Fund in the State Treasury for the purpose of funding the above-described recidivism reduction program. The bill would require the Controller, upon order of the Director of Finance, to transfer the moneys available to the Board of State and Community Corrections from the Safe Neighborhoods and Schools Fund into the Second Chance Fund. The bill would also authorize the Second Chance Fund to receive moneys from any other federal, state, or local grant, or from any private donation. The bill would prohibit the board from using the moneys in the fund to supplant existing programs and from spending more than 5% per year of the total moneys in the fund for administrative purposes.

The bill would require the board to administer these provisions, and moneys in the fund would be continuously appropriated to the board for expenditure for these purposes. By creating a continuously appropriated fund, this bill would make an appropriation.

(3) The Safe Neighborhoods and Schools Act provides that its provisions may be amended by a statute, passed by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor, that is consistent with and furthers the intent of the act.

This bill would declare that its provisions further the intent of the Safe Neighborhoods and Schools Act.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

(a) California voters approved Proposition 47, known as the Safe Neighborhoods and Schools Act of 2014. The measure was enacted to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonviolent and nonserious crime, and to invest the resulting savings into prevention and support programs.

(b) Research has shown that people in the criminal justice system disproportionately suffer from mental health issues and substance use disorders. Nationally, over one-half of all people in prisons or jails have experienced a mental health issue within the last year, and over one-half of women and 44 percent of men in jail have a drug or alcohol dependency.

(c) People in the criminal justice system and formerly incarcerated individuals have difficulty securing housing and employment following their incarceration. These challenges are compounded for people living with mental health issues or substance use disorders. As a result, many formerly incarcerated people, especially those with mental health issues or substance abuse disorders experience homelessness. Experiencing homelessness greatly increases the likelihood that a formerly incarcerated person will recidivate.

(d) Offering people in the criminal justice system and formerly incarcerated individuals meaningful access to mental health services, substance use treatment services, housing, housing-related job assistance, job skills training, and other community-based supportive services has been shown to decrease the likelihood of future contact with law enforcement and the criminal justice system.

(e) Prioritizing the state savings realized by the implementation of the Safe Neighborhoods and Schools Act of 2014 for projects that combine mental health services, substance use treatment services, housing, housing-related job assistance, job skills training, and other community-based supportive services will help the state meaningfully reduce recidivism.

(f) By prioritizing projects that offer comprehensive interventions, the Legislature intends for public agencies, nonprofits, and other community-based providers of services to people in the criminal justice system and formerly incarcerated individuals to leverage additional federal, state, and local funds for social investment resources.

(g) The Legislature intends to promote the use of restorative justice principles in addressing recidivism.

SEC. 2.

Section 97013 of the Government Code is amended to read:

97013.

(a) Each county receiving an award shall report annually to the board on the status of its ongoing social innovation financing program. The report shall also contain an accounting of the moneys awarded.

(b) The board shall compile the county reports and submit a summary report to the Governor and Legislature annually.

(c) A report made pursuant to this section shall be made in accordance with the requirements of Section 9795.

(d) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 3.

Section 97015 of the Government Code is amended to read:

97015.

This title shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 4.

Article 5 (commencing with Section 6046) is added to Chapter 5 of Title 7 of Part 3 of the Penal Code, to read:

Article 5. Second Chance Program

6046.

(a) The purpose of this article is to build safer communities by investing in community-based programs, services, and initiatives for formerly incarcerated individuals in need of mental health and substance use treatment services.

(b) The program established pursuant to this article shall be restricted to supporting mental health treatment, substance use treatment, and diversion programs for persons in the criminal justice system, with an emphasis on programs that reduce recidivism of persons convicted of less serious crimes, such as those covered by the Safe Neighborhoods and Schools Act of 2014, and those who have substance use and mental health problems.

(c) The Board of State and Community Corrections shall administer a grant program established pursuant to this article.

6046.1.

For the purposes of this article, the following definitions shall apply:

(a) "Board" means the Board of State and Community Corrections.

(b) "Fund" means the Second Chance Fund established pursuant to Section

6046.2.

(c) "Public agency" means a county, city, whether a general law city or a chartered city, or city and county, the duly constituted governing body of an Indian reservation or rancheria, a school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, entities that are legislative bodies of a local agency pursuant to subdivision (c) or (d) of Section 54952 of the Government Code, a housing authority organized pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code, a state agency, public district, or other political subdivision of the state, or any instrumentality thereof, which is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income.

(d) "Recidivism" means a conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

6046.2.

(a) The Second Chance Fund is hereby created in the State Treasury. The board shall be responsible for administering the fund. Moneys in the fund are hereby continuously appropriated without regard to fiscal year for the purposes of this article.

(b) (1) The Controller, upon order of the Director of Finance, shall transfer moneys available to the Board of State and Community Corrections pursuant to paragraph (3) of subdivision (a) of Section 7599.2 of the Government Code into the Second Chance Fund.

(2) The Second Chance Fund may receive moneys from any other federal, state, or local grant, or from any private donation or grant, for the purposes of this article.

(c) The board shall not spend more than 5 percent annually of the moneys in the fund for administrative costs.

6046.3.

(a) The board shall administer a competitive grant program to carry out the purposes of this article that focuses on community-based solutions for reducing recidivism. The grant program shall, at minimum, do all of the following:

(1) Restrict eligibility to proposals designed to serve people who have been arrested, charged with, or convicted of a criminal offense and have a history of mental health or substance use disorders.

(2) Restrict eligibility to proposals that offer mental health services, substance use disorder treatment services, misdemeanor diversion programs, or some combination thereof.

(3) Restrict eligibility to proposals that have a public agency as the lead applicant.

(b) The board shall form an executive steering committee that includes, but is not limited to, a balanced and diverse membership from relevant state and local government entities, community-based treatment and service providers, and the formerly incarcerated community. The committee shall have expertise in homelessness and housing, behavioral health and substance abuse treatment, and effective rehabilitative treatment for adults and juveniles. The committee shall make recommendations regarding the design, efficacy, and viability of proposals, and make recommendations on guidelines for the submission of proposals, including threshold or scoring criteria, or both, that do all of the following:

(1) Prioritize proposals that advance principles of restorative justice while demonstrating a capacity to reduce recidivism.

(2) Prioritize proposals that leverage other federal, state, and local funds or other social investments, such as the following sources of funding:

(A) The Drug Medi-Cal Treatment Program (22 Cal. Code Regs. 51341.1, 51490.1, and 51516.1).

(B) The Mental Health Services Act, enacted by Proposition 63 at the November 2, 2004, general election, as amended.

(C) Funds provided for in connection with the implementation of Chapter 15 of the Statutes of 2011.

(D) The Community Corrections Performance Incentives Act (Stats. 2009, Ch. 608; Chapter 3 (commencing with Section 1228) of Title 8 of Part 2).

(E) The tax credits established pursuant to Sections 12209, 17053.57, and 23657 of the Revenue and Taxation Code.

(F) The federal Department of Housing and Urban Development funds, such as the Emergency Solutions Grant program (42 U.S.C. Sec. 11371 et seq.).

(G) The federal Department of Veterans Affairs Supportive Services for Veteran Families program (38 U.S.C. Sec. 2044).

(H) Social Innovation Funds established by the Corporation for National and Community Service pursuant to Section 12653k of Title 42 of the United States Code.

(I) The Edward Byrne Memorial Justice Assistance Grant Program (42 U.S.C. Sec. 3750 et seq.).

(3) Prioritize proposals that provide for all of the following:

(A) Mental health services, substance use disorder treatment services, misdemeanor diversion programs, or some combination thereof.

(B) Housing-related assistance that utilizes evidence-based models, including, but not limited to, those recommended by the federal Department of Housing and Urban Development. Housing-related assistance may include, but is not limited to, the following:

(i) Financial assistance, including security deposits, utility payments, moving-cost assistance, and up to 24 months of rental assistance.

(ii) Housing stabilization assistance, including case management, relocation assistance, outreach and engagement, landlord recruitment, housing navigation and placement, and credit repair.

(C) Other community-based supportive services, such as job skills training, case management, and civil legal services.

(4) Prioritize proposals that leverage existing contracts, partnerships, memoranda of understanding, or other formal relationships to provide one or more of the services prioritized in paragraph (3).

(5) Prioritize proposals put forth by a public agency in partnership with a philanthropic or nonprofit organization.

(6) Prioritize proposals that promote interagency and regional collaborations.

(7) Consider ways to promote services for people with offenses identical or similar to those addressed by the Safe Neighborhoods and Schools Act of 2014, without precluding assistance to a person with other offenses in his or her criminal history.

(8) Consider geographic diversity.

(9) Consider appropriate limits for administrative costs and overhead.

(10) Consider proposals that provide services to juveniles.

(11) Permit proposals to expand the capacity of an existing program and prohibit proposals from using the fund to supplant funding for an existing program.

SEC. 5.

The Legislature finds and declares that this act furthers the intent of the Safe Neighborhoods and Schools Act enacted by Proposition 47 at the November 4, 2014, general election.

Attachment C: Proposition 47 Cohort 3 Grantees

The following Public Agencies are current Proposition 47 Cohort 3 Grantees and are INELIGIBLE to apply for Proposition 47 Cohort 4 Grant Funds:

Alameda County Health Care Services Agency
Contra Costa County Office of the Public Defender
Corona-Norco Unified School District
Kern County Behavioral Health & Recovery Services
Los Angeles, City of, City Attorney's Office
Los Angeles, City of, Mayor's Office of Economic Opportunity
Los Angeles County – All County Public Agencies*
Merced County Probation Department
Monterey County Health Department
Pasadena, City of, Public Health Department
Placer County Health & Human Services
San Diego County Chief Administrative Office
San Francisco Department of Public Health
Santa Barbara County Department of Behavioral Wellness
Santa Clara County Behavioral Health Services Department
Santa Cruz County Probation Department
Siskiyou County Health and Human Services Agency
Solano County Department of Health & Social Services
Tehama County Department of Education
Yolo County Health & Human Services Agency

**While LA County public agencies are ineligible, city public agencies and non-county public agencies within Los Angeles County are eligible. Please contact the BSCC with questions.*

Attachment D: Glossary of Key Terms

Behavioral Health Services

The promotion of mental health, resilience, and wellbeing; the treatment of mental and substance use disorders; and the support of those who experience and/or are in recovery from these conditions, along with their families and communities.

Case Management

A collaborative process which assesses, plans, implements, coordinates, monitors, and evaluates the options and services required to meet an individual's health needs, using communications and available resources to promote quality, cost effective outcomes⁴.

Community Defined Practices

A set of practices that communities have used and determined by community consensus over time and which may or may not have been measured empirically but have reached a level of acceptance by the community (Martinez, 2008). CDE practices are bottom-up/ground-up practices that come from the community and the organizations or providers who serve them. Unlike most EBPs, CDE practices are developed specifically to address the unmet needs and strengths of a cultural group; they are rooted in the community's worldview and its historical and social contexts (Community Defined Evidence Project [CDEP] Preliminary Quantitative and Qualitative Findings, 2009). CDEPs often incorporate cultural activities, cultural education, and exploration of strengths and skill development, rather than focusing solely or primarily on symptoms and health challenges (Swart, Friesen, Holman, & Aue, 2009)⁵.

Cultural Competence

Cultural competency is a developmental process in which one achieves increasing levels of awareness, knowledge, and skills along a continuum, improving one's capacity to work and communicate effectively in cross-cultural situations. Strategies for practicing cultural competency include:

- Learning about your own and others' cultural identities
- Combating bias and stereotypes
- Respecting others' beliefs, values, and communication preferences
- Adapting your services to each patient's unique needs
- Gaining new cultural experiences

Cultural Humility

Cultural humility is a reflective process of understanding one's biases and privileges, managing power imbalances, and maintaining a stance that is open to others in relation to aspects of their cultural identity that are most important to them⁶.

Strategies for practicing cultural humility include:

- Practicing self-reflection, including awareness of your beliefs, values, and implicit biases
- Recognizing what you don't know and being open to learning as much as you can

⁴ Source: Case Management Society of America

⁵ <https://cars-rp.org/MHTTC/docs/CDE-Evaluation-Resource-Compendium-PS-MHTTC.pdf>

⁶ <https://thinkculturalhealth.hhs.gov/assets/pdfs/resource-library/clas-clc-ch.pdf>

- Being open to other people’s identities and empathizing with their life experiences
 - Acknowledging that the patient is their own best authority, not you
 - Learning and growing from people whose beliefs, values, and worldviews differ from yours

Crisis Residential Treatment Programs

A short-term residential program that provides a less restrictive alternative hospitalization. Provides treatment for adults with mental health crisis that require 24-hour support in order to return to community living.

Diversion Programs

In the context of criminal law, diversion refers to diverting an individual out of the criminal justice system by having them complete a diversion program rather than be incarcerated or serve another alternative sentence. Criminal charges are typically dropped when an individual successfully completes a diversion program. The purpose of a diversion program is to effect rehabilitation while avoiding the stigma of a criminal conviction.

A diversion program allows the individual to avoid prosecution by completing various requirements for the program. These requirements could include:

1. Education aimed at preventing future offenses by the offender;
2. Restitution to victims of the offense;
3. Completion of community service hours;
4. Avoiding situations for a specified period of time in the future that may lead to committing another such offense.

Diversion programs are usually only available to individuals charged with misdemeanors and nonviolent felonies involving drugs or alcohol. In some jurisdictions, diversion may be available to individuals charged with domestic violence, child abuse or neglect, traffic-related offenses, or even writing bad checks. Diversion programs are primarily governed by state laws, which vary by state.

Goals and Objectives

Goals and objectives are terms in common use, sometimes used interchangeably because both refer to the intended results of program activities. Goals are longer-term than objectives, more broadly stated and govern the specific objectives to which program activities are directed.

In proposals, goals are defined by broad statements of what the program intends to accomplish, representing the long-term intended outcome of the program⁷.

Examples of goal statements⁸:

- To reduce the number of serious and chronic juvenile offenders.
- To divert nonviolent juvenile offenders from state juvenile correctional institutions.
- To restore the losses suffered by the victims of crimes.

⁷ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)*. Retrieved from <http://www.jrsa.org/njiec/publications/program-evaluation.pdf>. See also New York State Division of Criminal Justice Services. *A Guide to Developing Goals and Objectives for Your Program*. Retrieved from <http://www.criminaljustice.ny.gov/ofpa/goalwrite.htm>.

⁸ *Id.* at p. 4.

Objectives are defined by statements of specific, measurable aims of program activities⁹. Objectives detail the tasks that must be completed to achieve goals¹⁰. Descriptions of objectives in the proposals should include three elements¹¹:

1. Direction – the expected change or accomplishment (e.g., improve, maintain);
2. Timeframe – when the objective will be achieved; and
3. Target Population– who is affected by the objective.

Examples of program objectives¹²:

- By the end of the program, young, drug-addicted juveniles will recognize the long-term consequences of drug use.
 - To place eligible juveniles in an intensive supervision program within two weeks of adjudication to ensure offender accountability and community safety.
- To ensure that juvenile offenders carry out all of the terms of the mediation agreements they have worked out with their victims by program completion.

Housing Models (Examples)

A. Bridge Housing

Transitional housing that is used as a short-term stay when an individual has been offered and accepted a permanent housing intervention, but access to that permanent housing is still being arranged.

Source: Department of Veterans Affairs

B. Housing First

An approach that centers on providing homeless people with housing quickly and then providing services as needed. What differentiates a Housing First approach from other strategies is that there is an immediate and primary focus on helping individuals and families quickly access and sustain permanent housing. This approach has the benefit of being consistent with what most people experiencing homelessness want and seek help to achieve. Housing First programs share critical elements.

- There is a focus on helping individuals and families access and sustain rental housing *as quickly as possible and the housing is not time-limited*;
- A variety of services are delivered primarily following a housing placement to promote housing stability and individual well-being;
- Such services are time-limited or long-term depending upon individual need; and
- Housing is not contingent on compliance with services – instead, participants must comply with a standard lease agreement and are provided with the services and supports that are necessary to help them do so successfully.

Source: National Alliance to End Homelessness

C. Permanent Supportive Housing

⁹ National Center for Justice Planning. Overview of Strategic Planning. *Where Do We Want to Be? Goals and Objectives*. Retrieved from <http://ncjp.org/strategic-planning/overview/where-do-we-want-be/goals-objectives>.

¹⁰ *Id.*; see *supra* fn 1.

¹¹ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 5. Retrieved from <http://www.jrsa.org/njiec/publications/program-evaluation.pdf>.

¹² *Id.*

Supportive housing is an evidence-based housing intervention that combines non-time-limited affordable housing assistance with wrap-around supportive services for people experiencing homelessness, as well as other people with disabilities. Research has proven that supportive housing is a cost-effective solution to homelessness, particularly for people experiencing chronic homelessness. Study after study has shown that supportive housing not only resolves homelessness and increases housing stability, but also improves health and lowers public costs by reducing the use of publicly funded crisis services, including shelters, hospitals, psychiatric centers, jails, and prisons.

Source: U.S. Interagency Council on Homelessness

D. Rapid Rehousing

Rapid re-housing is an intervention designed to help individuals and families quickly exit homelessness and return to permanent housing. Rapid re-housing assistance is offered without preconditions — like employment, income, absence of criminal record, or sobriety — and the resources and services provided are tailored to the unique needs of the household.

- Rapid re-housing has the following core components:
 - Housing Identification
 - Recruit landlords to provide housing opportunities for individuals and families experiencing homelessness.
 - Address potential barriers to landlord participation such as concern about short term nature of rental assistance and tenant qualifications.
 - Assist households to find and secure appropriate rental housing.
 - Rent and Move-In Assistance
 - Provide assistance to cover move-in costs, deposits, and the rental and/or utility assistance (typically six months or less) necessary to allow individuals and families to move immediately out of homelessness and to stabilize in permanent housing.
 - Rapid Re-Housing Case Management and Services
 - Help individuals and families experiencing homelessness identify and select among various permanent housing options based on their unique needs, preferences, and financial resources.
 - Help individuals and families experiencing homelessness address issues that may impede access to housing (such as credit history, arrears, and legal issues).
 - Help individuals and families negotiate manageable and appropriate lease agreements with landlords.
 - Make appropriate and time-limited services and supports available to families and individuals to allow them to stabilize quickly in permanent housing.
 - Monitor participants' housing stability and be available to resolve crises, at a minimum during the time rapid re-housing assistance is provided.
 - Provide or assist the household with connections to resources that help them improve their safety and well-being and achieve their long-term goals. This includes providing or ensuring that the household has access to resources related to benefits, employment, and community-based services (if needed and appropriate), so that they can sustain rent payments independently when rental assistance ends.

- Ensure that services provided are client-directed, respectful of individuals' right to self-determination, and voluntary. Unless basic program-related case management is required by statute or regulation, participation in services should not be required to receive rapid re-housing assistance.
Source: U.S. Interagency Council on Homelessness

E. Recovery Residence:

For the purposes of this section, "recovery residence" means a residential dwelling that provides primary housing for individuals who seek a cooperative living arrangement that supports personal recovery from a substance use disorder and that does not require licensure by the department or does not provide licensable services. A recovery residence may include, but is not limited to, residential dwellings commonly referred to as "sober living homes," "sober living environments," or "unlicensed alcohol and drug free residences." *** (HSC 11833.05. (c))

F. Sober Living Homes

A supportive alcohol and drug free living environment for individuals attempting to maintain abstinence from alcohol or drugs in their life. Such programs do not mandate treatment but strongly encourage participation in 12-step support groups. These group living environments offer transitional space for people living incarceration, formal addiction treatment centers or other residential placement. They typically employ house rules which may include curfews, house chores or duties and other rules related to conduct. The participant is generally responsible for their rent and encouraged to work and engage in all other normal life functions from within a peer-supported environment.

G. Transitional Housing

Transitional Housing: a project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living. The housing is short-term, typically less than 24 months. In addition to providing safe housing for those in need, other services are available to help participants become self-sufficient.

Source: U.S. Department of Housing and Urban Development

Process Evaluation¹³

The purpose of the process evaluation is to assess how program activities are being carried out in accordance with goals and objectives. Process measures are designed to answer the question: "What is the program actually doing and is this what we planned it to do?"

Examples of process measures could include:

- Project staff have been recruited, hired and trained according to the proposal.
- Activities/strategies have been implemented on time according to the proposal.
- Number of interagency agreements entered into by the program compared to the number planned.
- Number of trainings conducted.
- Number of neighborhood meetings conducted.

¹³Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 7. Retrieved from <http://www.jrsa.org/njjec/publications/program-evaluation.pdf>.

Outcome Evaluation¹⁴

The purpose of the outcome evaluation is to identify whether the program “worked” in terms of achieving its goals and objectives. Outcome measures are designed to answer the question: “What results did the program produce?”

Examples of outcome measures include:

- Results of pre/post surveys (e.g., changes in the reported confidence/trust in law enforcement among community members).
- Implementation of regular, ongoing community forums where law enforcement/community dialogue takes place.
- Changes in policies at the Lead Agency level to reflect procedural justice principles.

In an evidence-based practice approach, outcome evaluations must include not only the measures but also analysis of the extent to which the measured results can be attributed to the program rather than to coincidence or alternative explanations

Mental Health Services (Examples)

- Outreach and Engagement
- Precrisis and Crisis Services.
- Comprehensive Evaluation and Assessment.
- Individual Service Plan.
- Medication Education and Management.
- Case Management.
- Twenty-four Hour Treatment Services.
- Rehabilitation and Support Services.
- Individual and Group Counseling
- Day treatment programs
- Collateral services
- Peer support specialist services
- Community health worker services
- Vocational Rehabilitation.
- Inpatient and residential Services, including adult residential, crisis residential, and peer residential services.

Recidivism

Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.¹⁵

Restorative Justice

Restorative practice is a social science that studies how to improve and repair relationships between people and communities. The purpose is to build healthy communities, increase

¹⁴ *Id* at pp. 7-8.

¹⁵ Pen. Code, § 6046.1 subd. (d). “Committed” refers to the date of offense, not the date of conviction.

social capital, decrease crime and antisocial behavior, repair harm and restore relationships.¹⁶

Substance Use Disorder Treatment (Examples)

According to the Substance Abuse and Mental Health Services Administration, a treatment system for substance use disorders could be comprised of multiple service components, including, but not limited to the following:

- Individual and group counseling
- Inpatient and residential treatment
- Intensive outpatient treatment
- Partial hospital programs
- Narcotic treatment program/opioid treatment program
- Contingency management
- Case or care management
- Medication
- Recovery support services
- 12-Step fellowship
- Peer supports

Other services that may qualify could include:

- Withdrawal management
- Culturally rooted community healing practices

Trauma-Informed Care¹⁷

According to the Substance Abuse and Mental Health Services Administration, “A program, organization, or system that is trauma-informed:

- Realizes the widespread impact of trauma and understands potential paths for recovery;
- Recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system;
- Responds by fully integrating knowledge about trauma into policies, procedures, and practices; and
- Seeks to actively resist re-traumatization

SAMHSA’s concept of trauma-informed care is guided by six key principles:

- Safety
- Trustworthiness and transparency
- Peer support
- Collaboration and mutuality
- Empowerment, voice and choice
- Cultural, historical, and gender issues

¹⁶ Braithwaite, John (2004-01-01). "Restorative Justice and De-Professionalization". The Good Society. 13 (1): 28–31. doi:10.1353/gso.2004.0023. ISSN 1538-9731. S2CID 143707224.

¹⁷ Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services. *Trauma-informed Approach and Trauma-Specific Interventions*. Retrieved July 22, 2016, from <http://www.samhsa.gov/nctic/trauma-interventions>

Attachment F: Proposition 47 Local Advisory Committee Letter of Agreement

Required Attachment: Applicants will be prompted to upload this document from the BSCC [Proposition 47 webpage](#) to the BSCC Submittable Application Portal.

Note: This letter is to be signed by Lead Agency and all members of the Proposition 47 Local Advisory Committee. Photocopies of signatures and/or e-signatures are acceptable. Include additional signature lines as necessary.

(Date)

This is a letter of agreement between **(Lead Agency)** and all organizations listed herein for the purposes of applying for the Proposition 47 Grant. All organizations listed herein agree to participate on the local **Proposition 47 Local Advisory Committee** led by **(Lead Agency)** using a collaborative approach. This advisory body will, at a minimum, advise the Lead Agency on:

- How to identify and prioritize the most pressing needs to be addressed (to include target population, target area, etc.);
- How to identify the strategies, programs and/or services to be undertaken to address those needs;
- The development of the grant project; and
- Ongoing implementation of the grant project.

(Note: Applicants may provide additional information; e.g., explain the detail of collaboration, list the services or support, provide dates and timelines, etc.)

Signed in mutual agreement,

LEAD PUBLIC AGENCY SIGNATURE

X _____
Signature
Name, Title
Name of Lead Agency
Address

PROPOSITION 47 LOCAL ADVISORY COMMITTEE MEMBER SIGNATURES

X _____
Signature
Name, Title
Name of Partner Organization
Address

X _____
Signature
Name, Title
Name of Partner Organization
Address

Attachment G: Sample Governing Board Resolution

Instructions: Before grant funds can be reimbursed, a prospective grantee must either (1) submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement or (2) provide sufficient documentation indicating that the prospective grantee has been vested with plenary authority to execute grant agreements (e.g., a municipal ordinance or county ordinance/charter delegating such authority to a city manager or county executive officer or other governing board resolution delegating authority).

Below is assurance language that, at a minimum, must be included in the resolution submitted to the Board of State and Community Corrections.

A Governing Board Resolution does not have to be uploaded at the time of submission but must be submitted in order for the Grant Agreement to be executed.

WHEREAS the ***(insert name of Lead Agency)*** desires to participate in the Proposition 47 Grant administered by the Board of State and Community Corrections (hereafter referred to as BSCC).

NOW, THEREFORE, BE IT RESOLVED that the ***(insert title of designated official)*** be authorized on behalf of the ***(insert name of Governing Board)*** to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the ***(insert name of Lead Agency)*** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

Passed, approved, and adopted by the ***(insert name of Governing Board)*** in a meeting thereof held on ***(insert date)*** by the following:

Ayes:

Notes:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

Attachment H: Proposition 47 Project Work Plan

Required Attachment: Applicants will be prompted to upload this document from the BSCC [Proposition 47 webpage](#) to the BSCC Submittable Application Portal.

Instructions: Applicants must complete a Project Work Plan, using the format below. Completed Project Work Plans should (1) identify the project’s top goals and objectives; (2) identify how the top goals will be achieved in terms of the activities, responsible staff/partners, and start and end dates; and (3) provide goals, objectives, and measures with a clear relationship to the need and intent of the grant. A minimum of three goal and corresponding objectives, process measures, etc. must be identified.

