

 **BSCC**
CALIFORNIA

JULY 11
2024

BOARD MEETING AGENDA & REPORTS

STATE OF CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS

WWW.BSCC.CA.GOV

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

SHANNON D. DICUS
Sheriff
San Bernardino County

JANET GAARD
Retired Judge
Yolo County

KIRK HAYNES
Chief Probation Officer
Fresno County

JASON D. JOHNSON
Director, Adult Parole
Operations, CDCR

JEFFREY D. MACOMBER
Secretary, CDCR

ANDREW MILLS
Chief of Police
City of Palm Springs

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

VACANT
Licensed Health Care Provider

VACANT
Licensed Mental/Behavioral
Health Care Provider

****PLEASE NOTE: ****
BYRNE STATE CRISIS INTERVENTION PROGRAM
Advisory Board Meeting Will Begin at 9:30 a.m.

BOARD MEETING AGENDA

Thursday, July 11, 2024

10:00 a.m. or Upon Adjournment of the Byrne SCIP Meeting

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:

*To request to speak on an agenda item during the Board meeting,
please email publiccomment@bscc.ca.gov*

Please state in the subject line on which item you would like to speak.

*To submit written public comment on an agenda item, please email
publiccomment@bscc.ca.gov*

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 April 11, 2024, Board Meeting: **Requesting Approval**
- B. Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Small Jurisdiction Allocation Recommendation: **Requesting Approval**

IV. Action: Discussion Items

- C. Adult Reentry Grant Program – Appointment of a Chair and Establishment of an Executive Steering Committee: **Requesting Approval**
- D. California Violence Intervention and Prevention Grant Program – Appointment of a Chair and Establishment of an Executive Steering Committee: **Requesting Approval**
- E. Missing and Murdered Indigenous People Grant Program – Cohort 2: Funding Recommendations: **Requesting Approval**
- F. Local Detention Facilities Inspection Update: **Requesting Approval**
- G. 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: September 12, 2024

Instructions for Attending Zoom / Teleconference Board Meeting

Use Zoom to both view and hear the Board meeting. Join by phone for audio only. If you do not have Zoom, [download](#) to your device before the meeting.

Join Zoom:

July 11, 2024, BSCC Board Meeting

Webinar ID: 857 9269 5703

Or join by phone: Dial:

Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 669 444 9171

Webinar ID: 857 9269 5703

For additional information about this notice, agenda, to request notice of public meetings, to submit written material regarding an agenda item, or to request special accommodations for persons with disabilities, please contact:

Adam.Lwin@bscc.ca.gov or call (916) 324-2626.

*For general information about the BSCC visit www.bscc.ca.gov, call (916) 445-5073 or write to:
Board of State & Community Corrections,
2590 Venture Oaks Way, Ste 200, Sacramento CA 95833*



Byrne State Crisis Intervention Program (Byrne SCIP)

Advisory Board



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



**Byrne State Crisis Intervention Program (ByrneSCIP)
Advisory Board Meeting**

Thursday, July 11, 2024 – 9:30 a.m.

Public access options for this meeting include:

- **In-Person:** 2590 Venture Oaks Way, First Floor, BSCC Board Room, Sacramento, California, 95833
- **Zoom:** [Byrne SCIP Advisory Board Meeting](#)
- **Call-In:** 1 669 444 9171 | Meeting Webinar ID: 857 9269 5703
- **Agenda Items**
 - I. Call Meeting to Order
 - II. Welcome and Introductions
 - III. Byrne State Crisis Intervention Program, Funding Recommendations:
Requesting Approval
 - Attachment 1: Byrne SCIP Scoring Panel Roster
 - Attachment 2: Byrne SCIP Proposals Recommended for Funding
 - Attachment 3: Byrne SCIP Project Summaries
 - Attachment 4: Byrne SCIP Request for Proposals
 - Attachment 5: Byrne SCIP Program and Budget Plan
 - IV. Public Comment
 - V. Adjourn

Note: Agenda items may be taken out of order.

Please contact Field Representative Ian Silva at (916) 597-4625 or Ian.Silva@bscc.ca.gov for additional information about this notice, to submit written material regarding an agenda item or to request special accommodations for persons with disabilities. This agenda and additional information about the Board of State and Community Corrections may be found on our website at www.bscc.ca.gov.

Attachment 1



Byrne State Crisis Intervention Program (Byrne SCIP) Program 2024 Scoring Panel Membership Roster

	Name	Title	Organization/Agency
1	Juan Avila	Chief Operating Officer	Garden Pathways
2	Michelle Brown	Chief Probation Officer (Ret.)	San Bernardino County Probation
3	Ari Freilich	Office of Gun Violence Prevention Director	California Department of Justice
4	Jason Gundel	Deputy State Public Defender, Capacity Building	Office of the State Public Defender
5	Galit Lipa	State Public Defender	Office of the State Public Defender
6	Nancy O'Malley	District Attorney (Retired)	Alameda County
7	Jacob Roy	Post Conviction Specialist	Yolo County Public Defender's Office

Attachment 2

2022-23 BYRNE SCIP Proposals Recommended for Funding July 2024

Large Scope Proposals in Ranked Order¹

Funding Allocated to the Large Scope Category:
\$7,486,453 (70% of available funding)

Table 1. Large Scope Proposals Recommended for Funding

Rank	Applicant	Lead Agency	Amount Requested	Recommended Allocation
1	City of Long Beach	City of Long Beach	\$1,000,000	\$1,000,000
2	Contra Costa County	Contra Costa County Employment & Human Services Department	\$1,000,000	\$1,000,000
3	Yolo County	Yolo County Health & Human Services Department	\$999,474	\$999,474
Total				\$2,999,474

Small Scope Proposals in Ranked Order²

Funding Allocated to the Small Scope Category:
\$3,208,480 (30% of available funding)

Table 2. Small Scope Proposals Recommended for Funding

Rank	Applicant	Lead Agency	Amount Requested	Recommended Allocation
1	City of Irvine	Irvine Police Department	\$482,445	\$482,445
2	City of Santa Rosa	City of Santa Rosa	\$303,523	\$303,523
3	Amador County	Amador County Sheriff's Office	\$498,408	\$498,408
4	City of West Sacramento	West Sacramento Police Department	\$475,008	\$475,008
5	Madera County	Madera County District Attorney's Office	\$305,383	\$305,383
6	City of Menifee	City of Menifee	\$112,512	\$112,512
7	City of Avenal	Avenal Police Department	\$377,763	\$377,763
8	City of Irwindale	City of Irwindale	\$26,548	\$26,548
Total				\$2,581,590

¹ The following proposals did not meet the scoring threshold in the large scope category: Fresno County, Santa Clara County, City of Sanger, and Alameda County.

² The following proposals did not meet the scoring threshold in the small scope category: Monterey County, City of San Francisco, City of Mountain View.

Attachment 3

**FY 2022-23 Byrne State Crisis Intervention Program
Project Summaries
July 2024**

Small Scope Projects

1. City of Irvine

\$482,445

- **Program Purpose Area(s):** Communication, Education, Outreach, and Public Awareness; Behavioral health deflection for those at risk to themselves or others; Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** Irvine Police Department

This proposal seeks a grant to establish a comprehensive Violent Risk Assessment Model (V-RAM) for our city. Building on the success of our student-focused CSTAG program, V-RAM will use evidence-based threat assessment models for threats of all ages. We propose a 3-step approach:

- Implement a Violent Risk Assessment Model (V-RAM) and management tool to address threats within Irvine
- Train team members with the knowledge and skills to effectively assess and manage individuals who are a danger to themselves or others
- Integrate existing public safety and community mental health stakeholders to build a comprehensive collaboration of continuous threat assessments

2. City of Santa Rosa

\$303,523

- **Program Purpose Area(s):** Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** City of Santa Rosa

The Santa Rosa Police Department proposes to address the proliferation of firearms in the city via a coordinated approach with an integrated team of trained law enforcement officers, compassionate and culturally sensitive mental health specialists, and civic and judicial resources to prosecute offenders and process GVROs efficiently and effectively. The SRPD will remove firearms from city streets by conducting thorough investigation, completing training programs for behavioral threat assessment and GVROs, sharing information among the integrated team including the City and District Attorneys' Offices, and finally issuing GVROs and executing firearms seizures.

3. Amador County**\$498,408**

- **Program Purpose Area(s):** Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** Amador County Sheriff's Office

Amador County aims to address the critical need for local law enforcement to effectively manage relinquished firearms, enhancing public safety and reducing potential risks. Through this initiative, we will expand secure storage capacity, implement new technologies to store and track relinquished guns, enabling law enforcement to efficiently monitor and manage firearms, and provide specialized training for officers, empowering them with the necessary skills to handle firearm-related situations effectively. Together, these activities will strengthen community safety, reduce local gun violence and support law enforcement efforts in safeguarding our rural community.

4. City of West Sacramento**\$475,008**

- **Program Purpose Area(s):** Communication, Education, Outreach, and Public Awareness
- **Lead Agency:** West Sacramento Police Department

The West Sacramento Futures project fights gun violence via grassroots engagement, targeting the alarming rise in youth gun deaths, especially among vulnerable youth. Partnering with experienced community-based organizations, it offers programming to enhance youth skills, influence attitudes about guns, and boost protective factors. Over two years, it aims to engage 100 youth aged 12-18, aligning with public health strategies for a safer community.

5. Madera County**\$305,383**

- **Program Purpose Area(s):** Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** Madera County Office of the District Attorney

This project will achieve four goals, including the hiring of a Crime Analyst to enhance the capacity of the District Attorney's Office to conduct records checks, enforce restraining orders, store/track relinquished firearms, and assist with court hearings for individuals wrongfully denied firearm purchases. Build partnerships with Madera County law enforcement agencies to address gun violence and ensure compliance with AB732 reporting. Purchase software for the investigation and tracking of relinquished firearms and prohibited persons. Conduct a firearms safe storage campaign to promote safety and reduce firearms related injuries and deaths in Madera County.

6. City of Menifee**\$112,512**

- **Program Purpose Area(s):** Communication, Education, Outreach, and Public Awareness; Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** City of Menifee

The Menifee Police Department has realized areas of need within the CSI unit. The first, and largest need is the ability to secure and store the firearms that are coming in for various reasons. The second need is for staff to be trained and certified as firearm specialists for safety and educational purposes. The third, is for the education of our citizens on the available options with safeguarding their home and community. All these needs fall under the Byrne SCIP Grant Program Purpose Areas 1 and 3: Communication, education, outreach, and public awareness and funding for law enforcement to agencies to safely secure, store, track, and return relinquished guns.

7. City of Avenal**\$377,763**

- **Program Purpose Area(s):** Communication, Education, Outreach, and Public Awareness; Behavioral health deflection for those at risk to themselves or others; Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** City of Avenal

The Avenal Community Safety Initiative seeks to address gun violence and mental health issues through a multifaceted approach, incorporating education on Extreme Risk Protection Orders (ERPOs), community and law enforcement training, and gun safety measures. Our comprehensive program includes community workshops, social media campaigns, school-based education, public service announcements, crisis intervention training, suicide prevention initiatives, and secure storage campaigns.

8. City of Irwindale**\$26,548**

- **Program Purpose Area(s):** Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** Irwindale Police Department

Irwindale Police Department (IPD) is enhancing firearms security in its evidence room and improving community firearms safety. This proposal entails procuring and installing new gun lockers as part of a larger overhaul of the department's evidence room in an effort to store firearms in evidence more securely. IPD is improving tracking and management methodologies for firearms and developing systems for more timely relinquishment of guns to their owners. IPD proposes procuring and distributing gun locks and lockboxes to the community, along with educational resources to raise awareness for safe gun storage and give the community the means to do so.

Large Scope Projects

1. City of Long Beach \$1,000,000

- **Program Purpose Area(s):** Behavioral health deflection for those at risk to themselves or others
- **Lead Agency:** City of Long Beach

The City of Long Beach's Community Crisis Response (CCR) program is an innovative alternative 9-1-1 response program that deploys an unarmed, civilian team to provide services such as mental health support, de-escalation, and peer navigation during a crisis. The CCR program expects to serve 500 individuals a year and achieve the following goals: 1) Reduce the number of behavioral health calls responded to by Police units. 2) Enhance emotional health support and crisis de-escalation opportunities. 3) Increase the percentage of individuals served by the mobile crisis unit who successfully connect with and engage in ongoing health services.

2. County of Contra Costa \$1,000,000

- **Program Purpose Area(s):** Communication, Education, Outreach, and Public Awareness; Funding for Law Enforcement Agencies to safely secure, store, track, and return relinquished guns.
- **Lead Agency:** Contra Costa County Employment and Human Services Department

Contra Costa County is proposing the creation of a Gun Violence Prevention Task Force that will serve to close the gap between protection and relinquishment policies and actual practices, as well as develop new policies/practices and trainings. This will include community awareness activities around the relationship of interpersonal violence and gun violence and the availability of EPROs as a protective measure, and funding for law enforcement for time dedicated to relinquishment, for training, and for storage of relinquished weapons.

3. Yolo County \$999,474

- **Program Purpose Area(s):** Behavioral health deflection for those at risk to themselves or others
- **Lead Agency:** Yolo County Health and Human Services Agency

Yolo County requests \$1,000,000 to support our Crisis Now 2.0 behavioral health emergency system. The system consists of a high-tech call center, a 24/7/365 mobile response unit, and a Crisis Reception/Sobering Center. Clients coming to the Crisis Reception/Sobering Center will receive assessments, treatment, and support from licensed professionals and peer specialists. This expansion to the local crisis continuum

of care will provide essential services to people in need and utilize county resources more efficiently. Appropriate responses to behavioral health needs are critical to ensuring the safety and wellness of all residents.

Attachment 4



Byrne State Crisis Intervention Program Grant

Request for Proposals Instruction Packet

Eligible Applicants: California Cities and Counties

Grant Period: July 15, 2024 to September 30, 2026

RFP Released: February 16, 2024

Proposals Due: April 5, 2024

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS
2590 VENTURE OAKS WAY, SUITE 200
SACRAMENTO CA 95833

www.bscc.ca.gov



This page intentionally left blank.

Table of Contents

PART I: GRANT INFORMATION	1
<i>Background Information</i>	1
<i>Federal Requirements</i>	1
<i>Contact Information</i>	1
<i>Proposal Due Date and Submission Instructions</i>	1
<i>Prospective Applicant Grant Information Session</i>	3
<i>Notice of Intent to Apply</i>	3
<i>BSCC Byrne SCIP Advisory Board</i>	4
<i>Project Description</i>	4
<i>Evidence-Based, Innovative and Promising Strategies</i>	9
<i>Data Collection, Reporting, and Evaluation Requirements</i>	10
<i>Reducing Racial and Ethnic Disparity</i>	11
<i>General Grant Requirements</i>	12
<i>Criteria for Non-Governmental Organizations Receiving Grant Funds</i>	13
<i>Audit Requirements</i>	14
<i>Overview of the RFP Process</i>	17
PART II: PROPOSAL INSTRUCTIONS.....	20
<i>Proposal Narrative and Budget Instructions</i>	20
PART III: ATTACHMENTS	26
<i>Attachment A: Byrne SCIP Advisory Board</i>	27
<i>Attachment B: Glossary of Terms</i>	28
<i>Attachment C: Sample Key Partner Commitment Form</i>	43
<i>Attachment D: Criteria for Non-Governmental Organizations Receiving Subawards</i>	44
<i>Attachment E: Sample Governing Board Resolution</i>	46
<i>Attachment F: Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft and Embezzlement</i>	47
<i>Attachment G: Project Work Plan Instructions</i>	48

CONFIDENTIALITY NOTICE

All documents submitted as a part of the Byrne State Crisis Intervention 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: GRANT INFORMATION

Background Information

The Board of State and Community Corrections (BSCC) is the designated state administering agency for the Byrne State Crisis Intervention Program (Byrne SCIP), which is federally funded through the Bureau of Justice Assistance (BJA).

This Request for Proposals (RFP) implements the pass-through funding for units of local government required by the Byrne SCIP Program. The court-related aspects of the Byrne SCIP Program are being addressed in a separate subaward unrelated to this RFP.

Federal Requirements

Byrne SCIP is authorized by the Bipartisan Safer Communities Supplemental Appropriations Act, 2022 ([Pub. L. No. 117-159, 136 Stat. 1313, 1339](#)); [28 U.S.C. 530C](#). If selected for funding, in addition to implementing the funded project consistent with the Office of Justice Programs (OJP) approved application, grantees must comply with all award requirements (including all award conditions), and applicable federal statutes and regulations.

Contact Information

This Request for Proposals provides the information necessary to prepare a proposal to the BSCC for grant funds available through the federal Byrne State Crisis Intervention Grant Program.

The BSCC staff cannot assist the applicant or its partners with the preparation of the proposal. Any questions concerning the RFP must be submitted by email to: ByrneSCIP@bscc.ca.gov.

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

Proposal Due Date and Submission Instructions

The Byrne SCIP 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 Friday, April 5, 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 April 5, 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 Byrne SCIP 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 [Byrne SCIP website](#):

1. Project Work Plan
2. Budget Attachment (Project Budget Table and Budget Narrative)
3. Key Partner Commitment Form, if applicable
4. Criteria for Non-Governmental Organizations Receiving Subawards
5. Governing Board Resolution – Sample (*optional for proposal; must be submitted if awarded grant funds*)
6. Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement

Proposals for the Byrne SCIP Grant Program must be submitted through the **BSCC Submittable Portal**. The Byrne SCIP Grant Program RFP is accessible by clicking the “Click here to Submit; Powered by Submittable” button located on the BSCC [Byrne SCIP 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 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 ByrneSCIP@bscc.ca.gov and/or call the BSCC main line at (916) 445-5073 and ask to speak to someone about the Byrne SCIP 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 Grant 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 Byrne SCIP rating process. Details for the virtual Grant Information Session are listed below:

Byrne SCIP Virtual Grant Information Session

Thursday, March 7, 2024,
9:30 a.m.

Public access options for this meeting include:

Join by Zoom:

- <https://us02web.zoom.us/j/87469358839?pwd=aIAyRHNYWXlpWTNlc1hFU3BnQUxadz09>
- Meeting ID: 874 6935 8839 | Passcode: 904147

Call In:

- 1-669-900-9128
- Meeting ID: 874 6935 8839 | Passcode: 904147

Applicants interested in attending the Grant Information Session are asked to submit an RSVP to ByrneSCIP@bscc.ca.gov. When responding, please include the name, title, and agency the attendee(s) will be representing.

Please note: The Byrne SCIP Grant Information Session will be recorded and posted to the BSCC website for future reference.

Notice 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 evaluation 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:

1. Name of the applicant city or county;
2. Name and title of a contact person; and
3. 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 that submit a Letter of Intent and decide later not to apply will not be penalized.

Please email your non-binding Letter of Intent to Apply by **Friday, March 15, 2024**. Please identify the email subject line as “**Byrne SCIP Program Letter of Intent to Apply**” and submit the letter to: ByrneSCIP@bscc.ca.gov.

BSCC Byrne SCIP Advisory Board

The Bureau of Justice Assistance requires the establishment of a Crisis Intervention Advisory Board to inform and guide the implementation of the federal Byrne SCIP Grant. The BSCC established its Crisis Intervention Advisory Board on February 9, 2023. The Advisory Board consisted of the BSCC Board members and other subject matter experts, including additional representatives from prosecution, behavioral health, victim services, and legal counsel (see Attachment A). Advisory Board Members of the Advisory Board are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

Byrne SCIP Scoring Panel

The BSCC will use a Scoring Panel process to complete the reading and rating of proposals, and to develop scoring recommendations for the Advisory Board. The scoring panel will submit grant award recommendations to the Advisory Board. The Advisory Board will then approve, reject, or revise those recommendations.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party who participated on the Byrne SCIP Advisory Board or Scoring Panel from receiving funds from the grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Advisory Board and Scoring Panel membership and ensuring that no grant dollars are passed through to any entity represented by any member of the Byrne SCIP Advisory Board or Scoring Panel.

Please check the BSCC [Byrne SCIP website](#) for updated information on the Byrne SCIP Advisory Board and Scoring Panel.