(1) Goal:	>		
Objectives (A., B., etc.)	>		
Process Measures and Outcome Measures:	>		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
>	>	>	>
List data and sources to be used to measure outcomes: >			

(2) Goal:	>		
Objectives (A., B., etc.)	>		

Process Measures and Outcome Measures:	>		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
>	>	>	>
List data and sources to be used to measure outcomes: >			

(3) Goal:	>		
Objectives (A., B., etc.)	>		
Process Measures and Outcome Measures:	>		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
>	>	>	>
List data and sources to be used to measure outcomes: >			

Appendix A: Proposition 47 Executive Steering Committee Roster

Proposition 47 Executive Steering Committee

	Name	Title / Organization
1	Gaard, Janet	Retired Judge, BSCC Board Member, Chair
2	Barnes-Lopez, Naomi	Mental Health CSU, Orange County, Team Lead/Clinician II
3	Brooks, D'Andre	The Children's Initiative, San Diego, Juvenile Justice Associate
4	Brown-Taylor, Christine	San Diego County Sheriff's Department, Retired
5	Cabrera, Michelle	Behavioral Health Directors Association of CA, Sacramento, Executive Director
6	Dzubay, Jeremy	Monterey County Public Defender's Office, Assistance Public Defender
7	Hanna, Sylvia	Tulare County Superior Court, Judge
8	Jenkins, Mack	Council on Criminal Justice & Behavioral Health, Retired Probation Chief
9	Kuhns, Richard	County of Trinity, County Administrative Office (CAO)
10	McClain, Kevin	Community Housing Partnership, Sacramento, Exec Administrative Manager
11	Miramontes, Amber	Tulare County Public Defender's office, Supervising Attorney
12	Villamil, Denise	Southern California Crossroads, Executive Director
13	White, Dorothea	Valley State Prison, CDCR, SSMI, Employee Relations officer

Appendix B: Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards

Required Attachment: Applicants will be prompted to upload this document from the BSCC [Proposition 47 webpage](#) to the BSCC Submittable Application Portal.

Instructions: The form on the following page must be submitted with the proposal even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. In either of these cases, the applicant should write “N/A” in the Name of Subcontracted Party column and complete the signature box. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms.

The Proposition 47 Request for Proposals (RFP) includes requirements that apply to non-governmental organizations (NGOs)¹⁸ providing services with grant funds. Grantees are responsible for ensuring that all contracted third parties continually meet these requirements as a condition of receiving any Proposition 47 funds. The RFP describes these requirements as follows:

Any non-governmental organization that receives Proposition 47 grant funds (as either a direct grantee, subgrantee, or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its MAT Grant Agreement with the BSCC or with the start date of the grantee’s subcontract agreement;
 - Non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six (6) month date are also eligible, provided all necessary agreements have been executed and filed with the [California Secretary of State](#) prior to the start date of the Grant Agreement with the BSCC or the start date of the grantee’s subcontract agreement;
- Be registered with the [California Secretary of State’s Office](#), if applicable;
- Be registered with the [California Office of the Attorney General, Registry of Charitable Trusts](#), if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable.

Completing the NGO Assurance

1. Provide the name of the Applicant Agency (the Grantee).
2. List all contracted parties (if known*).
3. Check Yes or No to indicate if each contracted part meets the requirements.
4. Sign and submit with the proposal.

***Note:** If the name of the contracted part is unknown, write TBD in the “Name of Contracted Party” field and sign the document.

¹⁸ Non-Governmental Organizations (NGOs) include community-based organizations, faith-based organizations, non-profit organizations/501(c)(3)s, for profit service providers, evaluators (except government institutions such as universities), grant management companies and any other non-governmental agency or individual.

NOTE: These criteria do not apply to government organizations (e.g., counties, cities, school districts, etc.).

In addition to the administrative criteria listed above, any non-governmental, community-based organization that receives Proposition 47 grant funds must have a proven track record working with the target population and the capacity to support data collection and evaluation efforts.

In the table below, provide the name of the Lead Public Agency (the Grantee) and list all contracted parties (if known).

Proposition 47 Grant Program Non-Governmental Organization Assurances			
Name of Applicant:			
Name of Subcontracted Party	Address	Email/Phone	Meets All Requirements
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

Grantees are required to update this list and submit it to BSCC any time a new third-party contract is executed after the initial assurance date. Grantees shall retain (on-site) applicable source documentation for each contracted party that verifies compliance with the requirements listed in the RFP. These records will be subject to the records and retention language found in the Standard Agreement.

The BSCC will not reimburse for costs incurred by any third party that does not meet the requirements listed above and for which the BSCC does not have a signed grantee assurance on file.

A signature below is an assurance that all requirements listed above have been met.

AUTHORIZED SIGNATURE			
This document must be signed by the person who is authorized to sign the Grant Agreement.			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable) X		DATE	

Appendix C: Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft, and Embezzlement

Required Attachment: Applicants will be prompted to upload this document from the [BSCC Proposition 47 webpage](#) to the BSCC Submittable Application Portal

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

By checking the following boxes and signing below, applicant affirms that:

I/We are not currently debarred by any federal, state, or local entity from applying for or receiving federal, state, or local grant funds.

I/We have not been convicted of any crime involving theft, fraud, or embezzlement of federal, state, or local grant funds within the last three years. We will notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

I/We will hold subgrantees and subcontractors to these same requirements.

A grantee may make a request in writing to the Executive Director of the BSCC for an exception to the debarment policy. Any determination made by the Executive Director shall be made in writing.

AUTHORIZED SIGNATURE <small>(This document must be signed by the person who is authorized to sign the Grant Agreement.)</small>			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (Blue Ink Only)			DATE
X			

Attachment E-2

Attachment E-2: Proposition 47 Executive Steering Committee Roster

Proposition 47 Executive Steering Committee

	Name	Title / Organization
1	Gaard, Janet	Retired Judge, BSCC Board Member, Chair
2	Barnes-Lopez, Naomi	Mental Health CSU, Orange County, Team Lead/Clinician II
3	Brooks, D'Andre	The Children's Initiative, San Diego, Juvenile Justice Associate
4	Brown-Taylor, Christine	San Diego County Sheriff's Department, Retired
5	Cabrera, Michelle	Behavioral Health Directors Association of CA, Sacramento, Executive Director
6	Dzubay, Jeremy	Monterey County Public Defender's Office, Assistance Public Defender
7	Hanna, Sylvia	Tulare County Superior Court, Judge
8	Jenkins, Mack	Council on Criminal Justice & Behavioral Health, Retired Probation Chief
9	Kuhns, Richard	County of Trinity, County Administrative Office (CAO)
10	McClain, Kevin	Community Housing Partnership, Sacramento, Exec Administrative Manager
11	Miramontes, Amber	Tulare County Public Defender's office, Supervising Attorney
12	Villamil, Denise	Southern California Crossroads, Executive Director
13	White, Dorothea	Valley State Prison, CDCR, SSMI, Employee Relations officer

Agenda Item F

DATE: April 11, 2024**AGENDA ITEM:** F**TO:** BSCC Chair and Members**FROM:** Timothy Polasik, Field Representative, timothy.polasik@bscc.ca.gov**SUBJECT:** Medication-Assisted Treatment Grant Program, Funding Recommendations:
Requesting Approval.

Summary

This agenda item requests Board approval of the Medication-Assisted Treatment (MAT) Grant awards as recommended by the MAT Scoring Panel (Attachment F-1). There is \$10 million available to provide medication-assisted substance-use disorder treatment and aftercare services from May 1, 2024 to June 30, 2027.

In response to the MAT RFP, the BSCC received 18 proposals requesting a total of \$22,435,533. A technical compliance review determined that 16 proposals met the criteria to move forward in the scoring process. On March 7-8, 2024, BSCC research staff trained the Scoring Panel on how to read and rate the proposals based on the criteria established in the RFP. Once all scores were submitted by the raters, BSCC generated a ranked list of those proposals that met the minimum scoring threshold and will be recommended for funding, as follows:

Rank	Applicant	Amount Requested	Recommended Funding Amount
1	Santa Cruz County	\$1,250,000	\$1,250,000
2	Sacramento County	\$1,250,000	\$1,250,000
3	San Luis Obispo County	\$1,250,000	\$1,250,000
4	Mariposa County	\$1,250,000	\$1,250,000
5	Siskiyou County & Modoc County*	\$2,455,652	\$2,455,652
6	Kings County	\$1,250,000	\$1,250,000
7	Riverside County	\$1,250,000	\$1,250,000
8	Fresno County (Partial)	\$1,247,472	\$44,348
Total Grant Funds Available:			\$10,000,000

*Joint proposals allowed to request up to \$2,500,000.

Background

Assembly Bill (AB) 653 (Chapter 745, Statutes of 2021) was signed by Governor Newsom on October 9, 2021 (Attachment F-3). This bill created the MAT Grant Program to be administered by the BSCC upon appropriation. The bill specifies that grants shall be awarded

to counties on a competitive basis for purposes relating to the treatment of substance use disorders and the provision of MAT. The bill requires that grant-funded counties collect and maintain data on the effectiveness of the program. County data will be compiled into a final report to the Legislature describing the activities funded by the grant program and the success of those activities in reducing drug overdoses and recidivism by people housed in jail and people under criminal justice supervision.¹

On September 6, 2022, Governor Newsom signed AB 179 (Chapter 249, Statutes of 2022) (Attachment F-4), amending the Budget Act of 2022 to include \$10 million in funding for the previously established MAT Grant Program.

At the November 16, 2023 Board Meeting, the Board approved the release of the [MAT Request for Proposals](#) (RFP), which made available \$10 million for a three-year grant beginning May 1, 2024, through June 30, 2027. Individual county applicants could request up to a maximum of \$1,250,000 and collaborative county applicants could request up to a maximum of \$2,500,000 for the three-year period.

Key Components of the Grant

MAT is statutorily defined as the “use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and that, whenever possible, is provided through a program licensed or certified by the State Department of Health Care Services.” (Pen. Code, § 6047, subd. (b).) AB 653 specifies that MAT funds may be used for the following activities:

- 1. Substance Use Disorder Counselors in County Jails.** Salaries and related costs for the placement of substance use disorder counselors in county jails that provide MAT to inmates with a substance use disorder.
- 2. Post-Release Medication.** Doses of medication related to substance use disorder for inmates to take home upon release from county jail.
- 3. Service Contracts Between Jails and Treatment Providers.** Funding for services provided pursuant to contracts between county jail health providers and narcotic treatment providers.
- 4. Law Enforcement/Behavioral Health Mobile Crisis Teams.** Mobile crisis teams of behavioral health professionals that can respond with law enforcement to mental health or other health crisis calls.
- 5. MAT for Persons Under Criminal Justice Supervision.** Salary and related costs for providing MAT for persons who are under criminal justice supervision.
- 6. Community-Based MAT and Substance Use Disorder Treatment Services.** Funding to increase capacity for community-based MAT and substance use disorder

¹ “Criminal justice supervision” means probation, postrelease community supervision, and mandatory supervision. (Pen. Code, § 6047, subd. (a).)

treatment services for justice-involved individuals, or to improve care coordination and connections to MAT services upon release from correctional facilities.

Recommendation/Action Needed

On behalf of the MAT Scoring Panel, staff recommends that the Board take the following actions:

1. Fully fund the top seven ranked proposals at the full amounts requested, and partially fund one proposal at \$44,348, for a total of \$10 million awarded;
2. Authorize staff to continue to make awards from the rank-ordered list if any applicant is unable to accept or relinquishes an award, first by offering to any partial awardee and then to the next highest-ranked applicant(s); and
3. Authorize staff to continue to make awards from the rank-ordered list if staff determines during the award-making process that an applicant recommended for award is ineligible or if a grantee becomes ineligible during the grant cycle.

Attachments

F-1: MAT Scoring Panel Roster

F-2: List of MAT Applicants Recommended for Funding

F-3: Assembly Bill 653 (2021)

F-4: Assembly Bill 179 (2022)

F-5: MAT Proposal Summaries

Attachment F-1

**Medication-Assisted Treatment Grant Program
Scoring Panel Roster
April 11, 2024**

	Name	Title	Organization
1	Belicia Smith	Program Specialist	California Correctional Health Care Services (CCHCS)
2	Douglas Snell	Captain, Prison Programs	California Department of Corrections (CDCR)
3	Erika Granados	Sergeant – Programs Unit	Kern County Sheriff's Office
4	Jill Michel	Health Education Consultant III	Department of Health Care Services
5	Brandon Strobelt	Correctional Counselor II	California Department of Corrections (CDCR)
6	Monika Campos	Staff Services Manager III	California Correctional Health Care Services (CCHCS)

Attachment F-2

**Medication-Assisted Treatment (MAT) Grant Program
Rank-Ordered List of Proposals Recommended for Funding**

Rank	County	Lead Agency	Amount Requested	Recommended Funding Amount
1	Santa Cruz	Sheriff's Office	\$1,250,000	\$1,250,000
2	Sacramento	Human Services	\$1,250,000	\$1,250,000
3	San Luis Obispo	Health Agency	\$1,250,000	\$1,250,000
4	Mariposa	Health and Human Services Agency	\$1,250,000	\$1,250,000
5	Siskiyou & Modoc*	Siskiyou County Public Health Department	\$2,455,652	\$2,455,652
6	Kings	Sheriff's Office	\$1,250,000	\$1,250,000
7	Riverside	Riverside University Health System-Behavioral Health	\$1,250,000	\$1,250,000
8	Fresno	Sheriff's Office	\$1,247,472	\$44,348 (partial)
Total Available Funding:				\$10,000,000

*Joint county proposals could request up to \$2,500,000.

Attachment F-3

AB 653: Medication-Assisted Treatment Grant Program (in pertinent part)

SECTION 1.

Article 6 (commencing with Section 6047) is added to Chapter 5 of Title 7 of Part 3 of the Penal Code, to read:

Article 6. Medication-Assisted Treatment Grant Program 6047.

For the purposes of this article, the following terms have the following meanings:

- (a) "Criminal justice supervision" means probation, postrelease community supervision, and mandatory supervision.
- (b) "Medication-assisted treatment" means the use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and that, whenever possible, is provided through a program licensed or certified by the State Department of Health Care Services.

6047.1.

- (a) The Medication-Assisted Treatment (MAT) Grant Program is hereby created and shall be administered by the Board of State and Community Corrections.
 - (b) The board shall award grants, on a competitive basis, to counties, as authorized by this article. The board shall establish minimum standards, funding schedules, and procedures for awarding grants.
 - (c) MAT Grant Program funds may be used by recipient counties for one or more of the following activities:
 - (1) Salaries and related costs for the placement of substance use disorder counselors in county jails that provide medication-assisted treatment to inmates with a substance use disorder.
 - (2) Doses of medication related to substance use disorder for inmates to take home upon release from county jail.
 - (3) Funding for services provided pursuant to contracts between county jail health providers and narcotic treatment providers.
 - (4) Mobile crisis teams of behavioral health professionals that can respond with law enforcement to mental health or other health crisis calls. Mobile response activities funded pursuant to this section shall include referrals for substance use disorder treatment and medication-assisted treatment for individuals under criminal justice supervision when clinically appropriate.
 - (5) Salary and related costs for providing medication-assisted treatment for persons who are under criminal justice supervision.
 - (6) Funding to increase capacity for community-based, medication-assisted treatment and substance use disorder treatment services for justice-involved individuals, or to improve care coordination and connections to medication-assisted treatment services upon release from correctional facilities. Activities may include, but are not limited to, capital expenditures or operating costs to establish new reentry centers or treatment programs that will serve justice-involved populations, expansion of existing community-based, medication-assisted treatment services to better meet the needs of justice-involved individuals, and other strategies to ensure timely and appropriate access to medication-assisted treatment upon release.
-

(d) MAT Grant Program funds shall not be used to supplant existing resources for medication-assisted treatment services delivered in county jails or in the community.

(e) (1) Counties that receive grants pursuant to this article shall collect and maintain data pertaining to the effectiveness of the program, as indicated by the board in the request for proposals, including data on drug overdoses of, and the rate of recidivism for, inmates and persons under criminal justice supervision who receive county-administered, medication-assisted treatment services.

(2) (A) Information relating to the rate of recidivism that shall be collected and maintained pursuant to this subdivision includes all of the following, as they relate to inmates or persons under criminal justice supervision who receive services funded pursuant to this article:

(i) The number and percentage who were sentenced to jail or prison within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.

(ii) The number and percentage who were convicted of a misdemeanor or a felony within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.

(iii) The number and percentage who were arrested for a crime or who have had their parole, probation, mandatory supervision, or postrelease community supervision revoked within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.

(3) A county that receives a grant pursuant to this article shall include recidivism data for persons released from jail, or under criminal justice supervision, who received services pursuant to this article less than three years prior to any reporting period established by the board pursuant to paragraph (4).

(f) A county that receives a grant pursuant to this article may use state summary criminal history information, as defined in Section 11105, or local summary criminal history information, as defined in Section 13300, to collect data as required by the board.

(g) The board may establish a deadline by which counties that receive grants pursuant to this article are required to submit data collected and maintained pursuant to this subdivision to the board to enable the board to comply with the reporting requirement in Section 6047.2.

(h) The board may use up to 5 percent of the funds appropriated for the program each year for the costs of administering the program, including, without limitation, the employment of personnel and evaluation of activities supported by the grant funding.

6047.2.

On or before July 1, 2025, the board shall compile a report describing the activities funded pursuant to this article, and the success of those activities in reducing drug overdoses and recidivism by jail inmates and persons under criminal justice supervision. The report shall be submitted to the Legislature pursuant to Section 9795 of the Government Code.

6047.3.

This article shall be operative only to the extent that funding is provided, by express reference, in the annual Budget Act or another statute for the purposes of this article.

Attachment F-4

AB-179 Budget Act of 2022 (in pertinent part)

The Budget Act of 2022 made appropriations for the support of state government for the 2022-23 fiscal year.

This bill would amend the Budget Act of 2022 by amending, adding, and repealing items of appropriation and making other changes.

This bill would declare that it is to take effect immediately as a Budget Bill.

SEC. 19.56.

(a) (1) The amounts appropriated pursuant to this section reflect legislative priorities.

(2) For allocations in this section that include a designated state entity, the entity shall allocate the funds to the recipients identified in the paragraphs following each designation. The state entity shall determine the best method for allocation to ensure the funds are used for the purposes specified in this section. Self-attestation by the receiving entity is an acceptable method of verification of the use of funds, if determined appropriate by the state entity.

(3) Notwithstanding any other law, allocations pursuant to this section are exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, from Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and the State Contracting Manual, and are not subject to the approval of the Department of General Services, including the requirements of Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of the Title 2 of the Government Code.

(4) If an item number for the appropriate department for a state entity does not exist, and such an item number is required in order to make the specified allocations, the Department of Finance may create an item number for this purpose.

(5) Notwithstanding any other law, a designated state entity administering an allocation pursuant to this section may provide the allocation as an advance lump sum payment, and the allocation may be used to pay for costs incurred prior to the effective date of the act adding this paragraph.

(6) The Department of Finance may authorize the transfer of allocating authority to a different state entity to facilitate the expenditure of the funds for the intended legislative purpose. Any state entity that allocates funds may also, in consultation with the Department of Finance, use an alternative local fiscal agent that is not identified in this section instead of the fiscal agent designated in this section if necessary to achieve the intended legislative purpose. Any change to the allocating state entity or fiscal agent made pursuant to this paragraph shall be reported to the Joint Legislative Budget Committee in writing at least 30 days, or no sooner than whatever lesser time after that notification the chairperson of the joint committee, or the chairperson's designee, may determine, prior to the change. It is the intent of the Legislature to revise this section during the 2022-23 fiscal year to reflect any changes necessary to achieve the intended legislative purpose.

(7) Unless otherwise specified in this section, funds allocated pursuant to this section shall be available for encumbrance through June 30, 2024, and expenditure until June 30, 2026.

(8) Funding provided in this section shall not be used for a purpose subject to Section 8 of the Article XVI of California Constitution. If the Department of Finance determines that any allocation would be considered an appropriation for that purpose, the funding shall not be allocated, and the department shall notify the Joint Legislative Budget Committee of that finding.

(9) The amounts specified in subdivisions (b) to (m), inclusive, are hereby appropriated from the General Fund as follows:

(d) PUBLIC SAFETY AND FIRE PREVENTION

(6) To be allocated by the Board of State and Community Corrections as follows:

(A) \$250,000 to the City of Coalinga for public safety technology upgrades and improvements.

(B) \$1,500,000 to the City of Mendota for a new police station and council chambers.

(C) \$10,000,000 for the Medication-Assisted Treatment Grant Program, pursuant to Sections 6047.1 to 6047.4, inclusive, of the Penal Code.

Attachment F-5

Medication-Assisted Treatment (MAT) Grant Program Project Summaries

Kings County - \$1,250,000

Lead County Agency: Kings County Sheriff's Office

The Kings County Sheriff's Office is requesting grant funds to expand the services of the medication-assisted treatment (MAT) program at the Kings County Jail. The Kings County Sheriff's Office proposes to use grant funds to: 1) Increase the number of incarcerated persons receiving MAT services at the Kings County Jail, 2) Hire a substance use disorder counselor to provide necessary evidence-based services at the Kings County Jail and 3) Expand contracted services at the Kings County Jail. This proposal represents a critical investment in the health and well-being of the justice-involved individuals in the Kings County Jail, with significant public safety and community health benefits.

Mariposa County - \$1,250,000

Lead County Agency: Mariposa County Health and Human Services Agency

Mariposa County, a small rural county with over 17,000 residents, faces challenges in providing substance use disorder (SUD) and medication assisted treatment (MAT) treatment due to lack of facilities and limited transportation in a vast, widespread county. The Mariposa County Health and Human Services Agency aims to expand justice-involved SUD and MAT services with an Outpatient Health Annex, located at the Adult Detention Facility and renovation of a service facility in the rural North County area of Mariposa. The project aims to bridge the gaps in treatment, enhance accessibility, and improve outcomes for justice-involved individuals struggling with SUDs and to reduce recidivism. The Outpatient Health Annex proposes to use MAT funding to build out dedicated treatment space for SUD and MAT services post-release.

Riverside County - \$1,250,000

Lead County Agency: Riverside University Health System – Behavioral Health

Riverside University Health System-Behavioral Health (RUHS-BH) proposes to improve re-entry/transition medication-assisted treatment (MAT) services for individuals being released to the community after incarceration in the Riverside County Sheriff's Office detention facilities through Post-Release Medication and Community Based MAT and Substance Use Disorder Treatment Services. RUHS-BH provides services, including MAT, in county detention facilities. Recognizing the high risk of overdose and recidivism of those with substance use disorders, RUHS-BH seeks to improve the re-entry and transition MAT services for released inmates on MAT. Currently, released inmates often fail to fill their prescriptions and/or attend community MAT or SUD Treatment appointments.

Sacramento County - \$1,250,000

Lead County Agency: Sacramento County Human Services

Sacramento County proposes to use grant funds for a new discharge planning program. The program will utilize grant funding to hire two dedicated medication-assisted treatment (MAT) discharge planners to connect newly inducted patients to a MAT treatment provider upon release for continuity of care. The aim is to increase positive treatment outcomes, reduce overdoses, and lower recidivism rates following discharge.

Medication-Assisted Treatment (MAT) Grant Program Project Summaries

San Luis Obispo County - \$1,250,000

Lead County Agency: County of San Luis Obispo Health Agency

The County of San Luis Obispo Behavioral Health Department (BHD) is requesting funding for post release medication. This is a collaborative project between San Luis Obispo BHD, the lead agency, and the San Luis Obispo County Sheriff's Department. The proposed project will offer long-acting injectable buprenorphine at discharge and a warm hand-off to outpatient treatment to reduce recidivism and increase successful abstinence in the community. The intention of long-acting medications and the warm hand off to outpatient medication-assisted treatment (MAT) services is to improve continuity of care, reduce crime and substance abuse among justice involved individuals.

Santa Cruz County - \$1,250,000

Lead County Agency: Santa Cruz County Sheriff's Office

Santa Cruz County has experienced a significant increase in opioid-related deaths, with fentanyl becoming more prevalent. In 2020, a Medication Assisted Treatment (MAT) program was introduced at the Santa Cruz County Jail. This collaborative approach has grown and continues to identify and resolve gaps in resources for incarcerated people during their time in jail and after their release. This proposal seeks to provide increased access to medications necessary to treat opioid and/or substance use disorder (SUD) and mental health needs, increased access to individual and group counseling sessions, and support participants to maintain their sobriety during release from custody through a tailored out of custody Release Aftercare Program (RAP). It is anticipated that the evolved MAT Program will help reduce the rate of opioid, opioid-related deaths, and recidivism.

Siskiyou & Modoc Counties - \$2,455,652

Lead County Agency: Siskiyou County Public Health Department

Siskiyou County Public Health/Correctional Health Services, in collaboration with Modoc County, strive to ensure consistent, whole-person care within our Medication-Assisted Treatment (MAT) programs established within our correctional facilities. The proposed project will provide dedicated program staff to address the recovery needs of incarcerated individuals struggling with opioid addiction.

Fresno County - \$44,348 (offered partial funding)

Lead County Agency: Fresno County Sheriff's Office

The Fresno County Sheriff's Office proposes a long-acting injectables (LAI) pilot program to increase the number of individuals receiving medication-assisted (MAT) continuation services. The pilot will allow Fresno County to study the potential benefits of using LAI buprenorphine in carceral settings while providing substance use disorder (SUD) counseling services and linkages to community providers for continuation of SUD and MAT services post-release. The pilot program would track staff time needed to complete Emergency Department visits, deaths, recidivism and to study post-release outcomes.

Agenda Item G

DATE: April 11, 2024

AGENDA ITEM: G

TO: BSCC Chair and Members

FROM: Timothy Polasik, Field Representative, timothy.polasik@bscc.ca.gov

SUBJECT: Residential Substance Abuse Treatment Program Funding Recommendations: **Requesting Approval.**

Summary

This agenda item requests Board approval of the Residential Substance Abuse Treatment (RSAT) Grant awards as recommended by the RSAT Scoring Rating Panel (Attachment G-1). If the proposed list of award recommendations is approved, five counties will receive federal funding to provide substance-use disorder treatment and aftercare services from July 1, 2024 to June 30, 2027. A list of the applicants recommended for funding is provided in Attachment G-2.

Background

The Board of State and Community Corrections is the designated State Administering Agency for the RSAT Program, which is funded through the federal Bureau of Justice Assistance (BJA). The RSAT Program assists states and local governments in developing and implementing substance-use disorder treatment programs in state, local, and tribal correctional and detention facilities, and supports efforts to create and maintain community-based aftercare services for participants. Historically, California has used its RSAT grant to fund counties that operate local detention facilities in providing jail-based treatment services with an aftercare component.

A total of \$8,500,000 in federal RSAT funding is available for a the three-year grant beginning July 1, 2024, through June 30, 2027. Applicants could request up to a maximum of \$1,500,000 for the three-year grant period and must meet a 25 percent match requirement (cash or in-kind).

Key Components of the Grant

- Only local units of government representing adult detention facilities are eligible to apply and only one detention facility per government organization within a county may submit a proposal.
- Grantees must be able to provide a jail-based substance-use disorder treatment program that includes aftercare services. RSAT funding may be used for the in-custody component, the aftercare component or both.

- Grantees must be able to provide an in-custody component for participants for at least three months and no more than 12 months and, to the extent possible, separate the treatment population from the general correctional population.
- Grantees must provide evidence-based treatment or services that focus on building the program participants' cognitive, behavioral, social, vocational, and other skills to address the substance-use disorder and related problems.
- The program must prepare participants for successful community reintegration which may include post-release referral to appropriate evidence-based aftercare treatment and/or service providers, including those that support the use of medication-assisted treatment.
- The program must require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants.
- Current RSAT grantees were eligible to apply for this funding. If successful, these grantees will be afforded up to six months to expend existing funds to avoid a funding overlap.