Project Description

California Byrne SCIP Program and Budget Plan

The Bureau of Justice Assistance (BJA) requires states to develop a Program and Budget Plan for Byrne SCIP funding, which must be approved by the Byrne SCIP Advisory Board and BJA. The Byrne SCIP Advisory Board approved the Program and Budget Plan, including the development of this RFP, on September 14, 2023. The BJA approved the Program and Budget Plan on November 8, 2023.

The goal of the BSCC Program and Budget plan for the Byrne State Crisis Intervention Program funding is to develop a multipronged approach to decreasing gun violence in California, supporting local jurisdictions in their efforts to improve firearms relinquishment procedures and supporting the enhancement of collaborative court programs that address behavioral health issues, with a focus on people who are at higher risk for gun violence.

The approved Program and Budget Plan is available on the BSCC [Byrne SCIP website](#) under the Byrne SCIP Advisory Board tab.

Eligible Activities

Applicants must propose activities, strategies, or programs that address a minimum of one of the following Byrne SCIP Program Purpose Areas (PPAs) **and** include one or more related Program Activity:

- PPA 1: Communication, Education, Outreach, and Public Awareness;
- PPA 2: Behavioral health deflection for those at risk to themselves or others;
- PPA 3: Funding for law enforcement agencies to safely secure, store, track, and return relinquished guns.

Applicants may implement new activities, strategies, or programs, OR expand existing activities, strategies, or programs (without supplanting funds - see supplanting definition in the **General Grant Requirements** section below).

Each of these PPAs includes allowable Program Activities. Applicants are restricted to proposals that address one or more of these three Byrne SCIP PPAs **and** include one or more related Program Activity (as shown in the following table):

Byrne SCIP PPA	Related Program Activity
PPA 1: Communication, education, outreach, and public awareness	<ul style="list-style-type: none">• Outreach to community members, stakeholders, municipal leaders, law enforcement agencies, and those engaging with at-risk individuals to raise public awareness about the value and public safety benefits of Extreme Risk Protection Order (ERPO) laws and programs, and promote the importance of effective implementation and enforcement, as well as program development and enhancement.
	<ul style="list-style-type: none">• Development and distribution of ERPO fact sheets, brochures, webinars, television or radio engagement (e.g., advertisements, spotlights, etc.), and social media outreach (e.g., YouTube, Facebook, Twitter, etc.) in order to execute the communication, education, and public awareness strategy.
	<ul style="list-style-type: none">• Publication of best practices regarding ERPO programs.
PPA 2: Behavioral health deflection for those at risk to themselves or others	<ul style="list-style-type: none">• Assertive Community Treatment.
	<ul style="list-style-type: none">• Behavioral threat assessment programs and related training.
	<ul style="list-style-type: none">• Triage services, mobile crisis units (both co-responder and civilian only), and peer support specialists.

	<ul style="list-style-type: none"> • Technological supports such as smartphone applications to help families and patients navigate mental health and related systems and telehealth initiatives, including technology solutions for telehealth visits outside the hospital.
	<ul style="list-style-type: none"> • Support behavioral health responses and civil legal responses to behavioral health responses such as regional crisis call centers, crisis mobile team response, and crisis receiving and stabilization facilities to individuals in crisis.
	<ul style="list-style-type: none"> • Specialized training for individuals who serve or are families of individuals who are in crisis.
	<ul style="list-style-type: none"> • Law enforcement-based programs, training, and technology.
PPA 3: Funding for law enforcement agencies to safely secure, store, track, and return relinquished guns*	<ul style="list-style-type: none"> • Gun locks and storage for individuals and businesses.
	<ul style="list-style-type: none"> • Software/technologies to track relinquished guns.
	<ul style="list-style-type: none"> • Development and or delivery of specialized training and overtime for officers to attend training.

***Note:** This includes guns relinquished through a variety of protective orders, including Gun Violence Restraining Orders (GVRO), Domestic Violence Restraining Orders (DVRO), Elder or Dependent Abuse Restraining Orders, and Civil Harassment Restraining Orders.

Definitions for some of the terms included in the PPA and Program Area descriptions are available in **Attachment B: Glossary of Terms**.

Eligibility to Apply

Eligible applicants are California cities and counties. County proposals must be approved by the Board of Supervisors or the Chief County Administrative Officer. City proposals must be approved by the City Council or City Manager.

To be approved, the completion and submission of the proposal must be authorized by an individual vested with the authority to enter into an agreement on behalf of the applicant city or county. Any staff member with a Submittable account can upload the application into the BSCC Submittable Application Portal. However, the system will ask for the address, email, phone number, name, and title of the “Authorized Officer.” By completing this information, the applicant informs the BSCC that their Authorized Officer has read and understood the acknowledgement and has authorized the application.

Eligible applicants **may not** submit more than one proposal for funding consideration.

Lead Public Agency

All applicants are required to designate a Lead Public Agency (LPA) to serve as the coordinator for all grant activities. The LPA is a governmental agency with local authority within the applicant city or county. The applicant may choose to fill the role of LPA itself or it may designate a department, agency, or office under its jurisdiction to serve as the LPA. The role of the LPA is to coordinate with local government agencies and non-governmental organizations to ensure successful implementation of the grant program. The LPA is responsible for data collection and management, invoices, meeting coordination (virtual and/or in-person) and will serve as the primary point of contact with the BSCC.

Grant Period

Proposals selected for funding will be under agreement with the BSCC from **July 15, 2024 to September 30, 2026**. The term of the Grant Agreement includes a two-year service delivery period and an additional two and a half months to finalize and submit the required Final Local Evaluation Report. A visual illustration of the Grant Agreement period is provided in the table below:

Full Term of Grant Agreement: July 15, 2024 to September 30, 2026

Year 1	Year 2	Evaluation and Close-Out
July 15, 2024 to July 14, 2025	July 15, 2025 to July 15, 2026	July 16, 2026 to September 30, 2026
<u>Activities:</u> Implementation, 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.

The service delivery period ends on July 15, 2026. After this date, only expenses associated with completion of the Local Evaluation Report and financial audit may be incurred between July 16, 2026 and September 30, 2026. Additional information about the invoicing process will be provided later in this RFP.

Funding Information and Thresholds

This RFP makes \$10,694,933 available competitively from federal fiscal year (FFY) 2022 and 2023.

In accordance with the approved Program and Budget Plan, this RFP offers grants in two categories within which applicants will compete. Maximum funding thresholds have been established for each category so that projects of a smaller scope do not compete against projects of a larger scope.

- 1) **Small Scope:** Small scope projects are limited to requests of up to \$500,000.
- 2) **Large Scope:** Large scope projects are limited to requests of up to \$1,000,000.

Applicants may apply for any dollar amount up to and including the maximum grant amounts as shown above. Applicants are strongly encouraged to apply for only the amount of funding needed to implement the project for the entire 26-month grant period. Proposals will be scored, in part, on the reasonableness of the proposed budget.

An illustration of the funding categories, maximum grant awards, and total available funding by category is provided below:

Project Category	For Applicants Requesting:	Funds Allocated to this Category
1) Small Scope	Up to \$500,000 for the entire grant period	\$3,208,480
2) Large Scope	More than \$500,000 and up to \$1,000,000 for the entire grant period.	\$7,486,453
Total Funds Available:		\$10,694,933

Match Requirement

The Byrne SCIP Grant does not have a match requirement.

Data Collection and Evaluation Budget Requirement

Grantees must budget five percent (5%) of the total requested grant funds for their project's data collection and evaluation efforts. This includes the completion of the Local Evaluation Plan and Local Evaluation Report. Additional information regarding the Local Evaluation Plan and Local Evaluation Report are provided later in this RFP.

All proposed activities, strategies, or programs must have a link to the Byrne State Crisis Intervention Program as described in the authorizing legislation and this RFP.

Evidence-Based, Innovative and Promising Strategies

The BSCC is committed to supporting a focus on better outcomes in the criminal 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?

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.

“Innovative,” for purposes of this RFP, shall be broadly construed to include programs or strategies that are “new” in the jurisdiction where they are applied or represent expanded or reconfigured programs targeting additional populations or needs in the applicant jurisdiction. Innovative programs or strategies described in the proposal must be linked to one or more components of an evidence-based practice.

“Promising,” for purposes of this RFP, shall 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 that is not yet strong enough to conclude that 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 approaches is a difference in degree that depends on the number of situations in which a program or strategy has been tested and the rigor of the evaluation methods

that were used. Applicants seeking to implement “promising” programs or strategies should be able to 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 proposal.

Evidence, which may vary in terms of its novelty or its strength, is relevant to the assessment of a program’s potential benefits, whether described as innovative, promising, or evidence based.

Data Collection, Reporting, and Evaluation Requirements

Local Evaluation Plan and Local Evaluation Report

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

- Quarterly Progress Reports
- A Local Evaluation Plan (due December 31, 2024) and
- A Local Evaluation Report (due September 30, 2026).

To assist in these efforts, applicants must dedicate a minimum of **five percent (5%)** of the total grant funds requested and reflect this amount in the Proposed Budget section. See **Attachment B** for key definitions related to project evaluation.

- **Quarterly Progress Reports**

Grant award recipients are required to submit quarterly progress reports (QPRs) to the BSCC. QPRs are a critical element in the BSCC’s monitoring and oversight process. Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and show that funds are being spent in accordance with the Grant Agreement could be subject to the withholding of funds. Once grants are awarded, the BSCC 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.

- **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 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.

Research Involving Human Subjects

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>

Evaluation Dissemination

The BSCC may make public the Local Evaluation Plan and the Final Local Evaluation Report from each grantee. Reports may be posted to the BSCC website and/or developed into a Summary Final 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 Final 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 Final Local Evaluation Report, it must be submitted to the BSCC for review prior to publication.

Reducing Racial and Ethnic Disparity

Research 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 BSCC has undertaken several activities to ensure that California addresses this concern including trainings. Applicants should, as relevant, describe how grant activities will impact youth of color who are subject to justice or child welfare system involvement.

For additional information about reducing racial and ethnic disparity (R.E.D.), prospective applicants may contact the R.E.D. Coordinator, Field Representative Timothy Polasik, at 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. A sample Grant Agreement for the Byrne SCIP Grant Program is available on the BSCC [Byrne SCIP website](#).

The Grant Agreement start date is expected to be July 15, 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. 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 the life of the grant cycle plus three years after the final payment under the contract.

Commitments from Key Partners

For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over and that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. Examples could include:

- The grantee will provide funding to a law enforcement agency or nonprofit organization (already identified) for specified services.
- The grantee will depend upon referrals from a local probation department or state parole in order to meet target population eligibility requirements.
- The grantee will need a data sharing agreement with a local law enforcement agency in order to meet grant reporting requirements.
- The grantee will require access to a local detention facility under the control of a local department.
- The grantee will rely on staff dedicated via a contractual relationship with the local department of behavioral health services.

For each Key Partner, the grantee must submit a signed **Key Partner Commitment Form (see Attachment C)** from the outside entity or agency named. The form must identify the outside agency or entity, include a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or organization. Submit one form per partner agency or entity.

The applicant is not required to submit a Key Partner Commitment Form if the applicant has determined that an outside agency or entity is not critical to the launch or ongoing implementation of the proposed program. “Key partners” do not include vendors that provide contracted goods, services or products.

Criteria for Non-Governmental Organizations Receiving Grant Funds

Applicants for the Byrne SCIP Grant Program may elect to partner, contract, or establish agreements with non-governmental organizations (NGOs) in the implementation of their program.¹ All NGOs must adhere to terms described in the box below:

Eligibility Criteria for Non-Governmental Organizations (NGOs)

Any non-governmental organization that receives Byrne SCIP funding as a subgrantee must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of the Byrne State Crisis Intervention Program grantee grant agreement with the BSCC;
 - 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;
- 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 **Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards (see Attachment D)**, even if there are no plans to subaward at the time of submission, or if the name of the subaward 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 Subawards form throughout the life of the grant agreement for any additional NGOs that receive funds through subawards after

¹For 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.

awards are made. The BSCC will not reimburse for costs incurred by NGOs that do not meet the BSCC's requirements.

Federal Award Conditions

Byrne SCIP is authorized by the Bipartisan Safer Communities Supplemental Appropriations Act, 2022 ([Pub. L. No. 117-159, 136 Stat. 1313, 1339](#)); [28 U.S.C. 530C](#). If selected for funding, in addition to implementing the funded project consistent with the Office of Justice Programs (OJP) approved application, grantees must comply with all award requirements (including all award conditions), and applicable federal statutes and regulations.

Please refer to the Sample Grant Agreement (available on the BSCC [Byrne SCIP website](#)) at the to review the Federal Fiscal Year 2022, and 2023 federal award conditions. Federal conditions are subject to change with subsequent funding years.

Governing Board Resolution

Applicants must submit a resolution from the County Board of Supervisors or City Council addressing specified requirements as included in the sample Governing Board Resolution, which can be found in **Attachment E**. 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.

Audit Requirements

All grantees are required to complete an audit annually for each fiscal year/audit period, or fraction thereof, for the entire 26.5 month grant cycle. Audit reports must be submitted to the BSCC within 30 days of the Grantee's receipt of the report or within nine months following the end of the audit period, whichever is earlier. 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:

- Annual City/County Single Audit (as submitted to the State Controller's Office), or
- Program-specific audit.

The audit reports must cover the entire grant period. 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.

Any grantee that does not expend \$750,000 or more in total federal awards during the fiscal year is exempt from Federal audit requirements for the fiscal year. However, grantees it must keep and maintain the grant records and make them available for review or audit by appropriate officials of the Federal agency, pass-through agency (i.e., the Board of State and Community Corrections) and Governmental Accountability Office.

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 **Attachment F** certifying they are compliant with the BSCC's policies on debarment, fraud, theft, and embezzlement.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a 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. Award recipients will be provided with additional details regarding the Grantee Orientation.

Invoices

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 must submit invoices to the BSCC on a quarterly basis through an online process no later than 45 days following the end of the invoicing period.

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](#).

Supplanting

Supplanting is strictly prohibited for all BSCC grants. 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. Byrne SCIP funds shall be used to support new program activities or to augment or expand existing program activities but 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.

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 loaning 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 Comprehensive Monitoring Visit checklist can be found on the Corrections Planning and Grants Program [website](#).

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

“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.

Disqualification - PLEASE REVIEW CAREFULLY



The following will result in an automatic disqualification:

- Proposal submission is not received by **5:00 p.m. (PST) on Friday, April 5, 2024**. (Allow sufficient time to upload all required documents in the BSCC Submittable portal. Do not wait until the last minute!)
- The proposal is not submitted via the BSCC Submittable portal. **Email submissions will not be accepted.**
- Work Plan (Attachment G) is not submitted through the BSCC Submittable Portal.
- Budget Attachment (Excel document) is not submitted through the BSCC Submittable Portal.
- The applicant is not a California city or county.
- Proposal does not address required Program Purpose Areas.
- Funding request exceeds allowable amount in the small scope or large scope project categories.
- Attachment(s) are illegible.
- Attachment(s) will not open or the file(s) are corrupted.

Proposal Rating Process

Unless disqualified, proposals will advance to the Byrne SCIP Grant Scoring Panel for funding consideration. Proposals will be evaluated in accordance with the BSCC's [Grant Proposal Evaluation Process](#) and as described below. The Byrne SCIP Grant Program 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 ratings on how well an applicant addresses the criteria listed under each rating factor

within the Proposal Narrative and Budget Sections. Byrne SCIP Grant Scoring Panel ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the Advisory Board's funding recommendations. It is anticipated that the Advisory Board will act on the recommendations at its meeting on July 11, 2024. Applicants and their partners are not to contact members of the Byrne SCIP Grant Scoring Panel, the Byrne SCIP Advisory Board, or the BSCC Board to discuss proposals.

Note: Once the Byrne SCIP Advisory Board acts on the Scoring Panel's recommendations, awards will be contingent on BJA's approval of the subawards (grants), as required by the Byrne SCIP federal solicitation.

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. A percent of total value is assigned to each Rating Factor, correlating to its importance within the overall project (see Percent of Total Value column).

Byrne SCIP Rating Factors and Point Values

	Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score*
1	Project Need	0-5	20%	40
2	Project Description	0-5	30%	60
3	Organizational Capacity and Coordination	0-5	25%	50
4	Project Evaluation and Monitoring	0-5	10%	20
5	Project Budget	0-5	15%	30
Maximum Proposal Score			100%	200

Raters 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 final overall proposal score. The maximum possible proposal score is 200.

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.

BSCC Funding Decisions

Applicants will compete for funds within their applicable funding category (see Funding Information and Thresholds on page 7-8). Once the proposals have been scored and ranked, BSCC will move down the ranked lists to fund all qualified applicants in each of the two (2) funding categories 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 funding remains in one or more categories, the following will occur:

- Funds remaining in Category (1), after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in Category (2).
- Funds remaining in Category (2), after all qualified applicants in that category have been funded, will be used to fund any additional qualified applicants in Category (1).

If an applicant or grantee relinquishes an award, BSCC has authority to offer that award to the next qualifying applicant (s) on the ranked list.

Summary of Key Dates

The following table shows a timeline of key dates related to the Byrne SCIP Program.

Activity	Date
Release Request for Proposals	February 16, 2024
Grant Information Session	March 7, 2024
Letter of Intent Due to the BSCC	March 15, 2024
Proposals Due to the BSCC	April 5, 2024
Proposal Rating Process and Development of Funding Recommendations	April 2024 - July 2024

Activity	Date
Byrne SCIP Advisory Board Considers Funding Recommendations	July 11, 2024
Notices to Applicants*	July 12, 2024
Grant Period Begins	July 15, 2024
Mandatory New Grantee Orientation	August 2024
Grant Service Project Period Ends	July 15, 2026
Final Evaluation Report Due and Grant Ends	September 30, 2026

***Note:** Once the Byrne SCIP Advisory Board acts on the funding recommendations, awards will be contingent on BJA's approval of the subawards (grants), as required by the Byrne SCIP federal solicitation.

PART II: PROPOSAL INSTRUCTIONS

This document/section contains the necessary information for completing the Byrne State Crisis Intervention Program Proposal Package. The proposal and all required attachments are provided on the BSCC [Byrne SCIP website](#).

Proposal Narrative and Budget Instructions

The five rating factors will be addressed in the Proposal Narrative and the Proposal Budget sections, as shown below:

	Rating Factor	Percent Value	Addressed In:
1	Project Need	20%	Proposal Narrative
2	Project Description	30%	
3	Organizational Capacity and Coordination	25%	
4	Project Evaluation and Monitoring	10%	
5	Project Budget (Budget Tables & Narrative)	15%	Proposal Budget (Excel 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 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	4,474	Up to 2 (two) pages
2	Project Description	8,948	Up to 4 (four) pages
3	Organizational Capacity and Coordination	4,474	Up to 2 (two) pages
4	Project Evaluation and Monitoring	4,474	Up to 2 (two) 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**". Applicants are prohibited from submitting the Byrne SCIP Application until they comply with all character limit requirements.

Bibliography

Applicants *may* 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 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 completing the Proposal Narrative, the following attachments, located on the BSCC [Byrne SCIP 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)
- Project Work Plan (Attachment G)
- Key Partner Commitment Form, if applicable (Attachment C)
- Criteria for Non-Governmental Organizations Receiving Subawards (Attachment D)
- Governing Board Resolution – Sample (*not required at time of submission; however, must be submitted if awarded grant funds.*) (Attachment E)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Attachment F)

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.

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 <u>quality of the response</u> to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
1.1	Describe the need(s) to be addressed, the process used to determine the need(s) and how the need(s) are related to one or more of the Byrne SCIP Grant Program Purpose Areas and corresponding program activities.
1.2	Identify the conditions or elements that contribute to the need (e.g., service gaps, accessibility, geographic location, etc.).
1.3	Provide relevant local qualitative and/or quantitative data with citations in support of the need(s).
1.4	Demonstrate a compelling justification for the grant funds.

Section 2: 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.

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 <u>quality of the response</u> to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
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 components of the proposed project that links to each PPA. • Describe the target area which will be the focus of the project, including how and why it was selected. • For projects serving participants, provide an estimate of how many individuals will be served and the process for determining which services/activities an individual/group will receive. • Address how the project will, if applicable, address the racial and ethnic disparities, violence, and/or recidivism (if any) identified in Project Need. • Address how the proposed project will, if applicable, incorporate trauma-informed care and be culturally informed, competent, and responsive.