In response to the RSAT RFP (Attachment G-3), the BSCC received six proposals requesting a total of \$8,208,325. Five of the six proposals were from currently funded RSAT grantees. After a review for technical compliance, it was determined that all six proposals met the criteria to move forward in the scoring process.

On February 27 and 28, 2024, BSCC research staff provided training to the RSAT Scoring Panel on how to apply the rating criteria established in the RFP. Once all scores were submitted by the raters, BSCC generated a ranked list of the proposals that met the minimum scoring threshold. One proposal's score fell below minimum scoring threshold of 60 percent and is not being recommended for funding. Project summaries for the five counties recommended to receive funding are attached (Attachment G-4).

Recommendation/Action Needed

On behalf of the RSAT Scoring Panel, staff recommends that the Board take the following action:

- Fully fund the five proposals that met the minimum scoring threshold, for a total of **\$6,997,277**

Attachments

G-1: RSAT Scoring Panel Roster
G-2: List of RSAT Proposals Recommended for Funding
G-3: RSAT Request for Proposals
G-4: RSAT Proposal Summaries

Attachment G-1

**Residential Substance Abuse Treatment Grant (RSAT) Program
Scoring Panel Roster
April 11, 2024**

	Name	Title	Organization/Agency
1	Averyl Dietering	Program Manager	Beyond Us & Them
2	Clara Keane	Programs Manager	Anti-Recidivism Coalition
3	Stephen McComas	Undersheriff	Fresno County Sheriff's Office
4	Douglas Snell	Captain, Prison Programs	California Department of Corrections & Rehabilitation (CDCR)

Attachment G-2

**Residential Substance Abuse Treatment (RSAT) Grant Program
Proposals Recommended for Funding**

Rank	Applicant	Amount Requested	Recommended Funding Amount
1	Contra Costa County, Alcohol and Drug Services, Behavioral Health Division	\$1,500,000	\$1,500,000
2	Santa Cruz County Sheriff's Office	\$1,410,488	\$1,410,488
3	Kern County Sheriff's Office	\$1,176,369	\$1,176,369
4	Sacramento County Sheriff's Office	\$1,500,000	\$1,500,000
5	Tulare County Sheriff's Office	\$1,410,420	\$1,410,420
Total Recommended Awards:			\$6,997,277

Attachment G-3



Residential Substance Abuse Treatment (RSAT) Program

REQUEST FOR PROPOSALS

Eligible Applicants: Local Adult Detention Facilities

Grant Period: July 1, 2024, to December 31, 2027
(3-year service period with 6 months for close-out and evaluation)

RFP Released: December 1, 2023

Proposals Due: February 2, 2024

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS
2590 VENTURE OAKS WAY, SUITE 200
SACRAMENTO CA 95833

www.bscc.ca.gov



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CONFIDENTIALITY NOTICE

All documents submitted as a part of the RSAT proposal are public documents and may be subject to a request via the California Public Records Act. The BSCC, as a state agency, may have to disclose these documents to the public. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal.

(Gov. Code, § § 6250 et seq.)

PART I: GRANT INFORMATION

Contact Information

This Request for Proposals (RFP) provides the information necessary to prepare a proposal to the Board of State and Community Corrections (BSCC) for grant funds available through the federal Residential Substance Abuse and Treatment (RSAT) Grant Program.

The BSCC staff cannot assist the applicant or its partners with the actual preparation of the proposal. Any technical questions concerning the RFP, the proposal process or programmatic issues must be submitted by email to: BSCCrsat_grants@bscc.ca.gov.

Proposal Due Date and Submission Instructions

The Residential Substance Abuse Treatment (RSAT) Grant Program Proposal Package submission is available through an online portal submission process. Applicants must submit proposals through the BSCC Submittable portal by **5:00 p.m. (PST) on February 2, 2024** at which time the portal will close and no longer accept proposals.

Please allow sufficient time to begin and submit your proposal. Be advised that completing the proposal and uploading the required documents into the Submittable portal may take a significant amount of time. If the BSCC does not receive a submission by 5:00 p.m. (PST) on February 2, 2024, the proposal **will not be considered for funding. Applicants are strongly advised to submit proposals in advance of the due date and time to avoid disqualification.

Submission Instructions

READ THIS ENTIRE RFP DOCUMENT PRIOR TO INITIATING THE RFP PROCESS.

This RFP Instruction Packet contains all the necessary information to successfully complete and submit the RSAT Grant Program Proposal.

As part of the online BSCC Submittable process, applicants will be required to download several mandatory forms that must be completed, signed, and uploaded at specific prompts within the BSCC Submittable portal prior to submission. These documents are available for download at: https://www.bscc.ca.gov/s_rsat/.

1. Project Work Plan
2. Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement
3. Criteria for Non-Governmental Organizations Receiving BSCC Funds
4. Governing Board Resolution – Sample (optional; not required for proposal submission)

The RSAT Grant Program RFP is accessible by clicking the “Click her to Submit; Powered by Submittable” button located on the RSAT Grant Program Homepage at: https://www.bscc.ca.gov/s_rsat/. You will be prompted to create a free Submittable account and log-in (or sign into an existing account) prior to accessing the online RFP. Additional RFP instructions are provided within the online BSCC Submittable proposal.

****Note:** You must click the “Save Draft” button at the end of the proposal page to save any updates and/or changes you have made to your proposal prior to applying, each time you log in to your proposal. In addition, most of the fields within the RFP require information to be entered; therefore, the system will not allow proposal submission if all mandatory fields are not completed.

Once you have successfully submitted the proposal through the BSCC Submittable portal, you will receive an email acknowledging your proposal has been received.

If you experience technical difficulties with submitting your proposal through the Submittable portal, you should submit a Help Ticket through [Submittable](#), as the BSCC does not control that site. Please also email the BSCC at: BSCCRsat_grants@bscc.ca.gov and/or call the BSCC main line at (916) 445-5073 and ask to speak to someone about the RSAT Grant. Be advised that applicants contacting Submittable and/or the BSCC on the due date may not receive timely responses.

Please allow sufficient time for Submittable and BSCC to provide technical assistance.

Grant Information Session

Prospective applicants are invited – but not required – to attend a virtual Grant Information Session. The purpose of this session is to answer technical questions from prospective applicants and provide clarity on RFP instructions. Details for the virtual Grant Information Session are listed below:

VIRTUAL
RSAT Grant Information Session for Prospective Applicants
Thursday December 14, 2023
10:00 A.M.

Join Via Zoom:
<https://us02web.zoom.us/j/84840272896?pwd=UjBGVDhwYmZESTNyZEIRbG1JbzlrQT09>

Meeting ID: 848 4027 2896

Passcode: 465657

Applicants interested in attending the Information Session are asked to submit an RSVP to BSCCRsat_grants@bscc.ca.gov. When responding, please include the name, title, and agency the attendee(s) will be representing.

Please note: The RSAT Grant Information Session will be recorded and posted to the BSCC website for future reference.

Background Information

BSCC is the designated State Administrative Agency (SAA) for the RSAT Program, which is federally funded through the [Bureau of Justice Assistance](#) (BJA), as identified via the Catalog of Federal Domestic Assistance CFDA Number 16.593. The RSAT Program assists states and local governments in developing and implementing substance use disorder treatment programs in state, local, and tribal correctional and detention facilities, and supports efforts to create and maintain community-based aftercare services for offenders.

Historically, the California RSAT Program has funded local detention facilities to provide in-custody treatment services with an aftercare component requirement placed on the grantees. Awards are made in the federal fiscal year of the appropriation.

BSCC Executive Steering Committee Process

RSAT Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees to inform decision making related to the Board's programs. Executive Steering Committees (ESCs) are comprised of subject matter experts and stakeholders representing both the public and private sectors. The BSCC makes every attempt to include diverse representation on its ESCs, in breadth of experience, geography and demographics. ESCs are convened and approved by the BSCC Board, as the need arises, to carry out specified tasks, including the development of RFPs for grant funds. ESCs submit grant award recommendations to the BSCC Board and the Board then approves, rejects or revises those recommendations. Members of the ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

The RSAT ESC includes a cross-section of subject matter experts on community engagement, prevention and intervention programs, law enforcement strategies, and rehabilitation and reentry, including individuals who have been impacted by the criminal justice system (See **Attachment A**).

Project Description

The principal purpose of the RSAT Program is to break the cycle of drugs and violence by reducing the demand, use, and trafficking of illegal drugs.

Eligibility

Counties that operate adult local detention facilities are eligible to apply and receive funding. Only one proposal per county may be submitted. A duly authorized county officer or department head responsible for the operation of the local detention facility must submit the proposal on behalf of the county.

While the intent is to receive a wide range of proposals representing California's diverse detention facilities, only the most meritorious proposals will be funded. Departments that have already developed RSAT substance abuse treatment programs but are seeking to augment those efforts, as well as departments considering implementing a program for the first time, are encouraged to apply. Programs previously awarded BJA RSAT funds through BSCC are eligible to apply.

Applicants must be able to provide a jail-based substance use disorder treatment program that includes aftercare services. RSAT funding may be used for the in-custody component, the aftercare component or both. Applicants will be expected to identify any non-grant related funding that will be leveraged to support the overall program.

Grant Period

Proposals selected for funding will be under agreement with the BSCC from **July 1, 2024, to December 31, 2027**. The term of the grant agreement includes a three-year service delivery period and an additional six months to finalize and submit the required Final Local Evaluation Report and financial audit. A visual illustration of the grant agreement period is provided in the table below:

Full Term of Grant Agreement: July 1, 2024 to December 31, 2027

Year 1	Year 2	Year 3	Evaluation and Close-Out
July 1, 2024 to June 30, 2025	July 1, 2025 to June 30, 2026	July 1, 2026 to June 30, 2027	July 1, 2027 to December 31, 2027
<u>Activities:</u> Implementation, service delivery and data collection	<u>Activities:</u> Service delivery and data collection	<u>Activities:</u> Service delivery and data collection	<u>Activities:</u> Analyze data gathered during the service delivery period and complete Local Evaluation Report. Complete a program-specific financial audit.

The service delivery period ends on June 30, 2027. After this date, be advised that only expenses associated with completion of the Local Evaluation Report and financial audit may be incurred between July 1, 2027 and December 31, 2027. Additional information about the invoicing process will be provided later in this RFP.

Funding for the second and third years is contingent on the amount and availability of federal funding and on compliance with the RSAT program requirements. Applicants shall build their proposal, objectives, activities, and budget information for the entire term of the grant agreement.

Grant Funding

A total of \$7,500,000 in federal RSAT funding is available statewide for this RFP. Adult detention facilities will be allowed to request up to a maximum of **\$1,500,000** for the period of July 1, 2024 through December 31, 2027. Applicants are encouraged to request only the amount of funds needed to support their proposal and not base the request on the maximum allowed.

Match Requirement

A 25 percent (25%) match of the funds awarded to the recipient (cash or in-kind).

Evaluation Budget Requirement

Grantees must budget five percent (5%) of the total project budget for completion of the Local Evaluation Plan and Final Evaluation Report.

Program Goal and Design

The goals of the RSAT Program are to enhance the capability of states, and units of local and tribal government, to provide substance use disorder treatment for incarcerated inmates; prepare offenders for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs; and assist offenders and their communities through the reentry process by delivering community-based treatment and other broad-based aftercare services.

As previously indicated, the California RSAT funding for this grant period will be used to support local jail-based programs which must include both an “in-jail” component and an “aftercare” component. Funding may be directed at either the in-custody portion of the project, the aftercare portion, or both.

The applicant’s program design must include the following components:

- Engage participants for at least three months and no more than 12 months.
- Focus on the inmate’s substance use diagnosis and addiction-related needs.
- Develop the inmate’s cognitive, behavioral, social, vocational, and other skills to solve the substance use and related problems.
- Prepare participants for successful community reintegration that may include post-release referral to appropriate evidence-based aftercare treatment and/or service providers including those that support the use of medication-assisted treatment.

- To the extent possible, jail-based programs should separate the treatment population from the general correctional population and program design should be based on evidence-based and evidence-supported practices.
- Require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants, including both periodic and random testing of:
 - 1) The participant before he or she enters the in-jail component of the RSAT program;
 - 2) During the period in which the individual participates in the in-jail component of the RSAT program;
 - 3) The participant who has exited the in-jail component of the RSAT program if the individual remains in-custody; and
 - 4) To the extent possible, the participant who has exited the in-jail component of the RSAT program and has been released from custody under supervision that includes drug and alcohol testing.
- Provide aftercare services for up to one year to those individuals who have completed the in-jail component of the RSAT program.
- Provide coordination between the in-jail treatment program and other social service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, self-help, and peer group programs.
- Collaborate with local authorities and organizations involved in substance use disorder treatment to assist in the placement of program participants into community substance abuse treatment facilities or non-residential aftercare services upon release.
- Coordinate aftercare services with local Substance Use Disorder Treatment and Behavioral Health Services Administration.
- When possible, leverage drug Medi-Cal services to fund aftercare treatment.

In support of these efforts, each applicant will develop a Project Work Plan that identifies measurable project goals, objectives, and commensurate timelines (**Attachment B**).

Evidence-Based and Data-Driven Approaches ¹

The BSCC is committed to supporting programs, practices, and strategies that are rooted in evidence and supported by data to produce better outcomes for the criminal and juvenile justice systems, and for the individuals who are involved in those systems.

Applicants seeking funding through this grant process will be required to demonstrate that services are directly linked to the implementation of evidence-based and promising practices and strategies that reduce recidivism. The following information is offered to

¹ Lowenkamp and Latessa, 2003, Lowenkamp, 2003; Lowenkamp & Latessa, 2005a; Lowenkamp and Latessa, 2005b; Center for Criminal Justice Research and the Corrections Institute at the University of Cincinnati, Correctional Program Checklist Assessment

help applicants in understanding the BSCC's broad view of evidence-based and promising practices that are supported by data and research.

The concept of evidence-based practices was developed outside of the criminal justice arena and is commonly used in other applied fields such as medicine, nursing and social work. In criminal justice, this term emphasizes measurable outcomes, and ensuring services and resources are effective in promoting rehabilitation and reducing recidivism. On a basic level, evidence-based practices include the following elements:

1. Evidence the intervention is likely to work (i.e., produce a desired benefit);
2. Evidence the intervention is being carried out as intended; and
3. Evidence allowing an evaluation of whether the intervention worked.

Evidence-based practices involves using research and scientific studies to identify interventions that reliably produce significant reductions in recidivism when correctly applied to target populations through the use of the following four principles of effective intervention:

1. Risk Principle – focuses attention on the crucial question of WHO is being served and calls for targeting higher risk individuals.
2. Need Principle – requires that priority be given to addressing criminogenic risk/need factors with a clear focus on WHAT programs are delivered.
3. Treatment Principle – conveys the importance of using behavioral treatment approaches to achieve the best possible outcomes and requires attention to the question of HOW programs are delivered.
4. Fidelity Principle – draws attention to HOW WELL programs are delivered and reiterates the necessity that programs be implemented as designed.

Successful implementation of evidence-based practices also includes but is not limited to:

- Organizational development to create and sustain a culture accepting of best practices and evidence-based approaches that includes cultural and linguistic competencies;
- A commitment to initial and ongoing professional development and training;
- Use of validated risk/needs/responsivity assessment tools;
- Data collection and analysis;
- Use of case management strategies;
- Use of programs known to produce positive criminal justice outcomes;
- Quality assurance activities to ensure program fidelity;
- Performance management to improve programs, service delivery, and policies;
- A “systems change approach” to develop collaborations so tasks, functions and sub-units work effectively together and not at cross-purposes; and
- A focus on sustainability.

In discussions of evidence-based practices in criminal justice, it is common to distinguish between programs, strategies and promising practices/approaches.

Programs are designed to change the behavior of individuals in the criminal justice system and are measured by individual-level outcomes. For example, programs aiming to reduce substance use and antisocial behavior include Cognitive Behavioral Therapy, Behavioral Programs and Social Skills Training.

Strategies may include programs to change individual behavior; however, this term is often used to describe a general intervention approach that supports larger community or organizational level policy objectives. For example, case management is applied to improve the overall effectiveness and efficiency of criminal and juvenile justice agencies, while pretrial assessment is designed to enable informed decisions about which arrested defendants can be released pretrial without putting public safety at risk. Strategies can also refer to the application of effective practices that are correlated with a reduction in recidivism, such as the use of assessment tools, quality assurance protocols, and delivery of interventions by qualified and trained staff.

Promising practices/approaches, for purposes of this grant work, can be broadly construed to include crime-reduction and recidivism-reduction programs or strategies that have been implemented elsewhere with evidence of success, but with evidence not yet strong enough to conclude the success was due to the program or that it is highly likely to work if carried out in the applicant's circumstances. The difference between evidence-based and promising practices/approaches is a difference in degree on the number of situations in which a program or strategy has been tested and the rigor of the evaluation methods used.

Applicants seeking to implement promising programs, approaches or strategies must describe the documentation, data and evidence available to support the approach and why it is best suited to the needs and objectives described in the application for funding. Applicants can find information on evidence-based treatment practices in the Substance Abuse and Mental Health Services Administration's (SAMHSA) Guide to Evidence-Based Practices available at <https://www.samhsa.gov/ebp-resource-center> as well as in **Attachment C** of this RFP.

Reducing Racial and Ethnic Disparity (R.E.D.) Training Opportunity for Award Recipients

Research² shows that youth and adults of color are significantly overrepresented in the criminal justice system in California. BSCC supports efforts to reduce racial and ethnic disparities and encourages others to do the same. The applicant should consider how R.E.D. information may influence grant activities in the development of the RSAT grant proposal.

RSAT grant recipients may be included in training opportunities and will be invited to attend R.E.D. training hosted by the BSCC if it is available during the project period.

² There are multiple studies confirming the disparities in the criminal and juvenile justice systems. BSCC has done extensive work with The W. Haywood Burns Institute (<http://www.burnsinstitute.org/>) on this issue as well as working with the National Council on Crime and Delinquency (NCCD) and the Center for Juvenile Justice Reform, Georgetown University (<http://cjjr.georgetown.edu/certprogs/racialdisparities/racialdisparities.html>)

Created Equal: Racial and Ethnic Disparities in the US Criminal Justice System (NCCD: Hartney/Vuong March 2009)

Grantees will be advised of the dates and locations after the start of the grant period. Additional information about R.E.D. can be found at: https://www.bscc.ca.gov/s_correctionsplanningandprograms/ or applicants may contact the R.E.D. Coordinator, Field Representative Timothy Polasik, by telephone at (916) 350-0879 or by email: Timothy.Polasik@bscc.ca.gov

General Grant Requirements

Grant Agreement

Applicants approved for funding by the BSCC are required to enter into a Grant Agreement with the BSCC. Grantees must agree to comply with all terms and conditions of the Grant Agreement. To see a sample contract (State of California: Contract and General Terms and Conditions), please visit the [BSCC website](#).

The Grant Agreement start date is expected to be **July 1, 2024**. Grant Agreements are considered fully executed only after they are signed by both the Grantee and the BSCC. Work, services and encumbrances cannot begin prior to the Grant Agreement start date. Work, services and encumbrances that occur after the start date but prior to grant agreement execution may not be reimbursed. Grantees are responsible for maintaining their Grant Agreement, all invoices, records and relevant documentation for at least three years after the final payment under the contract.

Board Resolution

Applicants must submit a resolution from their governing board addressing specified requirements as included in the sample Governing Board Resolution, which can be found in **Attachment D**. Grant recipients must have a resolution on file before a fully executed grant agreement can be completed. *A signed resolution is not required at the time of proposal submission, but applicants are advised that no financial invoices will be processed for reimbursement until the appropriate documentation has been received by the BSCC.*

Match Requirements

As previously mentioned, funding for the RSAT Program requires a 25 percent match of the funds awarded to the recipient (cash or in-kind). Matching funds may be either state or local dollars. Federal funds are not an allowable match source for this grant.

Supplanting

Supplanting is the deliberate reduction in the amount of federal, state, or local funds being appropriated to an existing program or activity because grant funds have been awarded for the same purposes. Supplanting is strictly prohibited for all BSCC grants. When using outside funds as match, applicants must be careful not to supplant. BSCC grant funds shall be used to support new program activities or to augment existing funds that expand current program activities. BSCC grant funds shall not be used to replace existing funds.

It is the responsibility of the Grantee to ensure that supplanting does not occur. The Grantee must keep clear and detailed financial records to show that grant funds are used only for allowable costs and activities.

Audit Requirements

All grantees are required to have an audit completed and submitted to the BSCC within six months following the completion of the grant period. A grantee that willfully fails to submit an audit as required may be deemed ineligible for future BSCC grant funds pending compliance with the audit requirements of this grant.

The Grantee must provide to the BSCC copies of reports generated from either:

- the annual City/County Single Audit (as submitted to the State Controller's Office), or
- a Grant-Specific audit.

The audit must cover the three-year service delivery period, from July 1, 2024 to June 30, 2027. The BSCC reserves the right to call for a program or financial audit at any time between the execution of the contract and three years following the end of the grant period.

Quarterly Invoices

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. The State Controller's Office will issue the warrant (check) to the individual designated on the proposal form as the Financial Officer for the grant. Grantees must submit invoices online to the BSCC on a quarterly basis, no later than 45 days following the end of each quarter. Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

For additional information, refer to the BSCC Grant Administration Guide, found on the BSCC [website](#).

Quarterly Progress Reports

Grant award recipients are required to submit quarterly progress reports to the BSCC. Progress reports are a critical element in BSCC's monitoring and oversight process. Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and that funds are being spent down in accordance with the Grant Award Agreement could be subject to the withholding of funds. Once grants are awarded, BSCC will work with grantees to create custom progress reports. Applicable forms and instructions will be available to grantees on the BSCC's website.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a virtual Grantee Orientation via Zoom (on a date to be determined later). The purpose of this mandatory session is to review the program requirements, invoicing and budget modification processes, data collection and reporting requirements, as well as other grant management and monitoring activities. Typically, the Project Director, Financial Officer, and Day-to-Day Contact must attend. Grantees are also strongly encouraged to include the individual tasked with Data Collection and Evaluation. Award recipients will be provided additional details regarding the Grantee Orientation.

Travel

Travel is usually warranted when personal contact by project-related personnel is the most appropriate method of completing project-related business. The most economical method of transportation, in terms of direct expenses to the project and the project-related personnel's time away from the project, must be used. Grantees are required to include sufficient per diem and travel allocations for project-related personnel to attend any required BSCC training conferences or workshops as described in this RFP or outlined in the terms of the program.

Units of Government

Grantees that are units of government using BSCC funds may follow either their own written travel and per diem policy or the California State travel and per diem policy. Units of government that plan to use cars from a state, county, city, district carpool, or garage may budget either the mileage rate established by the carpool or garage, or the state mileage rate, not to exceed the loaning agency.

Non-Governmental Organizations (NGOs)

Grantees that are NGOs using BSCC funds must use the California State travel and per diem policy, unless the Grantee's written travel policy is more restrictive than the State's, in which case it must be used. Reimbursement is allowed for the cost of commercial carrier fares, parking, bridge, and road tolls, as well as necessary taxi, bus, and streetcar fares. This policy applies equally to NGOs that receive grant funds directly from the BSCC and those that receive grant funds indirectly through a subcontract with another NGO that received a BSCC grant award.

Out-of-State Travel

Out-of-state travel is generally restricted and only allowed in exceptional situations. Grantees must receive written BSCC approval prior to incurring expenses for out-of-state travel. Even if previously authorized in the Grant Agreement, Grantees must submit a separate written request on Grantee letterhead for approval to the assigned BSCC Field Representative. Out-of-state travel requests must include a detailed justification and budget information.

In addition, California prohibits travel, except under specified circumstances, to states that have been found by the California Attorney General to have discriminatory laws. The BSCC will not reimburse for travel to these states unless the travel meets a specific exception under Government Code section 11139.8, subdivision (c). For additional information, please see: <https://oag.ca.gov/ab1887>

Debarment, Fraud, Theft or Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or

2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of proposal submission and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

The BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

All applicants must complete **Attachment E** certifying that they are in compliance with the BSCC's policies on debarment, fraud, theft and embezzlement.

Criteria for Non-Governmental Organizations Receiving Subawards

Applicants for the MAT Grant Program may elect to partner, contract, or establish agreements with non-governmental organizations (NGOs)³ in the implementation of their program. All NGOs must adhere to terms described in the box below:

Eligibility Criteria for Non-Governmental Organizations Providing Services with BSCC Grant Funds

Any non-governmental organization that receives MAT Grant Program funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the Organized Retail Theft Prevention Grant Program grantee;
 - Non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six (6) month date are also eligible, provided all necessary agreements have been executed and filed with the California Secretary of State prior to the start date of the grant agreement with the BSCC or the start date of the grantee subcontractor fiscal agreement;
- Be registered with the California Secretary of State's Office, if applicable;
- Be registered with the California Office of the Attorney General, Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable.

All applicants must complete, sign, and submit the BSCC *Grantee Assurance for Non-Governmental Organizations (Attachment F)*, even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms, should the applicant choose to enter into an agreement with an NGO at a later date.

Once under contract, grantees must submit an updated *Grantee Assurance for Non-Governmental Organizations* throughout the life of the grant agreement for any additional NGOs that receive funds through subcontracts after awards are made. The BSCC will not reimburse for costs incurred by NGOs that do not meet the BSCC's requirements.

³ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Compliance Monitoring Visits

The BSCC staff will conduct periodic monitoring of each project to assess whether the project is in compliance with grant requirements and making progress toward grant objectives, and provide technical assistance as needed regarding fiscal, programmatic, evaluation and administrative requirements. For your reference, a Sample Monitoring Visit Checklist is available on the [BSCC website](#).

RSAT National Conference

At least one grantee will be invited to attend the National RSAT Conference. This conference typically runs for 2-3 days with no associated registration fees. RSAT grant funds may be used to reimburse departments for travel related expenditures such as airfare, mileage, meals, lodging, and other per diem costs. Applicants who would like to be invited to attend this conference may include these costs in the budget section of this proposal under the “Other” category. Registration information regarding the date, time and location have not yet been determined.

Evaluation Requirements

Local Evaluation Plan and Final Local Evaluation Report

In addition to quarterly progress reports, projects selected for funding will be required to submit to the BSCC: (1) a Local Evaluation Plan (due December 31, 2024) and, (2) a Local Evaluation Report (due December 31, 2027). See **Attachment G** for key definitions related to project evaluation.