	<ul style="list-style-type: none"> Address how the proposed project will, if applicable, prioritize mental health needs and the avoidance of system involvement.
2.2	Complete the Project Work Plan (Attachment G), describing the top goals and objectives for the project (see Attachment B for definitions). Identify how these will be achieved in terms of the activities, responsible staff/partner agencies, process and outcome measures, data sources and timelines. The goals and objectives must be related to the needs and intent identified for the Byrne SCIP grant.
2.3	<p>For projects with participants, describe:</p> <ul style="list-style-type: none"> the target population (e.g., gender, age, offense history, criminogenic factors), including why and how it was selected. the plan for identifying, accessing, selecting, and serving individuals from the target population who are eligible and appropriate for participation. plans to overcome any inability to access and/or serve those individuals.
2.4	Describe the rationale for the proposed activities/services including research or other evidence indicating that the intended goals and objectives are likely to be achieved.

Section 3: Organizational Capacity & Coordination (Percent Value - 25%)

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 & Coordination: The applicant described their organization's ability to implement 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 <u>quality of the response</u> to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
3.1	<p>Describe the applicant's ability to administer the proposed project. In the description include:</p> <ul style="list-style-type: none"> the staffing required and available to operate the project including staff qualifications and training. the extent to which existing staff resources will be utilized. project management and oversight to ensure the proposed project is implemented as intended.
3.2	<p>Describe any partner agencies or coordination with other agencies necessary to implement the proposed project. If partners are to be selected after the grant is awarded, specify the process and criteria for selecting the partner agencies. The description of partners should include:</p> <ul style="list-style-type: none"> their involvement/role that is aligned with the proposed project. their credentials, involved personnel, experience and capability to conduct the project, and the value the partners add to the proposed project. the plan to coordinate with these partners. Key Partners Commitment Form(s) provided as attachments (Attachment C).

3.3	Describe the timeline for the execution of contracts or memoranda of understanding with any partner agencies and the implementation of their involvement/role such that they are in a reasonable timeframe to support the project. Include a description of the readiness to proceed, if funded.
3.4	Describe the management structure and decision-making process for the proposed project.

Section 4: Project Evaluation and Monitoring (Percent Value - 10%)

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 <u>quality of the response</u> 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 qualified internal staff and/or external partner or entity that will conduct the project evaluation and how monitoring activities 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 the proposed project and the goals and objectives listed in the Project Work Plan.
4.3	Describe the preliminary plan for collecting data and evaluating the process measures and outcome measures identified in 4.2. Describe a plan for entering into data sharing agreements, if necessary.
4.4	Describe the research design or methodology that will allow for an assessment of whether the strategy implemented achieved the intended outcomes.

Proposal Budget Instructions

Section 5: Proposal Budget (Percent Value - 15%)

As part of the application process, applicants are required to complete and upload a Proposal Budget and Budget Narrative (Byrne SCIP Budget Attachment) in the identified field on the BSCC-Submittable application page. The Byrne SCIP Budget Attachment is provided on the BSCC [Byrne SCIP website](#).

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 budget narrative are allowable and eligible for reimbursement. In these situations, the revised grant budget will be used for the Grant Agreement.

Applicants are solely responsible for the accuracy and completeness of the information entered in the 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](#).

Proposal Budget Rating Factor

The following items are rated as a part of this section and must be addressed by the applicant in the Budget Attachment.

Proposal 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 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	<p>Provide complete and detailed budget information in each section of the Budget Attachment which:</p> <ul style="list-style-type: none">• includes an explanation justifying each expense.• describes within each budget section how the expenditures are being applied to the benefit of project participants and/or community members in the target area.• ensures expenses are appropriate for the grant's intent, the project's goals, and planned activities.
-----	--

PART III: ATTACHMENTS

Byrne SCIP Attachments

This section includes the following attachments:

- **Attachment A:** Byrne SCIP Advisory Board *(for reference only)*
- **Attachment B:** Glossary of Terms *(for reference only)*
- **Attachment C:** Key Partner Commitment Form ***(REQUIRED IF APPLICABLE)***
- **Attachment D:** Criteria for Non-Governmental Organizations Receiving BSCC Grant Subawards ***(REQUIRED)***
- **Attachment E:** Sample Governing Board Resolution ***(optional for proposal; must be submitted if awarded grant funds)***
- **Attachment F:** Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement ***(REQUIRED)***
- **Attachment G:** Project Work Plan ***(REQUIRED)***

Attachment A: Byrne SCIP Advisory Board

	Name	Title	Organization/Agency
1	Linda Penner (Chair)	Chairperson	Board of State and Community Corrections
2	Juan Avila	Chief Operating Officer (Victim Services)	Garden Pathways
3	Cindy Chavez	Supervisor	Santa Clara County Supervisor
4	Norma Cumpian	Director, Women's Department (Community)	Anti-Recidivism Coalition (ARC)
5	Andrea Dauber-Griffin	Senior Executive Director (Behavioral Health Providers)	Neighborhood House Association
6	Shannon Dicus	Sheriff (Law Enforcement)	San Bernardino County
7	Dean Growdon	Sheriff (Law Enforcement)	Lassen County
8	Kirk Haynes	Chief Probation Officer (Law Enforcement)	Fresno County
9	Jeffrey Macomber	Secretary (Law Enforcement)	California Department of Corrections and Rehabilitation
10	Andrew Mills	Chief of Police (Law Enforcement)	City of Palm Springs
11	Nancy O'Malley	District Attorney (Retired) (Prosecution)	Alameda County
12	Alan Slater	Chief Executive (Retired) (Courts)	Orange County
13	Jason Johnson	Director, Division of Adult Parole Operations (Law Enforcement)	California Department of Corrections and Rehabilitation
14	Eloisa Tuitama	Staff Counsel (Legal Counsel)	Board of State and Community Corrections
15	Angeles Zaragoza	Attorney	Los Angeles County Alternate Public Defender's Office

Attachment B: Glossary of Terms

Assertive Community Treatment

Assertive community treatment (ACT) is a team-based treatment model that provides multidisciplinary, flexible treatment and support to people with mental illness 24/7. ACT is based around the idea that people receive better care when their mental health care providers work together. ACT team members help the person address every aspect of their life, whether it be medication, therapy, social support, employment or housing. ACT is mostly used for people who have transferred out of an inpatient setting but would benefit from a similar level of care and having the comfort of living a more independent life than would be possible with inpatient care.²

Behavioral Health Deflection

The practice by which law enforcement officers connect individuals, who otherwise would have been eligible for charges, to community-based treatment and/or services in lieu of arrest, thereby diverting them from the justice system into the community.³

Collaboration

The basic manner in which different and potentially competing agencies, people and organizations work together in an intellectual effort to identify the needs of the community. These same people will then work collaboratively together to develop the intervention proposal to be used to solve the community need. Counties must rely on the collaborative process to determine the distribution of how funding will be allocated between programs and strategies that serve one or more of the Byrne SCIP Program Purpose Areas.

Extreme Risk Protection Order (ERPO)

An extreme risk protection order (ERPO) is a common-sense, effective measure to empower family members, health care providers, school officials, or law enforcement officers to petition a court to temporarily prevent a person from accessing firearms if they are found to be a danger to themselves or others.⁴

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 program.⁵

² National Alliance on Mental Health, *Types of Psychosocial Treatments*, Retrieved from <https://www.nami.org/About-Mental-Illness/Treatments/Psychosocial-Treatments>

³ Bureau of Justice Assistance webinar, *Critical Elements for Implementing First Responder and Officer Referral Deflection Programs*. Retrieved from <https://www.ojp.gov/events/critical-elements-implementing-first-responder-and-officer-referral-deflection-programs> (presentation slides under “Access Recording and Presentation”)

⁴ Bureau of Justice Assistance, *BJA FY 2022 - 2023 Byrne State Crisis Intervention Program Formula Solicitation (O-BJA-2023-171458)*.

⁵ 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/njjec/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>.

Examples of goal statements:⁶

- 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.

Objectives are defined by statements of specific, measurable aims of program activities.⁷ Objectives detail the tasks that must be completed to achieve goals.⁸ Descriptions of objectives in the proposals should include three elements:⁹

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 objectives:¹⁰

- 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.

Process Evaluation¹¹

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 Evaluation¹²

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:

⁶ *Id.* at p. 4.

⁷ 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>.

⁸ *Id.*; see *supra* fn 1.

⁹ 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/nijec/publications/program-evaluation.pdf>.

¹⁰ *Id.*

¹¹ Justice 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>.

¹² *Id.* at pp. 7-8.

- 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.

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.¹³

¹³ Pen. Code, § 6046.1 subd. (d). “Committed” refers to the date of offense, not the date of conviction.

Attachment C: Sample Key Partner Commitment Form

Byrne State Crisis Intervention Program Grant

Instructions: For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over, that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. (See RFP for specific examples.) The form must include the name of the agency or entity, a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or entity. Submit one form per partner agency or organization.

This form is required only if there are key partners identified in the Proposal Narrative.

Applicant:

Partner Organization or Agency:

Grant Service Period: July 15, 2024 to September 30, 2026

Services to be Provided by the Partner Organization or Agency during the Grant Period:

Authorized Signature of Partner Organization or Agency (e-signatures accepted):

Title of Individual Signing this Form:

Date Signed:

Attachment D: Criteria for Non-Governmental Organizations Receiving Subawards

Required Attachment: Applicants will be prompted to upload this document from the [Byrne SCIP website](#) 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 subaward at the time of submission, or if the name of the subaward party is unknown. In either of these cases, the applicant should write “N/A” in the Name of Subgrantee 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 Byrne State Crisis Intervention Program (Byrne SCIP) Grant Request for Proposals (RFP) includes requirements that apply to non-governmental organizations (NGOs)¹ providing services with grant funds. Grantees are responsible for ensuring that all subgrantee 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 Byrne SCIP funding as a subgrantee must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of the Byrne State Crisis Intervention Program grantee grant agreement with the BSCC;
 - 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;
- 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 Form

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 upload to the BSCC Submittable portal when prompted.

***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 Subgrantee Party” field and sign the document.

¹ 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.

Byrne State Crisis Intervention Program Non-Governmental Organization Assurances

Name of Applicant:

Name of Subgrantee 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 subaward 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 Byrne SCIP 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

Attachment E: Sample Governing Board Resolution

Instructions: Before grant funds can be reimbursed, a 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., County Board of Supervisors delegating such authority to an Agency head).

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 Byrne State Crisis Intervention Program (Byrne SCIP) 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 F: Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft and Embezzlement

Required Attachment: Applicants will be prompted to upload this document from the [Byrne SCIP webpage](#) to the 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			
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

Attachment G: Project Work Plan Instructions

Required Attachment: Applicants will be prompted to upload this document from the [Byrne SCIP webpage](#) to the BSCC Submittable Application portal.

Byrne SCIP 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.

(1) Goal:	>		
Objectives (A., B., C...):	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/ partners	Timeline	
		Start Date	End Date
1.	1.	1.	1.
2.	2.	2.	2.
3.	3.	3.	3.
List data and sources to be used to measure outcomes:			

(2) Goal:	>		
Objectives (A., B., C...):	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/ partners	Timeline	
		Start Date	End Date
1.	1.	1.	1.
2.	2.	2.	2.
3.	3.	3.	3.
List data and sources to be used to measure outcomes:			

(3) Goal:			
Objectives (A., B., C...):	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/ partners	Timeline	
		Start Date	End Date
1. 2. 3.	1. 2. 3.	1. 2. 3.	1. 2. 3.
List data and sources to be used to measure outcomes:			

Attachment 5

BSCC BYRNE STATE CRISIS INTERVENTION PROGRAM PROGRAM AND BUDGET PLAN

The goal of the BSCC Program and Budget plan for the Byrne State Crisis Intervention Program funding is to develop a multipronged approach to decreasing gun violence in California, supporting local jurisdictions in their efforts to improve firearms relinquishment procedures and supporting the enhancement of collaborative court programs that address behavioral health issues, with a focus on people who are at higher risk for gun violence.

BSCC will implement this plan by way of two sets of subawards in amounts determined by the Byrne SCIP allocation formula established by the Bureau of Justice Assistance. The proposed subawards are as follows:

Subawards to the Judicial Council of California: The BSCC will make two subawards totaling \$17,262,026 to the Judicial Council of California (JCC) to administer the court-related aspects of the plan. These subawards will support two initiatives:

- Fund programs that address behavioral health needs for people in the criminal court system who are likely to use guns or be the victims of gun violence.
- Conduct an operational review to identify best practices for firearms relinquishment in criminal courts.

The first subaward to the Judicial Council will be in the amount of \$16,264,529 to expand and enhance collaborative courts and to conduct the abovementioned operational review.

The second subaward will be in the amount of \$997,497 to expand and enhance collaborative courts in state courts that serve California's "Less-than-\$10,000 jurisdictions."

The JCC will announce a Request for Proposal (RFP) process to all California courts advertising the opportunity through multiple channels within the judicial branch. The JCC's Collaborative Justice Courts Advisory Committee (CJCAC) will serve as advisors throughout the entire process. They will review the RFP draft and final recommendations for the awards. The RFP will detail program objectives and legislative mandates and require applicant courts to describe how they will use the requested funding for collaborative court programs that include a focus on populations who are likely to use guns or be the victims of gun violence. The panel that reviews proposals will be comprised of JCC staff familiar with collaborative courts, mental health treatment and California law related to firearms safety.

An effort will be made to adequately fund as many eligible court programs as possible, emphasizing a diversity of program types throughout the state, including those from the "less than \$10,000 jurisdictions."

Subawards to Units of Local Government: BSCC will make subawards totaling \$10,694,933 to units of local governments by way of a competitive RFP. Eligible applicants will be California counties and cities. The RFP will seek to fund programs that support activities listed in the Byrne SCIP solicitation, including but not limited:

- Communication, education, outreach, and public awareness;
- Behavioral health deflection for those at risk to themselves or others;
- Funding for law enforcement agencies to safely secure, store, track, and return relinquished guns.

Recognizing that different-sized jurisdictions have different capacities, resources, and needs, the RFP will offer grants in two categories within which applicants can compete. Maximum funding thresholds will be established for each category so small scope projects do not compete against large scope projects:

- Small scope projects will be allocated approximately \$3,208,480 and proposals in this category will be limited to requests of up to \$500,000.
- Large scope projects will be allocated approximately \$7,486,453 and proposals in this category will be limited to requests of up to \$1,000,000.

The RFP will require grantees to set aside no less than five percent of the total grant award for data collection and evaluation efforts, to include the development of the Local Evaluation Plan and a Final Local Evaluation Report.

The RFP will be submitted to the BSCC for approval to be released. The proposals received will be rated by a Scoring Panel convened for the RFP. Once proposals are rated, the resulting funding recommendations will be approved by the BSCC Board.

Administrative Costs: The Program and Budget plan will allocate \$1,274,115 to the BSCC for administrative costs.

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 April 11, 2024, Board Meeting: **Requesting Approval**
- B. Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Small Jurisdiction Allocation Recommendation: **Requesting Approval**

IV. Action: Discussion Items

- C. Adult Reentry Grant Program – Appointment of a Chair and Establishment of an Executive Steering Committee: **Requesting Approval**
- D. California Violence Intervention and Prevention Grant Program – Appointment of a Chair and Establishment of an Executive Steering Committee: **Requesting Approval**
- E. Missing and Murdered Indigenous People Grant Program – Cohort 2: Funding Recommendations: **Requesting Approval**
- F. Local Detention Facilities Inspection Update: **Requesting Approval**
- G. 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

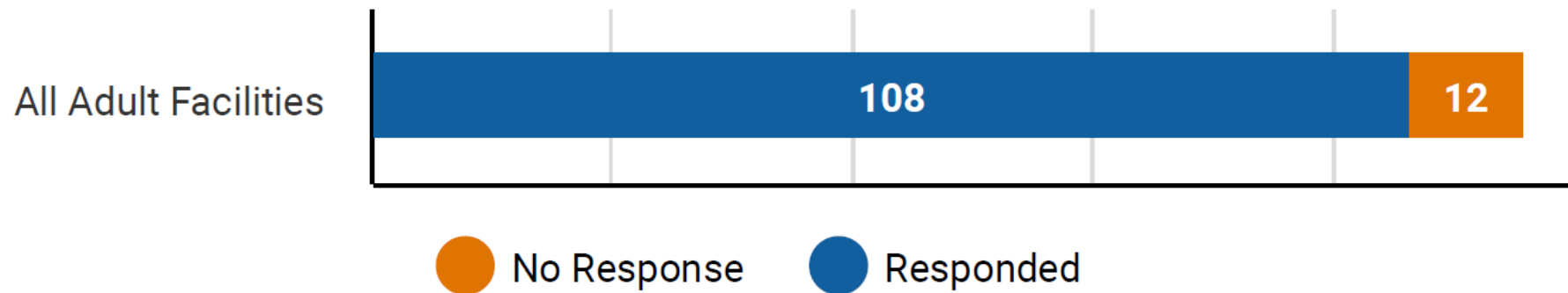
Next Board Meeting: September 12, 2024

Information Item 2
Executive Director's Update

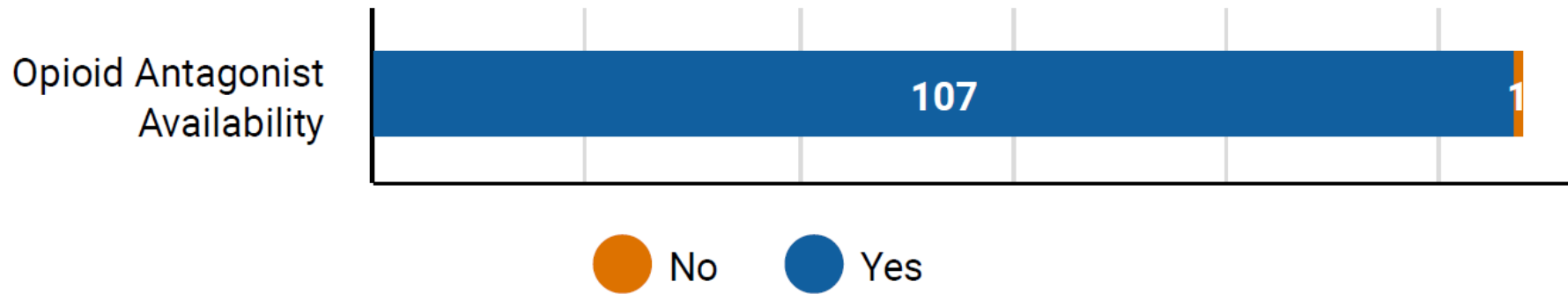
Opioid Antagonists Survey

Local Adult Detention Facilities

90 percent of the local adult detention facilities ($n = 108$) provided a survey response.

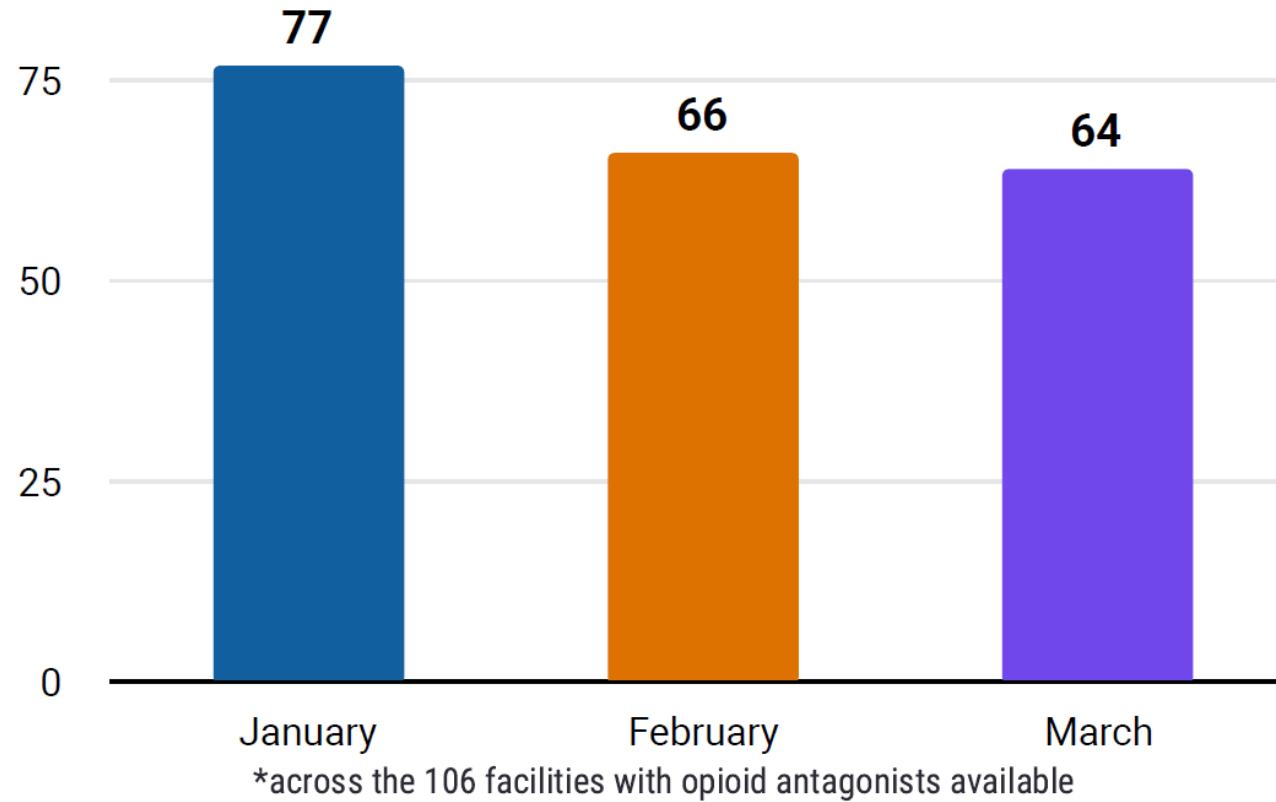


99 percent of the reporting facilities ($n = 107$) have opioid antagonists available.



INCIDENTS OF OPIOID ANTAGONIST USE

Between January 1 and March 31, 2024, there were **207** unique incidents of opioid antagonist use.



OPIOID ANTAGONIST ACCESSIBILITY & TRAINING



▶ 99%

of facilities ($n = 107$) have opioid antagonists accessible to custodial staff. **All facilities** provide staff with training or education for the administration of opioid antagonists.



▶ 66%

of facilities ($n = 71$) report opioid antagonists are on custodial staff (e.g., duty belt) at all times.



▶ 27%

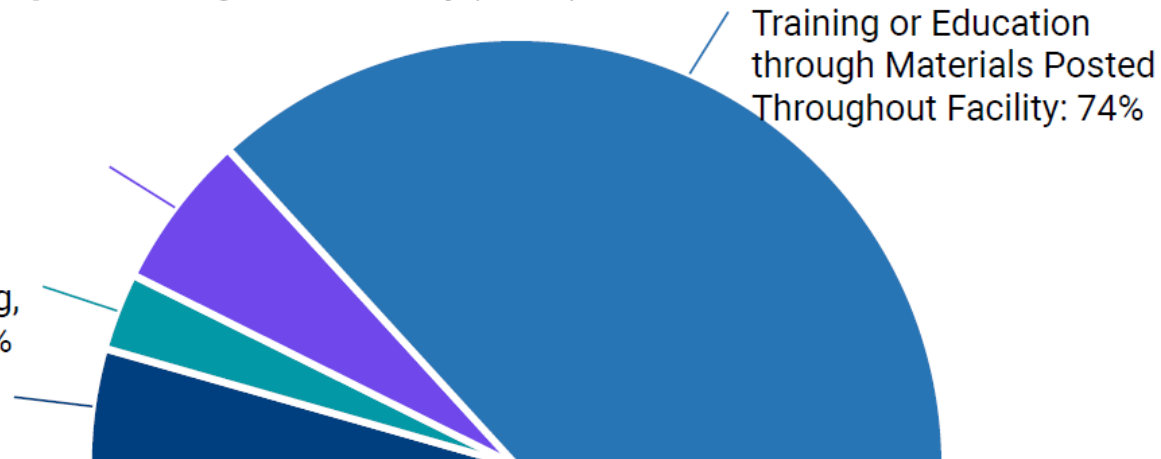
of facilities ($n = 29$) have opioid antagonists accessible to people who are detained (e.g., inside housing units, common areas).

For facilities with opioid antagonists available to people who are detained, **74 percent provide training through educational materials** posted throughout the facility ($n = 26$).

Optional Training at Booking: 12%

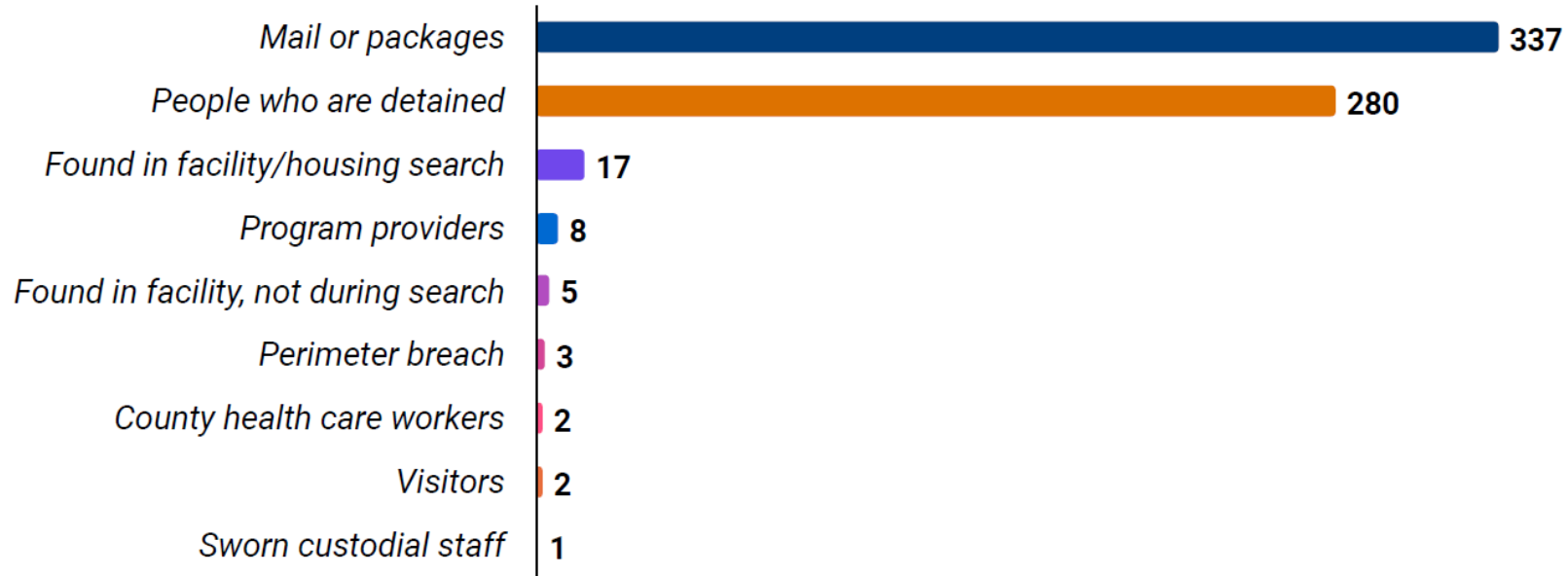
Mandatory Training, every 6 months: 6%

No Training or Education Provided: 9%



METHODS FOR THE INTRODUCTION OF OPIOIDS INTO FACILITIES

Between January 1 and March 31, 2024, there were **655** known instances of opioid introduction.



51%

of the known instances of opioid introduction were through mail or package deliveries.



43%

of the known instances of opioid introduction were through people who are detained.



<1%

of the known instances of opioid introduction were through sworn custodial staff.



SUBSTANCE USE-RELATED PRACTICES



94%

of the reporting facilities ($n = 101$) assess whether people have an ongoing substance use disorder at the time of booking. Most facilities report using the Clinical Opiate Withdrawal Scale (COWS), the Clinical Institute Withdrawal Assessment (CIWA), and non-specified medical and mental health screenings performed by medical staff and questions asked during booking and/or intake by custody staff.

48% of the reporting facilities ($n = 52$) house people in a designated area when they are being monitored for withdrawal. For most facilities the housing location varies based on the severity of withdrawal symptoms. The locations most frequently identified included observation cells, holding cells, intake cells, medical cells, and sobering cells.



48%



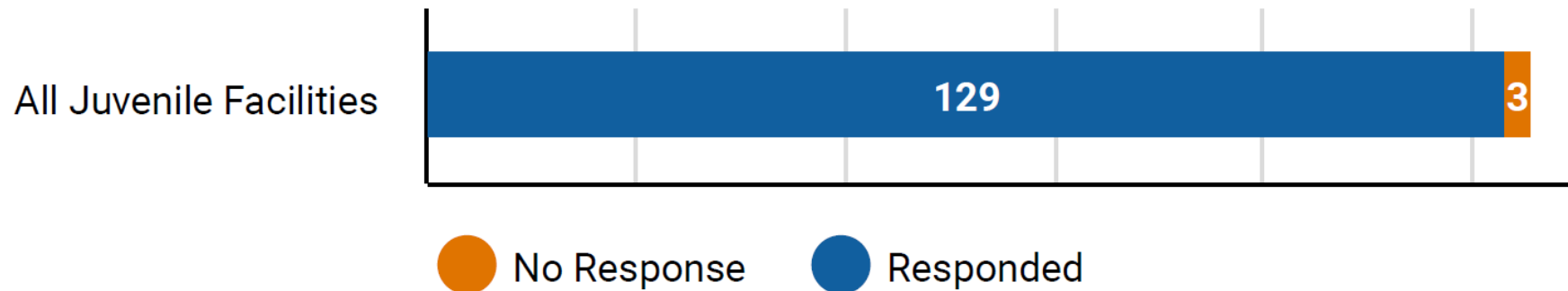
85%

of reporting facilities ($n = 92$) have a medication-assisted treatment (MAT) program for people. Most facilities report people are eligible for MAT programs if they are currently in a MAT program, identify having moderate or severe opioid use disorder or Substance Use Disorder in their recent past or request services.

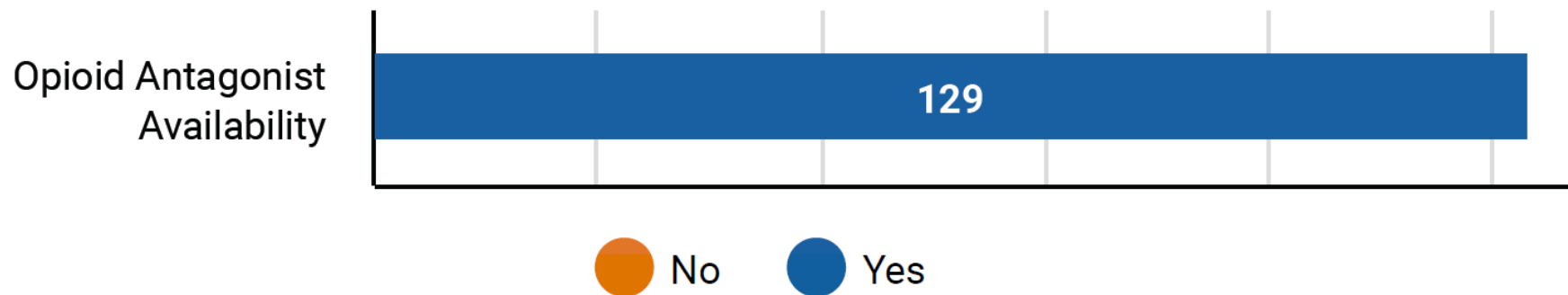
Opioid Antagonists Survey

Local Juvenile Detention Facilities

98 percent of the local juvenile detention facilities ($n = 129$) provided a survey response.

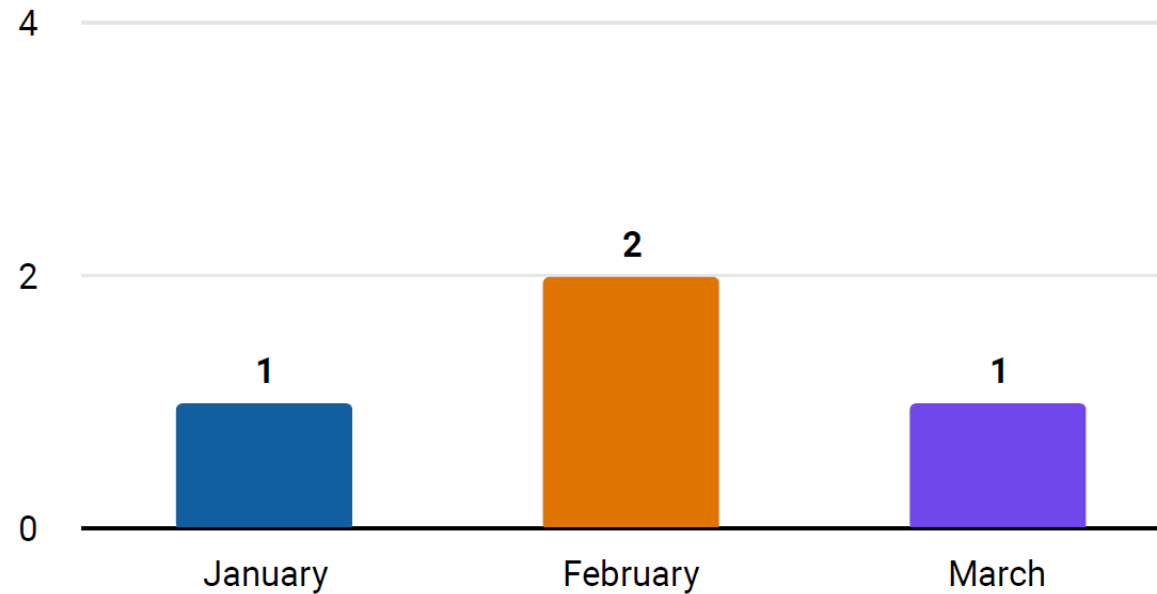


100 percent of the reporting facilities ($n = 129$) have opioid antagonists available.



INCIDENTS OF OPIOID ANTAGONIST USE

Between January 1 and March 31, 2024, there were **4** unique incidents of opioid antagonist use.



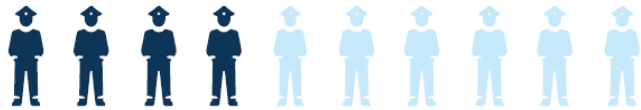
*across the 129 facilities with opioid antagonists available

OPIOID ANTAGONIST ACCESSIBILITY & TRAINING



▶ **76%**

of facilities ($n = 98$) have opioid antagonists accessible to youth supervision staff.



▶ **40%**

of facilities ($n = 52$) report opioid antagonists are physically on youth supervision staff (e.g., duty belt) at all times.



▶ **94%**

of facilities ($n = 121$) report opioid antagonists are accessible to facility medical staff.



▶ **100%**

of facilities ($n = 129$) report training or education is provided for opioid antagonist administration.

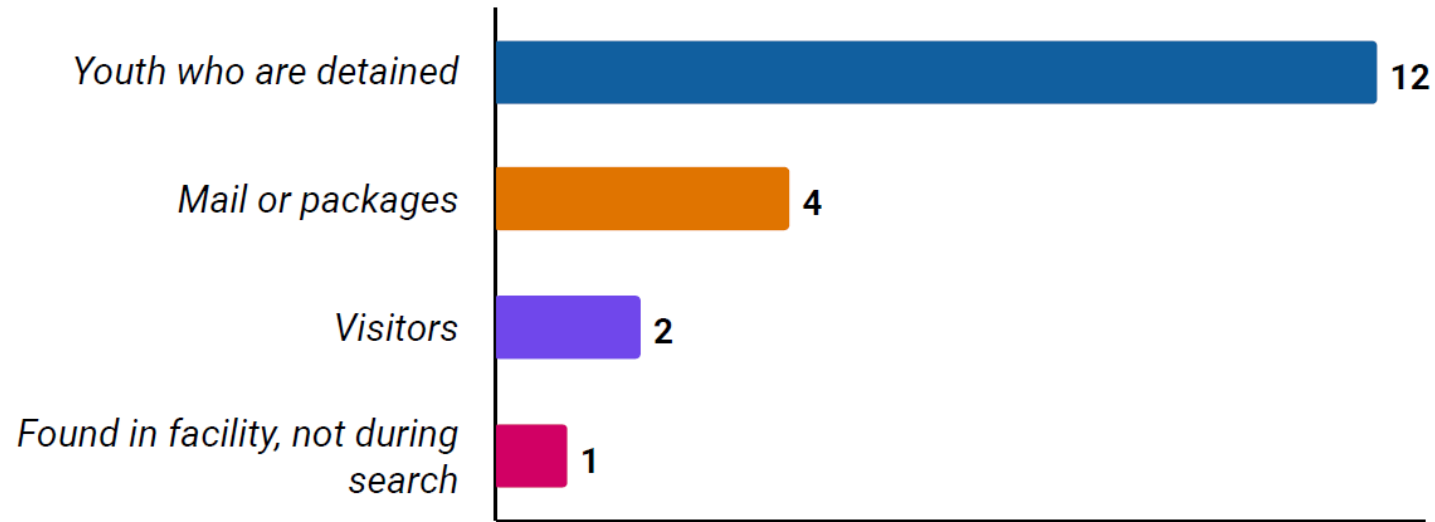


▶ **80%**

of facilities ($n = 103$) report training occurs at the time the opioid antagonist is initially provided to staff.

METHODS FOR THE INTRODUCTION OF OPIOIDS INTO FACILITIES

Between January 1 and March 31, 2024, there were **19** known instances of opioid introduction.



63%

of the known instances of opioid introduction were through youth who are detained.



21%

of the known instances of opioid introduction were through mail or package deliveries.



11%

of the known instances of opioid introduction were through visitors of youth who are detained.



SUBSTANCE USE-RELATED PRACTICES



89%

of the reporting facilities ($n = 115$) assess whether youth have an ongoing substance use disorder at the time of intake. Most facilities report using the Clinical Opiate Withdrawal Scale (COWS), the Clinical Institute Withdrawal Assessment (CIWA), the Massachusetts Youth Screening Instrument (MAYSI), the Juvenile Justice Center Receiving Screening, the DSM Opioid Screening Interview, and the American Society of Addiction Medicine (ASAM) screening.

41% of the reporting facilities ($n = 54$) house youth in a designated area when they are being monitored for withdrawal. Most facilities in these cases emphasized the importance of continuous monitoring and direct observation of the youth in these areas through means such as glass housing units, CCTV cameras, and holding units close to staff stations.



42%



60%

of reporting facilities ($n = 77$) have a medication-assisted treatment (MAT) program for youth. Most facilities report youth who are identified to have Opioid Use Disorder (OUD) or Substance Use Disorder (SUD) shall be evaluated and initiated to be enrolled into their MAT programs as indicated by the facility's Medical Unit Providers. Facilities report MAT programs encompass a collaborative approach from medical health and behavioral health to ensure youth are afforded services while in custody, as well as linkage to the community.