- **Local Evaluation Plan** - The purpose of the Local Evaluation Plan is to ensure that projects funded by the BSCC can be evaluated. Applicants will be expected to include a detailed description of how they plan to assess the effectiveness of the proposed program in relationship to each of its goals and objectives identified in the Proposal. The Local Evaluation Plan should describe the evaluation design or model that will be used to evaluate the effectiveness of the project component(s), with the project goals and the objectives clearly stated. Applicants should include criteria for both process and outcome evaluations. Once submitted, any modifications to the Local Evaluation Plan must be approved in advance by the BSCC. More detailed instructions on the Local Evaluation Plan will be made available to successful applicants.
- **Local Evaluation Report** - Following project completion, grantees are required to complete a Local Evaluation Report which must be in a format prescribed by the BSCC. The purpose of the Local Evaluation Report is to determine whether the overall project (including each individual component) was effective in meeting the goals laid out in the Local Evaluation Plan. To do this, the grantee must assess and document the effectiveness of the activities that were implemented within each individual project component. These activities should have been identified in the previously submitted Local Evaluation Plan. More detailed instructions on the Local Evaluation Plan and Report will be made available to successful applicants.

Applicants are strongly encouraged to identify research partners early on and include them in the development of the proposal, to better ensure that the goals and objectives

listed in the proposal are realistic and measurable. Applicants are also strongly encouraged (but not required) to use outside evaluators to ensure objective and impartial evaluations. Specifically, applicants are encouraged to partner with state universities or community colleges for evaluations. To assist in these efforts, applicants must set aside five (5) percent of the grant award requested for data collection, evaluation, and reporting activities and reflect this amount in the Proposed Budget section.

Note: To the extent the local evaluation plan involves research in which either: (1) data is obtained through intervention or interaction with an individual or (2) identifiable private information is obtained from program participants, the local evaluation plan must comply with the requirements of 28 C.F.R. Part 46. This includes compliance with all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent. For additional information on whether 28 C.F.R. Part 46 applies to your local evaluation plan, please see:

<https://ojp.gov/funding/Apply/Resources/ResearchDecisionTree.pdf>

Overview of the RFP Process

Confirmation of Receipt of Proposal

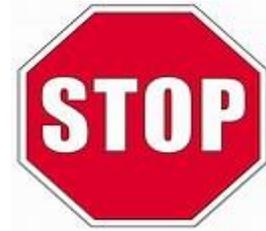
Upon submission of a proposal, applicants will receive a confirmation email from the BSCC stating that the proposal has been received.

Disqualification - **PLEASE READ CAREFULLY**

“Disqualification” means the proposal will not move forward to the ESC for the Proposal Rating Process and, therefore, will NOT be considered for funding under this grant.

The following will result in disqualification:

- Submission is not received by 5:00 P.M. (PST) on **Friday, February 2, 2024**. (Allow sufficient time to upload all required documents in the BSCC Submittable portal. Do not wait until the last minute!)
- The proposal and all required attachments are not submitted via the BSCC Submittable portal. Emails to BSCC will not be accepted.
- The Applicant does not meet the eligibility criteria.
- The funding request exceeds the maximum allowed.
- The Budget Attachment is not included.
- Attachments are illegible.
- Attachments will not open, or the files are corrupted.



Proposal Rating Process

Unless disqualified, proposals will advance to the RSAT ESC for funding consideration. Proposals will be evaluated in accordance with the BSCC’s [Grant Proposal Evaluation Process](#) and as described below. The RSAT ESC will read and assign ratings to each proposal in accordance with the prescribed rating factors listed in the table below. ESC members will base their ratings on how well an applicant addresses the criteria listed under each rating factor within the Proposal Narrative and Budget Sections. ESC ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the Board’s funding recommendations. It is anticipated that the Board will act on the recommendations at its meeting on April 18, 2024. Applicants and their partners are not to contact members of the Scoring Panel or the BSCC Board to discuss proposals.

Rating Factors

The rating factors that will be used and the maximum points allocated to each factor are shown in the table below. Applicants are asked to address each of these factors as a part of their proposal. The ESC assigned a percent value to each of the Rating Factors, correlating to its level of importance (see Percent of Total Value column).

RSAT Grant Program Rating Factors and Point Values

Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
Project Need	0-5	20%	40
Project Description	0-5	50%	100
Project Organizational Capacity and Collaboration	0-5	15%	30
Data Collection and Evaluation	0-5	10%	20
Project Budget	0-5	5%	10
Maximum Proposal Score		100%	200

Raters will score an applicant's response in each of the Rating Factor categories using the six-point scale shown below. Each rating factor score is then weighted according to the "Percent of Total Value" column (determined by the ESC) associated with each Rating Factor to arrive at the final Weighted Score for each Rating Factor and then added together for a final overall proposal score.

Six-Point Rating Scale

Not Responsive 0	Poor 1	Fair 2	Satisfactory 3	Good 4	Excellent 5
The response fails to address the criteria.	The response addresses the criteria in a very inadequate way.	The response addresses the criteria in a non-specific or unsatisfactory way.	The response addresses the criteria in an adequate way.	The response addresses the criteria in a substantial way.	The response addresses the criteria in an outstanding way.

Minimum Scoring Threshold

A proposal must meet a threshold of 60 percent, or a minimum score of 120 total points to be qualified for funding.

Summary of Key Dates

The table below shows a timeline with key dates related to implementation of the RSAT Grant Program

Activity	Tentative Timeline
Release Request for Proposals (RFP) Solicitation	December 1, 2023
Virtual Grant Information Session	December 14, 2023
Letter of Intent Due to the BSCC	December 22, 2023
Proposals Due to the BSCC	February 2, 2024
Proposal Rating Process and Development of Funding Recommendations	February to March 2024
BSCC Board Considers Funding Recommendations	April 18, 2024
Contract Development	April to June 2024
Grant Agreement Begins	July 1, 2024
Mandatory Grantee Orientation	TBD August 2024
Service Delivery Period Ends	June 30, 2027
Final Evaluation Report Due and Grant Agreement Ends	December 31, 2027

PART II: PROPOSAL INSTRUCTIONS

This section contains the necessary information for completing the Residential Substance Abuse Treatment (RSAT) Grant Program Proposal Package. The proposal and all required attachments are provided on the [BSCC website](#).

Proposal Narrative and Budget Sections

The five rating factors that will be addressed in the Proposal Narrative and the Proposal Budget sections, are shown below.

	Rating Factor	Percent of Total Value	Addressed In:
1	Project Need	20%	Proposal Narrative
2	Project Description	50%	
3	Project Organizational Capacity and Coordination	15%	
4	Data Collection and Evaluation	10%	
5	Project Budget	5%	Proposal Budget Attachment

Proposal Narrative Instructions

Applicants will complete the Proposal Narrative by accessing the BSCC Submittable portal (see Submittable instructions on page 1) and responding to a series of prompts.

The Proposal Narrative must address Rating Factors 1-4, as listed in the table above. Within the narrative, label each of the four Rating Factor sections accordingly, i.e., 1) Project Need, 2) Project Description, 3) Project Organizational Capacity and Coordination and 4) Data Collection and Evaluation. Within each section, address the rating criteria (found on the following pages) in a cohesive, comprehensive narrative format. Addressing each criterion does not in itself merit a high rating; although each criterion is to be addressed, it is the quality of the response to each that will be evaluated.

Character Counter

The RSAT Proposal Narrative has a total character limit of 44,740. In Microsoft Word, this is approximately 20 pages in Arial 12-point font, with one-inch margins on all four sides, at 1.5-line spacing. Applicants are encouraged to draft the Proposal Narrative in a Word document and then cut and paste the text into the BSCC Submittable portal.

It is up to the applicant to determine how to use the total character limit in addressing each section. However as a guide, the percent of total point value for each section is listed in the table above.

The BSCC Submittable portal includes a character counter. This feature shows the number of characters used and the remaining number of characters before the limit is met. If the limit is exceeded, a red prompt will appear with the message "**You have exceeded the character limit.**" Characters include all alpha/numeric characters, punctuation, and spaces. The BSCC Submittable portal will not allow applicants to submit the RSAT Proposal Narrative until they comply with all character limit requirements.

Bibliography

Applicants may, but are not required to, include a bibliography containing citations, using either the Modern Language Association (MLA) or American Psychological Association (APA) style in the "OPTIONAL Bibliography" field in the BSCC Submittable portal. The bibliography may not exceed **2,218 total characters**. In Microsoft Word, this is approximately one page in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.

Required Attachments

In addition to the Proposal Narrative, the following attachments must be completed and uploaded in the identified fields in the BSCC Submittable portal at the time of submission (the BSCC Submittable portal will not allow you proceed without these attachments):

- RSAT Implementation Workplan (**Attachment B**)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (**Attachment E**)
- Grantee Assurance for Non-Governmental Organizations Receiving BSCC Subawards (**Attachment F**)

The following attachment may be completed and uploaded in the identified fields in the BSCC Submittable portal at the time of submission, but is not required:

- Governing Board Resolution – *Not required at time of submission; may be submitted later* (**Attachment D**)

Note: Letters of general support (i.e., from elected officials, community members, etc.) from individuals not actually working on the grant project will not be accepted. If these are uploaded to Submittable, they will be discarded.

Proposal Narrative Rating Factors

Section 1: Project Need (Percent Value – 20%)

Within this section, address the criteria that defines the Project Need Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

<p>Project Need: The applicant described a need that is pertinent to the intent of the grant. The elements that comprise this Rating Factor are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.</p>	
1.1	Describe the need(s) related to the goals of the RSAT program.
1.2	Identify service gaps that contribute to the need(s) described above.
1.3	Provide relevant qualitative and/or quantitative data with citations in support of the need(s).
1.4	Describe how racial and ethnic disparity information influences programming choices for in-jail and aftercare services.

Section 2: Project Description (Percent Value – 50%)

Within this section address the criteria that defines the Project Description Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

<p>Project Description: The applicant provided a description of the project that is pertinent to the intent of the grant. The elements that comprise this Rating Factor are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.</p>	
2.1	<p>Describe the proposed project that will address the need(s) discussed in the Project Needs section. The description should:</p> <ul style="list-style-type: none"> • Describe the target population which will be the focus of the project, including criteria for including or excluding participants into the program. • Describe the process for assessing the risk, need, and responsivity of program participants.

2.2	<p>Described the proposed services/interventions of the project in relation to the target population, including:</p> <ul style="list-style-type: none"> • A description of existing and proposed new or enhanced evidence-based substance use disorder treatment programming for the in-custody component of the jail-based program (that includes program content, duration, dosage/intensity, criteria for successful completion, drug testing policy and how services will be provided and tracked. Include a program schedule as an attachment). • A description of existing and proposed new or enhanced evidenced-based substance use disorder treatment programming for the after-care component that supports successful community reintegration resources and services (that includes program content, duration, dosage/intensity, criteria for successful completion, drug testing policy and how services will be provided and tracked. Include a program schedule as an attachment). • A description of the model of release planning and follow-up in the community, including leveraging other funds (e.g. Drug Medi-Cal) and coordination with human service agencies and other community partners.
2.3	Provide an estimate of the number of individuals to be served.
2.4	Describe the extent to which Medication Assisted Treatment (MAT) may be incorporated into the RSAT program to address opioid use reduction and aftercare needs.
2.5	Describe how the program will approach recidivism reduction.
2.6	Describe how the program will continue to serve the target population during extended emergency situations (e.g., COVID-19, natural disasters).
2.7	<p>Provide a Project Work Plan (Attachment B) that:</p> <ul style="list-style-type: none"> • Identifies the project goals and measurable objectives (see Attachment G for definitions) related to the need and intent of the grant. • Identifies how the goals will be achieved in terms of the activities, responsible staff/partners, start and end dates, and data to measure outcomes associated with goals. • Is appropriate to the proposed project.

Section 3: Project Organizational Capacity & Coordination (Percent Value – 15%)

Within this section, address the criteria that define the Project Organizational Capacity and Coordination Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Organizational Capacity and Coordination: The applicant described their organization's ability to implement the proposed project. The elements that comprise this Rating Factor are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
3.1	Describe the experience, staffing, and/or partnerships your organization will use to implement the proposed project [include partners' Letter(s) of Commitment, if applicable]. If partners are to be selected after the grant is awarded, then specify the process and criteria for selecting those partners.
3.2	Describe how those providing services to the target population will be involved in the project and demonstrate their experience with serving the target population.
3.3	Provide a plan for how the program can be sustained beyond the grant cycle.

Section 4: Data Collection and Evaluation (Percent Value – 10%)

Within this section, address the criteria that define the Data Collection and Evaluation Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Data Collection and Evaluation: The applicant described how it will monitor and evaluate the effectiveness of the proposed project. The elements that comprise this Rating Factor are listed below. Addressing each element does not itself merit a high rating; although each element is to be addressed (as applicable), it is the quality of the response to each that is to be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
4.1	Describe a plan to determine the staff and/or entity that will conduct the project evaluation and how evaluation activities will be incorporated in the various phases of the project (e.g., implementation, service delivery period).
4.2	Identify and define process and outcome measures that are quantifiable and in line with the goal and objectives of the project and the intent of the grant.
4.3	Describe a plan for monitoring the project to ensure that the project components are implemented as intended.
4.4	Describe a preliminary plan for collecting and evaluating baseline and outcome data related to the outcome measures. Provide data sharing agreements, if necessary.
4.5	Describe the research strategy/methodology used to determine whether the goals identified in the Project Work Plan were achieved.
4.6	Describe previous project evaluation experience and capabilities, including outside resources used.

Project Budget Instructions

As part of the RFP process, applicants are required to complete and upload a Project Budget Table and Budget Narrative (Budget Attachment) in the Budget Section of the BSCC Submittable portal. The Budget Attachment is provided on the [BSCC website](#).

Applicants should be aware that, even after award, budgets will be subject to review and approval by the BSCC staff to ensure all proposed costs listed within the budget narrative are allowable and eligible for reimbursement. Regardless of any ineligible costs that may need to be addressed post award, the starting budget for the reimbursement invoices and the total amount requested will be the figures used for the Standard Grant Agreement.

Applicants are solely responsible for the accuracy and completeness of the information entered in the Project Budget Table and Budget Narrative. Detailed instructions for completing the Budget Attachment are listed on the Instructions tab of the Excel workbook. All project costs must be directly related to the objectives and activities of the project. **Do not submit an annual budget; the Budget Table must cover the entire grant period.**

For additional guidance related to grant budgets, refer to the [BSCC Grant Administration Guide](#).

Project Budget Rating Factor

Section 5: Project Budget (Percent Value – 5%)

The following items are rated as part of this section and must be addressed by the applicant in the Budget Attachment.

Project Budget: The applicant provided a complete Budget Attachment (Budget Table and Budget Narrative) for the proposed project. The elements against which the Budget Attachment will be rated are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
5.1	Provide a complete Budget Table that is appropriate for the proposed project.
5.2	Provide budget narrative that relates the expenses to the proposed project and is inclusive of all project components.

PART III: ATTACHMENTS

This section includes the following attachments:

- Attachment A: RSAT ESC Membership
- Attachment B: RSAT Implementation Workplan **(REQUIRED)**
- Attachment C: Evidence-Based Resources
- Attachment D: Sample Governing Board Resolution **(must be submitted, if awarded grant funds)**
- Attachment E: Certification of Compliance with BSCC Policies on Debarment,
 - Fraud, Theft and Embezzlement **(REQUIRED)**
- Attachment F: Criteria for Non-Governmental Organizations Receiving BSCC Subawards **(REQUIRED)**
- Attachment G: Glossary of Terms

Attachment A: Executive Steering Committee

**Residential Substance Abuse Treatment (RSAT) Program
Executive Steering Committee
Membership**

Name	Title	Organization
Dean Growdon, Chair	Sheriff-Coroner	Lassen County Sheriff's Department & BSCC Board Member
Douglas Snell	Captain, Prison Programs	California Department of Corrections and Rehabilitation
Renee Smith	Criminal Justice Program Services Manager	Solano County Sheriff's Office
Jared Sparks	Lieutenant	Inyo County Sheriff
Jennifer Kaufman	Bureau Chief	Los Angeles County Probation

Attachment B: Sample RSAT Implementation Workplan

Required Attachment: Applicants will be prompted to upload this document from the [RSAT webpage](#) to the BSCC Submittable portal.

This Project Work Plan identifies measurable goals and objectives, activities and services, the responsible parties and a timeline. Completed plans should (1) identify the project's top three goals and objectives; (2) identify how the top three goals will be achieved in terms of the activities, responsible staff/partners, start and end dates, and outcome measures; and (3) provide goals, objectives, and measures with a clear relationship to the need and intent of the grant.

(1) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1. 2. 3.			
List data and sources used to measure outcomes:			
(2) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1. 2. 3.			
List data and sources used to measure outcomes:			

(3) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1. 2. 3.			
List data and sources used to measure outcomes:			

Attachment C: Evidence-Based Resources

The websites provided below may be useful to applicants in the proposal development process. This list is not exhaustive, and it is offered as a suggested starting point for applicants to use in researching evidence-based programs, practices, and strategies.

Blueprints for Violence Prevention

<http://www.colorado.edu/cspv/blueprints/index.html>

Board of State and Community Corrections

https://www.bscc.ca.gov/s_web-basedresourcesonevidence-basedpractices/

California Institute of Behavioral Health Solutions

<http://www.cibhs.org/evidence-based-practices-0>

Coalition for Evidence-Based Policy

<http://evidencebasedprograms.org/>

CrimeSolutions.gov

<http://www.crimesolutions.gov/>

Evaluating Drug Control and System Improvement Projects

Guidelines for Project Supported by the Bureau of Justice Assistance

<https://www.bja.gov/evaluation/guide/documents/nijguide.html>

Find Youth Information

<https://youth.gov/>

Justice Research and Statistic Association

<http://www.jrsa.org/>

National Criminal Justice Reference Service (NCJRS)

“Preventing and Reducing Youth Crime and Violence: Using Evidence-Based Practice.”
A report prepared by Peter Greenwood, Ph.D., for the California Governor’s Office of
Gang and Youth Violence Policy, 2010.

<https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=255934>

National Institute of Corrections

<http://nicic.gov/Library/>

National Institute of Justice, New Tool for Law Enforcement Executives

<http://nij.gov/five-things/>

National Reentry Resource Center

<http://nationalreentryresourcecenter.org/>

Office of Justice Programs – Crime Solutions.gov
<http://www.CrimeSolutions.gov>

Office of Juvenile Justice and Delinquency Prevention Model Program Guide
<http://www.ojjdp.gov/mpg/>

Peabody Research Institute, Vanderbilt University
<https://peabody.vanderbilt.edu/research/>

Promising Practices Network
<http://www.promisingpractices.net/>

Reducing Recidivism to Increase Public Safety: A Cooperative Effort by Courts and Probation Hon, J. Richard Couzens, Placer County Superior Court (Ret.)
<http://www.courts.ca.gov/documents/EVIDENCE-BASED-PRACTICES-Summary-6-27-11.pdf>

Substance Abuse and Mental Health Services Administration
<https://www.samhsa.gov/>

The National Documentation Centre on Drug Use
<http://www.drugsandalcohol.ie/3820/>

University of Cincinnati, Effective Programs/Curricula Recommendations
http://www.bscc.ca.gov/univ_of_cincinnati_curricula_recommendations_oct_2011/

Washington State Institute for Public Policy
<http://www.wsipp.wa.gov/>

Attachment D: Sample Governing Board Resolution

Before grant funds can be reimbursed, a grantee must submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement.

Below is assurance language that, at a minimum, must be included in the resolution submitted to the Board of State and Community Corrections.

A Governing Board Resolution does not have to be uploaded at time of submission but must be submitted in order for the grant agreement to be executed.

WHEREAS the (insert name of Lead Agency) desires to participate in the Residential Substance Abuse Treatment Program (RSAT) Grant administered by the Board of State and Community Corrections (hereafter referred to as BSCC).

NOW, THEREFORE, BE IT RESOLVED that the (insert title of designated official) be authorized on behalf of the (insert name of Governing Board) to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the (insert name of Lead Agency) agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

Passed, approved, and adopted by the (insert name of Governing Board) in a meeting thereof held on (insert date) by the following:

Ayes:

Notes:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

**Attachment E:
Sample Certification of Compliance with BSCC Policies Regarding Debarment,
Fraud, Theft and Embezzlement**

Required Attachment: Applicants will be prompted to upload this document from the [RSAT webpage](#) to the BSCC Submittable portal.

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of proposal submission and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

By checking the following boxes and signing below, applicant affirms that:

- I/We are not currently debarred by any federal, state, or local entity from applying for or receiving federal, state, or local grant funds.
- I/We have not been convicted of any crime involving theft, fraud, or embezzlement of federal, state, or local grant funds within the last three years. We will notify the BSCC should such debarment or conviction occur during the term of the Grant contract.
- I/We will hold subgrantees and subcontractors to these same requirements.

A grantee may make a request in writing to the Executive Director of the BSCC for an exception to the debarment policy. Any determination made by the Executive Director shall be made in writing.

AUTHORIZED SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable)			DATE
X			

Attachment F: Sample Criteria for Non-Governmental Organizations Receiving Subawards

Required Attachment: Applicants will be prompted to upload this document from the [RSAT webpage](#) to the BSCC Submittable portal.

Instructions: The form on the following page must be submitted with the proposal even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. In either of these cases, the applicant should write “N/A” in the Name of Subcontracted Party column and complete the signature box. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms.

The RSAT Grant Program RFP includes requirements that apply to non-governmental organizations (NGOs)⁴ providing services with grant funds. Grantees are responsible for ensuring that all contracted third parties continually meet these requirements as a condition of receiving funds. The RFP describes these requirements as follows:

Any non-governmental organization that receives RSAT Grant Program funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the RSAT Grant Program grantee;
 - Non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six (6) month date are also eligible, provided all necessary agreements have been executed and filed with the California Secretary of State prior to the start date of the grant agreement with the BSCC or the start date of the grantee subcontractor fiscal agreement;
- Be registered with the California Secretary of State’s Office, if applicable;
- Be registered with the California Office of the Attorney General, Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable.

Completing the NGO Assurance (next page)

1. Provide the name of the Applicant Agency (the Grantee).
2. List all contracted parties (if known*).
3. Check Yes or No to indicate if each contracted part meets the requirements.
4. Sign and submit with the proposal.

***NOTE:** If the name of the contracted party is unknown or if there will be no contracted parties. Write N/A in the “Name of Contracted Party” field and sign the document.

⁴ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Grantee:

RSAT Grant Program Non-Governmental Organization (NGO) Assurances			
Name of Contracted Party	Address	Email / Phone	Meets All Requirements
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

Grantees are required to update this list and submit it to BSCC any time a new third-party contract is executed after the initial assurance date. Grantees shall retain (on-site) applicable source documentation for each contracted party that verifies compliance with the requirements listed in the RSAT RFP. These records will be subject to all records and retention language in the Standard Agreement.

The BSCC will not disburse or reimburse for costs incurred by any third party that does not meet the requirements listed above and for which the BSCC does not have a signed grantee assurance on file.

A signature below is an assurance that all requirements listed above have been met.

AUTHORIZED SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable)			DATE
X			

Attachment G: Glossary of Key Terms

Recidivism

Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed (date of offense) within three years of placement on supervision for a previous criminal conviction.

https://www.bscc.ca.gov/s_recidivism/

Community-based Organization

A community-based organization (CBO) is a nongovernmental organization that provides services to a community consisting of individuals, groups, or other organizations that constitute the local or community service population. In this Request for Proposals, CBOs and nonprofit organizations are referred to as Non-Governmental Organizations (NGOs).

Process Evaluation versus Outcome Evaluation

Process Evaluation⁵

The purpose of the process evaluation is to assess how program activities are being carried out in accordance with goals and objectives. Process measures are designed to answer the question: “What is the program actually doing and is this what we planned it to do?” Examples of process measures could include:

- Project staff have been recruited, hired and trained according to the proposal.
- Activities/strategies have been implemented on time according to the proposal.
- Number of interagency agreements entered into by the program compared to the number planned.
- Number of trainings conducted.
- Number of neighborhood meetings conducted.

Outcome Evaluation⁶

The purpose of the outcome evaluation is to identify whether the program “worked” in terms of achieving its goals and objectives. Outcome measures are designed to answer the question: “What results did the program produce?” Examples of outcome measures include:

- Results of pre/post surveys (e.g., changes in the reported confidence/trust in law enforcement among community members).
- Implementation of regular, ongoing community forums where law enforcement/community dialogue takes place.
- Changes in policies at the Lead Agency level to reflect procedural justice principles.

⁵Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 7. Retrieved from <http://www.jrsa.org/nijec/publications/program-evaluation.pdf>.

⁶ *Id* at pp. 7-8.

In an evidence-based practice approach, outcome evaluations must include not only the measures but also analysis of the extent to which the measured results can be attributed to the program rather than to coincidence or alternative explanations.

Goal versus Objective

Goals and objectives are necessary components of the Local Evaluation Plan and the Project Work Plan. These common terms are sometimes used interchangeably because both refer to the intended results of program activities. Goals are longer-term than objectives, more broadly stated and govern the specific objectives to which program activities are directed.

In proposals, goals are defined by broad statements of what the program intends to accomplish, representing the long-term intended outcome of the program².

Examples of goal statements⁷:

- To reduce the number of serious and chronic program participants.
- To reduce the number of program participants with addiction-related needs.
- To increase the amount of in-custody treatment provided to program participants.

Objectives are statements of specific, measurable aims of program activities. Objectives detail the tasks that must be completed to achieve goals. Descriptions of objectives in the proposals should include three elements⁹:

- 1) Direction – the expected change or accomplishment (e.g., improve, maintain);
- 2) Timeframe – when the objective will be achieved; and
- 3) Target Population– who is affected by the objective.

Examples of program objectives⁸:

- By the end of the program, drug-addicted participants will recognize the long-term consequences of drug use.
- To place eligible participants in an aftercare service within two weeks of release to ensure participants accountability and community safety.
- To ensure that participants carry out all of the terms of their probation.
- To place eligible participants in job training within 8 weeks.

⁷ *Id.* at p. 4.

⁸ *Id.*

Attachment G-4

Residential Substance Abuse Treatment (RSAT) Proposal Summaries

Contra Costa County

Lead Agency: Contra Costa County Alcohol and Drug Services, Behavioral Health Division

The Contra Costa County program is a partnership between the Behavioral Health Division and the Sheriff's Office. The Sober Living Environment (SLE) program provides in-custody substance use disorder treatment and services, group counseling, and individual counseling for participants. Each treatment plan is tailored to individual needs based on assessment results. Participants completing the SLE program are provided up to six months of after-care housing at The Oxford House or another provider that specifically meets the needs of the participant. Transportation services and pre-release planning are also provided.

Kern County

Lead Agency: Kern County Sheriff's Office

This project utilizes a Risk-Need-Recovery platform to break the cycle of drugs, crime, and recidivism through the implementation of evidence-based programs of treatment. The target population is males housed at the Lerdo Detentions Facility (Minimum Security) who meet defined criteria and have a demonstrated history of substance abuse. The program includes both in-custody and out-of-custody (aftercare) components and provides inmates with rehabilitative tools for re-entry and productive citizens.

Sacramento County

Lead Agency: Sacramento County Sheriff's Office

The Sacramento County Sheriff's Office RSAT program is designed to assist participants through the entire reintegration process. Services are provided utilizing intensive reentry planning coupled with evidence-based treatment groups and followed by the delivery of broad-based aftercare services. Participants are given intensive treatment during the duration of their enrollment in the RSAT program which is followed by aftercare services in the community for up to one-year post-release.

Santa Cruz County

Lead Agency: Santa Cruz County Sheriff's Office

The Santa Cruz Sheriff's Office provides a gender-responsive treatment and reentry program. This proposal stems from the combination of the Santa Cruz County (SCC) Board of Supervisors' directive to better address the needs of incarcerated women, the high rate of substance use disorder (SUD) in SCC, and the impacts of the implementation of Assembly Bill 109 (AB 109) on women. AB 109 increased both the number of incarcerated women with serious, chronic SUD issues and the percentage of incarcerated women who have complex barriers to successful reentry.

Tulare County

Lead Agency: Tulare County Sheriff's Office

The Tulare County program targets males between the ages 18-65 with a history of substance use disorders and other maladaptive behaviors that have led to legal issues, with 3 months to a maximum 12 months remaining to serve. The criteria used to determine suitability into the RSAT program is identified with the Correctional Assessment and Intervention System (CAIS). All participants are assigned to an alcohol and drug counselor who facilitates weekly groups, conducts individual counseling sessions, plans treatments, and provides continuing case management while in the residential portion of the program. The aftercare services are by referral to appropriate service providers and coordinated pre-release.

Agenda Item H

MEETING DATE: April 11, 2024

AGENDA ITEM: H

TO: BSCC Chair and Members

FROM: Kathleen Howard, Executive Director
Allison Ganter, Deputy Director, allison.ganter@bscc.ca.gov

SUBJECT: Opioids in Local Detention Facilities - Review of Survey: **Requesting Approval**

Summary

This report requests final approval for the Opioids in Local Detention Survey as described below and set forth in Attachment H-1.

Background

At the June 15, 2023 BSCC Meeting, Board members discussed the increasing incidence of overdoses in both adult and juvenile local detention facilities. The Board requested that BSCC staff develop a survey to assess the impact of overdoses in adult and juvenile local detention facilities. The Board reviewed a draft at the November 2023 meeting that focused on the availability of opioid antagonists and the incidences of opioid antagonist use. After extensive public input and Board discussion, the Board directed staff to revise the draft to address the public comment and Board input.

In response to the Board's request, BSCC staff have conducted follow up meetings with Board Members Chavez, Zaragoza, and Dicus as well as correctional health consultants and advocates. Staff have also requested input from the California State Sheriffs Association and the Chief Probations Officers of California.

A substantially revised survey is now proposed to collect a broader scope of information about drugs and drug overdoses within local detention facilities, both adult and juvenile (H-1 and H-2, respectively). The survey uses opioid antagonists as a proxy for the occurrence of drug overdoses within local detention facilities. In addition, the survey now proposes questions about training of facility staff, substance use-related practices, and how opioids are introduced into facilities. This additional content reflects the focus of the significant discussion and input received in response to the prior draft. The *Survey Overview* (H-3) provides detailed instructions for respondents including key definitions.

BSCC staff proposes to administer the survey twice. The first administration will be in May 2024 and will request information related to the use of opioid antagonists for January, February, and March 2024 and information on how opioids are introduced into facilities. It will also request information about the training of facility staff and substance use-related practices. The second administration will be in July 2024, and will request information related to the use of opioid antagonists for April, May, and June 2024 and information on how opioids are introduced into facilities.

A summary report will be provided to the BSCC Board following the second administration. The Board may then consider additional steps, including the possibility of directing BSCC staff to collect more information about opioids in facilities through on-site interviews and visits.

Recommendation/Action Needed

Staff recommends that the Board approve the Survey of Opioid Antagonists in Local Detention Facilities and direct staff to begin collecting information in May 2024.

Attachments

- H-1: Draft Survey of Opioid Antagonists in Local Adult Detention Facilities
- H-2: Draft Survey of Opioid Antagonists in Local Juvenile Detention Facilities
- H-3: Survey Overview: Opioid Antagonists in Local Detention Facilities

Attachment H-1

April 11, 2024

Opioid Antagonists in Local Adult Detention Facilities

Note: Before completing this survey, review the *Survey Overview* which provides detailed instructions and pertinent definitions of key terms.

Section A: General Information

1. Please select the reporting period. [dropdown menu with response options]
2. Please select the agency for which a response is being provided. [dropdown menu]
3. Please select the facility name. You may only select one facility at a time and will need to submit a separate response for each facility. [dropdown menu, will only include list of facilities for the county selected in question 2]
4. Please enter the full name of the reporting person. This should be the person the BSCC may contact to ask questions about the survey responses, if necessary. [text box]
5. Please enter the role or position title of the reporting person. [text box]
6. Please enter the email address for the reporting person. [text box]

Section B: Availability of Opioid Antagonists

7. Are opioid antagonists (e.g., Naloxone/Narcan) available within the facility? The information provided should be for the last day of the reporting period. [check boxes, single selection only]
 - a. Yes
 - b. No

If yes to question 7, Section B is provided (questions 8, 9, and 10).

Section C: Incidents of Opioid Antagonist Use

8. Report the total number of **unique incidents** in which an opioid antagonist was administered for each of the months in the reporting period with Month 3 being the most recent month. If these data are not available for a particular month, report "data not available". [text boxes, one for each month]
 - Month 1:
 - Month 2:
 - Month 3:
9. Report the total number of opioid antagonist **doses** administered for each of the months in the reporting period with Month 3 being the most recent month. This is the total number of doses across all unique incidents of use reported above. For example, one incident may require multiple doses; the total number of doses for a

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month should be equal to or greater than the total number of unique incidents. If these data are not available for a particular month, report "data not available". [text boxes, one for each month]

- Month 1:
- Month 2:
- Month 3:

10. Given the number of unique incidents reported above (question 8), report the total number of **successful interventions** for each of the months in the reporting period with Month 3 being the most recent month. A successful intervention is defined as the immediate or eventual improvement of the person's physiological response to suspected narcotics; the person recovered. If these data are not available for a particular month, report "data not available". [text boxes, one for each month]

- Month 1:
- Month 2:
- Month 3:

If yes to question 7, Section D is provided (questions 11 through 13).

Section D: Opioid Antagonist Accessibility and Training

11. How is the opioid antagonist available within the facility? The information provided should be for the last day of the reporting period. Please check all that apply. [check boxes, check all that apply]

- a. On custodial staff (e.g., duty belt) at all times
- b. Accessible by custodial staff
- c. Accessible by facility medical staff
- d. Accessible to custodial staff supervisors
- e. Accessible to people who are detained (e.g., inside housing unit, common area)
- f. Other, please describe: [text box]

12. [If 11a, 11b, or 11d are selected] Using the options below, select the frequency with which training or education on how to administer the opioid antagonist is provided to custodial staff. Please check all that apply. [check boxes, multiple selection]

- a. No training or education provided
- b. At the time the opioid antagonist is initially provided to staff
- c. Refresher training every six months
- d. Refresher training annually
- e. Refresher training once every 2 years
- f. Refresher training every 3 to 5 years
- g. Other, please describe: [text box]

13. [If 11e is selected] Using the options below, select the frequency with which training or education on how to administer the opioid antagonist is provided to people who are detained. Please check all that apply. [check boxes, multiple selection]

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- a. No training or education provided
- b. Mandatory, at the time of booking
- c. Mandatory, delivered at least every month
- d. Mandatory, delivered at least every 3 months
- e. Mandatory, delivered at least every 6 months
- f. Mandatory, delivered at least every 12 months
- g. Optional, at the time of booking
- h. Optional, delivered at least every month
- i. Optional, delivered at least every 3 months
- j. Optional, delivered at least every 6 months
- k. Optional, delivered at least every 12 months
- l. Other, please describe: [text box]

Section E: Methods for the Introduction of Opioids into the Facility

14. Listed below are methods for the introduction of opioids into the facility. For each method, use the text box provided to report the total number of times (instances) it was used to introduce opioids into the facility between January 1 and March 31, 2024. If a specific method was not used during this timeframe, report “not applicable” for the method.

- a. Custodial staff, non-sworn: [text box]
- b. Custodial staff, sworn: [text box]
- c. District attorneys [text box]
- d. Health care workers, county employed: [text box]
- e. Health care workers, contract: [text box]
- f. Incarcerated people, at intake: [text box]
- g. Incarcerated people, at intake with probation flash holds: [text box]
- h. Incarcerated people, at intake with parole flash holds [text box]
- i. Incarcerated people, return from transport (e.g., court, medical): [text box]
- j. Mail or packages, general: [text box]
- k. Mail or packages, legal: [text box]
- l. Non-custodial staff, contract workers (e.g., commissary): [text box]
- m. Perimeter breach, thrown over a wall: [text box]
- n. Perimeter breach, dropped by drone: [text box]
- o. Private attorneys: [text box]
- p. Process servers: [text box]
- q. Program providers, paid or volunteer: [text box]
- r. Public defenders: [text box]
- s. Visitors of incarcerated people, unofficial: [text box]
- t. Visitors of incarcerated people, official: [text box]
- u. Other, please describe and report instances: [text box]

Section F: Substance Use-related Practices

15. At the time of booking do you assess whether people have an ongoing substance use disorder? [check boxes, single selection only]

- a. Yes

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b. No

16. [If yes to number 15] Describe how people are assessed at booking for an ongoing substance use disorder (e.g., standardized assessment tool) and the assigned personnel or staff conducting the assessment. For example, the Clinical Opiate Withdrawal Scale (COWS) is administered by a medical provider. [text box, multiple lines available for narrative]

17. If people who are detained are being monitored for withdrawal, are they housed in a designated area within the facility? [check boxes, single selection only]

a. Yes

b. No

18. [If yes to number 17] Describe how people are monitored for withdrawal and the staff who are assigned to do so. [text box, multiple lines available for narrative]

19. List the programs, education courses, or materials that contain content related to overdose prevention education available to people who are detained in the facility. [text box, multiple lines available for narrative]

20. Does the facility have medication-assisted treatment (MAT) available for people who are detained? [check boxes, single selection only]

a. Yes

b. No

21. [If yes to question 20] Describe the MAT program (e.g., eligibility, type of medication, aftercare availability, and enrollment limits). [text box, multiple lines available for narrative]

Attachment H-2

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Opioid Antagonists in Local Juvenile Detention Facilities

Note: Before completing this survey, review the *Survey Overview* which provides detailed instructions and pertinent definitions of key terms.

Section A: General Information

1. Please select the reporting period. [dropdown menu with response options]
2. Please select the agency for which a response is being provided. [dropdown menu]
3. Please select the facility name. You may only select one facility at a time and will need to submit a separate response for each facility. [dropdown menu, will only include list of facilities for the county selected in question 2]
4. Please enter the full name of the reporting person. This should be the person the BSCC may contact to ask questions about the survey responses, if necessary. [text box]
5. Please enter the role or position title of the reporting person. [text box]
6. Please enter the email address for the reporting person. [text box]

Section B: Availability of Opioid Antagonists

7. Are opioid antagonists (e.g., Naloxone/Narcan) available within the facility? The information provided should be for the last day of the reporting period. [check boxes, single selection only]
 - a. Yes
 - b. No

If no to question 7, Section E is provided (skip to question 14, Section E)

If yes to question 7, Section C is provided (questions 8 through 10).

Section C: Incidents of Opioid Antagonist Use

8. Report the total number of **unique incidents** in which an opioid antagonist was administered for each of the months in the reporting period with Month 3 being the most recent month. If these data are not available for a particular month, report “data not available”. [text boxes, one for each month]
 - Month 1:
 - Month 2:
 - Month 3:
9. Report the total number of opioid antagonist **doses** administered for each of the months in the reporting period with Month 3 being the most recent month. This is the total number of doses across all unique incidents of use reported above. For

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example, one incident may require multiple doses; the total number of doses for a month should be equal to or greater than the total number of unique incidents. If these data are not available for a particular month, report "data not available". [text boxes, one for each month]

Month 1:

Month 2:

Month 3:

10. Given the number of unique incidents reported above (question 8), report the total number of **successful interventions** for each of the months in the reporting period with Month 3 being the most recent month. A successful intervention is defined as the immediate or eventual improvement of the youth's physiological response to suspected narcotics; the youth recovered. If these data are not available for a particular month, report "data not available". [text boxes, one for each month]

Month 1:

Month 2:

Month 3:

If yes to question 7, Section D is provided (questions 11 through 13).

Section D: Opioid Antagonist Accessibility and Training

11. How is the opioid antagonist available within the facility? The information provided should be for the last day of the reporting period. Please check all that apply. [check boxes, check all that apply]
- On youth supervision staff (e.g., duty belt) at all times
 - Accessible by youth supervision staff
 - Accessible by facility medical staff
 - Accessible to youth supervision staff supervisors
 - Accessible to youth who are detained (e.g., inside housing unit, common area)
 - Other, please describe: [text box]
12. [If 11a, 11b, or 11d are selected] Using the options below, select the frequency with which training or education on how to administer the opioid antagonist is provided to youth supervision staff. Please check all that apply. [check boxes, multiple selection]
- No training or education provided
 - At the time the opioid antagonist is initially provided to staff
 - Refresher training every six months
 - Refresher training annually
 - Refresher training once every 2 years
 - Refresher training every 3 to 5 years
 - Other, please describe: [text box]

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13. [If 11e is selected] Using the options below, select the frequency with which training or education on how to administer the opioid antagonist is provided to youth who are detained. Please check all that apply. [check boxes, multiple selection]
- No training or education provided
 - Mandatory, at the time of admission
 - Mandatory, delivered at least every month
 - Mandatory, delivered at least every 3 months
 - Mandatory, delivered at least every 6 months
 - Mandatory, delivered at least every 12 months
 - Optional, at the time of admission
 - Optional, delivered at least every month
 - Optional, delivered at least every 3 months
 - Optional, delivered at least every 6 months
 - Optional, delivered at least every 12 months
 - Other, please describe: [text box]

Section E: Methods for the Introduction of Opioids into the Facility

14. Listed below are methods for the introduction of opioids into the facility. For each method, use the text box provided to report the total number of times (instances) it was used to introduce opioids into the facility during the reporting period (i.e., Jan. 1 – Mar. 31, 2024 or Apr. 1 – Jun. 30, 2024). If a specific method was not used during this timeframe, report “not applicable” for the method.
- Youth Supervision staff, non-sworn: [text box]
 - Youth Supervision staff, sworn: [text box]
 - District attorneys [text box]
 - Health care workers, county employed: [text box]
 - Health care workers, contract: [text box]
 - Detained youth, at admission: [text box]
 - Detained youth, return from transport (e.g., court, medical): [text box]
 - Mail or packages, general: [text box]
 - Mail or packages, legal: [text box]
 - Non-supervision staff, contract workers (e.g., commissary): [text box]
 - Perimeter breach, thrown over a wall: [text box]
 - Perimeter breach, dropped by drone: [text box]
 - Private attorneys: [text box]
 - Process servers: [text box]
 - Program providers, paid or volunteer: [text box]
 - Public defenders: [text box]
 - Visitors of detained youth, unofficial: [text box]
 - Visitors of detained youth, official: [text box]
 - Other, please describe and report instances: [text box]

Section F: Substance Use-related Practices

15. At the time of admission do you assess whether youth have an ongoing substance use disorder? [check boxes, single selection only]

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- a. Yes
- b. No

16. [If yes to number 15] Describe how youth are assessed at admission for an ongoing substance use disorder (e.g., standardized assessment tool) and the assigned personnel or staff conducting the assessment. For example, the Clinical Opiate Withdrawal Scale (COWS) is administered by a medical provider. [text box, multiple lines available for narrative]
17. If youth are being monitored for withdrawal, are they housed in a designated area within the facility? [check boxes, single selection only]
- a. Yes
 - b. No
18. [If yes to number 17] Describe how youth are monitored for withdrawal and the staff who are assigned to do so. [text box, multiple lines available for narrative]
19. List the programs, education courses, or materials that contain content related to overdose prevention education available to youth who are detained in the facility. [text box, multiple lines available for narrative]
20. Does the facility have medication-assisted treatment (MAT) available for youth who are detained? [check boxes, single selection only]
- a. Yes
 - b. No
21. [If yes to question 20] Describe the MAT program (e.g., eligibility, type of medication, aftercare availability, and enrollment limits). [text box, multiple lines available for narrative]

Attachment H-3

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SURVEY OVERVIEW: OPIOID ANTAGONISTS IN LOCAL DETENTION FACILITIES

What is the purpose of this survey?

The purpose of this survey is to better understand the operation of local detention facilities (adult and juvenile) in relation to:

- the occurrence of drug overdoses by collecting information related to the availability of opioid antagonists within the facilities, the number of incidents, doses used, and successful interventions.
- practices related to training of facility staff, substance use-related practices, and how opioids are introduced into the facilities.

Survey recipients will be agencies with local detention facilities (probation departments, sheriff departments). A survey response is requested for each facility operated by the agency.

What type of information is requested and when will it be collected?

The survey will be administered twice. The first administration will be in May 2024 and the second will be in July 2024.

The six survey sections are described below.

- A. *General Information* – this section is included in both administrations and collects information necessary to identify the agency and facility for which a response is being provided and the reporting person. The reporting person should be the individual the BSCC may contact to ask questions about the survey responses, if necessary.
- B. *Availability of Opioid Antagonists* – this section is included in both administrations and consists of a single question to determine whether opioid antagonists are available within the facility (yes or no response only) as of the last day of the reporting period? The response to this question is used to determine whether responses to the questions within Sections C and D are required.
- C. *Incidents of Opioid Antagonist Use*– this section is included in both administrations and requests information about the number of unique incidents in which an opioid antagonist was used, the total number of doses administered, and the total number of successful interventions for each of the three months in the reporting period.
- D. *Opioid Antagonist Accessibility and Training* – this section is included in the first administration only. This section request information about who has access to the opioid antagonists in the facility and the frequency with which education or training is provided on how to administer the opioid antagonists to staff and the people or youth who are detained.
- E. *Methods for the Introduction of Opioids into the Facility* – this section is included in both administrations and requests, for each method listed, the total number of

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times (known instances) the method was used to introduce opioids into the facility between January 1 and March 31, 2024.

- F. *Substance Use-related Practices* – this section is included in the first administration only and requests information related to:
- assessments for substance use disorders at the time of booking/admission.
 - monitoring people/youth for withdrawal.
 - programs, education, or materials with content related to overdose prevention.
 - the availability of medication-assisted treatment.

Please refer to the table below for the survey schedule and pertinent reporting period information.

Survey	Release	Reporting Period	Due Date
Q1 2024	May 13 th	Section B: As of March 31, 2024 Section C: Month 1 = January 2024 Month 2 = February 2024 Month 3 = March 2024 Section D: As of March 31, 2024 Section E: January 1 through March 31, 2024 Section F: As of March 31, 2024	June 10 th
Q2 2024	July 1 st	Section B: As of June 30, 2024 Section C: Month 1 = April 2024 Month 2 = May 2024 Month 3 = June 2024 Section D: Not included Section E: April 1 through June 30, 2024 Section F: Not included	July 31 st

Will the survey continue after July 2024?

July 2024 is currently the last planned administration of the survey. A summary report will be provided to the BSCC Board following the second administration. The Board may then consider additional steps, including the need to continue the survey.

Who will receive and complete the survey?

Each agency (probation department, sheriff department) is asked to designate one person as the “agency data reporter” regardless of how many facilities there are within the jurisdiction. Unless notified, the BSCC will assume that this data reporter is the person designated for one of the BSCC’s existing surveys (Jail Profile Survey or the Juvenile Detention Profile Survey).

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How does a county with multiple facilities report the information?

The information requested in the survey will be collected for each local detention facility. If an agency has more than one facility, a separate survey must be completed for each facility.

What is an Opioid Antagonist?

An opioid antagonist is medication that reverses respiratory depression during an opioid overdose. There are several opioid antagonists currently available including but not limited to Naloxone (Narcan), Naltrexone (ReVia), and Nalmefene (Revex).

Why focus on the use of opioid antagonists?

Collecting information to understand the occurrence of drug overdoses within local detention facilities is challenging. These challenges include: (1) the considerable time and resource requirements necessary to confirm whether an incident is indeed the result of a drug overdose; and (2) the limited ability to share medical information between agencies (i.e., medical entities and detention agencies). To overcome these challenges, the BSCC focused on the availability of and use of opioid antagonists, information more readily available to local detention facilities, to serve as a proxy for the occurrence of drug overdoses within local detention facilities.

How do you define an “Incident of Opioid Antagonist Use” within a facility?

When reporting the number of unique incidents of opioid antagonist use, data reporters are provided the following guidance:

- To the extent possible, exclude those incidents of opioid antagonist use that were later determined to not be in response to an overdose situation (e.g., turned out to be any other medical issue).
- If there are multiple doses of an opioid antagonist provided to one person/youth during a single incident, count that as one incident. The intent is to count the number of incidents, not the number of doses/administrations.
- If one person/youth had distinctly separate incidents during the reporting period (e.g., one incident on Tuesday and another on Friday) count them as two incidents.
- Count any incident where opioid antagonists were administered within the facility (regardless of who administered it).

How do you define a “successful intervention” within a facility?

When reporting the total number of successful interventions, data reporters are provided the following guidance:

- A successful intervention is defined as a person/youth is administered an opioid antagonist and there is an immediate or eventual improvement of the person’s/youth’s physiological response to suspected narcotics; the person/youth recovered.

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- Begin with the number of unique incidents of opioid antagonist use (question 8) and the guidance provided for this figure above. Of those incidents, count the number in which the person/youth recovered.
- If one person/youth had distinctly different incidents during the reporting period (e.g., one incident on Tuesday and another on Friday) and recovered both times, count that as two successful interventions.

Is there a response length limit for questions that require a narrative (written text) response?

Yes. Each narrative (written text) response is limited to 4,000 characters, including spaces, or approximately one single-spaced page. It is recommended that the narrative responses first be drafted in Word format and pasted into the form, as you will be unable to save your responses in the form and return at a later time.

Have questions about this survey?

For general questions about this survey please email BSCC-Mail@bscc.ca.gov. Data reporters who have specific data reporting questions should email Research@bscc.ca.gov.

Agenda Item I

MEETING DATE: April 11, 2024

AGENDA ITEM: I

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director, allison.ganter@bscc.ca.gov

SUBJECT: Local Detention Facilities Inspection Update: **Requesting Approval**

Summary

This report is a regular update on the local detention facility inspections completed in the 2023/2024 Biennial Inspection Cycle and a summary of current outstanding items of noncompliance.

Background

The 2023/2024 Biennial Inspection Cycle began on January 1, 2023, and will conclude on December 31, 2024. BSCC staff continue to track the corrective action plan status of items of noncompliance identified during inspections. All county jails and juvenile detention facilities received a comprehensive inspection in 2023; each county jail and juvenile detention facility will receive a targeted inspection in 2024. Unannounced and follow-up inspections will continue throughout the inspection cycle and Type I Jails, Temporary Holding Facilities and Court Holding Facilities will continue to receive comprehensive inspections.

The list of outstanding items of noncompliance at adult detention facilities during the 2023 Annual Inspections can be found here:

<https://app.smartsheet.com/b/publish?EQBCT=4f9dd585796945d2806d39284b9d190a>

The list of outstanding items of noncompliance at adult facilities during the 2024 Annual Inspections is attached.

The list of items of noncompliance for juvenile detention facilities is located here:

<https://app.smartsheet.com/dashboards/3HJ48vc7qg3vvv7mQhgX9Mv434vWjh5f9XH5VW1>

There are no other items of noncompliance that require immediate attention, and staff is not recommending any formal action at this time. Items of noncompliance that have been resolved are located at the bottom of each dashboard.

Recommendation/Action Needed

This is an information item and does not require Board approval.