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>AMENDED IN SENATE JUNE 13, 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>6/25/2024</p> <p>Read second time in Senate.</p> <p>Ordered to third reading.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
2	<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>AMENDED IN SENATE JUNE 20, 2024</p> <p>The BSCC, through <u>AB109</u> and <u>AB117</u> is currently the repository for the Community Corrections Partnership (CCP) plans. The CCPs develop, and implement local approaches and corresponding spending plans for Adult Public Safety Realignment activities.</p> <p>This bill would add a representative of a community-based organization with experience in successfully providing behavioral health treatment services to persons who have been convicted of a criminal offense, and a representative of a Medi-Cal managed care plan that provides the Enhanced Care Management benefit, to the membership of the CCP.</p> <p>This bill would also require that funding be spent on evidence-based community corrections practices and programs as specified. The plan shall include an analysis and recommendations of how criminal justice resources may be spent as matching funds for other sources, including, but not limited to, Medi-Cal federal financial participation and include quantifiable goals for improving the community corrections system.</p>	No impact	<p>7/2/2024</p> <p>Passed and re-referred to Committee on Senate Appropriations</p> <p>Votes:</p> <p>(Ayes 4. Noes 1.)</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
3	<p><u>SB 762</u></p> <p><u>Local detention facilities: safety checks.</u></p> <p>Senator <u>Becker, Josh</u> (D-13)</p>	<p>AMENDED IN ASSEMBLY JUNE 14, 2023</p> <p>This bill would require the board to revise the minimum standards for local correctional facilities. The standards shall include, but not be limited to, the following areas: health and sanitary conditions, fire and life safety, security, rehabilitation programs, recreation, treatment of persons confined in local correctional facilities, and personnel training. The bill will require that at least one person on duty at the facility is knowledgeable in the area of fire and life safety procedures.</p> <p>During the next regularly scheduled review, the bill also requires a local detention facility to include a procedure for affirming that an incarcerated individual is alive during a safety check.</p>	<p>Revise Title 15 Regulations at the next biennial review.</p>	<p>6/4/24</p> <p>From inactive file. Ordered to third reading in the Assembly.</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
4	<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 ASSEMBLY JUNE 04, 2024</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 CDCR to make these recommendations and reports to the Legislature on or before March 31, 2025.</p>	<p>No impact</p> <p><i>An earlier version included responsibility for the BSCC.</i></p>	<p>6/18/2024</p> <p>Passed Assembly Committee on Appropriations and recommended to consent calendar.</p> <p>Votes:</p> <p>(Ayes 7. Noes 0.)</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
5	<u>SB 1057</u> <u>Juvenile justice coordinating council</u> <u>Senator Menjivar, Caroline</u> <u>(D-20)</u>	<p>AMENDED IN SENATE MAY 16, 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>This bill would revise and recast those membership provisions, and instead require each county juvenile justice coordinating council to, at a minimum, consist of at least 50% community representatives with the remainder of the seats allocated as specified.</p>	<p>No impact. Effective July 1, 2024, the JJCPA has transitioned to the Office of Youth and Community Restoration.</p>	<p>7/3/2024</p> <p>Passed Assembly Committee on Appropriations and re-referred.</p> <p>Votes: (Ayes 5. Noes 2.)</p>

Agenda Item A

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY APRIL 11, 2024
10:00 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.bscc.ca.gov/s_boardmeetingscheduleagendasminutes/

I. Call Meeting to Order

Chair Linda Penner called the meeting to order at 10:00 a.m. and welcomed the Board Members and the public to the meeting.

Chair Penner announced that the Governor appointed San Benito Sheriff Eric Taylor to the Board and administered the Oath.

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

The following members were in attendance:

Chair Penner	Mr. Budnick*	Ms. Chavez*	Ms. Cumpian
Mr. Dicus*	Ms. Gaard	Mr. Haynes	Mr. Johnson
Mr. Macomber	Mr. Mills*	Mr. Richart	Mr. Taylor
Ms. Zaragoza*			

* Board members participated remotely through Zoom.

II. Information Items

- 1. Chair's Report**
- 2. Executive Director's Report**

Executive Director Kathleen Howard reported on the following:

- Howard said that the BSCC, in collaboration with Sacramento State University, has released the Youth Reinvestment Grant Round 1 (2019-2023) and Round 2 (2020-2023) statewide evaluation reports to the Legislature and the Governor. The reports can be found at the links below:
 - [Youth Reinvestment Grant: Final Evaluation Report Round 2 - 2020-2023](#)
 - [Youth Reinvestment Grant: Final Evaluation Report Round 1 - 2019-2023](#)
- In addition, Howard said that she has participated in several Legislative budget hearings and discussed programs administered by the BSCC including the Public Defense Pilot Project, the transfer of Juvenile Grants, and the Proposition 47 Evaluation Report.
- Finally, Howard said the BSCC received a Notable Achievement Award at the 24th annual State Agency Recognition Awards. This nomination is a testament to the BSCC's collective hard work, dedication, and exceptional leadership to advance the state's small business and Disabled Veteran Business Enterprise programs.

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

Executive Director Howard referred the Board to their reading materials.

III. Action: Consent Items

A. Minutes from the February 15, 2024, Board Meeting: **Requesting Approval** – [PDF](#)

B. Senate Bill 823: Youth Programs and Facilities Grant Program, six-month, no-cost extension: **Requesting Approval** - [PDF](#)

This agenda item requested the Board's approval of a six-month, no-cost grant-term extension for the Youth Programs and Facilities Grant Program (YPFG) portion of Senate Bill 823 through December 1, 2024. Grantees experienced implementation delays and supply chain issues obtaining requested purchases. The extensions would allow for additional time to operate programs and spend down grant funds in accordance with grant agreements.

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** - [PDF](#)

This agenda item requested the Board's approval of 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; and to direct staff to complete the rulemaking activities for adoption of the regulation revisions, pursuant to the Administrative Procedures Act.

The statement of reasons and the proposed revisions to Title 15, Section 1046 is listed below:

- [Proposed Revisions to Title 15, Section 1046, Death in Custody](#)
- [Final Statement of Reasons](#)

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=emX1v8J_7ml. Public comment for consent items Start: 16:31; End: 18:40.

Ms. Cumpian moved approval. Mr. Johnson seconded. Mr. Taylor recused for Agenda item A. The motion was approved by all other Board members for Agenda item A (except for Mr. Richart and Mr. Haynes who had recused pursuant to Section 1091 due to Item B.).

Action: Discussion Items

D. Proposition 47 Grant, Cohort 2: Statewide Evaluation Findings 2019 - 2023: Information Only

- Statewide Evaluation Findings 2019-2023 PowerPoint presentation
- Statewide Evaluation Report

Research Specialist Stacy Riley presented this agenda item and summarized the following:

- Grantees were awarded \$92.8 million
- 95% of grantees provided mental health services
- 91% provided substance use disorder treatment
- 62% provided diversion programs
- 21,706 participants received services of which 72% were male with a median age of 38.
- 40% of participants exited prior to completing the requirements.
- 19.2 % completed program requirements.
- Out of 33.9% of unhoused population, 13.4% completed the required programs
- Out of 70.5 % unemployed 34.1% completed the required programs
- Overall recidivism rate was 15.3%
- The benefits of the Proposition 47 grant include lower recidivism rates and increased positive outcomes in housing and employment.

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=emX1v8J_7mI. Public comment for Agenda D Start: 40:06; End: 57:20.

This item did not require a vote.

E. Proposition 47 Grant, Cohort 4, Release of Requests for Proposals: Requesting Approval

Field Representative Dameion Renault presented this agenda item, which requested Board approval of the release of the [Request for Proposals \(RFP\)](#) for the Proposition 47 Cohort 4 grant in the amount of \$143 million. Eligible applicants are California public agencies. Staff also requested the Board to delegate authority to staff to establish a scoring panel.

Ms. Gaard moved approval. Mr. Taylor seconded. Mr. Richart, Mr. Mills, Mr. Budnick, and Ms. Cumpian recused pursuant to Government Code section 1091. The motion was approved by all other Board members for Agenda Item E.

F. Medication-Assisted Treatment Grant Program, Funding Recommendations: Requesting Approval

This agenda item was presented by Field Representative Timothy Polasik, which requested Board's approval of the Medication-Assisted Treatment Grant program awards to applicants recommended by the scoring panel.

Staff recommended fully fund the top [seven ranked proposals](#) full amount of \$1,250,000 and partially fund one proposal \$44,348 for a total of \$10 million. Staff also requested the Board to authorize staff to make awards from the rank-ordered list if an applicant relinquished, is unable to accept, or becomes ineligible to be funded. Project summaries for each ranked proposal can be found [here](#).

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=emX1v8J_7mI. Public comment for Agenda F Start: 1:08:30; End: 1:20:40.

Mr. Haynes moved approval. Mr. Dicus seconded. Ms. Gaard recused pursuant to Government Code section 1091. The motion was approved by all other Board members for Agenda Item F.

G. Residential Substance Abuse Treatment Grant, Funding Recommendations: Requesting Approval

This agenda item was presented by Field Representative Timothy Polasik, which requested Board's approval to fully fund [five](#) (5) proposals for the federally funded Residential Substance Abuse Treatment (RSAT) grant for a total amount of [\\$6,997,277](#). This is a three-year grant starting July 1, 2024 through June 30, 2027.

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=emX1v8J_7mI. Public comment for Agenda G Start: 1:25:35; End: 1:32:20.

Mr. Dicus moved approval. Mr. Budnick seconded. Ms. Gaard abstained. The motion was approved by all other Board members for Agenda Item G.

H. Opioids in Local Detention Facilities - Review of Survey: Requesting Approval

- Draft Survey of Opioid Antagonists in Local Adult Detention Facilities
- Draft Survey of Opioid Antagonists in Local Juvenile Detention Facilities
- Survey Overview: Opioid Antagonists in Local Detention Facilities

This agenda item was presented by Executive Director Kathleen Howard. Ms. Howard requested approval of the Survey of Opioid Antagonists in Local Detention Facilities and direct staff to begin collecting information in May 2024 and another collection in July 2024. The survey was requested by Board members at the June 2023 meeting after discussion of the increasing incidence of overdoses in both adult and juvenile local detention facilities at the June 2023 meeting.

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=emX1v8J_7ml. Public comment for Agenda H Start: 1:44:00; End: 1:58:07.

Mr. Budnick moved approval. Mr. Dicus seconded. The motion was approved by all other Board members for Agenda Item H.

I. Local Detention Facilities Inspection Update: Requesting Approval

Deputy Director Allison Ganter presented on the current findings of adult and juvenile detention facilities. Ganter stated that there are no items of noncompliance that require immediate attention, and staff did not recommend a formal action at this time. Items of noncompliance may be found respectively here. [Adult and Juvenile Facilities \(Updated 4/10/24\)](#)

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=emX1v8J_7mI. Public comment for Agenda I
Start: 2:03:21; End: 2:09:20.

This item did not require a vote.

The Board recessed at: 12:10 p.m.

The Board returned at: 12:28 p.m.

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
2. Los Padrinios Juvenile Hall

Chair Penner stated that BSCC inspectors have been consistently visiting the facility every week since February. The FSO team spent a total of 13 days at the facility, conducting reviews, providing training, and offering technical assistance. Ongoing briefings to the Board and BSCC leadership and continuous review of documents have been part of the process.

New evidence emerged on Monday, Tuesday, and Wednesday of the current week.

There have been extensive discussions on the ongoing issues, which are complex and difficult. Based on the information and reinspection reports, a staff recommendation is presented.

Penner said despite the recommendation to find these facilities suitable, it's essential to acknowledge the longstanding and serious problems in LA. The recommendation wasn't easy to formulate and shouldn't be considered as "mission accomplished." The focus now shifts to sustainability and durability. Continued compliance is crucial, aiming not just for minimum standards but consistency and suitability.

Penner noted that doubts exist about LA's ability to sustain compliance, which is a grave concern. The time it took for LA to meet minimum requirements is concerning, and a comprehensive inspection is scheduled for 2024. Going forward, targeted and unannounced inspections will continue at least once a month. The Board emphasizes the seriousness of the issue and the need for durability.

J- 1 Los Padrinos Juvenile Hall:

- [April 10, 2024 Inspection Report of the Los Padrinos Juvenile Hall](#)

Deputy Director Allison Ganter presented this item and said she will discuss Los Padrinos juvenile hall first. Ganter said for Los Padrinos Juvenile Hall, several sections of Title 15 regulations were found to be out of compliance during previous inspections. However, during the recent reinspection, it was found that several of these issues have been addressed. Summary of the findings:

1. Staffing (Section 1321): A staffing plan has been implemented, and staffing ratios are being met. The facility is currently meeting the minimum standards for staffing, but efforts must continue to ensure sustained compliance.
2. Fire Safety Plan (Section 1325): The emergency housing plan now contains enough beds to safely house all evacuees in the event of an emergency.
3. Safety Checks (Section 1328): Safety checks have improved, with documentation confirming compliance with Title 15 standards.
4. Room Confinement (Section 1354): Efforts have been made to address issues related to room confinement, including reviewing video feeds and ensuring compliance with statutory requirements.
5. Use of Force (Section 1357): Training on the use of force is being conducted as required, and staff are following debriefing procedures and notifying parents or guardians after use of force incidents.
6. Searches (Section 1360): Department policy has been updated, and searches are being conducted according to policy.
7. Education Program (Section 1370): Collaboration with the Los Angeles County Office of Education has improved school attendance, and documentation indicates that youth are attending school on time.
8. Recreation and Exercise Programs (Section 1371): Programs have been impacted by staffing but have improved. Efforts are ongoing to ensure programs meet youth interests and needs.
9. Discipline (Section 1390): A new behavior modification process has been implemented, providing incentives for positive behavior.

Based on the findings, staff recommended that the Board support the findings of compliance and determine the Los Patrinos Juvenile Hall suitable for the confinement of youth. Staff also recommended that the Board direct staff begin regular targeted and unannounced inspections to ensure sustained compliance.

Representative Kimberly Epps, Chief Deputy Probation Officer and Sheila Williams Deputy Director answered questions from the Board.

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=emX1v8J_7ml. Public comment for Los Padrinos Juvenile Hall Start: 3:47:11; End: 4:39:15.

The Board determined that Los Padrinos Juvenile Hall had remedied the items of noncompliance as stated under staff's recommendation and is suitable to house youth within the meaning of Welfare and Institutions Code section 209, subdivision (a)(4).

The Board directed staff to conduct with targeted and unannounced inspections on at least a monthly basis until a comprehensive inspection is complete as part of ongoing review and accountability.

Ms. Haynes moved approval. Ms. Cumpian seconded. Board Members voted as follows:

	Member	Vote
1	Penner	Yes
2	Macomber	Yes
3	Johnson	Abstained
4	Taylor	Yes
5	Dicus	No
6	Chavez	No
7	Haynes	Yes
8	Richart	No
9	Gaard	Recused
10	Mills	Yes
11	Budnick	Recused
12	Zaragoza	Recused
13	Cumpian	Yes

The motion was approved for Barry J. Nidorf Secure Youth Treatment Facility.

J-1: Barry J. Nidorf Secure Youth Treatment Facility

- April 10, 2024 Inspection Report of the Barry J. Nidorf Secure Youth Treatment Facility

Deputy Director Allison Ganter presented the inspection findings of Barry J. Nidorf SYTF highlighting areas of non-compliance and progress made towards remedying them. Ganter said the facility was found to be out of compliance with sections of Title 15, including staffing, orientation, use of force, programs, recreation and exercise, and discipline. During the inspection period from March 29th to April 9th, 2024, the board reviewed documentation, observed operations, and engaged with both youth and staff to assess compliance.

Ganter said the following:

1. Staffing (1321): A staffing plan effective from April 2nd, 2024, was received, and staffing numbers were reviewed through April 9th, indicating improvement.
2. Orientation (1353): Updated information was added to the Youth Handbook, and reorientation was provided to all housed youth.
3. Use of Force (1357): The facility was on track for completing required training by June 30th, 2024.
4. Programs, Recreation, and Exercise (1371): A new activity tracking form was implemented, ensuring youth receive required activities. However, efforts are ongoing to offer more varied activities.
5. Discipline (1390): The new developmental stage system is being implemented, and staff have been trained. The incentive program has been updated, and canteen point sheets have been revised.

Based on the evidence presented, staff recommended that the board support findings of compliance and determine the facility suitable for the confinement of youth. Regular targeted inspections were also recommended to ensure sustained compliance.

Representatives Kimberly Epps, Chief Deputy Probation Officer and Sheila Williams Deputy Director answered the Board's questions on behalf of Los Angeles County probation. Epps and Williams said Chief Viera Rosa is committed to ensuring compliance.

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=pz3H3viAl2M>. Public comment for Barry J. Nidorf SYTF Start: 24:22; End: 36:32.

The Board determined that Barry J. Nidorf SYTF had remedied the items of noncompliance as stated under the staff's recommendation and is suitable to house youth within the meaning of Welfare and Institutions Code section 209, subdivision (a)(4).

The Board directed staff to conduct targeted and unannounced inspections on at least a monthly basis until a comprehensive inspection is complete as part of ongoing review and accountability.

Mr. Macomber moved approval. Mr. Mills seconded. Board Members voted as follows:

	Member	Vote
1	Penner	Yes
2	Macomber	Yes
3	Johnson	Abstained
4	Taylor	Yes
5	Dicus	No
6	Chavez	No
7	Haynes	Yes
8	Richart	No
9	Gaard	Recused
10	Mills	Yes
11	Budnick	Recused
12	Zaragoza	Recused
13	Cumpian	Yes

The motion was approved for Barry J. Nidorf Secure Youth Treatment Facility.

~~K. Corrective Action Plan Process – Welfare and Institutions Code Section 209 (d):~~
Requesting Approval

Agenda item K was removed for further development and discussion.

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

Counsel Maguire said that the Board did not need to meet in Closed Session.

V. Public Comments

Chair Penner called for general public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed here by turning closed captions on here: <https://www.youtube.com/watch?v=pz3H3viAl2M>. Start: 59:55; End: 1:23:10.

VI. Adjourn

The meeting adjourned at: 4:36 p.m.

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Ms. Cumpian, Director, Women's Department, Anti-Recidivism Coalition
3. Ms. Gaard, Retired Judge, Yolo County
4. Mr. Haynes, Chief Probation Officer, Fresno County
5. Mr. Johnson, Director, California Department of Corrections & Rehabilitations - Division of Adult Parole
6. Mr. Macomber, Secretary, California Department of Corrections & Rehabilitations
7. Mr. Richart, Chief Probation Officer, El Dorado County
8. Mr. Taylor, Sheriff, San Benito County

Participated Remotely:

9. Mr. Budnick, Founder of Anti-Recidivism Coalition
10. Ms. Chavez, Santa Clara County Supervisor
11. Mr. Dicus, Sheriff, San Bernardino County
12. Mr. Mills, Chief of Police, City of Palm Springs
13. Ms. Zaragoza, Attorney, Los Angeles County Alternate Public Defender's Office

BSCC STAFF:

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

ADDITIONAL GUESTS & PARTICIPANTS

Kimberly Epps, Chief Deputy, Los Angeles County Probation Department
Sheila Williams, Deputy Director, Los Angeles County Probation Department

Agenda Item B

MEETING DATE: July 11, 2024

AGENDA ITEM: B

TO: BSCC Chair and Members

FROM: Ian Silva, Field Representative, ian.silva@bscc.ca.gov

SUBJECT: Edward Byrne Memorial Justice Assistance Grant (JAG) Program
– Small Jurisdiction Allocation Recommendation: **Requesting Approval**

Summary

This agenda item requests Board authorization to award the “Less Than \$10,000 Allocation” for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to the California Department of Justice (CA DOJ) to fund its specialized task forces for Federal Fiscal Years 2023-2027. Specifically, this will authorize \$1,100,600 for FY 2023 and then future “Less Than \$10,000 Allocations” for the FFY 2024-2027 JAG awards, consistent with the time frame of the current JAG Multi-Year State Strategy.

Background

The Board of State and Community Corrections is the designated State Administering Agency for the JAG Program (Pen. Code, § 6024, subd. (f)), which is federally funded through the Bureau of Justice Assistance (BJA).

Separate from the State JAG Program administered by BSCC, BJA also administers a JAG Program that makes awards directly to local jurisdictions based on population. However, due to their small size, these jurisdictions would be ineligible for a direct JAG award, and instead, would be eligible for less than \$10,000. As such, BJA requires states to either 1) provide this funding to state law enforcement departments that provide criminal justice services to the less-than-\$10,000 jurisdictions within the state, and/or 2) subaward the funds to such jurisdictions.

In past JAG awards, BSCC has awarded its Less Than \$10,000 Allocations to CA DOJ (i.e., a state law enforcement department) to fund specialized task forces. The current CA DOJ task forces associated with the Less than \$10,000 Allocation are listed below and described in greater detail in Attachment B-1:

- High Impact Investigation Team (HIIT)
- Inland Crackdown Allied Task Force (INCA)
- Placer County Special Investigation Unit (Placer SIU)
- Merced Area Gang and Narcotic Enforcement Team (MAGNET)

On September 8, 2022, the Board approved the BSCC's JAG Multi-Year State Strategy as incorporated into the JAG Request for Proposals. This State Strategy did not address the Less Than \$10,000 Allocations.

On September October 4, 2023, the BSCC accepted the FFY 2023 JAG award (Attachment B-2), which included a required pass-through of \$1,100,600 for the Less Than \$10,000 Allocation. If the Board approves, these funds will be awarded to CA DOJ to fund the task forces listed above. The agreements for the FFY 2023 funds would begin on July 15, 2024, and run through September 30, 2026.

Additionally, BSCC's JAG Multi-Year State Strategy would be amended to address the Less Than \$10,000 Allocations to CA DOJ through FFY 2027 (see Attachment B-3).

Recommendation/Action Needed

Staff recommends that the Board take the following actions:

1. Approve the award of the FFY 2023 Less Than \$10,000 JAG funding to the California Department of Justice in the amount of \$1,100,600 for agreements that will run from July 15, 2024, through September 30, 2026
2. Approve future awards (in FFY 2024-2027) of the Less Than \$10,000 JAG funding to the California Department of Justice, consistent with the BSCC's Multi-Year State Strategy.
3. Approve the amendment to the BSCC's JAG Multi-Year State Strategy to reflect these allocations.

Attachments

- B-1: California Department of Justice – "Less than \$10K" Task Force Descriptions
- B-2: 2023 Justice Assistance Grant Award
- B-3: Multi-Year Justice Assistance Grant (JAG) California State Strategy (Amended)

Attachment B-1

**California Department of Justice
Division of Law Enforcement
Bureau of Investigation**

Board of State and Community Corrections Less-Than-\$10k JAG Contract

- 1) **The High Impact Investigation Team (HIIT)** is a California Department of Justice (CA DOJ), Bureau of Investigation (BI)-led multi-agency task force, partially federal funded through the national High Intensity Drug Trafficking Area (HIDTA) program. The participating agencies of HIIT work in collaboration to combat drug trafficking organizations, violent career criminals and gangs. These unique and essential teams use the latest technology and advanced investigative techniques and work alongside local, state, and federal law enforcement to enhance investigations into violent criminals and organized crime throughout the state.
 - Area of Operation: Fresno (Large County)
 - Types of Crimes/Operations: Gang and Narcotic Enforcement and Major Crime Investigations
- 2) **The Inland Crackdown Allied Task Force (INCA)** was formed in 1991, in support of the California Attorney General's effort to combat narcotic trafficking, money laundering, and the associated violence. INCA is partially federal funded through the National HIDTA program and is comprised of members from the CA DOJ - BI, U.S. Homeland Security Investigations, Riverside Police Department, Riverside County Sheriff's Department, California National Guard Counter Drug Task Force, California Department of Corrections and Rehabilitation, West Covina Police Department, and Murrieta Police Department. The INCA Task Force supports its stakeholders as well as other law enforcement agencies, not only with narcotic and money laundering investigations but with other significant criminal investigations throughout the State.
 - Area of Operation: Riverside (Large County)
 - Types of Crimes/Operations: Narcotic Enforcement and Money Laundering Investigations
- 3) **The Placer County Special Investigation Unit (Placer SIU)** mission includes working in partnership with local, state and federal law enforcement agencies on a variety of criminal investigations that potentially pose a threat to the citizens of Placer County. The jurisdictions serviced by Placer SIU include the County of Placer, the City of Rocklin, the City of Auburn, the City of Roseville, and the City of Lincoln.
 - Area of Operation: Placer (Medium County)
 - Types of Crimes/Operations: Narcotic enforcement and supervision and monitoring of the Post Release Community Supervision and High-Risk Probation Offender population
- 4) **The Merced Area Gang and Narcotic Enforcement Team (MAGNET)** mission is to significantly diminish the influence and violence associated with street gangs and diminish the availability and use of illegal drugs within county boundaries. MAGNET will utilize advanced investigative techniques to further law enforcement efforts to apprehend dangerous and violent offenders and provide expert gang testimony in court, thereby increasing public safety.
 - Area of Operation: Merced (Medium County)
 - Types of Crimes/Operations: Gang and Drug Enforcement

Attachment B-2



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:	CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS 2590 VENTURE OAKS WAY SUITE 200		
City, State and Zip:	SACRAMENTO, CA 95833		
Recipient UEI:	NKT1QTN2XJZ9		
Project Title: FY 23 JAG Program	Award Number: 15PBJA-23-GG-02967-JAGX		
Solicitation Title: BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation			
Federal Award Amount: \$21,274,503.00	Federal Award Date: 9/22/23		
Awarding Agency:	Office of Justice Programs Bureau of Justice Assistance		
Funding Instrument Type:	Grant		
Opportunity Category: D			
Assistance Listing: 16.738 - Edward Byrne Memorial Justice Assistance Grant Program			
Project Period Start Date: 10/1/22	Project Period End Date: 9/30/26		
Budget Period Start Date: 10/1/22	Budget Period End Date: 9/30/26		
Project Description: The California Board of State and Community Corrections is in the first year of implementing its 2022 Multi-Year JAG State Strategy, the purpose of which is to support public safety efforts in California. The outcomes of the State Strategy include the award of local assistance grants to California counties that will implement grant programs to benefit their local communities. Subrecipient activities will address the following Program Purpose Areas: 1) Law enforcement programs, 2) Prosecution and court programs, 3) Prevention and education programs, 5) Drug treatment and enforcement programs, and 8) Mental health programs and related law enforcement and corrections programs.			

Award Letter

September 22, 2023

Dear Kathleen Howard,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS for an award under the funding opportunity entitled 2023 BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation. The approved award amount is \$21,274,503.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General
Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria.

These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <https://www.bja.gov/Funding/nepa.html>.

NEPA Coordinator

First Name

Orbin

Middle Name

Last Name

Terry

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name

CALIFORNIA BOARD OF STATE AND COMMUNITY
CORRECTIONS

UEI

NKT1QTN2XJZ9

Street 1

2590 VENTURE OAKS WAY

Street 2

SUITE 200

City

SACRAMENTO

State/U.S. Territory

California

Zip/Postal Code

95833

Country

United States

County/Parish

Province

Award Details

Federal Award Date

9/22/23

Award Type

Initial

Award Number

15PBJA-23-GG-02967-JAGX

Supplement Number

00

Federal Award Amount

\$21,274,503.00

Funding Instrument Type

Grant

Assistance Listing Number	Assistance Listings Program Title
16.738	Edward Byrne Memorial Justice Assistance Grant Program

Statutory Authority

Title I of Public Law 90-351 (generally codified at 34 U.S.C. 10101-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151-10158); see also 28 U.S.C. 530C(a)

[]
I have read and understand the information presented in this section of the Federal Award Instrument.

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title

2023 BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation

Awarding Agency

OJP

Program Office

BJA

Application Number

GRANT13944121

Grant Manager Name

Linda Hill-Franklin

Phone Number

[202-514-0712](tel:202-514-0712)

E-mail Address

Linda.Hill-Franklin@usdoj.gov

Project Title

FY 23 JAG Program

Performance Period Start Date

10/01/2022

Performance Period End Date

09/30/2026

Budget Period Start Date

10/01/2022

Budget Period End Date

09/30/2026

Project Description

The California Board of State and Community Corrections is in the first year of implementing its 2022 Multi-Year JAG State Strategy, the purpose of which is to support public safety efforts in California. The outcomes of the State Strategy include the award of local assistance grants to California counties that will implement grant programs to benefit their local communities. Subrecipient activities will address the following Program Purpose Areas: 1) Law enforcement programs, 2) Prosecution and court programs, 3) Prevention and education programs, 5) Drug treatment and enforcement programs, and 8) Mental health programs and related law enforcement and corrections programs.

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the recipient, and any subrecipient ("subgrantee") at any tier, to put in place specified controls prior to using federal funds under this award to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

2

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

3

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

4

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records,

supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

5

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

7

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

8

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

9

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient

("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

10

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

11

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

12

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

13

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

14

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

15

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

16

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

17

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

18

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://onlinegfmt.training.ojp.gov/>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

19

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

20

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

21

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

22

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

23

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

24

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

25

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would

exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

26

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

27

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

28

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

29

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

30

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

31

Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

32

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing

Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: [https:// it.ojp.gov/ gsp_grantcondition](https://it.ojp.gov/gsp_grantcondition). The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

33

Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

34

Law enforcement task forces - required training

Within 120 days of award acceptance, each current member of a law enforcement task force funded with award funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, must complete required online (internet-based) task force training. Additionally, all future task force members must complete this training once during the period of performance for this award, or once every four years if multiple OJP awards include this requirement.

The required training is available free of charge online through the BJA-funded Center for Task Force Integrity and Leadership (www.ctfli.org). The training addresses task force effectiveness, as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. If award funds are used to support a task force, the recipient must compile and maintain a task force personnel roster, along with course completion certificates.

Additional information regarding the training is available through BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

35

Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36

Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

37

Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages

that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

38

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

39

Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching (<https://www.justice.gov/olp/page/file/1204386/download>), and must collect and report the metrics identified in Section IX of that document to BJA.

40

The recipient agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

41

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

42

Applicants must ensure that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.

43

Cooperating with OJP Monitoring

The recipient agrees to cooperate with OJP monitoring of this award pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The

recipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's monitoring activities may result in actions that affect the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to award funds; referral to the DOJ OIG for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

44

Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

45

Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

46

Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

47

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

48

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

49

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

50

In accepting this award, the recipient agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the recipient has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with

all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Recipients utilizing funds for FRT must make such policies and procedures available to DOJ upon request.

51

"Methods of Administration" - monitoring compliance with civil rights laws and nondiscrimination provisions

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with applicable federal civil rights laws and nondiscrimination provisions. Within 90 days of the date of award acceptance, the recipient must submit to OJP's Office for Civil Rights (at CivilRightsMOA@usdoj.gov) written Methods of Administration ("MOA") for subrecipient monitoring with respect to civil rights requirements. In addition, upon request by OJP (or by another authorized federal agency), the recipient must make associated documentation available for review.

The details of the recipient's obligations related to Methods of Administration are posted on the OJP web site at <https://ojp.gov/funding/Explore/StateMethodsAdmin-FY2017update.htm> (Award condition: "Methods of Administration" - Requirements applicable to States (FY 2017 Update)), and are incorporated by reference here.

52

Submission of eligible records relevant to the National Instant Background Check System

Consonant with federal statutes that pertain to firearms and background checks -- including 18 U.S.C. 922 and 34 U.S.C. ch. 409 -- if the recipient (or any subrecipient at any tier) uses this award to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the recipient (or subrecipient, if applicable) must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and -- when appropriate -- promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

In the event of minor and transitory non-compliance, the recipient may submit evidence to demonstrate diligent monitoring of compliance with this condition (including subrecipient compliance). DOJ will give great weight to any such evidence in any express written determination regarding this condition.

53

Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA.

The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:

a. New construction;

b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;

c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

54

Establishment of trust fund

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish a trust fund account. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The trust fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the award funds in the trust fund (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

55

Certification of body armor "mandatory wear" policies, and compliance with NIJ standards

If recipient uses funds under this award to purchase body armor, the recipient must submit a signed certification that each law enforcement agency receiving body armor purchased with funds from this award has a written "mandatory wear" policy in effect. The recipient must keep signed certifications on file for any subrecipients planning to utilize funds from this award for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any funds from this award may be used by an agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>

56

Prohibition on use of award funds for match under BVP program

JAG funds may not be used as the 50% match for purposes of the DOJ Bulletproof Vest Partnership (BVP) program.

57

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. With the exception of Forensic Genetic Genealogy, no profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

58

Extreme risk protection programs funded by JAG must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

59

Exceptions regarding Prohibited and Controlled Equipment under OJP awards

Notwithstanding any provision to the contrary in the other terms and conditions of this award, including in the condition regarding "Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards," the requirements for the "Transfer/Sale of Award-Funded Controlled Equipment to Other LEAs" and the requirements for the "Transfer/Sale of Award-Funded Controlled Equipment to NON-LEAs" do not apply to this award.

60

Expenditures prohibited without waiver

No funds under this award may be expended on the purchase of items prohibited by the JAG program statute, unless, as set forth at 34 U.S.C. 10152, the BJA Director certifies that extraordinary and exigent circumstances exist, making such expenditures essential to the maintenance of public safety and good order.

61

Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2022

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2022), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to obligate (federal) award funds

to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

62

Required data on law enforcement agency training

Any law enforcement agency receiving direct or sub-awarded funding from this JAG award must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.

63

All State and Local JAG recipients must submit quarterly Federal Financial Reports (SF-425). Additionally, State JAG and Local JAG Category Two (\$25K or more) must submit semi-annual performance reports through JustGrants and Local JAG Category One (Less than \$25K) must submit annual performance reports through JustGrants. Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, the recipient must provide data that measure the results of its work. The recipient must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website: <https://bjapmt.ojp.gov/>. For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage (<https://bjapmt.ojp.gov/help/jagdocs.html>). Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.

64

BJA- JAG - SORNA Appeal Limits

The recipient acknowledges the final agency decision made by DOJ that recipient's jurisdiction did not substantially implement the Sex Offender Registration and Notification Act (Public Law 109-248, "SORNA") before the deadline, and understands that, as a result of that final agency decision, the amount of this JAG award was reduced, pursuant to 34 U.S.C. 20927. By accepting this specific award, the recipient voluntarily agrees that if it elects to file a judicial appeal of that final agency decision, which was integral in determining this particular funding amount, no such appeal may commence more than 6 months after the date of acceptance of this award.

65

Withholding of funds for Required certification from the chief executive of the applicant government

The recipient may not expend or draw down any award funds until the recipient submits the required "Certifications and Assurances by the Chief Executive of the Applicant Government," properly-executed (as determined by OJP), and an Award Condition Modification has been issued to remove this condition.

66

Withholding of funds for Budget narrative or information

The recipient may not expend or draw down any award funds until the recipient submits, and OJP reviews and accepts, the required budget information or narrative for the award, and an Award Condition Modification has been issued to remove this condition.

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official

Deputy Assistant Attorney General

Name of Approving Official

Maureen Henneberg

Signed Date And Time

9/19/23 8:35 PM

Authorized Representative

Entity Acceptance

Title of Authorized Entity Official

Executive Director

Signed Date And Time

Attachment B-3

2022 Edward Byrne Memorial Justice Assistance Grant (JAG) California Multi-Year State Strategy

(with proposed amendments, July 2024)

In September 2020, the BSCC began the process of gathering information and data to inform an update to its Multi-Year State Strategy. In partnership with the National Criminal Justice Association, the BSCC gathered input from interested parties through a year-long public input process consisting of two virtual listening sessions, a written comment period, and a web-based survey. Findings from this information and data gathering process were documented in the 2021 Edward Byrne Memorial Justice Assistance Grant Program: Findings from the Information and Data Gathering Process to Inform an Update to the Multi-Year State Strategy.¹ The BSCC updated the Multi-Year State Strategy in 2022 to reflect the information gathered through this year-long process.

California will implement its updated Multi-Year State Strategy beginning with the upcoming round of JAG funding, with a grant cycle from June 2023 through December 2026. The Multi-Year State Strategy will combine the information received from the most recent planning process with the Program Purpose Areas (PPA) that have been in place since 2013. Five PPAs have been identified. Mental health programs and related law enforcement and corrections programs, and Drug treatment and enforcement programs are the two new PPAs that emerged from the most recent strategic planning process. The Prevention and education programs PPA is an overlapping PPA that was identified in 2013 and in the most recent strategic planning process. Law enforcement programs and Prosecution and court programs are two ongoing PPAs from 2013.

California's 2022 Multi-Year State Strategy for the JAG Program

(1) Provides equal emphasis to Program Purpose Area (PPAs):

- ▶ PPA 1: Law enforcement programs
- ▶ PPA 2: Prosecution and court programs
- ▶ PPA 3: Prevention and education programs
- ▶ PPA 5: Drug treatment and enforcement programs
- ▶ PPA 8: Mental health programs and related law enforcement and corrections programs

(2) Considers the needs of small, medium, and large counties.

(3) Bases funding on local flexibility, on the needs of the juvenile and adult criminal justice communities, and on input from a balanced array of stakeholders.

¹ Report findings are available at https://www.bscc.ca.gov/wp-content/uploads/Attachment-E-1-JAG-Findings-Info-and-Data-Gatherings-2021-Report-11_9_21.pdf. The report appendices is available at https://www.bscc.ca.gov/wp-content/uploads/Attachment-E-2-JAG-Findings-Info-and-Data-Gatherings-2021-Appendices-11_9_21.pdf

- (4) Requires applicants to:
- incorporate evidence-based principles and programs for all funded projects.
 - demonstrate a collaborative strategy based on the community engagement model that involves multiple stakeholders in the project or problem addressed.
- (5) Funded programs should:
- emphasize reducing recidivism, racial and ethnic disparities, and violence.
 - Incorporate trauma-informed care and be culturally informed, competent, and responsive.
 - prioritize mental health needs and the avoidance of system involvement, within each PPA.
 - prioritize community-based organizations as service providers.

Program Purpose Areas

California's Multi-Year State Strategy, as updated in 2022, identifies the current priority PPAs in the table below. Each of these PPAs includes underlying priority areas of need. JAG grant applicants will be restricted to proposals that address one or more of these five JAG PPAs and include one or more related priority areas of need:

JAG PPAs and Priority Areas of Need

JAG PPA	Priority Areas of Need
Mental health programs and related law enforcement and corrections programs	<ul style="list-style-type: none"> Crisis intervention teams
	<ul style="list-style-type: none"> Co-responder initiatives (law enforcement and mental health clinicians working together to respond to calls for service involving a person experiencing a behavioral health crisis)
	<ul style="list-style-type: none"> Residential in-patient behavioral health treatment programs
	<ul style="list-style-type: none"> General mental health services
Drug treatment and enforcement programs	<ul style="list-style-type: none"> Co-occurring treatment (e.g., substance use and mental illness or other chronic health conditions)
	<ul style="list-style-type: none"> Community-based substance use residential treatment
	<ul style="list-style-type: none"> Community-based substance use outpatient treatment
Prevention and education programs	<ul style="list-style-type: none"> School violence
	<ul style="list-style-type: none"> At-promise youth
	<ul style="list-style-type: none"> Mental health education
	<ul style="list-style-type: none"> Job-specific training and certification programs

JAG PPA	Priority Areas of Need
Law enforcement programs	• Violent crime reduction initiatives
	• Drug enforcement
	• Crisis intervention/mental health/suicide prevention
	• Pre-arrest diversion
	• Mental health training for law enforcement
Prosecution and court programs	• Problem solving courts mental health, (e.g., veterans, reentry, drug, etc.)
	• Gun/gang prosecution
	• Violent crime prosecution and defense
	• Innovations in indigent defense
	• Mental health liaisons

Less Than \$10,000 Allocations

California's updated Multi-Year State Strategy provides the Less Than \$10,000 Allocation for year Fiscal Year of JAG funding to the California Department of Justice, which has been identified as a state police department that provides criminal justice services to the less-than-\$10,000 jurisdictions within the state.

The California Department of Justice will use the Less Than \$10,000 Allocation to fund their High Impact Investigation Team (HIIT) and Special Investigation Unit (SUI) task forces listed below:

- High Impact Investigation Team (HIIT)
- Inland Crackdown Allied Task Force (INCA)
- Placer County Special Investigation Unit (Placer SIU)
- Merced Area Gang and Narcotic Enforcement Team (MAGNET)

Agenda Item C

MEETING DATE: July 11, 2024

AGENDA ITEM: C

TO: BSCC Chair and Members

FROM: Ian Silva, Field Representative, ian.silva@bscc.ca.gov

SUBJECT: Adult Reentry Grant Program, Appointment of Chair and Establishment of Executive Steering Committee: **Requesting Approval**

Summary

This agenda item requests the establishment of an Executive Steering Committee (ESC) to develop a Request for Proposals for Cohort 4 of the Adult Reentry Grant Program (ARG). Staff is requesting that the Board designate a Chair to oversee the grant-development process, authorize staff to work with the ESC Chair to establish a diverse ESC with relevant subject-matter expertise, and delegate authority to the Chair to modify ESC membership if needed.