Attachments

I-1: Outstanding Items of noncompliance

Attachment I-1

2023 Adult Noncompliance Status as of 4.9.2024

County	Facility	Item of N/C 15 or 24	Inspection Findings	Number of Days Since IIR	Comments	Staff Recommendation
Ventura	Main Jail	§ 1027.5 Safety Checks.	the agency is noncompliant with the portion of the regulation which requires safety checks shall occur at random or varied intervals for incarcerated persons placed in safety and sobering cells. After completing the documentation review, it is noted the agency conducts the majority of the safety checks for safety and sobering cell placements at exactly 15 minutes throughout.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1029. Policy and Procedures Manual.	The agency is out of compliance with this regulation as segments need to be updated.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1055. Use of Safety Cell.	The facility is noncompliant with: Continued retention shall be reviewed a minimum of every four hours.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	§ 1055. Use of Safety Cell.	The facility is noncompliant with: Continued retention shall be reviewed a minimum of every four hours.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1055. Use of Safety Cell.	The facility is noncompliant with: •People placed in the safety cell shall be allowed to retain sufficient clothing or be provided with a suitably designed "safety garment," to provide for their personal privacy unless specific identifiable risks to the person's safety or to the security of the facility are documented.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	§ 1055. Use of Safety Cell.	The facility is noncompliant with: •People placed in the safety cell shall be allowed to retain sufficient clothing or be provided with a suitably designed "safety garment," to provide for their personal privacy unless specific identifiable risks to the person's safety or to the security of the facility are documented.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1056. Use of Sobering Cell.	The facility is noncompliant with the portion of the regulation where in no case shall a person remain in a sobering cell over six hours without an evaluation by medical or custody staff to determine whether the person has an urgent medical problem, pursuant to section 1213 of these regulations.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	§ 1056. Use of Sobering Cell.	The facility is noncompliant with the portion of the regulation where in no case shall a person remain in a sobering cell over six hours without an evaluation by medical or custody staff to determine whether the person has an urgent medical problem, pursuant to section 1213 of these regulations.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	1231.2.10 Exercise area	The rooftop exercise space contains 16 enclosures that are used for outdoor exercise space. BSCC staff found the facility out of compliance as these enclosures do not allow free access to toilets, washbasins and drinking fountains as per the regulation.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	1231.2.22 Audio monitoring system	BSCC staff found the facility out of compliance with this regulation as the audio monitoring system in the holding cells in the receiving/intake area were nonexistent.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1027.5 Safety Checks.	the agency is noncompliant with the portion of the regulation which requires safety checks shall occur at random or varied intervals for incarcerated persons placed in safety and sobering cells. After completing the documentation review, it is noted the agency conducts the majority of the safety checks for safety and sobering cell placements at exactly 15 minutes throughout.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

County	Facility	Item of N/C 15 or 24	Inspection Findings	Number of Days Since IIR	Comments	Staff Recommendation
Ventura	Main Jail	§ 1029. Policy and Procedures Manual.	The agency is out of compliance with this regulation as segments need to be updated.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1055. Use of Safety Cell.	The facility is noncompliant with: Continued retention shall be reviewed a minimum of every four hours.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	§ 1055. Use of Safety Cell.	The facility is noncompliant with: Continued retention shall be reviewed a minimum of every four hours.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	§ 1056. Use of Sobering Cell.	The facility is noncompliant with the portion of the regulation where in no case shall a person remain in a sobering cell over six hours without an evaluation by medical or custody staff to determine whether the person has an urgent medical problem, pursuant to section 1213 of these regulations.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Main Jail	1231.2.10 Exercise area	The rooftop exercise space contains 16 enclosures that are used for outdoor exercise space. BSCC staff found the facility out of compliance as these enclosures do not allow free access to toilets, washbasins and drinking fountains as per the regulation.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	1231.2.22 Audio monitoring system	BSCC staff found the facility out of compliance with this regulation as the audio monitoring system in the holding cells in the receiving/intake area were nonexistent.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Ventura	Todd Road Jail	§ 1029. Policy and Procedures Manual.	The agency is out of compliance with this regulation as segments need to be updated.	63		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Santa Barbara	Main Jail	§ 1055. Use of Safety Cell.	After completing the documentation review, BSCC staff determined the facility is noncompliant with the portion of the regulation which requires a review for continued retention at a minimum of every four hours.	78		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Santa Barbara	Main Jail	§ 1055. Use of Safety Cell.	After completing the documentation review, BSCC staff determined the facility is noncompliant with completing safety checks at least twice every 30 minutes, with no more than a 15-minute lapse between safety checks.	78		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Santa Barbara	Main Jail	§ 1058. Use of Restraint Devices.	After completing the documentation review, BSCC staff determined the facility is noncompliant with the portion of the regulation which requires a review for continued retention at a minimum of every hour.	78		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Agency Wide	§ 1053. Administrative Segregation.	Agency classification staff advised they do not conduct ongoing reviews and evaluations for the need to continue placement in administrative separation.	97	2/5/24: Department policy updated to include periodic reviews every 60-90 days, policy under review by command.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Central Men's Jail	1231.3.11 Table/seat	Insufficient tables and seats for the rated capacity in Ward C, D, and Dorms 5 & 6	97	2/5/24: Movement/rearrangement of existing benches/bunks to make room for new tables, expected completion four months.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Central Women's Jail	1231.3.11 Table/seat	Tank 13 and 14 have insufficient seating and tables for the rated capacity.	97	2/5/24: Tanks 13 and 14 are being reduced and additional tables installed, expected completion four months.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Intake Release Center	1231.2.22 Audio monitoring system	There is no audio monitoring system in the intake holding cells.	97	2/5/24: Project research initiated, completion one-two years.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Theo Lacy	§ 1032. Fire Suppression Preplanning.	Facility staff could not provide documentation of monthly Fire Prevention Inspections from the last two years.	97	2/5/24: Documentation of monthly inspections implemented 12/1/23.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Theo Lacy	1231.2.7 Double-occupancy cells	Module I, J, K, and L have cells less than 70 sq. ft.	97	2/5/24: Agency will not house incarcerated in cells less than 70 sq. ft.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Theo Lacy	1231.2.8 Dormitories	On the day of inspection, Barracks F, G, H were populated over their rated capacity.	97	2/5/24: Reopening of Musick should alleviate overpopulation.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

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Orange	Theo Lacy	1231.3.1 Toilets/urinals	On the day of inspection, Barracks F, G, H were populated over their rated capacity and therefore had insufficient fixtures.	97	2/5/24: Reopening of Musick should alleviate overpopulation.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Theo Lacy	1231.2.9 Dayrooms	On the day of inspection, Barracks F, G, H were populated over their rated capacity	97	2/5/24: Reopening of Musick should alleviate overpopulation.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Theo Lacy	1231.3.11 Table/seat	Various dorms have insufficient tables and seats to accommodate the maximum population.	97	2/5/24: Renovation project includes moving bunks and installing additional tables. Projected completion two months.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Orange	Theo Lacy	1231.2.22 Audio monitoring system	The Receiving Area/Booking Loop does not have audio monitoring in the holding cells.	97	2/5/24: Project research initiated, completion one-two years.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	§ 1027.5 Safety Checks.	Safety checks completed over a 60-minute lapse.	140	Will verify compliance in 2024. Practice changed. On November 21, 2023, a memo to all staff at RCCC was sent informing them that there was no longer a grace period on the hourly safety checks. All checks were to be completed between 40 and 60 minutes of the previous check. A code system was developed in their JMS to identify when a safety check was nearing. Included in the memo was a notation that reasons for late safety checks must be identified and the reasoning must be of a significant nature. Short staffing was not acceptable.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	§ 1081. Plan for Inmate Discipline.	Most of the documentation provided did not show evidence used to determine guilt/innocence.	140	Will verify compliance in 2024. Practice changed. On November 22, 2023 a memo to all RCCC Supervisors and Lieutenants informing them of the need to ensure to cite the evidence used in determining guilt/innocence.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	§ 1265. Issue of Personal Care Items.	Tampons and pads were seen during inspection, but when asked about access to pany liners all inmates stated that they did not have them. Not stated in policy either.	140	Will verify compliance in 2024. On January 08, 2024 a shipment of 20 cases of panty liners was received at RCCC. Two of those cases were immediately provided to the female housing area at RCCC. Each case contains 792 liners.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	1231.2.6 Single-occupancy cells	Most single cells have been double bunked.	140	Long term project	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	1231.2.8 Dormitories	Additional bunks, over rated capacity, in Honor Barracks J and K, JFK Dorm, Camilla, Golden Poppy, and Kinya. However, only J dorm had a population over 64.	140	Long term project	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	1231.3.4 Showers	Ratio of 1:20 for showers exceeded in KBF South 300, JFK North 200-North 600, and Camilla	140	Long term project	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	RCCC	1231.2.22 Audio monitoring system	No audio monitoring system in the male booking area.	140	Long term project	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	Main Jail	§ 1027.5 Safety Checks.	Safety checks completed over a 60-minutes lapse.	140	Will verify compliance in 2024. Practice changed.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Sacramento	Main Jail	§ 1055. Use of Safety Cell.	Most safety checks were not completed within a 15-minute lapse of time between them.	140	Will verify compliance in 2024. Practice changed.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Amador	Amador County Jail	1231.2.9 Dayrooms	BSCC rated capacity is 76, but the facility has been operating well over capacity for over a decade. On the date of the inspections, the facility had 87 in custody, 9% over the rated capacity. To accommodate the additional persons, some of the dayrooms contain triple bunks and sleeping boats that are in use.	142	Long-term issue pending ongoing construction project.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

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Modoc	Modoc County Jail	§ 1027. Number of Personnel.	The agency currently has one female sergeant and two female staff assigned to the Jail. BSCC staff determined the agency is noncompliant with this regulation due to not having female staff assigned to each shift.	170	The agency is in the 30 day CAP period. CAP is due by November 25, 2023.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Modoc	Modoc County Jail	1231.3.2 Wash basins	Water in the washbasins of C, D, E, and F tanks (seven cells total) was nonoperational on the inspection day. Work orders were placed in the system for repair. Water is available in the dayrooms.	170	The agency is in the 30 day CAP period. CAP is due by November 25, 2023.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Kern	Justice Facility	1231.2.4 Sobering cell	The facility is now conducting all intake for the agency. They constructed a new sobering cell but do not have final approvals. The facility has one sobering cell in use.	174	The agency is in the 30 day CAP period. 11-27-23/JP; The agency is using the sobering cell the Max/Med facility as needed while continuing efforts to get permission to use new cell and build and a 3rd cell. 1-23-24/JP; Agency is pursuing 3 course of resolution. The hired contractor is hopeful to have State Fire Marshal approval in 30 days. The agency has begun contact with another vendor to convert another cell. In the interim is they have a female both in need of a sobering cell, the facility has implemented a procedure to use the sobering cell at the Med/Max facility. this cell was inspected during the 2023 comprehensive inspection.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Intake Reception Center	§ 1058. Use of Restraint Devices.	At the time of inspection, BSCC staff determined non-compliance due to incomplete reports.	191	BSCC staff was advised on January 31 that the Chief Physician has agreed to prepare a directive requiring medical staff to conduct medical assessments upon an inmates placement to fixed restraint devices, however, as of March 12, 2024, the directive has not been disseminated.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	North County Correctional Facility	1231.2.7 Double-occupancy cells	Additional bunks over rated capacity	195		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	North County Correctional facility	1231.2.8 Dormitories	Additional bunks over rated capacity	195		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Pitchess Detention Center South	1231.2.7 Double-occupancy cells	Additional bunks over rated capacity	195		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Pitchess Detention Center South	1231.2.8 Dormitories	Additional bunks over rated capacity	195		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Pitchess Detention Center North	1231.2.7 Double-occupancy cells	Additional bunks over rated capacity	195		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Pitchess Detention Center North	1231.2.8 Dormitories	Additional bunks over rated capacity	195		BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Del Norte	Del Norte County Jail	§ 1056. Use of Sobering Cell.	BSCC staff determined the agency is noncompliant with this regulation due to eight out of twenty-two reports reviewed documented safety checks not being routinely completed with the thirty-minute time requirements of this regulation.	198	FR follow-up in January 2024. The agency is still noncompliant with safety checks. FR will conduct another follow -up in February 2024..	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Del Norte	Del Norte County Jail	§ 1065. Exercise and Recreation.	During the interviews with incarcerated persons, they stated they receive two hours of daily dayroom recreation and a minimum of three or more recreation yard opportunities each week. During the documentation review, BSCC staff determined the agency was noncompliant due to not consistently documenting three hours of exercise and seven hours of recreation for administratively separated persons. Noncompliance is based on the lack of documentation.	198	FR follow-up in January 2024. The agency is still noncompliant with documenting recreation yard for Ad/Sep population. FR will conduct another follow -up in February 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

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Del Norte	Del Norte County Jail	1231.2.22 Audio monitoring system	The two sobering cells are noncompliant with this regulation because the intercoms are out of service.	198	FR follow-up in January 2024. The agency has created a work order and is in the process of correcting the issue.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Twin Towers	§ 1065. Exercise and Recreation.	At the time of the inspection, the facility was not providing seven (7) hours of recreation.	205	On-Site follow p inspection conducted on 11/21/23. BSCC staff reviewed additional logs and determined inconsistent entries.	BSCC staff recommends that the Board requests Sheriff/Chief to appear at next regularly scheduled Board meeting.
Los Angeles	Men's Central Jail	§ 1027.5 Safety Checks.	The facility had numerous lapses in safety check documentation.	205	2/23/2024 - two (2) unannounced inspections have been conducted in Jan and Feb 2024. Although progress has been made, MCJ remains out of compliance due to excessive tenting and the inability to determine an inmates health and safety.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Men's Central Jail	§ 1065. Exercise and Recreation.	Facility was non compliant is offering seven (7) hours of rec time	205	Noncompliance is a result of an outdated physical layout and numerous classifications of inmates and large population. MCJ will continue to explore alternative locations within the facility that can be repurposed into recreation space.	BSCC staff recommends that the Board requests Sheriff/Chief to appear at next regularly scheduled Board meeting.
San Diego	Central Jail	1231.2.2 Temporary holding cell or room	Holding cell was over capacity at time of inspection	209	Verification of corrective action for all Title 24 issues will be made in 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	Vista Detention Center	1231.2.22 Audio monitoring system	Two temporary holding cells did not have audio communication	209	Verification of corrective action for all Title 24 issues will be made in 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	Vista Detention Facility	1231.2.6 Single-occupancy cells	Double bunks installed in single occupancy cells	209	Verification of corrective action for all Title 24 issues will be made in 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	East Mesa Reentry Facility and Vista Detention Facility	1231.2.8 Dormitories	Additional bunks over rated capacity.	209	Verification of corrective action for all Title 24 issues will be made in 2024..	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	George Baily Detention Facility	1231.3.2 Wash basins	Several dormitory housing areas where it exceeds the washbasin to inmate ratio (1:10)	209	Verification of corrective action for all Title 24 issues will be made in 2024..	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	George Baily	1231.3.1 Toilets/urinals	Several dormitory housing areas where it exceeds the toilet/urinal to inmate ratio (1:10)	209	Verification of corrective action for all Title 24 issues will be made in 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	George Bailey	1231.2.7 Double-occupancy cells	Double occupancy cells contain triple bunks	209	Verification of corrective action for all Title 24 issues will be made in 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	Central Jail	1231.2.7 Double-occupancy cells	Double occupancy cells contain triple bunks	209	Verification of corrective action for all Title 24 issues will be made in 2024.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	South Bay	1231.2.7 Double-occupancy cells	Double occupancy cells contain triple bunks	209	Verification of corrective action for all Title 24 issues will be made in 2024..	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	Vista	1231.2.8 Dormitories	Additional bunks over the rated capacity	209	Verification of corrective action for all Title 24 issues will be made in 2024..	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	East Mesa	1231.2.8 Dormitories	Additional bunks over the rated capacity	209	Verification of corrective action for all Title 24 issues will be made in 2024..	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Tulare	Adult Pre-Trial Facility	§ 1065. Exercise and Recreation.	BSCC staff determined all the facilities not complaint with this regulation due to lack of specifics in the documentation of exercise and out of cell time for individuals who program by themselves.	209	11-8-23/JP; Documents received and under review. 11-21-23/JP; Provided documents did not clear the 1065 non-compliance. Next document request 12-21-23. 1-23-24/JP; Reviewed document from 12-21-23 request. Facility did make some improvement, however still remains non-compliant. Conferred with agency and they stated they will be implementing a new classification system/model in the next 2 to 3 months. New follow-up request for documents is scheduled for 2-22-24.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

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Tulare	Bob Wiley Detention Facility	§ 1065. Exercise and Recreation.	BSCC staff determined all the facilities not complaint with this regulation due to lack of specifics in the documentation of exercise and out of cell time for individuals who program by themselves.	209	11-8-23/JP; Documents received and under review. 11-21-23/JP; Provided documents did not clear the 1065 non-compliance. Next document request 12-21-23. 1-23-24/JP; Reviewed document from 12-21-23 request. Facility did make some improvement, however still remains non-compliant. Conferred with agency and they stated they will be implementing a new classification system/model in the next 2 to 3 months. New follow-up request for documents is scheduled for 2-22-24.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Tulare	South County Detention Facility	§ 1065. Exercise and Recreation.	BSCC staff determined all the facilities not complaint with this regulation due to lack of specifics in the documentation of exercise and out of cell time for individuals who program by themselves.	209	11-8-23/JP; Documents received and under review. 11-21-23/JP; Provided documents did not clear the 1065 non-compliance. Next document request 12-21-23. 1-23-24/JP; Reviewed document from 12-21-23 request. Facility did make some improvement, however still remains non-compliant. Conferred with agency and they stated they will be implementing a new classification system/model in the next 2 to 3 months. New follow-up request for documents is scheduled for 2-22-24.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Trinity	Trinity County Jail	§ 1027. Number of Personnel.	There are times when staffing drops below plans minimum staffing, there are problems with meeting minimum safety check requirements in the intake area, and there are times when the facility does not have female corrections personnel immediately available to females in custody.	231	BOS refused to grant addition positions. Recruit to find female staff is underway. Sheriff believe budget limits will not allow for more staff. As of Nov 13, 2023, the agency was able to hire additional female staff and have multiple applicants in background.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Mendocino	Adult Detention Facility	§ 1055. Use of Safety Cell.	After completing the documentation review, BSCC staff determined the agency is noncompliant with consistently completing safety checks with the 15-minute requirement of this regulation.	238	Will need to be followed up on by reviewing another sample of logs at a later time.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Mendocino	Adult Detention Facility	1231.2.8 Dormitories	On the day of inspection, housing areas in Buildings 1 and 2 had multi-occupancy cells and dormitories that were above their rated capacities.	238	Will be remedied when the new portion of the facility is complete. As their population fluctuates, this will not always be noncompliant.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Mendocino	Adult Detention Facility	1231.3.5 Beds	Throughout the entire facility, stack-a-bunks or temporary plastic beds are utilized.	238	Will be remedied when the new portion of the facility is complete. As their population fluctuates, this will not always be noncompliant.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Alameda	Santa Rita Jail	§ 1027.5 Safety Checks.	The agency is noncompliant with this regulation due to safety checks being conducted in excess of 60-minutes from the last check.	239	10/31/2023: Pending 60 day review since receipt of CAP. Agency plans to address Title 15 noncompliance issues with staff training. 11/9/2023: Agency provided training bulletin (addressing input justifying late safety checks) and safety check logs. 11/17/2023: Agency remains noncompliant, checks are still being conducted in excess of 60 mins from the previous check.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

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Alameda	Santa Rita Jail	§ 1056. Use of Sobering Cell.	The agency is noncompliant with this regulation due to safety checks of persons in the sobering cell exceeding 30-minutes from the last check.	239	10/31/2023: Pending 60 day review since receipt of CAP. Agency plans to address Title 15 noncompliance issues with staff training. 11/9/2023: Agency sent safety check compliance logs, however there is a question regarding the information captured, pending review. 11/17/2023: Agency has not placed an arrestee in a Sobering Cell since their comprehensive inspection; therefore, compliance cannot be determined at this time. 1/31/2024: Agency has not placed an arrestee in a Sobering Cell since the comprehensive inspection, compliance cannot be determined at this time.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Alameda	Santa Rita Jail	1231.2.22 Audio monitoring system	The agency is noncompliant with this regulation due to the cells in the booking area lacking a audio monitoring system.	239	11/9/2023: BSCC provided technical assistance regarding programing phones in holding cells with direct dial capability to central control for emergencies. Agency is working with phone provider. 1/31/2024: Alameda staff advised phones in holding cells have been programmed to call central control, however system is not live yet. Will advise.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Imperial	Regional Adult Detention Facility	1231.2.22 Audio monitoring system	The agency is out of compliance due to the Regional Adult Detention Facility not having a working audio monitoring system, and there are seven cells in the intake area with no intercom capability.	275	7/10/2023 Agency advised during follow up exit the components for audio are present everywhere (except intake at the Regional) the internal wiring has yet to be installed. Follow-up 10/17/2023: Agency still pending project completion. 11/28/2023: Agency reached out, still pending assistance with audio monitoring. 2/1/2024: Intercoms installed awaiting connection to server.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Imperial	Hurbert Hughes Detention Facility	1231.2.22 Audio monitoring system	The agency is out of compliance due to the Herbert Hughes Detention Facility not having a working audio monitoring system.	275	7/10/2023 Agency advised during follow up exit the components for audio are present everywhere (except intake at the Regional) the internal wiring has yet to be installed. Follow-up 10/17/2023: Agency still pending project completion. 11/28/2023: Agency reached out, still pending assistance with audio monitoring. 2/1/2024: Intercoms pending connection to server.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Plumas	Plumas County Jail	§ 1027. Number of Personnel.	As of the inspection, jail staff is working 12-hour shifts, 4 days a week, to meet minimum requirements. Operating with 52% of budgeted positions in the facility. Although meeting minimum requirements through use of overtime, there are only 3 female correctional staff assigned to the facility which does not meet the requirement of having trained female staff available to females that are in custody.	286	The county and association is negotiating increases to help with retention and hiring. They are also negotiating with two former female staff to return. As of February 1, 2024, recruitment is on going.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Plumas	Plumas County Jail	§ 1027.5 Safety Checks.	Manual does not include a documented process by which safety checks are reviewed at regular intervals by supervisors and that review is logged.	286	Local agency requires a legal review and board of supervisors approval of manual. County is entering into a new legal contractor. In practice, they are meeting requirements.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Plumas	Plumas County Jail	§ 1029. Policy and Procedures Manual.	The current manual being used in the jail facility is dated April 10, 2018.	286	Local agency requires a legal review and board of supervisors approval of manual. County is entering into a new legal contractor.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

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Stanislaus	PSC East/West	§ 1027. Number of Personnel.	Insufficient staffing in housing areas D, E, F, G, and I	301	Agency is working with the Board of Supervisors. This is a budget item and will be included in the next FY Budget request. This was identified at an unannounced inspection that was conducted on 6/14/23. A CAP is due on or before 07/21/23. BSCC will follow-up with county by September 19th to determine current status.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Riverside	Blythe County Jail	1231.2.6 Single-occupancy cells	During the on-site inspection, it was noted that this facility was over their facility rated capacity.	307	CAP received 06/21/2023	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Riverside	Larry D. Smith Correctional Facility	1231.2.8 Dormitories	During the on-site inspection, it was noted that this facility was over their facility rated capacity.	307	CAP received 06/21/2023	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Imperial	Regional Adult	1231.3.11 Table/seat	The agency is out of compliance due to single and double occupancy cells not having a seat in the Regional Adult Detention Facility. *The agency advised they have seats and are working to install them.	342	7/10/2023: Held agency member CAP meeting, they are receiving quotes for purchasing new stools; therefore, they are still out of compliance. Follow-up 10/17/2023: Agency pending project funding. 11/28/2023: Agency advised seats were purchased, pending arrival and installation. 2/1/2024: Stools arrived, awaiting installation.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Calaveras	Calaveras County Adult Detention Facility	§ 1027. Number of Personnel.	BSCC staff reviewed the facility staffing plan, recent duty roster, assignments, safety checks and available programs. The facility is operating with 63% of budgeted staff. The safety checks are being missed on a regular basis due to low staffing levels, and programs that existed prior to the COVID-19 measures have not returned because there is not adequate staff to implement and supervise the activities.	363	The agency has been able to add a classification to help with retention and has been successful in recruiting some new correctional staff. Programs have resumed and safety checks are being completed as required. On Nov 13, 2023, agency advised that they have hired 8 persons but still have 3 openings.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Merced	Main Jail	§ 1027. Number of Personnel.	Additional staffing needed. In violation last inspection, received funding, unable to recruit and retain staff.	370	At BOS meeting held on 08/22/23, the BOS asked Sheriff to place the staffing issue on the agenda so they could talk about the issue.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Merced	JLCC	§ 1027. Number of Personnel.	Additional staffing needed. In violation last inspection, received funding, unable to recruit and retain staff.	370	CAP update meeting held on 07/12/23. The County imposed a contract on the union. Union representing Correctional Officers has decided to not represent CO's any longer. Continue with staff shortages. Included additional personnel in mandatory overtime, some jail administrators are working line positions. This is an on-going issue and will not be resolved quickly. Staff are leaving due to very competitive staff allowances in other neighboring counties. Seven, Correctional Officers are in the academy, however once they complete the academy they will be on training. The jail has approximately 32 vacant positions.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Merced	JLCC	§ 1280. Facility Sanitation, Safety, and Maintenance.	Dormitories in disrepair. Broken sinks, toilets, holes in walls	370	This is a long-term project and will include the complete renovation of all dormitories, the creation of additional exercise yards, and ultimately. Merced County also has funding for a new 256 bed jail facility to replace the downtown jail and it will be located adjacent to the JLCC. BSCC staff will continue to follow-up. A groundbreaking ceremony for both the JLCC project and the Main Jail Replacement facility will take place on September 19, 2023. This is a long-term project and buildings will eventually be remodeled.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

County	Facility	Item of N/C 15 or 24	Inspection Findings	Number of Days Since IIR	Comments	Staff Recommendation
Fresno	North Annex	1231.2.8 Dormitories	More than 64 inmates in dormitories. Federal court order which allows for more.	384	Fresno County has a Federal Court order stating the number of inmates that can be housed in dormitory housing units of this facility. Though the facility is non-compliant with Title 15 regulations, they are compliant with the court order. There are no plans to reduce the capacities in these dorms at this time. Fresno is currently in the last phase of building a new jail, but it will only have minor affects on capacity at this jail. BSCC staff will continue to follow-up. A groundbreaking ceremony for both the JLCC project and the Main Jail Replacement facility will take place on September 19, 2023. This is a long-term project and buildings will eventually be remodeled.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Butte	Butte County Jail	§ 1053. Administrative Segregation.	Because the facility lacks safety cells or more temporary holding cells, these rooms or PDE are often used several hours and were not designed with bunk, toilet, or fountain. This deprives access to these items for the time held until other arrangements or re-classification takes place. The agency is conducting increased checks on these persons and regularly ensuring that they have water and food, but these rooms or holding systems are not approved for housing.	425	On going issue, pending construction of SB 863 project. Agency is taking mitigation measures to limit use of these rooms and ensure those held in the rooms has reasonable access to water and toilets. Construction of the addition to the facility started in May 2023.	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

2024 Report for Board Adult Items of Noncompliance



2024 Adult Noncompliance Status as of 4.9.2024

County	Facility Name	Item of Noncompliance	Inspection Findings	Number of Days Since Exit Briefing
1 Butte	Butte County Jail	§ 1027.5 Safety Checks.	(d) Safety checks shall occur at random or varied intervals. BSCC staff found that safety check logs show that checks are not being conducted at random or varied times within the required intervals.	8
2 Butte	Butte County Jail	§ 1027.5 Safety Checks.	(e) There shall be a written plan that includes the documentation of all safety checks. Documentation shall include: (1) the actual time at which each individual safety check occurred. BSCC staff found that the safety check times per module does not reflect the actual time that the checks occurred. Logs indicate that the checks by a deputy is the same on 2 or more modules at the same documented time.	8

Staff Recommendation
BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.

2023 Juvenile Noncompliance Status as of 4.10.2024

County	Facility	Item of N/C 15 or 24	Inspection Findings	Number of Days Since IIR	# days from CAP Received (up to 90 days per WIC)	Staff Recommendation
Los Angeles	Secure Youth Treatment Facility(SYTF) @DKC	§ 1324. Policy and Procedures Manual.	The agency lacks a policy and procedure manual specific to the SYTF population and currently utilize the RTSB manual, which is not specific to, nor addresses the SYTF facility operation.	110	50	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Secure Youth Treatment Facility(SYTF) @DKC	§ 1355. Institutional Assessment and Plan.	Objectives are being identified during the assessment, but the timeline for resolution is not indicated. Policy must outline that timelines are documented when objectives are identified for youth. In practice, periodic reviews are happening weekly; policy must be updated to include this practice to maintain compliance.	110	50	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
Los Angeles	Secure Youth Treatment Facility(SYTF) @DKC	§ 1390. Discipline.	Discipline is not clearly defined. The new rule book notes consequences are not specific to major or minor rule violations but to if a PIR or SIR(reports) is written. No documentation was provided or made known for review as to whether there are any provisions for youth with disabilities or limited literacy or language needs. There are some consequences noted in the handbook, however, Room Confinement is noted as a sanction. This is non-compliant with regulation and contrary to WIC 208.3	110	50	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	East Mesa Juvenile detention Facility	§ 1321. Staffing.	(a) The facility doesn't have sufficient personal to carry out the overall facility operation and its programming.	142	82	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	East Mesa Juvenile detention Facility	§ 1354.5 Room Confinement.	(2) Due to the shortage of staff youth are often required to eat meals in their rooms. Also, after 6pm youth may be required to remain in their rooms with only showers being conducted.	142	82	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	East Mesa Juvenile detention Facility	§ 1371. Programs, Recreation, and Exercise.	(a)(b)(c) Due to the shortage of staff youth often don't receive one (1) hour minimum each of programs, recreation, and exercise.	142	82	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	San Diego Secure Youth Treatment Facility	§ 1321. Staffing.	(a) The facility doesn't have sufficient personnel to carry out the overall facility operation and its programming.	142	82	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	San Diego Secure Youth Treatment Facility	§ 1354.5 Room Confinement.	(2) Due to the shortage of staff, youth are often required to eat meals in their rooms. Also, after 6pm youth may be required to remain in their rooms with only showers being conducted.	142	82	BSCC staff will continue follow-up; update at next Board meeting. No request for Sheriff/Chief to appear at this time.
San Diego	San Diego Secure Youth Treatment Facility	§ 1371. Programs, Recreation, and Exercise.	(a)(b)(c) Due to the shortage of staff youth often don't receive one (1) hour minimum each of programs, recreation, and exercise.	142	82	

**Agenda Item J-1-1
Barry J. Nidorf
Secure Youth
Treatment Facility**

MEETING DATE: April 11, 2024

AGENDA ITEM: J.1

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director, Allison.Ganter@bscc.ca.gov
Lisa Southwell, Field Representative, Lisa.Southwell@bscc.ca.gov
Aaron Maguire, General Counsel, Aaron.Maguire@bscc.ca.gov

SUBJECT: Reinspection and Determination of Suitability – (Welf. & Inst. Code, § 209(a)(4) & (d).)
Barry J. Nidorf Secure Youth Treatment Facility, Los Angeles County
Requesting Approval

Summary

This agenda item requests that the Board determine if the conditions that rendered the Barry J. Nidorf Secure Youth Treatment Facility (BJNSYTF) unsuitable have been remedied and whether the facility is a suitable place for the confinement of juveniles within the meaning of Welfare and Institutions Code section 209, subdivisions (a)(4).