Background

The Adult Reentry Grant provides funding for community-based organizations to deliver reentry services for people formerly incarcerated in state prison. The ARG Program was established in the Budget Act of 2018 (Senate Bill 840, Chapter 29, Statutes of 2018) and has received ongoing annual funding since that time, with which BSCC has administered more than \$281 million in grants through three rounds of funding (Cohorts 1 through 3).

Assembly Bill 102 (Chapter 38, Statutes of 2023), which amended the Budget Act of 2023, and the Budget Act of 2024 (Assembly Bill 107, Chapter 22, Statutes of 2024) appropriated \$57 million in each budget to the BSCC to administer the ARG program (Attachments C-1 and C-2). Including the \$7.8 million in ARG funding that remains unallocated from Cohort 3, there is approximately \$121 million available for Cohort 4, which will be equally split between Rental Assistance and Warm Handoff and Reentry Services as prescribed by budget language. BSCC will retain a portion of the funding for administrative costs not to exceed 5 percent.

Proposed Activities

In consultation with the appointed Chair, Staff will establish an ESC that is diverse in professional and lived experience, geography, gender, and demographics. In addition, the ESC's composition will reflect the relevant stakeholder experience as prescribed by the Budget Acts. The BSCC will seek interested persons to submit a statement of interest to serve on the ESC through the BSCC's website: [Executive Steering Committees - Seeking Membership](#).

Below are the proposed activities and the tentative timeline necessary to administer a competitive RFP process for Cohort 4 of the ARG Program:

Activity	Tentative Timeline
Board Appoints Chair and Authorizes Staff to Begin ESC Process	July 11, 2024
ESC Recruitment and Formation	July-August 2024
RFP Development	September-November 2024
Present the RFP for BSCC Board Approval	November 2024
Release the RFP to the Field	November 2024
Bidders' Conference	December 2024
Proposals Due to the BSCC	February 2025
Proposal Rating Process	March-May 2025
BSCC Board Considers Funding Recommendations	June 2025
Grants Begin	July 1, 2025

Recommendation/Action Needed

Staff recommends that the Board:

1. Appoint a Chair to the Adult Reentry Grant Executive Steering Committee.
2. Delegate authority to the Chair to work with BSCC staff to establish a diverse ESC with relevant subject matter expertise and to modify membership as needed.
3. Approve the proposed activities and tentative timeline associated with the development of the RFP.
4. Authorize the ESC to oversee the development of the ARG Request for Proposals and to make funding recommendations.

Attachments

C-1: AB 102 amending the Budget Act of 2023 (Chapter 38, Statutes of 2023)

C-2: AB 107 Budget Act of 2024 (Chapter 22, Statutes of 2024)

Attachment C-1

Assembly Bill 102 (2023)**SEC. 179.**

Item 5227-103-0001 of Section 2.00 of the Budget Act of 2023 is amended to read:

5227-103-0001—For local assistance, Board of State and Community Corrections	57,000,000
--	------------

Schedule:

(1) 4945-Corrections Planning and Grant Programs	57,000,000
--	------------

Provisions:

1. Of the amount appropriated in this item, \$57,000,000 shall be awarded by the Board of State and Community Corrections as competitive grants to community-based organizations to support offenders formerly incarcerated in state prison. Of the amount identified in this provision, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2026. Of this amount:
 - (a) \$28,500,000 shall be available for rental assistance. Priority shall be given to individuals released to state parole.
 - (b) \$28,500,000 shall be available to support the warm handoff and reentry of offenders transitioning from state prison to communities. Priority shall be given to individuals released to state parole.
 - (c) The board shall form an executive steering committee with members from relevant state agencies and departments with expertise in public health, housing, workforce development, and effective rehabilitative treatment for adult offenders, including, but not limited to, the Department of Housing and Community Development, the Office of Health Equity, county probation departments, representatives of reentry-focused community-based organizations, criminal justice impacted individuals, and representatives of housing-focused community-based organizations to develop grant program criteria and make recommendations to the board regarding grant award decisions.
2. Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2026.

Attachment C-2

Assembly Bill 107 (Gabriel, 2024)

5227-103-0001—For local assistance, Board of State and Community Corrections
57,000,000

Schedule:

(1) 4945-Corrections Planning and Grant Programs 57,000,000

Provisions:

1. Of the amount appropriated in this item, \$57,000,000 shall be awarded by the Board of State and Community Corrections as competitive grants to community-based organizations to support offenders formerly incarcerated in state prison. Of the amount identified in this provision, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2027. Of this amount:
 - (a) \$28,500,000 shall be available for rental assistance. Priority shall be given to individuals released to state parole.
 - (b) \$28,500,000 shall be available to support the warm handoff and reentry of offenders transitioning from state prison to communities. Priority shall be given to individuals released to state parole.
 - (c) The Board of State and Community Corrections shall form an executive steering committee with members from relevant state agencies and departments with expertise in public health, housing, workforce development, and effective rehabilitative treatment for adult offenders, including, but not limited to, the Department of Housing and Community Development, the Office of Health Equity, county probation departments, representatives of reentry-focused community-based organizations, criminal justice impacted individuals, and representatives of housing focused community-based organizations to develop grant program criteria and make recommendations to the board regarding grant award decisions.
2. Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2027.

Agenda Item D

MEETING DATE: July 11, 2024**AGENDA ITEM:** D**TO:** BSCC Chair and Members**FROM:** Michael Martinez, Field Representative, michael.martinez@bscc.ca.gov**SUBJECT:** California Violence Intervention and Prevention Grant Program, Appointment of Chair and Establishment of Executive Steering Committee: **Requesting Approval**

Summary

This agenda item requests the establishment of an Executive Steering Committee (ESC) to develop a Request for Proposals (RFP) for the California Violence Intervention and Prevention Grant Program and to implement the significant changes brought with the enactment of Assembly Bill 762 (Chapter 241, Statutes of 2023) (Attachment D-1) and Assembly Bill 28 (Chapter 231, Statutes of 2023) (Attachment D-2). Staff is also requesting that the Board designate a Chair to oversee the RFP development process, authorize staff to work with the ESC Chair to establish a diverse ESC with relevant subject matter expertise, and delegate authority to the Chair to modify ESC membership if needed.

Background

Formerly known as the California Gang Reduction, Intervention and Prevention (CalGRIP)¹ Grant, the State Legislature established the California Violence Intervention and Prevention (CalVIP) Grant Program in Fiscal Year (FY) 2017-18, narrowing the scope of the grant to focus primarily on gun violence. In 2019, the CalVIP Grant Program was codified as the Break the Cycle of Violence Act (Assembly Bill 1603, Chapter 735, Statutes of 2019), which established the authority and duties of the BSCC in administering the program, including the selection criteria for grants and reporting requirements to the Legislature. Historically, the grant has been available to California cities and the community-based organizations that serve them. BSCC has now administered four rounds of CalVIP funding, providing more than \$250 million toward local violence intervention and prevention efforts.

New Developments

Assembly Bill 762, which was enacted last year, narrows the focus of the CalVIP Grant further, specifying that the purpose of the program is to support effective community gun violence reduction initiatives in communities that are disproportionately impacted by community gun violence. It expands the CalVIP program to include counties that have one or more cities disproportionately impacted by community gun violence and tribal governments. It increases the maximum grant amount to \$2,500,000 per year and requires BSCC to make at least 20 percent of a grantee's total award available at the start of the grant period.

¹ CalGRIP was first funded in the FY 2007-08 budget.

The bill further requires BSCC to establish an ESC to be composed of, among other entities, persons who have been impacted by community gun violence and the director of the Attorney General's Office of Gun Violence Prevention or their designee. Finally, AB 762 authorizes BSCC to reserve up to 5 percent of the funds appropriated for CalVIP each year for the purpose of supporting programs and activities designed to build and sustain capacity in the field of community gun violence intervention and prevention.

Historically, the CalVIP program has been funded by the General Fund, at \$9 million per year, with several one-time augmentations. Commencing July 1, 2024, Assembly Bill 28, also known as the Gun Violence Prevention and School Safety Act, imposes an excise tax in the amount of 11 percent of the gross receipts from the retail sale in California of a firearm, firearm precursor part, and ammunition. Revenues collected from this fund will be deposited in the Gun Violence Prevention and School Safety Fund and the first \$75 million available in the fund, or as much of that amount as is available, shall be continuously appropriated annually to BSCC for the CalVIP Grant Program. For FY 2024-25, the Department of Finance estimates that BSCC will receive the full \$75 million.

Proposed Activities

In consultation with the appointed Chair, staff will establish an ESC that is diverse in professional and lived experience, geography, gender, and demographics. In addition, the composition of the ESC will reflect the relevant stakeholder experience as prescribed by the Break the Cycle of Violence Act. The BSCC will seek interested persons to submit a statement of interest to serve on the ESC through the BSCC's website: [Executive Steering Committees - Seeking Membership](#).

Below are the proposed activities and the tentative timeline necessary to administer a competitive RFP process for Cohort 5 of the CalVIP Grant program:

Activity	Tentative Timeline
Board Appoints Chair and Authorizes Staff to Begin ESC Process	July 11, 2024
ESC Recruitment and Formation	July-August 2024
RFP Development	September-November 2024
Present the RFP for BSCC Board Approval	November 2024
Release the RFP to the Field	November 2024
Bidders' Conference	December 2024
Proposals Due to the BSCC	February 2025
Proposal Rating Process	March-May 2025
BSCC Board Considers Funding Recommendations	June 2025
Grants Begin	July 1, 2025

Recommendation/Action Needed

Staff recommends that the Board:

1. Appoint a Chair to the California Violence Intervention and Prevention Grant Program Executive Steering Committee.
2. Delegate authority to the Chair to work with BSCC staff to establish a diverse ESC with relevant subject matter expertise and to modify membership as needed.
3. Approve the proposed activities and tentative timeline associated with development of the RFP.
4. Authorize the ESC to oversee the development of the CalVIP Request for Proposals and make funding recommendations.

Attachments

D-1: Assembly Bill 762 (Chapter 241, Statutes of 2023)

D-2: Assembly Bill 28 (Chapter 231, Statutes of 2023)

Attachment D-1

Assembly Bill No. 762

CHAPTER 241

An act to amend Section 14131 of, and to repeal Section 14132 of, the Penal Code, relating to criminal justice.

[Approved by Governor September 26, 2023. Filed with
Secretary of State September 26, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 762, Wicks. California Violence Intervention and Prevention Grant Program.

Existing law establishes the Board of State and Community Corrections. Existing law charges the board with providing the statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, including addressing gang problems. Existing law establishes the California Violence Intervention and Prevention (CalVIP) Grant Program and assigns the authority and duties of the board in administering the program, including the selection criteria for grants. Existing law limits the maximum grant amount to \$1,500,000. Existing law repeals this program on January 1, 2025.

This bill would specify that the purpose of the CalVIP program is to support effective community gun violence reduction initiatives in communities that are disproportionately impacted by community gun violence, as defined. The bill would expand the CalVIP program to include counties that have one or more cities disproportionately impacted by community gun violence and tribal governments. The bill would increase the maximum grant amount to \$2,500,000 per year and require a grant cycle to be at least 3 years. The bill would require the board to establish an executive steering committee to be composed of, among other entities, persons who have been impacted by community gun violence and the director of the Office of Gun Violence Prevention or their designee, as specified. The bill would authorize the board to reserve up to 5 percent of the funds appropriated for CalVIP each year for the purpose of supporting programs and activities designed to build and sustain capacity in the field of community gun violence intervention and prevention, as specified. The bill would repeal the repeal date of the CalVIP program, thereby extending this program indefinitely.

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

SECTION 1. Section 14131 of the Penal Code is amended to read:

14131. (a) The California Violence Intervention and Prevention Grant Program (CalVIP) is hereby created to be administered by the Board of State and Community Corrections.

(b) The purpose of CalVIP is to improve public health and safety by supporting effective community gun violence reduction initiatives in communities that are disproportionately impacted by community gun violence. For purposes of this section, “community gun violence” means intentional acts of interpersonal violence involving a firearm, generally committed in public areas by individuals who are not intimately related to the victim, and which result in physical injury, emotional harm, or death.

(c) CalVIP grants shall be used to develop, support, expand, and replicate evidence-based community gun violence reduction initiatives, including, without limitation, hospital-based violence intervention programs, evidence-based street outreach programs, and focused deterrence strategies, that seek to interrupt cycles of community gun violence and retaliation in order to reduce the incidence of homicides, shootings, and aggravated assaults. These initiatives shall be primarily focused on providing violence intervention services to the small segment of the population that is identified as high risk of perpetrating or being victimized by community gun violence in the near future.

(d) CalVIP grants shall be made on a competitive basis to cities that are disproportionately impacted by community gun violence, to community-based organizations that serve the residents of those cities, and to counties that have one or more cities disproportionately impacted by community gun violence within their jurisdiction. For purposes of this section, “cities” includes tribal governments.

(e) For purposes of this section, a city is disproportionately impacted by community gun violence if any of the following are true:

(1) The city experienced 20 or more homicides per calendar year during two or more of the three calendar years immediately preceding the grant application for which the Department of Justice has available data.

(2) The city experienced 10 or more homicides per calendar year and had a homicide rate that was at least 50 percent higher than the statewide homicide rate during two or more of the three calendar years immediately preceding the grant application for which the Department of Justice has available data.

(3) An applicant otherwise demonstrates a unique and compelling need for additional resources to address the impact of community gun violence in the applicant’s community. Recognizing the historical challenges that California tribes have faced in gathering formal data on violent crime, the Board of State and Community Corrections shall take input from tribal governments on how to determine “compelling need,” in the context of tribal governments.

(f) An applicant for a CalVIP grant shall submit a proposal, in a form prescribed by the board, which shall include, but not be limited to, all of the following:

(1) Clearly defined and measurable objectives for the grant.

(2) A statement describing how the applicant proposes to use the grant to implement an evidence-based community gun violence reduction initiative in accordance with this section, including how the applicant will identify, engage, and provide violence intervention services to individuals at high risk of perpetrating or being victimized by community gun violence in the near future.

(3) A statement describing how the applicant proposes to use the grant to enhance coordination of existing community gun violence prevention and intervention programs and minimize duplication of services in the proposed service area. Where relevant, this shall include a description of efforts to coordinate with tribal governments located near or within the planned service delivery area.

(4) Evidence indicating that the proposed violence reduction initiative would likely reduce the incidence of community gun violence in the proposed service area within the grant period.

(5) For city or county applicants, a statement demonstrating support for the proposed violence reduction initiative from one or more community-based organizations, or from a public agency or department other than a law enforcement agency that is primarily dedicated to community safety or violence prevention.

(g) In awarding CalVIP grants, the board shall give preference to applicants whose grant proposals demonstrate the greatest likelihood of reducing the incidence of community gun violence in the applicant's community within the grant period without contributing to mass incarceration.

(h) The amount of funds awarded to an applicant shall be commensurate with the scope of the applicant's proposal and the applicant's demonstrated need for additional resources to address community gun violence in the applicant's community.

(1) The Board of State and Community Corrections may award competitive grants in amounts not to exceed two million five hundred thousand dollars (\$2,500,000) per applicant per year. The length of the grant cycle shall be at least three years.

(2) The board shall award at least two grants to cities or counties with populations of 200,000 or less.

(i) Upon making CalVIP grant awards, the board shall make at least 20 percent of an approved grantee's total grant award available to the grantee at the start of the grant period or as soon as possible thereafter, in order to enable grantees to immediately utilize such funds to support violence reduction initiatives.

(j) Each city or county that receives a CalVIP grant shall distribute no less than 50 percent of the grant funds to one or more of any of the following types of entities:

(1) Community-based organizations.

(2) Public agencies or departments, other than law enforcement agencies or departments, that are primarily dedicated to community safety or violence prevention.

(3) Tribal governments.

(k) The board shall form an executive steering committee including, without limitation, persons who have been impacted by community gun violence, formerly incarcerated persons, subject matter experts in community gun violence prevention and intervention, the director of the Office of Gun Violence Prevention or the director's designee, and at least three persons with direct experience in implementing evidence-based community gun violence reduction initiatives, including initiatives that incorporate public health and community-based approaches focused on providing violence intervention services to the small segment of the population identified as high risk of perpetrating or being victimized by community gun violence in the near future.

(l) (1) The board may reserve up to two million dollars (\$2,000,000) of the funds appropriated for CalVIP each year for the costs of administering and promoting the effectiveness of the program including, without limitation, the employment of personnel, providing technical assistance to grantees, coordinating with other state and local agencies on community gun violence reduction efforts, and evaluation of violence reduction initiatives supported by CalVIP.

(2) The board may, with the advice and assistance of the CalVIP executive steering committee, reserve up to 5 percent of the funds appropriated for CalVIP each year for the purpose of supporting programs and activities designed to build and sustain capacity in the field of community gun violence intervention and prevention, and to support detailed community gun violence problem analyses that help service providers and other stakeholders inform and develop community gun violence reduction initiatives by identifying individuals in their community who are at high risk of perpetrating or being victimized by community gun violence in the near future and have the highest need for violence intervention services. Activities to build and sustain capacity in the field of community-based gun violence intervention and prevention may include any of the following:

(A) Contracting with or providing grants to organizations that provide training, certification, or continued professional development to community-based gun violence intervention and prevention professionals, including frontline professionals and technical assistance providers.

(B) Contracting with or providing grants to nonprofit intermediary organizations that foster the development and growth of community-based organizations dedicated to community gun violence intervention and prevention.

(C) Providing mental health support and other supportive services to frontline community gun violence intervention professionals in order to recruit, retain, and sustain these professionals in their field.

(D) Providing mental health services or financial assistance to family members of frontline community gun violence intervention professionals who are killed or violently injured in the performance of their work.

(m) Each grantee shall report to the board, in a form and at intervals prescribed by the board, their progress in achieving the grant objectives.

(n) The board shall, by no later than 120 days following the close of each grant cycle, prepare and submit a report to the Legislature in compliance with Section 9795 of the Government Code regarding the impact of the violence prevention initiatives supported by CalVIP.

(o) The board shall make evaluations of CalVIP-supported initiatives available to the public.

(p) The amendments to this section made by the act that added this subdivision shall apply solely to CalVIP grant applications and awards made after January 1, 2024, and shall not be construed to affect grant applications or awards made prior to this date.

SEC. 2. Section 14132 of the Penal Code is repealed.

Attachment D-2

Assembly Bill No. 28

CHAPTER 231

An act to amend Sections 26700, 26705, and 30395 of, and to add Chapter 3 (commencing with Section 34400) to Division 12 of Title 4 of Part 6 of, the Penal Code, and to add Part 16 (commencing with Section 36001) to Division 2 of the Revenue and Taxation Code, relating to firearms, and making an appropriation therefor.

[Approved by Governor September 26, 2023. Filed with
Secretary of State September 26, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 28, Gabriel. Firearms and ammunition: excise tax.

Existing law establishes the California Violence Intervention and Prevention (CalVIP) Grant Program, administered by the Board of State and Community Corrections, to award competitive grants for the purpose of violence intervention and prevention.

Existing law imposes various taxes, including taxes on the privilege of engaging in certain activities. The Fee Collection Procedures Law, the violation of which is a crime, provides procedures for the collection of certain fees and surcharges.

This bill, the Gun Violence Prevention and School Safety Act, would, commencing July 1, 2024, impose an excise tax in the amount of 11% of the gross receipts from the retail sale in this state of a firearm, firearm precursor part, and ammunition, as specified. The tax would be collected by the state pursuant to the Fee Collection Procedures Law. The bill would require that the revenues collected be deposited in the Gun Violence Prevention and School Safety Fund, which the bill would establish in the State Treasury. The bill would require the moneys received in the fund to be used to fund various gun violence prevention, education, research, response, and investigation programs, as specified. The bill would require the Director of Finance to transfer, as a loan, \$2,400,000 from the General Fund to the California Department of Tax and Fee Administration to implement these provisions, as specified. The bill would require each licensed firearms dealer, firearms manufacturer, and ammunition vendor to register with the department for a certificate, as specified. The bill would also provide procedures for the issuance, revocation, and reinstatement of a permit.