Background

The Board of State and Community Corrections (BSCC) establishes the minimum standards for juvenile halls, camps, and secure youth treatment facilities (SYTF) and conducts biennial inspections of those facilities. (Welf. & Inst. Code, §§ 209, 210, 875, & 885.) Regulations setting forth these minimum standards can be found in Sections 1300-1511 of Title 15 of the California Code of Regulations.

Welfare and Institutions Code section 209, subdivision (d), provides:

Except as provided in subdivision (e), a juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility,¹ law enforcement facility, or jail shall be unsuitable for the confinement of juveniles if it is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210, 210.2, 875, 885, or subdivision (e) of Section 207.1, and if, within 60 days of having received notice of noncompliance from the board or the judge of the juvenile court, the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail has failed to file an approved corrective action plan with the Board of State and Community Corrections to correct the condition or conditions of noncompliance of which it has been notified. The corrective action plan shall outline how the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law

¹ The authority to make determinations of suitability for secure youth treatment facilities and juvenile ranches and camps was added to section 209 as part of the Budget Act of 2023. (Assembly Bill 134, Chapter 47, Statutes of 2023.)

enforcement facility, or jail plans to correct the issue of noncompliance and give a reasonable timeframe, not to exceed 90 days, for resolution, that the board shall either approve or deny. In the event the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail fails to meet its commitment to resolve noncompliance issues outlined in its corrective action plan, the board shall make a determination of suitability at its next scheduled meeting.

Welfare and Institutions Code section 209, subdivision (a)(4), provides:

If either a judge of the juvenile court or the board, after inspection of a jail, juvenile hall, special purpose juvenile hall, lockup, camp, ranch, or secure youth treatment facility finds that it is not being operated and maintained as a suitable place for the confinement of juveniles, the juvenile court or the board shall give notice of its finding to all persons having authority to confine juveniles pursuant to this chapter and, commencing 60 days thereafter, the facility shall not be used for confinement of juveniles until the time the judge or board, as the case may be, finds, after reinspection of the facility, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles.

At the February 15, 2024, Board meeting, the BSCC Board determined that the BJN SYTF was out of compliance with the following sections of Title 15 because the Probation Department did not complete corrective action within the timeline set forth in section 209, subdivision (d), and was unsuitable for the confinement of juveniles:

1. § 1321, Staffing
2. § 1353, Orientation
3. § 1357, Use of Force
4. § 1371, Programs, Recreation, and Exercise
5. § 1390, Discipline

On February 16, 2024, the Los Angeles County Probation Department was noticed that pursuant to Welfare and Institutions Code section 209, subdivision (a)(4), commencing 60 days following the notice or by April 16, 2024, the facility shall not be used for the confinement of juveniles until the Board finds, after reinspection of the facilities, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles.

BSCC staff scheduled a reinspection of the BJN SYTF for April 4, 2024. During that inspection, and in the days that followed, BSCC staff reviewed proof of practice documentation from March 29 through April 8, 2024. BSCC staff also spoke with youth at the facility to confirm practice. The findings from that inspection are contained in Attachment 1; Upon reinspection, BSCC staff have determined that the facility is in compliance with the following sections of Title 15:

1. § 1321, Staffing
2. § 1353, Orientation
3. § 1357, Use of Force
4. § 1371, Programs, Recreation, and Exercise
5. § 1390, Discipline

Recommendation/Action Needed

Staff recommends that the Board:

1. Find that the following items of noncompliance that rendered the Barry J Nidorf Secure Youth Treatment Facility unsuitable have been remedied:
 - § 1321, Staffing
 - § 1353, Orientation
 - § 1357, Use of Force
 - § 1371, Programs, Recreation, and Exercise
 - § 1390, Discipline
2. Make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivision (a)(4), that the Barry J Nidorf Secure Youth Treatment Facility is suitable for the confinement of juveniles.
3. Direct BSCC staff to conduct regular, targeted inspections of the Barry J Nidorf Secure Youth Treatment Facility.

Attachments

Attachment 1: April 10, 2024 Inspection Report of the Barry J Nidorf Secure Youth Treatment Facility

Attachment J-1-1



April 10, 2024

Guillermo Viera Rosa, Chief Probation Officer
Los Angeles County Probation Department
1601 Eastlake Avenue
Los Angeles CA 90033

REINSPECTION FOR DETERMINATION OF SUITABILITY – BARRY J NIDORF SECURE YOUTH TREATMENT FACILITY

Dear Chief Viera Rosa:

At the February 15, 2024, Board meeting, the Board of State and Community Corrections (BSCC) determined that the Barry J. Nidorf Secure Youth Treatment Facility (BJN SYTF) was unsuitable for the confinement of juveniles pursuant to Welfare and Institutions Code section 209, subdivisions (a)(4) & (d) due to noncompliance with the following sections of Title 15, Minimum Standards for Juvenile Facilities:

1. § 1321, Staffing
2. § 1353, Orientation
3. § 1357, Use of Force
4. § 1371, Programs, Recreation, and Exercise
5. § 1390, Discipline

On April 4, 2024, BSCC staff conducted a reinspection of the Barry J Nidorf Secure Youth Treatment Facility (BJN SYTF) to determine if the conditions that rendered the facility unsuitable had been remedied. (Welf. & Inst. Code, § 209, subd. (a)(4).) During our inspection and in the days following the inspection, we reviewed proof of practice documentation from March 29 through April 9, 2024. We also talked with youth at the facility to confirm practice.

Our review of policy, processes, and documentation indicates that the BJN SYTF is now in **compliance** with the following sections of Title 15:

§ 1321, Staffing

2/2/24 Findings: A staffing analysis was provided to BSCC staff, which indicated the minimum staffing required to carry out the overall facility operation and its programming, to provide for safety and security of youth and staff and meet established standards and regulations. Our review of documentation indicates that these minimum staffing numbers were not consistently met. Additionally, we observed that the reassigned field staff who were assigned to the facility to bolster staffing were removed from the facility. The facility's CAP, correction of the noncompliance, and continued compliance is

dependent on these staff to meet minimum staffing requirements; without this complement, we are unsure how compliance will be achieved and be maintained.

April 4, 2024, Inspection Findings: BSCC staff were provided with a staffing plan for the facility with an effective date of April 2, 2024. We reviewed the Daily Schedule, Shift Report, the Shift Staffing Schedule, and the Daily Facility Report, comparing those numbers with the mandatory minimum numbers in the staffing plan. Our review indicates that almost all shifts are meeting these minimum numbers.

There was some confusion and conflicting information related to staffing during our recent inspection and we encourage Department leadership to ensure that facility management is aware of the Department approved minimum staffing numbers to ensure continued compliance.

In past inspections, other required services and programs were impacted due to lack of staffing, such as education and programs, recreation, and exercise. Our review of documentation and discussions with youth indicate that required services and programs are occurring at levels in compliance with Title 15 and are not being denied due to staffing.

We are aware that field staff continue to be deployed each day to complement assigned facility staff. The Department is continuing to concentrate on recruitment efforts to bolster staff. It is imperative that the Department continue to focus on reasonable and durable solutions to the many issues affecting staffing levels at the facility to maintain delivery of services and programs and ensure safety and security.

§ 1353, Orientation

2/2/24 Findings: A review of the orientation manual indicates that the manual is missing several areas required by regulation; in addition, other areas have not been implemented. The following areas need to be addressed in the orientation manual:

- (a) facility rules*
- (b) facility's system of positive behavior interventions and supports, including behavior expectations, incentives that youth will receive for complying with facility rules, and consequences that may result when youth violate the rules of the facility*
- (e) the youth's right to be free of retaliation for reporting a grievance*
- (h) recreational activities*
- (i) housing assignments*
- (l) availability of reading materials, and other activities*
- (n) immigration legal services*
- (r) the process for requesting different housing, education, programming, and work assignments*
- (s) a process for which parents/guardians receive information regarding the youth's stay in the facility that at a minimum includes answers to frequently asked questions and provides contact information for the facility, medical, school, and mental health*

April 4, 2024, Inspection Findings: We reviewed the updated Youth Handbook, which has been updated to include all required items, including the incentives related to the Developmental Stage System (DSS). We also reviewed the one-page addendum highlighting the changes to the Handbook. While newly admitted youth will receive the updated manual, all currently housed youth have been given the addendum.

We spoke with youth and confirmed that youth have been reoriented to the updated Handbook and have been given the addendum. All the youth we spoke with indicated that they understood the changes that were made to the Handbook and the DSS.

§ 1357, Use of Force

2/2/24 Findings: A review of documentation indicates that not all staff assigned to the facility have received the required training.

Policy Section 1002 States “All sworn officers that are authorized to utilize physical intervention techniques in the performance of their duties shall receive department-approved training (initial training and annual refresher training) on de-escalation, physical intervention, and chemical intervention/decontamination techniques prior to being authorized to utilize force.”

The approved CAP indicated that updated training would conform to policy requiring 24-hour training: eight (8) hours on policy and 16 hours on hands-on techniques, further noting “The Department will determine that all staff have had appropriate training on use of force either the initial or refresher that conforms to the policy and § 1357.” The CAP also stated the Department will implement a two (2) hour training on the appropriate use of OC Spray for all staff that have previously not had the training.

We reviewed documentation on incident debrief and parent contact after use of force; this practice has been corrected.

April 4, 2024, Inspection Findings: To be compliant and consistent with their policy, the Department’s plan is to complete all required training by June 30, 2024. The Department is conducting ongoing Physical Intervention Training (PIT) Day 1 (8 hours) to cover staff who have not taken the refresher since April 1, 2023. The Department intends to have the remaining staff scheduled and trained by April 15, 2024. Day 2 (second 8 hours) of the annual refresher of the PIT Course will begin on or about April 22, 2024 and all appropriate staff will be trained by June 30, 2024.

BSCC staff reviewed records indicating the progress toward completion of training; updated Department policy requires annual training to be complete by the end of each fiscal year (June 30th). The facility is on track to being compliant. Please inform BSCC staff and provide proof of practice when all staff have completed the full 16 hours of training by June 30, 2024.

§ 1371 Programs, Recreation and Exercise

2/2/24 Findings: We reviewed the facility program calendar, activity logs for the units, and sign in sheets. While the facility is compliant with the exercise component of this regulation, programs and recreation continue to be noncompliant. Some improvements

have been made, and documentation and interviews indicate that Credible Messengers are regularly in the units providing both mentorship and some programming for the youth. Units N and O have been re-designed into a treatment unit and has regular programming from the Tarzana Treatment Center that also provides programming to other units as well.

Activity logs and sign in sheets lack consistent detail for all units/buildings to discern whether programming that occurs is rehabilitative or pro-social. Unit staff rely on the programming calendar, which does not appear to be consistent with the actual unit activity documented on the logs and sign in sheets. The scheduled dates, time, and length of the program indicated on the programming calendar do not align with documentation of actual programming that occurs. Because of this, it is not possible to determine compliance with this regulation; this is an ongoing issue and remains noncompliant.

There continues to be a lack of availability of recreational activities. While a few activities have been added, the activities offered at the facility appear to be the same as those that were previously offered. We understand that the facility is actively working on this issue; however, as of the inspection date, youth do not have access to live or recorded television programming, they cannot watch live sports events or other pro-social television programming. We were told that youth can watch YouTube for educational or other appropriate entertainment material; however, we did not observe this activity occurring while onsite. The agency has implemented game consoles in all units and is in the process of implementing virtual headsets on each unit for youth education and recreation.

We provided technical assistance on the recently implemented activity log; the log does not accurately document compliance with the regulation or align with the programs that are actually occurring. Updating this form will help meet and maintain compliance.

April 4, 2024, Inspection Findings: The Department has implemented a new Activity Log to document youths' activities throughout the day. We reviewed Activity Logs, Program/Service Sign in Sheets, and Large Muscle Exercise Refusal Forms and were able to verify that youth are receiving their appropriate programs, recreation, and exercise hours. The Department has updated all related forms and documentation has improved significantly since the August 2023 inspection.

Probation-led programs are more robust and relevant to the program than in past inspections. The youth we spoke with indicated that they are indeed being offered and receiving programming as indicated in the documentation. There are several community and probation-led programs available; however, youth continue to report that they'd like more varied programs and different opportunities during recreation and youth continue to refuse several programs. Youth who have spent longer amounts of time at the facility note that the same programs continue to be offered. Facility staff indicated that they are looking at more opportunities for programs in the future. The Department should continue to review programs for youth interest, participation, and relevance to youths' goals.

§ 1390, Discipline

2/2/24 Findings: On January 5, 2024, the Los Angeles County Probation Department provided written verification that the corrective action had not been completed for section 1390, Discipline due to the delay of the requirement that the California Department of Justice approve the training for the soon-to-be implemented disciplinary process in the detention facilities.

April 4, 2024, Inspection Findings: The new Developmental Stage System (DSS) is being implemented at the facility; while it isn't fully implemented, all appropriate staff have been trained in the DOJ approved 8-hour course, the incentive program has been updated, and youth have been reoriented to the new program.

Program staff continue to refine the incentive program to ensure that youth understand the program and receive appropriate incentives for their behaviors. "Canteen Point Sheets" have been updated to align with the policy and program and to be user-friendly for the youth.

We reviewed the "Canteen Point Sheets" that indicate that youth are receiving their incentives. As mentioned above in Section 1353, Orientation, we also reviewed the updated Youth Handbook to verify that the information is accurate.

Discussions with youth indicate that they understand the DSS system, and the changes made to their "point system." All the youth we spoke with indicated that they are receiving their incentives.

* * *

As you are aware, because BJA SYTF is currently unsuitable for the confinement of youth pursuant to Welfare and Institutions Code section 209, subdivisions (a)(4) & (d), the BSCC Board will review the findings of this reinspection to determine if the conditions that rendered the facility unsuitable have been corrected at the April 11, 2024, meeting. (Welf. & Inst. Code, § 209, subd. (a)(4).)

Please email me at lisa.southwell@bscc.ca.gov or call (916) 322-1638 if you have any questions.

Sincerely,



LISA SOUTHWELL
Field Representative
Facilities Standards and Operations Division

Cc: Lindsay Horvath, Chair, Board of Supervisors, Los Angeles County
Fesia Davenport, Los Angeles Chief Executive Officer
The Honorable Samantha P. Jessner, Presiding Judge Los Angeles County Superior Court
Wendelyn Julien, Esq., Executive Director, Probation Oversight Commission
Dawyn R. Harrison, County Counsel, Office of the County Counsel, County of Los Angeles
Tyson Nelson, Senior Deputy County Counsel, Office of the County Counsel, County of Los Angeles
Nicole Rommero, Deputy County Counsel, Office of the County Counsel, County of Los Angeles
Sheila Williams, Deputy Director, Los Angeles County Probation
Kimberly Epps, Chief Deputy Probation Officer, Los Angeles County Probation
Felicia Cotton, Deputy Director, Los Angeles County Probation
Valerie Van Kirk, Bureau Chief RTSB/SYTF, Los Angeles County Probation
Tracy Novak, Superintendent, BJNSYTF
Marlon Barbarin, Assistant Superintendent, BJN SYTF

**Agenda Item J-2
Los Padrinos
Juvenile Hall**

MEETING DATE: April 11, 2024

AGENDA ITEM: J.2

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director, Allison.Ganter@bscc.ca.gov
Lisa Southwell, Field Representative, Lisa.Southwell@bscc.ca.gov
Aaron Maguire, General Counsel, Aaron.Maguire@bscc.ca.gov

SUBJECT: Reinspection and Determination of Suitability – (Welf. & Inst. Code, § 209(a)(4) & (d).) Los Padrinos Juvenile Hall, Los Angeles County
Requesting Approval

Summary

This agenda item requests that the Board determine if the conditions that rendered the Los Padrinos Juvenile Hall (LPJH) unsuitable have been remedied and whether the facility is a suitable place for the confinement of juveniles within the meaning of Welfare and Institutions Code section 209, subdivisions (a)(4).

Background

The Board of State and Community Corrections (BSCC) establishes the minimum standards for juvenile halls, camps, and secure youth treatment facilities (SYTF) and conducts biennial inspections of those facilities. (Welf. & Inst. Code, §§ 209, 210, 875, & 885.) Regulations setting forth these minimum standards can be found in Sections 1300-1511 of Title 15 of the California Code of Regulations.

Welfare and Institutions Code section 209, subdivision (d), provides:

Except as provided in subdivision (e), a juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility,¹ law enforcement facility, or jail shall be unsuitable for the confinement of juveniles if it is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210, 210.2, 875, 885, or subdivision (e) of Section 207.1, and if, within 60 days of having received notice of noncompliance from the board or the judge of the juvenile court, the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail has failed to file an approved corrective action plan with the Board of State and Community Corrections to correct the condition or conditions of noncompliance of which it has been notified. The corrective action plan shall outline how the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail plans to correct the issue of noncompliance and give

¹ The authority to make determinations of suitability for secure youth treatment facilities and juvenile ranches and camps was added to section 209 as part of the Budget Act of 2023. (Assembly Bill 134, Chapter 47, Statutes of 2023.)

a reasonable timeframe, not to exceed 90 days, for resolution, that the board shall either approve or deny. In the event the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail fails to meet its commitment to resolve noncompliance issues outlined in its corrective action plan, the board shall make a determination of suitability at its next scheduled meeting.

Welfare and Institutions Code section 209, subdivision (a)(4), provides:

If either a judge of the juvenile court or the board, after inspection of a jail, juvenile hall, special purpose juvenile hall, lockup, camp, ranch, or secure youth treatment facility finds that it is not being operated and maintained as a suitable place for the confinement of juveniles, the juvenile court or the board shall give notice of its finding to all persons having authority to confine juveniles pursuant to this chapter and, commencing 60 days thereafter, the facility shall not be used for confinement of juveniles until the time the judge or board, as the case may be, finds, after reinspection of the facility, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles.

At the February 15, 2024, Board meeting, the BSCC Board determined that the LPJH was out of compliance with the following sections of Title 15 because the Probation Department did not complete corrective action within the timeline set forth in section 209, subdivision (d), and was unsuitable for the confinement of juveniles:

1. § 1321, Staffing
2. § 1325, Fire Safety Plan
3. § 1328, Safety Checks
4. § 1354.5, Room Confinement
5. § 1357, Use of Force
6. § 1360, Searches
7. § 1370, Education Program
8. § 1371, Programs, Recreation, and Exercise
9. § 1390, Discipline

On February 16, 2024, the Los Angeles County Probation Department was noticed that pursuant to Welfare and Institutions Code section 209, subdivision (a)(4), commencing 60 days following the notice or by April 16, 2024, the facility shall not be used for the confinement of juveniles until the Board finds, after reinspection of the facilities, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles.

BSCC staff scheduled a reinspection of the LPJH for April 5 and 7, 2024. During that inspection, and in the days that followed, BSCC staff reviewed proof of practice documentation from March 29 through April 9, 2024. BSCC staff also spoke with youth at the facility to confirm practice. The findings from that inspection are contained in Attachment 1; Upon reinspection, BSCC staff have determined that the facility is in compliance with the following sections of Title 15:

1. § 1321, Staffing
2. § 1322, Youth Supervision Staff Orientation and Training
3. § 1324, Policy and Procedures Manual
4. § 1353, Orientation
5. § 1357, Use of Force
6. § 1371, Programs, Recreation, and Exercise
7. § 1390, Discipline

Recommendation/Action Needed

Staff recommends that the Board:

1. Find that the following items of noncompliance that rendered the Los Padrinos Juvenile Hall unsuitable have been remedied:
 - § 1321, Staffing
 - § 1322, Youth Supervision Staff Orientation and Training
 - § 1324, Policy and Procedures Manual
 - § 1353, Orientation
 - § 1357, Use of Force
 - § 1371, Programs, Recreation, and Exercise
 - § 1390, Discipline
2. Make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivision (a)(4), that the Los Padrinos Juvenile Hall is suitable for the confinement of juveniles.
3. Direct BSCC staff to conduct regular, targeted inspections of the Los Padrinos Juvenile Hall.

Attachments

Attachment 1: April 10, 2024 Inspection Report of the Los Padrinos Juvenile Hall

Attachment J-2-1



April 10, 2024

Guillermo Viera Rosa, Chief Probation Officer
Los Angeles County Probation Department
1601 Eastlake Avenue
Los Angeles CA 90033

REINSPECTION FOR DETERMINATION OF SUITABILITY – LOS PADRINOS JUVENILE HALL

Dear Chief Viera Rosa:

At the February 15, 2024 Board meeting, the Board of State and Community Corrections (BSCC) determined that the Los Padrinos Juvenile Hall (LPJH) was unsuitable for the confinement of juveniles pursuant to Welfare and Institutions Code section 209, subdivisions (a)(4) & (d) due to noncompliance with the following sections of Title 15, Minimum Standards for Juvenile Facilities:

1. § 1321, Staffing
2. § 1325, Fire Safety Plan
3. § 1328, Safety Checks
4. § 1354.5, Room Confinement
5. § 1357, Use of Force
6. § 1360, Searches
7. § 1370, Education Program
8. § 1371, Programs, Recreation, and Exercise
9. § 1390, Discipline

On April 5 and 7, 2024, BSCC staff conducted a reinspection of the LPJH to determine if the conditions that rendered the facility unsuitable had been remedied. (Welf. & Inst. Code, § 209, subd. (a)(4).) During our inspection, and in the days following the inspection, we reviewed proof of practice documentation from March 29 through April 8, 2024. We also talked with youth at the facility to confirm practice.

Our review of policy, processes, and documentation indicates that the LPJH is now in **compliance** with the following sections of Title 15:

§ 1321, Staffing

2/7/24 Findings: A staffing analysis was provided to BSCC staff; this analysis indicated the minimum staffing required to carry out the overall facility operation and its programming, to provide for safety and security of youth and staff and meet established standards and regulations.

Our review of documentation indicates that these minimum staffing numbers were not consistently met. Additionally, we observed that the reassigned field staff who were assigned to the facility to bolster staffing were removed from the facility. The facility's CAP, correction of the noncompliance, and continued compliance is dependent on these staff to meet minimum staffing requirements; without this complement, we are unsure how compliance will be achieved and be maintained.

April 5 & 7, 2024, Inspection Findings: BSCC staff were provided with a staffing plan for the facility with an effective date of April 2, 2024. We reviewed the Daily Schedule, Shift Report, the Shift Staffing Schedule and the Daily Facility Report, comparing those numbers with the mandatory minimum numbers in the staffing plan. Our review indicates that, despite the ongoing staffing issues at the facility, we found that almost all shifts met the minimum staffing numbers.

There was confusion and conflicting information related to staffing during our recent inspection and we encourage Department leadership to ensure that facility management is aware of the Department approved minimum staffing numbers to ensure continued compliance.

In past inspections, other required services and programs were impacted due to lack of staffing, such as room confinement, education, and programs, recreation, and exercise. Our review of documentation and discussions with youth indicate that required services and programs are occurring at levels in compliance with Title 15 and are not being denied due to staffing. Youth are not routinely placed in their rooms due to lack of staffing.

We are aware that field staff continue to be deployed each day to complement assigned facility staff. The Department is continuing to concentrate on recruitment efforts to bolster staff. It is imperative that the Department continue to focus on reasonable and durable solutions to the many issues affecting staffing levels at the facility to maintain delivery of services and programs and ensure safety and security.

§ 1324, Policy and Procedures Manual

2/7/24 Findings: The facility provided an updated policy and procedure manual for review; however, we did not receive a facility-specific procedure guide as identified in the CAP. We received no information on a formalized training for the updated manual as noted in the CAP, nor were we provided with documentation of staff review or acknowledgement of this document as required by regulation.

Update: On February 27, 2024, we received proof of practice that staff have reviewed and signed off that they have reviewed the updated facility-specific manual.

§ 1325, Fire Safety Plan

2/7/24 Findings: The facility has provided a fire safety plan that includes the Department's three (3) East Region Camps as the sites for emergency evacuation. These camps, Camp Rockey, Camp Paige and Camp Afflerbaugh have a combined current bed capacity that is less than the total population of Los Padrinos, rendering this plan insufficient. We have provided technical assistance noting that there must be

enough emergency beds at evacuation sites to house the entire population. A plan that includes emergency housing for the entire population of Los Padrinos must be in place.

Update: On March 13, 2024, BSCC staff was able to verify that the East Region camps have enough beds (both permanent and emergency beds and mattresses on site) for use in the event of emergency to house the current population of Los Padrinos.

§ 1328, Safety Checks

2/7/24 Findings: A review of safety check documentation between January 11 and January 18, 2024 indicates that many safety checks were not completed in compliance with regulation or policy. Specifically, safety checks are not being conducted within 15 minutes of one another and are not random and varied. We found no evidence that the Quality Assurance Team actions outlined in the CAP are occurring. Documentation of safety check audits were provided; however, they do not provide notice of policy violations or Special Incident Report documentation of the late checks or documentation of corrective action as indicated in the CAP and in policy.

April 5 & 7, 2024, Inspection Findings: We reviewed Guard One reports, along with documentation that is produced when safety checks are missing and can confirm that that the safety checks we reviewed are in compliance with Title 15. Documentation of safety checks and the processes in place to support compliance have improved significantly since the facility was found unsuitable. We have provided technical assistance to ensure continued compliance with this section.

§ 1354.5, Room Confinement

2/7/24 Findings: There was no room confinement documentation available for our review for the dates between January 11 and 18, 2024. Through observations and interviews with youth and staff, we found that room confinement continues to occur, although it is not documented and remains out of compliance.

Interviews with youth indicate that youth continue to be placed in their rooms for various periods of time for a “cool down” after an incident; however, this room confinement is not documented, and we are unable to determine compliance. This practice, as described, is noncompliant with regulation.

Staff and youth report that youth are also routinely placed in their rooms following an incident while waiting to be transported to medical. This practice is documented; however, a review of available documentation indicates that the time that youth are in their rooms is not compliant with regulation and often exceeds the brief period of time necessary for “institutional operations.”

Finally, during our walk-through of the facility, we observed in Units C and D (Intake) that several youth were in their rooms while only one youth was present in the dayroom. We were informed that the youth in the dayroom was 20 years old and could not be out with other youth on the unit. The youth in intake are routinely placed on these modified programs and are placed in room confinement while other youth are allowed out on the dayroom. This practice constitutes room confinement and is noncompliant with regulation.

Staff responded to this observation by noting that they struggle with the physical plant and classification issues and in getting youth cleared to the housing units, so the youth are placed in their rooms on modified program.

We requested to review documentation of the audits of the CCTV that were required by the CAP to determine if room confinement was occurring but not being documented; this audit documentation was not provided to us.

It is significant to note that the facility's CAP included that the Department would send an updated instructional memo to include examples of room confinement and ensure that staff, supervisors, directors, and facility management were aware of room confinement and the procedures. We were provided with a memo that was distributed to staff on January 10, 2024, the final day of the corrective action period, that simply reiterates the room confinement policy but does not include in detail examples of noncompliant room confinement that continues to occur at the facility.

April 5 & 7, 2024, Inspection Findings: Following the finding of unsuitability, the Department issued training memorandums and provided refresher training to facility staff. Facility staff are also spending time reviewing the video feeds to ensure compliance with this section.

During our inspection, we were able to review several room confinement documentation packets. We found in our review that room confinement was being used in accordance with the requirements of this section; the documentation that we reviewed contained information that indicates all requirements of this section are being followed. The documentation indicated that no youth were held in room confinement for over four hours.

To ensure that room confinement wasn't occurring when youth are placed in their rooms in Units C and D, we discussed facility staff's ongoing video review, reviewed safety check documentation, and spoke with youth in the units. Youth report that they are not being placed in their rooms outside of required institutional operations as they had been in the past. When we observed what appeared to be youth placed in room confinement, we were able to determine that the youth had been in self-separation or had been placed for a routine institutional operation such as preparation for transportation, showers, or shift change.

We encourage the Department to continue to require facility staff to take proactive measures to maintain compliance with this section, especially maintaining video review and review of documentation related to room confinement placements.

§ 1357, Use of Force

2/7/24 Findings: A review of documentation indicates that not all staff assigned to the facility have received the required training.

Policy Section 1002 States "All sworn officers that are authorized to utilize physical intervention techniques in the performance of their duties shall receive department-approved training (initial training and annual refresher training) on de-escalation,

physical intervention, and chemical intervention/decontamination techniques prior to being authorized to utilize force.”

The approved CAP indicated that updated training would conform to policy requiring 24-hour training: eight (8) hours on policy and 16 hours on hands-on techniques, further noting “The Department will determine that all staff have had appropriate training on use of force either the initial or refresher that conforms to the policy and § 1357.” The CAP also stated the Department will implement a two (2) hour training on the appropriate use of OC Spray for all staff that have previously not had the training.

We reviewed use of force reports for the purpose of determining compliance for incident debriefs, parent contacts and for decontamination expectations; while parent contacts are routinely being made, supervisor review for the purposes of training is not occurring. Incident reports lack consistency and in some cases, clarity, regarding whether all required elements are being met.

April 5 & 7, 2024, Inspection Findings: To be compliant and consistent with their policy, the Department’s plan is to complete all required training by June 30, 2024. The Department is conducting ongoing Physical Intervention Training (PIT) Day 1 (8 hours) to cover staff who have not taken the refresher since April 1, 2023. The Department intends to have the remaining staff scheduled and trained by April 15, 2024. Day 2 (second 8 hours) of the annual refresher of the PIT Course will begin on or about April 22, 2024 and all appropriate staff will be trained by June 30, 2024.

BSCC staff reviewed records indicating the progress toward completion of training; updated Department policy requires annual training to be complete by the end of each fiscal year (June 30th). The facility is on track to being compliant. Please inform BSCC staff and provide proof of practice when all staff have completed the full 16 hours of training by June 30, 2024.

We also reviewed available Physical Intervention Reports and confirmed that staff are conducting debriefs following use of force and notifying parents or guardians as required. Parent notifications are documented in Special Incident Reports and Probation Case Management System.

§ 1360, Searches

2/7/24 Findings: Special Incident Reports (SIRs) and the Facility Search Log for January 11 through 19, 2024, were provided for our review.

Facility policy requires that youth rooms and units are searched each shift. Two facility searches are to be conducted weekly, which should include the youths’ rooms and property. Policy also requires that facility perimeters (inside and outside), the school, and other areas of the facility shall be routinely searched for any contraband, including weapons, as directed by the Assistant Superintendent. The documentation we reviewed indicates that K9, general facility, school, and perimeter searches are occurring; however, room and unit searches are not consistently being conducted each shift.

April 5 & 7, 2024, Inspection Findings: Department policy has been updated to require searches of two rooms a shift on both the AM and PM shifts. We reviewed Juvenile Institution Search Forms for each unit and the Daily/Random Search Log during our inspection; our review indicates that searches are happening according to policy and are compliant with this section.

§ 1370, Education Program

2/7/24 Findings: Documentation of current attendance records from both Probation and Los Angeles County Office of Education (LACOE) was reviewed for the period of January 11 through 18, 2024. Attendance records were received from Probation and LACOE has been providing weekly attendance records by email for our review.

The documentation we reviewed indicated that youth are still routinely late to class and missing instruction time. Youth were "On Time" 51% of the time during the period reviewed and noted as "Late" 49% of the time. Late arrival was due to facility staff 76% of the time and due to school personnel 24% of the time.

Assistant Principal Wang confirmed that attendance has improved; however, the facility remains out of compliance with this regulation.

April 5 & 7, 2024, Inspection Findings: Following the finding of unsuitability, the Department developed a staggered school movement schedule with LACOE to ensure youth are getting to school on time. The Department worked with LACOE to develop an instructional memorandum for Probation and LACOE staff.

We reviewed available documentation from LACOE and from the Probation Department and find that youth have been getting to school on time; youth's arrival and attendance at school is not being impacted by lack of staffing.

§ 1371 Programs, Recreation and Exercise

2/2/24 Findings: We reviewed the facility program calendar, activity logs for the units, and sign in sheets. While the facility is compliant with the exercise component of this regulation, programs and recreation continue to be noncompliant. Some improvements have been made, and documentation and interviews indicate that Credible Messengers are regularly in the units providing both mentorship and some programming for the youth. Units N and O have been re-designed into a treatment unit and has regular programming from the Tarzana Treatment Center that also provides programming to other units as well.

Activity logs and sign in sheets lack consistent detail for all units/buildings to discern whether programming that occurs is rehabilitative or pro-social. Unit staff rely on the programming calendar, which does not appear to be consistent with the actual unit activity documented on the logs and sign in sheets. The scheduled dates, time, and length of the program indicated on the programming calendar do not align with documentation of actual programming that occurs. Because of this, it is not possible to determine compliance with this regulation; this is an ongoing issue and remains noncompliant.

There continues to be a lack of availability of recreational activities. While a few activities have been added, the activities offered at the facility appear to be the same as those that were previously offered. We understand that the facility is actively working on this issue; however, as of the inspection date, youth do not have access to live or recorded television programming, they cannot watch live sports events or other pro-social television programming. We were told that youth can watch YouTube for educational or other appropriate entertainment material; however, we did not observe this activity occurring while onsite. The agency has implemented game consoles in all units and is in the process of implementing virtual headsets on each unit for youth education and recreation.

We provided technical assistance on the recently implemented activity log; the log does not accurately document compliance with the regulation or align with the programs that are actually occurring. Updating this form will help meet and maintain compliance.

April 5 & 7, 2024, Inspection Findings: The Department has implemented a new Activity Log to document youths' activities throughout the day. We reviewed Activity Logs, Program/Service Sign In Sheets, and Large Muscle Exercise Refusal Forms and were able to verify that youth are receiving their appropriate programs, recreation, and exercise hours. The Department has updated all related forms and documentation has improved significantly since the August 2023 inspection.

Probation-led programs are more robust and relevant to the program than in past inspections. The youth we spoke with indicated that they are indeed being offered and receiving programming as indicated in the documentation. When asked for their opinion on the value of the programs, all youth we spoke with noted that they would like to see more exciting, relevant, and fun programs. They also expressed a desire to have ongoing programming that will help them upon release, such as vocational skills. The Department should continue to review programs for youth interest, participation, and relevance to youths' goals.

§ 1390, Discipline

2/2/24 Findings: On January 5, 2024, the Los Angeles County Probation Department provided written verification that the corrective action had not been completed for section 1390, Discipline due to the delay of the requirement that the California Department of Justice approve the training for the soon-to-be implemented disciplinary process in the detention facilities.

April 5 & 7, 2024, Inspection Findings: The new behavior modification process (BMP) has been implemented at LPJH. Youth tally sheets have been reviewed against incident reports and Sanctions and Appeal documentation, and staff utilize the point system to encourage appropriate behavior. Point information was posted in the units for youth to view. All youth are now shopping at the BMP store by unit and are able to select their own items as opposed to having items delivered. MP3 players have been implemented on a small scale with a plan in place to implement them more widely across the facility. All the youth we spoke with indicated that they are receiving their canteen incentives.

* * *

As you are aware, because LPJH is currently unsuitable for the confinement of youth pursuant to Welfare and Institutions Code section 209, subdivisions (a)(4) & (d), the BSCC Board will review the findings of this reinspection to determine if the conditions that rendered the facility unsuitable have been corrected at the April 11, 2024, meeting. (Welf. & Inst. Code, § 209, subd. (a)(4).)

Please email me at lisa.southwell@bscc.ca.gov or call (916) 322-1638 if you have any questions.

Sincerely,



LISA SOUTHWELL
Field Representative
Facilities Standards and Operations Division

Cc: Lindsay Horvath, Chair, Board of Supervisors, Los Angeles County
Fesia Davenport, Los Angeles Chief Executive Officer
The Honorable Samantha P. Jessner, Presiding Judge Los Angeles County Superior Court
Wendelyn Julien, Esq., Executive Director, Probation Oversight Commission
Dawyn R. Harrison, County Counsel, Office of the County Counsel, County of Los Angeles
Tyson Nelson, Senior Deputy County Counsel, Office of the County Counsel, County of Los Angeles
Nicole Rommero, Deputy County Counsel, Office of the County Counsel, County of Los Angeles
Sheila Williams, Deputy Director, Los Angeles County Probation
Kimberly Epps, Chief Deputy Probation Officer, Los Angeles County Probation
Felicia Cotton, Deputy Director, Los Angeles County Probation
Valerie Van Kirk, Bureau Chief RTSB/SYTF, Los Angeles County Probation
Jocelyn Roman, Superintendent, LPJH
Steven Cuevas, Assistant Superintendent, LPJH

Written Public Comments

From:**Sent:** Wednesday, April 10, 2024 10:23 AM**To:** Lwin, Adam@BSCC <Adam.Lwin@bscc.ca.gov>**Subject:** LOS PADRINOS,

Los Padrinos Juvenile Hall is DANGEROUS for officers and juveniles. The CBO's claim they can provide programming and services. I totally agree and applaud their contributions. However, programming and services can NOT be delivered in the midst of CHAOS. There MUST be structure. Probation has taken away ALL of the tools of the Detention Services Officer. The MINORS/ADULTS have NO CONSEQUENCES!! Therefore they are free to destruct County Property and ASSAULT officers at will.

The officers fear REPRIMAND from Probation for doing their jobs. EVERY word and/or action is SCRUTINIZED by Probation.

Probation ALWAYS sides with the minor - because the minor can do no wrong. The officer is questioned on how he could have handled the situation differently. When a officer or minor is in DANGER there are times when DE-ESCALATION does not work and immediate action MUST be taken to avoid additional injury.

Probation officers are some of the finest people I know. They work hard to encourage and guide the minors in their care.

I'm certain you will agree that YOU would not want to go to an UNSAFE work environment, get ASSAULTED and then REPRIMANDED to doing your job.

My solution is to CLOSE juvenile hall, allow the CBO's and stake holders provide HOUSING, programming and services to the minors/adults. It APPEARS the CBO's and stakeholders have all the answers. This SOLUTION is in the BEST INTEREST of the minors.

From:**Sent:** Tuesday, April 9, 2024 8:57 PM**To:** BSCC Public Comment <publiccomment@bscc.ca.gov>**Subject:** Item J-Determination of Suitability-Los Angeles County-LAC Juvenile Detention Facilities-Los Padrinos and Barry J

Hello. My name is Helen Eigenberg. I am a constituent of Supervisor Horvath and a member of HangOutDoGood.

The LA Times Op-Ed summed up this whole situation today:

If the corrections board this week finds that the county has brought Nidorf and Los Padrinos up to snuff, the relief will probably be short-lived, until the next failed inspection. A state attorney general enforcement action also appears unlikely to solve the problems. So then what? No one knows.

The sad truth is that the entire state and county edifice of laws, policies and programs created to provide rehabilitation, education and care for the most troubled youths cannot provide them. Young people in Los Angeles County juvenile halls probably come out worse than they went in.

The atrocity is clouded by euphemisms such as “hall” or “camp” to describe facilities that are really jails. State and county policy is officially to provide a “homelike environment,” but it’s not any kind of home anyone would choose. Rooms are really cells, classrooms are human warehouses, and the day-to-day goal is not so much rehabilitation, as required by law, but just surviving without being attacked, raped or killed by fentanyl overdose.

The state’s other 57 counties aren’t having the same problems with juvenile probation. In Los Angeles County, though, the entire state-county system is a shameful failure. The kids who are ordered into it are in desperate need of rescue from their supposed rescuers.

I couldn't agree more. Shame on all of us for not taking care of our Los Angeles County youth.

Thank you for your consideration.

Helen Eigenberg 323-314-1656

From:

Sent: Tuesday, April 9, 2024 4:44 PM

To: BSCC Public Comment <publiccomment@bscc.ca.gov>

Cc:

Subject: Item J -- Determination of Suitability -- Los Angeles County -Los Angeles County Juvenile Detention Facilities--Los Padrinos/Barry J

Hello. My name is Jennifer Levin. I am a constituent of Supervisor Mitchell, and a member of HangOutDoGood.

I have spoken to many folks working in the county and in the Dept of probation and DYD. All of them want things to be better for our youth. They don't want our young people overdosing from fentanyl laced drugs under their watch. Nor do they want the young people in their care sitting in a cage all day with no in-person programming, whether it's schooling, therapy or socializing. But none of the people in power that I've met have the courage to do anything about this. That can change right now.

I am writing this email days before the BSCC is voting on whether to close Los Padrinos. I suspect they will keep it open. Even though they know it is not fit for humans, particularly young ones who are still developing emotionally and cognitively.

I suspect Chief Viera Rosa also knows BSCC will keep Los Padrinos open. That's why when I was on a zoom with him and he was asked directly what kind of alternate plan he was working on in case LP was closed he sat back in his chair and confidently state: "*None. There is no plan b.*"

Villa Rosa told us he had one plan and that was to move all the field officers into Los Padrinos. For 3 months. That may satisfy BSCC and the County Supervisors, but we all know this is not a solution. For one, those field officers have other responsibilities to youth experiencing probation outside of detainment. Secondly, what happens after 3 months? Do things return back to the status quo? And thirdly, Chief Viera Rosa has done nothing to address all the reasons officers don't show up to work in the first place. If nothing changes, if there is no plan B, why does he think officers will show up now?

The truth is, this whole thing has been a huge waste of our county's time and money – which is my time and money. It's clear that none of you ever had any intention of making real change. My small community group has tried for almost a year to help get the state-funded Rising Scholars program

up and going in Los Padrinos, but we can't even get our Supervisors office to email us back.

Nothing good is happening in our juvenile halls. In fact, Just today the LATimes published yet another editorial on this topic. It says: *Young people in Los Angeles County juvenile halls probably come out worse than they went in.*

You say you care about the kids, and I believe you do. As long as nothing is asked of you. Well, I am asking – no, I am challenging – you to do something. Close these facilities. They are making everything and everyone worse. They are a cancer on this county.

I know so many of these problems predate you. But these problems are yours now. You have the power to fix them. Or at least to try. So, pull up your big boy/girl pants, stop blaming one another, stop blaming the system and make change. If you don't, it means that all you are doing with your position is making things worse too.

Thank you for your consideration,

Jennifer Levin

From:

Sent: Sunday, April 7, 2024 3:31 PM

To: BSCC Public Comment <publiccomment@bscc.ca.gov>

Subject: You can't be that stupid

The only reason they will be able to pass is because they are taking officers to the halls is because they are taking officers from the field offices to the halls...but what about the field offices...understaffed, but I guess that's ok with you...all of Probation is fucked up and so is BSCC...fucked up



April 9, 2024

Linda Penner, Chair
Board of State and Community Corrections
2595 Venture Oaks Way, Suite 200
Sacramento, CA 95833
linda.penner@bscc.ca.gov
publiccomment@bscc.ca.gov
Via email only

Re: Suitability of Los Padrinos Juvenile Hall

Dear Chair Penner and Members of the Board,

We write to demand that the Board of State and Community Corrections perform its legal duty and refrain from taking action regarding Los Padrinos Juvenile Hall at its April 11, 2024 meeting. On February 15, the BSCC voted to find Los Padrinos Juvenile Hall unsuitable for the confinement of youth. According to Welfare and Institutions Code section 209(a)(4), 60 days after the BSCC finds a facility unsuitable, it shall not be used to confine minors unless the BSCC finds “after reinspection of the facility that the conditions that rendered the facility unsuitable have been remedied....” The most recent inspection by your agency found serious continuing noncompliance, so there is no action to be taken at this time. The recommendation in the Board’s “2023 Juvenile Noncompliance Status as of 4.9.2024” report that “BSCC staff recommends that the BSCC Board make a determination of suitability at the next scheduled BSCC Board Meeting” is an error.

We expect that the Los Angeles Probation Department will request that the BSCC vote to find that the Department has remedied all of the areas of noncompliance and is now suitable, but doing so would be an abuse of the Board’s discretion. Based on the facts before the Board, the Los Angeles Probation Department’s claim that Los Padrinos Juvenile Hall is now suitable for the confinement of minors is transparently false and must be rejected. The appropriate way to do that is to refrain from taking any action.

Recent attempts to improve staffing levels are insufficient and unsustainable.

In recent months, the Los Angeles Probation Department has taken drastic action to increase staffing at Los Padrinos. At best, those actions have temporarily and occasionally remedied the facility's noncompliance with Title 15, section 1321 staffing ratios. However, BSCC's inspectors continue to find non-engaged staff; staff held over at the end of their shifts; insufficient staff to ensure compliance with regulations regarding safety checks, room confinement, searches, education, and programs; and insufficient staff to ensure youth are safe and need not urinate in their rooms.¹ But not only have the Department's actions been insufficient, they are also clearly unsustainable.

To achieve a short-term increase in the number of adult bodies at the facility, the Department has ordered staff from the Department's non-custodial units to Los Padrinos in groups of at least 200. Setting aside the usefulness of bringing in staff insufficiently trained or able to meet the needs of the youth and the facility, sustaining such reassignments is impossible. Public comments by the Department's rank-and-file staff make this plain – they unanimously condemn the Department's actions because those actions make it impossible for the Department to meet its other important obligations. Among the public statements of probation staff are statements of serious concern that adults under probation supervision will not receive adequate field supervision and SEOs will not be able to conduct weapons checks in probationers' homes because the officers who do that work are deployed to Los Padrinos.² The president of AFSCME Local 685, the Deputy Probation Officers' Union, described the Department's actions as an "attack" on field services.³

Furthermore, to achieve the current level of staffing, the Department had to implement plainly illegal policies.⁴ In order to cajole staff to come to work at Los Padrinos, the Department ordered staff to either work at Los Padrinos or stay home using their sick or vacation time. This order extended even to staff with disabilities, leading to a lawsuit for violating state and federal employment laws.⁵

Through these actions, the Department has made plain that it is unable to adequately staff Los Padrinos at its current population. In lieu of a long-term solution, the Department has put into place an emergency plan whose goal is to staff the facility just long enough to support a claim to this Board that that staffing inadequacies have been remedied. However, no one seriously

¹ <https://www.bscc.ca.gov/wp-content/uploads/2024/04/Attachment-I-1-Outstanding-Items-of-Non-Compliance-Adult--Juvenile.pdf>

² <https://file.lacounty.gov/SDSInter/bos/supdocs/POC24-0038.pdf>

³ <https://www.afscmelocal685.com/post/from-the-desk-of-president-ford-4>

⁴ <https://www.dailynews.com/2024/03/22/is-la-county-putting-itself-at-legal-risk-by-sending-light-duty-probation-officers-home/>

⁵ *Ibid.*

believes that the Department's actions can maintain the current staffing level and the Board should reject this cynical ploy.

The Los Angeles County Probation Department continues to fail to provide the minimum section 1371(a) programming.

One of the conditions that rendered Los Padrinos unsuitable for the confinement of minors is a failure to satisfy the standard announced in Title 15, section 1371, Programs Recreations and Exercise.⁶ According to section 1371(a), "All youth shall be provided with the opportunity for at least one hour of daily programming," which is separate from recreation, exercise, religious programs, work programs, and visiting. Examples include mental health classes, credible messenger interventions, art classes, etc. Though BSCC inspectors have consistently found that youth at Los Padrinos do not receive this minimum amount of programming, section 1371 no longer appears on the "2023 Juvenile Noncompliance Status as of 4.9.2023" report as an area of noncompliance.⁷ However, section 1371 programming is a continuing area of noncompliance and continues to be a reason why Los Padrinos remains unsuitable for the confinement of minors.

Based on programming schedules shared by the Department with the Los Angeles County Probation Oversight Commission, the programming offered fails to meet section 1371(a)'s standard. According to the April calendar, it is possible for youth to get an hour of section 1371(a) programming per day in only four of the twenty units. And that assumes that all of the programs on the calendar are offered, which is not consistently true.

One reason the offered programming might appear sufficient is that the Department appears to count section 1372 religious programming as if it were section 1371(a) programming. However, religious programming that satisfies section 1372 cannot be used to satisfy section 1371(a). Title 15, section 1371(a) enumerates the types of programs that can be used to satisfy that section and religious programming is not among them. When religious programming is removed from the Department's programming schedule, it is plain that the vast majority of youth are not offered programs for at least one hour every day.

Additionally, the Board should be critical of the Department's claim that section 1371(a) requirements are met by the "Forward Thinking Journals" program run by probation staff. Under section 1371, programs must include current, consistent, and relevant content. While the Forward Thinking Journals program has the potential to be meaningful in reasonable doses and with the right support, passing out journals to youth lounging in their day rooms, without more, does not meet the standard for adequate programming. Here, scheduling this activity as many as four days

⁶ <https://file.lacounty.gov/SDSInter/bos/supdocs/POC24-0034.pdf>

⁷ https://www.bscc.ca.gov/wp-content/uploads/2024/04/Attachment-I-1-Outstanding-Items-of-Non-Compliance-Adult-_Juvenile.pdf

a week is nothing more than an attempt to disguise the Department's failure to offer a minimum amount of quality programming.

Finally, to satisfy Title 15 section 1371(a), programs should be offered to young people according to their individual needs. At Los Padrinos, programs are offered to youth purely according to their housing assignments without regard to individual needs. While section 1371(a) states only that programs "should" be based on the youth's individual needs, the Department's failure to even attempt to consider individuals' needs is reason to find continued noncompliance with section 1371.

A finding of suitability by the Board would be an abuse of discretion.

Welfare and Institutions Code section 209(a)(4) states that, 60 days after the BSCC finds a facility unsuitable, it shall not be used to confine minors unless the BSCC finds "after reinspection of the facility that the conditions that rendered the facility unsuitable have been remedied...." While Welfare and Institutions Code section 209 does not mandate that the BSCC must reinspect Los Padrinos or make findings based on that inspection, it is within the BSCC's discretion to do so. However, a finding that the conditions that rendered the facility unsuitable have been remedied is *only* within the BSCC's discretion when such a finding is reasonable and supported by the weight of the evidence in the light of the whole record.

Here, the Department may have remedied some areas of noncompliance, for example fire safety plans and orientation policies, but the BSCC must find that ALL areas of noncompliance have been remedied before the BSCC may find Los Padrinos suitable again. But all of the conditions have not been remedied. With respect to staffing and programming, the record as a whole demonstrates that the Department has been unable to accomplish more than a flimsy attempt to paper over continuing noncompliance.

The unlawful confinement of youth in Los Angeles' unsuitable facilities must end.

The Department's claims of suitability are an attempt to continue to avoid accountability without regard to the harm it causes young people. Los Padrinos has NEVER passed an inspection since its reopening. Before its reopening, both of the Department's other two juvenile halls had failed inspections and been found unsuitable. Years have now gone by in which Los Angeles' youth have been confined to unsuitable facilities, navigating unsafe and violent environments, urinating in their rooms, languishing without activities. Thousands of youth have now been subject to these conditions. Some of those youth have suffered these conditions for years while their charges remain pending. The BSCC must not allow the Los Angeles Probation Department to continue this shameful practice any longer. The BSCC must reject the Los Angeles Probation Department's transparently false and cynical claim that Los Padrinos Juvenile Hall is now

suitable for the confinement of minors and allow real change to finally come to Los Angeles' youth facilities.

Sincerely,



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Cc: Linda Penner, Chair, linda.penner@bscc.ca.gov
Kathleen T. Howard, Executive Director, kathkeen.howard@bscc.ca.gov

From:

Sent: Wednesday, April 10, 2024 1:46 PM

To: Lwin, Adam@BSCC <Adam.Lwin@bscc.ca.gov>

Subject: Public comment for 04/11/2024 BSCC Meeting

Public comment on Item IV: Discussion Items, J. Determination of Suitability:

LA Probation has received extra time, extra money, they have been given every benefit of the doubt, they have sapped BSCC staff resources for technical assistance. And they still cannot operate functional juvenile halls, they still cannot meet your minimum standards. **It should be clear to everyone that the problem is this department - it's not just the chief, it's not a lack of funds, it's not a lack of time.**

We're long overdue for a change and for an opportunity to reconfigure where funds can be allocated to. With \$5 BILLION this year just for Sheriffs and Probation budgets, up to \$3 BILLION for the thousands of potential claims alleging child sexual abuse at County facilities and other locations, and other transactions that haven't been accounted for - there's so many possibilities to reinvest into our communities. There are youth centers and cultural centers (Chuo's, YJC, Legacy LA, From Trauma to Transformation (Tia Chucha's), Homeboy Industries and Homegirl cafe) that have proven to be of great support to systems impacted youth and/or formerly and currently incarcerated youth/peoples.

I don't want to live in a world where youth are punished, policed, and in worst case scenarios: killed via police brutality and/or driven into mental & emotional distress due to what they've experienced in these juvenile halls. They are youth. They are learning about life and its trials and tribulations. Youth need mentors and they need community they can rely on when in distress and/or when their direct family isn't there for them. We already know these institutions, systems, and juvenile centers aren't there for them. The punishment, isolation, humiliation, and dehumanization that these youth have had to endure is not humane and nothing to take pride in. LA County Probation should be absolutely ashamed. There is no room for excuses anymore. There shouldn't have been to begin with.

May youth be given priority and honor (despite their mistakes),



Gabriela Cortés | *pronouns: she/they*
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I acknowledge and honor the Tataviam, Chumash, Tongva, and all the original Indigenous Peoples of the [land](#) upon which we stand on.