This bill would include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

Because this bill would expand the scope of the Fee Collection Procedures Law, the violation of which is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Appropriation: yes.

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

SECTION 1. This act shall be known, and may be cited, as the Gun Violence Prevention and School Safety Act.

SEC. 2. The Legislature hereby finds and declares all of the following:

(a) Gun violence is a public health and safety crisis nationwide. Firearms are now the leading cause of death for American children. California's gun death rates are substantially lower than the national average, yet firearms remain a leading cause of death, injury, and trauma for young people and especially young people of color in this state.

(b) Gun violence also contributes to significant racial and socioeconomic inequality in safety. The most recent available data from the federal Centers for Disease Control and Prevention (CDC) indicates that in 2021, nationwide, the parents of a Black son 13 to 19 years of age were more likely to lose their child to gun homicide than every other cause of death combined.

(c) A majority of gun assault victims survive the shooting but are often left to grapple with severe physical and mental injuries and long-term expenses, impairments, and pain. People who have been direct victims of violence are at substantially higher risk of being violently reattacked or killed, in part because a large majority of nonfatal shootings do not lead to arrest. Strained by the overwhelming number of shootings and related challenges, law enforcement agencies across the United States cleared less than one-third of aggravated assaults with firearms in 2019. Victims who have been shot, shot at, or chronically exposed to threats of gun violence and associated traumas may seek safety by affiliating with armed groups or engaging in retaliatory violence themselves.

(d) Gun violence imposes enormous harms on those who are not direct victims as well. The Director of the CDC's Division of Violence Prevention presented research to Congress demonstrating that "youth living in inner cities show a higher prevalence of post-traumatic stress disorder than soldiers" in the nation's wartime military. Many studies have documented how witnessing a shooting or being chronically exposed to gun violence is correlated with increased risk of negative health outcomes, criminal system involvement, reduced educational engagement and achievement, and longer term negative impacts on workforce potential and earnings.

(e) The CDC notes that “Community violence can cause significant physical injuries and mental health conditions such as depression, anxiety, and post-traumatic stress disorder (PTSD). Living in a community experiencing violence is also associated with increased risk of developing chronic diseases. Concerns about violence may prevent some people from engaging in healthy behaviors, such as walking, bicycling, using parks and recreational spaces, and accessing healthy food outlets. Violence scares people out of participating in neighborhood activities, limits business growth and prosperity, strains education, justice, and medical systems, and slows community progress.”

(f) In addition to its enormous human toll, gun violence also causes economic harm in impacted communities and imposes enormous fiscal burdens on state and local governments and taxpayers. A report from the National Institute for Criminal Justice Reform in 2020 determined that each firearm homicide in Stockton, California cost taxpayers at least \$2,500,000 in direct government costs such as medical, law enforcement, court expenses, and lost tax revenue; nonfatal shootings with a single suspect were also estimated to cost taxpayers nearly \$1,000,000 on average. A 2021 report by Everytown for Gun Safety found that gun deaths and injuries cost California \$22.6 billion annually, of which \$1.2 billion is paid by taxpayers every year. Gun violence also imposes broader indirect costs in the form of reduced home values and reduced profitability for local businesses. A report by the Urban Institute found that each additional homicide in a census tract in Oakland, California was “significantly associated with five fewer job opportunities among contracting businesses (businesses losing employees) the next year.”

(g) The firearm industry has also enjoyed record growth and profits for years. A 2020 Economic Impact Report by the firearm industry trade association, the National Shooting Sports Foundation (NSSF), noted that “the economic growth that America’s firearm and ammunition industry has experienced in recent years has been nothing short of remarkable.” A 2022 NSSF Economic Impact Report said the same thing, and documented a 269-percent increase in the firearm and ammunition industry’s estimated economic impact from 2008 to 2021 and an 11-percent increase from 2020 to 2021 alone.

(h) There has also been an unprecedented spike in shootings and gun homicides across the United States and California. According to CDC data from 2011 to 2021, the nationwide firearm homicide rate increased 85 percent.

(i) Firearms and ammunition sold by licensed manufacturers, dealers, and vendors of these products contribute to gun violence and broader harms. Gun dealers, for example, are the leading source of firearms trafficked to illegal markets, often through straw purchases, as well as negligent losses.

(j) The excise tax on firearm and ammunition retailers proposed in this act is analogous to longstanding federal law, which has, since 1919, placed a 10-percent to 11-percent excise tax on the sale of firearms and ammunition by manufacturers, producers, and importers. Revenues from this excise tax

have been used, since passage of the Pittman-Robertson Federal Aid in Wildlife Restoration Act in 1937, to fund wildlife conservation efforts that remediate the effects that firearms and ammunition have on wildlife populations through game hunting, particularly through grants to state wildlife agencies, and for conservation-related research, technical assistance, hunter safety, and “hunter development.”

(k) This act will similarly place a reasonable surtax on firearm and ammunition industry members profiting from the sale of firearms and ammunition in order to generate sustained revenue for programs that are designed to remediate the devastating effects these products cause families and communities across this state.

(l) The National Rifle Association has referred to the Pittman-Robertson federal Firearms and Ammunition Excise tax as a “legislative model” and “friend of the hunter,” and NSSF has repeatedly emphasized the importance of this federal firearm industry excise tax as well. A 2019 statement by an NSSF director published on NSSF’s internet website emphasized that “an often overlooked, and certainly under-communicated benefit, is the impact that excise taxes on firearms and ammunition have on conservation and wildlife populations,” and a similar 2018 statement from NSSF praised Key Pittman and Willis Robertson, the legislators who sponsored the Pittman-Robertson excise tax, as “heroes of the most successful conservation model in the world.”

(m) This act would similarly provide dedicated revenue to sustain and expand effective gun violence prevention, healing, and recovery programs for families and communities across California, particularly in communities most disproportionately impacted by gun violence.

(n) This act is consistent with our nation’s longstanding historical tradition of regulating commercial firearm and ammunition manufacturers and sellers, including through federal, state, and local taxes on this commercial activity. An 1883 California statute, for instance, directed local governments to provide for payment of all revenue assessed as a tax, or received for licenses, on the storage, manufacture, and sale of gunpowder and related products in order to fund a “Fireman’s Charitable Fund” to support professionals tasked with remediating the collateral impacts of firearm-related commercial activity on public safety through fire risk.

(o) In the historical record, other states, including Mississippi (1844), North Carolina (1857), Georgia (1866), Alabama (1867), Hawaii (1870), Nebraska (1895), Florida (1898), Wyoming (1899), and Virginia (1926), have similarly enacted longstanding commercial, occupational, or other taxes on those selling, purchasing, or possessing firearms and other dangerous weapons.

(p) The tax specified in this act is a modest and reasonable tax on a profitable industry whose lawful and legitimate business activity imposes substantial harmful externalities on California’s families, communities, and taxpayers. The modest tax proposed in this measure mirrors the Pittman-Robertson federal excise tax on firearm and ammunition industry participants, is similarly dedicated to funding programs to remediate the

harmful externalities of firearm industry commerce, and is similarly unlikely to discourage lawful sales and commerce in firearms or ammunition. A gun policy research review by the Rand Corporation noted that the available “research suggests that moderate tax increases on guns or ammunition would do little to disrupt hunting or recreational gun use.”

(q) The revenue from this act would provide sustained, dedicated investments in programs that are effective at addressing and remediating harms caused by firearm and ammunition industry products, including investments in: (1) community gun violence intervention and prevention initiatives that help address risk factors for violent behavior, protect and heal victims, interrupt cycles of shootings, trauma, and retaliation among those at highest risk, and address racial inequality in access to safety for communities of color; (2) gun violence research that helps stakeholders identify leading causes and evidence-based responses to gun violence; (3) initiatives that train health care providers about effective clinical tools for preventing firearm suicide and injury; (4) crime victim services, including mental health services, for victims of mass shootings and other gun homicides, and individuals chronically exposed to gun violence in their community, including students in school districts disproportionately impacted by gun violence in the school or broader community; (5) coordinated efforts to ensure firearm and ammunition purchasers are adequately informed about how to comply with California’s gun safety laws and responsibilities associated with safe use and possession of firearms, including child access prevention, and to promote effective and equitable implementation of California’s gun safety laws and programs; (6) programs that promote victims’ and public safety by ensuring the prompt, safe, and consistent removal of firearms and ammunition from people who become prohibited from possessing them, such as after a gun violence or domestic violence restraining order; and (7) evidence-based activities to effectively and equitably support gun homicide and shooting investigations in order to deliver justice for victims of gun violence in communities bearing the brunt of these tragedies.

(r) In a report published in August 2023 by the American Academy of Pediatrics, researchers found that the increase in firearm purchasing during the pandemic increased the risk for pediatric firearm injury, resulting in a 41.6-percent increase in the firearm death rate for American children between 2018 and 2021. During this period, racial disparities in gun deaths also significantly worsened. According to the report, communities of color bore the brunt of this burden, with Black children comprising nearly 50 percent of children killed by firearms. Unlike other age demographics in the United States, nearly two-thirds of youth gun deaths were attributable to homicide, while less than one-third are attributed to death by firearm suicide. State variability in access to preventative strategies like violence intervention, suicide prevention, and firearm safety programs all contribute to disparities in pediatric firearm death rates. With this legislation, California affirms its commitment to increasing access to these vital preventative strategies, particularly in our state’s most vulnerable communities.

(s) The Legislature hereby adopts this act for the purpose of reducing and preventing gun violence, including by addressing risk factors for gun violence, and promoting healing and recovery for victims of gun violence, particularly in communities that are disproportionately impacted by shootings and gun homicides.

[Sections 3 through 6 omitted.]

36005. (a) There is hereby established in the State Treasury the Gun Violence Prevention and School Safety Fund to receive moneys pursuant to Section 36041.

(b) All moneys in the Gun Violence Prevention and School Safety Fund, including interest or dividends earned by the fund, shall be distributed annually in accordance with the allocation formula provided in subdivision (c), provided that the dollar amounts specified in that subdivision shall be annually adjusted to account for changes in the California Consumer Price Index.

(c) Moneys in the Gun Violence Prevention and School Safety Fund shall be annually allocated in the following order:

(1) The first seventy-five million dollars (\$75,000,000) available in the fund, or as much of that amount as is available, shall be continuously appropriated annually to the Board of State and Community Corrections, or other successor agency designated by law as the administering agency for the California Violence Intervention and Prevention (CalVIP) Grant Program, to fund CalVIP Grants and administration and evaluations of CalVIP-supported programs, in accordance with Title 10.2 (commencing with Section 14130) of Part 4 of the Penal Code.

(2) The next fifty million dollars (\$50,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the State Department of Education to enhance school safety by addressing risk factors for gun violence affecting pupils in kindergarten through grade 12, through the funding of related measures, including, without limitation, the measures described in subparagraphs (A) to (D), inclusive. The department may utilize these funds to support both activities conducted directly by the department and those conducted through contracts with, or grants to, other entities.

(A) Physical security improvements.

(B) Physical safety assessments.

(C) School-based or school-linked mental health and behavioral services, including training for teachers and employees.

(D) Before school and after school programs for at-risk pupils, including programs offered by entities eligible to receive funding under the Bipartisan Safer Communities Act Stronger Connections Grant Program.

(3) The next fifteen million dollars (\$15,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Judicial Council to support a court-based firearm relinquishment grant program to be administered in coordination with the Department of Justice to ensure the prompt, consistent, and safe removal of firearms by the Department of Justice and local law enforcement agencies from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to a criminal conviction or other criminal or civil court order, including, but not limited to, criminal protective orders, domestic violence restraining orders, gun violence restraining orders, civil harassment restraining orders, and workplace violence restraining orders. The grant program shall be designed to reduce the number of people who are entered into or remain in the Armed Prohibited Persons System, including by supporting partnerships with courts and local law enforcement agencies.

(4) The next fifteen million dollars (\$15,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Department of Justice to fund a victims of gun violence grant program. The purpose of this program is to support evidence-based activities to equitably improve investigations and clearance rates in firearm homicide and firearm assault investigations in communities disproportionately impacted by firearm homicides and firearm assaults, and thereby help reduce gun violence in communities across California. Grants from this program shall be made on a competitive basis to state, local, or tribal law enforcement agencies and prosecuting offices for activities that have the specific objective of increasing clearance rates for firearm homicides and nonfatal shootings, which may include, without limitation, hiring and training detectives dedicated to investigating these offenses, hiring and training personnel or other partners to coordinate with victims and witnesses or to collect, process, and test relevant evidence, improving data analysis, forensics, and technological capacities, and promoting recurring and trauma-informed engagement with victims, witnesses, and other impacted community members in a manner that builds trust, safety, and collaboration.

(5) The next two million five hundred thousand dollars (\$2,500,000) available in the fund per year, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Department of Justice to support activities to inform firearm and ammunition purchasers and firearm owners about gun safety laws and responsibilities, such as safe firearm storage, and to promote implementation and coordination of gun violence prevention efforts through activities such as technical assistance, training, capacity building, and local gun violence data and problem analysis support for local governments, law enforcement agencies, community-based service providers, and other stakeholders. The department may utilize these funds to support activities conducted directly by the department or conducted through contracts with, or grants to, other entities.

(6) The next two million five hundred thousand dollars (\$2,500,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Office of Emergency Services to provide counseling and trauma-informed support services to direct and secondary victims of mass shootings and other gun homicides and to individuals who have experienced chronic exposure to community gun violence. The office may utilize these funds to support activities directly conducted by the office, or conducted through contracts with, or grants to, other entities, and to help reduce gun violence in communities across California.

(7) The next one million dollars (\$1,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be allocated to the University of California, Davis, California Firearm Violence Research Center, if those funds are accepted by the Regents of the University of California, for a one-time grant for gun violence research and initiatives to educate health care providers and other stakeholders about clinical tools and other interventions for preventing firearm suicide and injury. This allocation may, if sufficient funds are not available, be made over the course of more than one budget year; however, the total amount allocated pursuant to this paragraph across all years shall not exceed one million dollars (\$1,000,000).

(d) Any remaining moneys available in the fund each year after the allocations described in subdivision (c) shall, upon appropriation by the Legislature, be allocated to fund and support activities and programs focused on preventing gun violence, supporting victims of gun violence, and otherwise remediating the harmful effects of gun violence.

(e) Except as otherwise provided herein or in any other provision of law, a department or agency may reserve up to 5 percent of the funds appropriated to that department or agency under subdivision (c) for the costs of administering and promoting the effectiveness of programs supported by this act, including, without limitation, costs to employ personnel, develop and review grant solicitations, publicize grant opportunities, engage with and provide technical assistance to prospective grant applicants and grantees, and conduct or support data collection or research evaluations.

[Remainder of AB 28 omitted.]

Agenda Item E

MEETING DATE: July 11, 2024**AGENDA ITEM: E****TO:** BSCC Chair and Members**FROM:** Eddie Escobar, Field Representative, eddie.escobar@bscc.ca.gov**SUBJECT:** Missing and Murdered Indigenous People Grant Program - Cohort 2:
Funding Recommendations: **Requesting Approval**

Summary

This agenda item requests Board approval of the Missing and Murdered Indigenous People (MMIP) Grant Program Cohort 2 awards as recommended by the Executive Steering Committee (ESC) (Attachment E-1). If the proposed list of award recommendations is approved, 18 federally recognized Indian tribes in California will receive \$19.58 million. Proposals selected for funding will be under agreement from August 1, 2024 through June 1, 2028. A list of proposals recommended for funding is provided in Attachment E-2 and corresponding proposal summaries are provided in Attachment E-3.

Background

The Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) established the MMIP Grant Program. Per the Budget Act, funds shall be awarded by the Board of State and Community Corrections (BSCC) as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, investigate and solve cases involving missing and murdered indigenous people.

Grants will focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement to investigate and solve cases involving missing and murdered indigenous people.

On July 25, 2022, the Board approved a staff recommendation to appoint a Chair and establish an ESC to develop a Request for Proposals (RFP). On April 13, 2023, the Board approved release of the RFP with a due date of June 23, 2023. The RFP made \$11.4 million available across four fiscal years to implement the grant program, subject to future appropriations.

In response to the original MMIP RFP, BSCC received four proposals requesting approximately \$3.29 million in funding. The Board approved these awards at the September 14 and November 17, 2023 meetings, leaving \$8.52 million unallocated.

The Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023) contained the expected annual appropriation of \$4 million for this grant and added a one-time augmentation of \$12 million (Attachment E-4). BSCC may retain five percent of this amount for administration of the grant, leaving an additional \$11.4 for tribal grants. With the unallocated

\$8.52 million from the first round of funding, and the one-time augmentation of \$11.4 million, \$19.92 million was made available for a second round of grant funding.

To increase awareness about the MMIP grant, solicit feedback from the tribal community, and encourage participation in the next RFP, BSCC representatives conducted extensive outreach efforts, speaking with tribal leaders and attending important tribal events in 2023, including:

- California Native American Day at the State Capitol, hosted by the California Native American Heritage Association
- MMIP Virtual Round Table Meeting, hosted by the Yurok Tribe
- AB 1314 Feather Alert Implementation Roundtable, hosted by the California Legislative Native American Caucus and the L.A. County Board of Supervisors
- Roundtable Policy Discussion on MMIP Grant Funding, hosted by the Pala Band of Mission Indians in partnership with the California Tribal Business Alliance
- Missing in California Indian Country forum, hosted by the Soboba Band of Luiseno Indians in partnership with Riverside County Sheriff's Office, Attorney General Rob Bonta and the California Department of Justice Office of Native American Affairs.

Based on feedback from the tribal community, staff proposed to re-release the MMIP RFP as Cohort 2, with several non-substantive modifications. Modifications included the addition of language to highlight the flexibility afforded by the authorizing legislation in the types of activities that could be implemented and encouraged collaborative applications among one or more tribes. At the urging of tribal representatives, BSCC also increased the application period from two months to four months.

On November 17, 2023, the Board approved the release of the Cohort 2 MMIP RFP with a due date of March 15, 2024. The RFP made \$19.92 million available across three fiscal years to implement the grant program, subject to future appropriations (Attachment E-5).

In response to the Cohort 2 MMIP RFP, BSCC received 20 proposals requesting almost \$21.25 million in funding. Eighteen of the proposals met all submission criteria and were provided to the MMIP ESC for funding consideration. Once all ESC scores were submitted, BSCC staff generated a ranked list of all proposals eligible for funding. All 18 proposals are recommended for funding. If the Board approves the ESC funding recommendations, \$19.58 million would be allocated. Approximately \$346,000 would remain unallocated.

Recommendation/Action Needed

On behalf of the MMIP Executive Steering Committee, staff recommends that the Board:

- Fully fund 18 proposals totaling \$19.58 million for grant projects to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people.

Attachments

- E-1: MMIP Executive Steering Committee Roster
- E-2: MMIP Applicants Recommended for Funding
- E-3: MMIP Proposal Summaries
- E-4: Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023)
- E-5: MMIP Cohort 2 Request for Proposals

Attachment E-1

**Missing and Murdered Indigenous People (MMIP) Grant Program
Executive Steering Committee Members**

	Name	Title	Organization/Tribe
1.	Norma Cumpian, Char	BSCC Board Member and Associate Director	Anti-Recidivism Coalition
2.	Merri Lopez-Keifer	Director	CA Attorney General's, Office of Native American Affairs
3.	Matt Hansen	Lieutenant	Red Bluff Police Department
4.	Hedi Bogda Hitchcock	Lawyer/Consultant	Leech Lake Band
5.	Walter Kurtz	Corporal	Riverside County Sheriff's Office
6.	Keely Linton-Gallardo	Director	Strong Hearted Native Women's Coalition
7.	Percilla Frizzell	Director	Sacred Generations
9.	Heather Hostler	Executive Director	California Legal Services

Attachment E-2

**Cohort 2 Missing and Murdered Indigenous People Grant Program
Proposals Recommended for Funding
July 2024**

**Total Available Funding:
\$19,923,997**

**Funding Recommendation:
\$19,577,602**

Proposals in Alphabetical Order by Categories

Large Scope Applicants	Amount Requested	Amount Recommended
Dry Creek Rancheria Band of Pomo Indians	\$1,000,000	\$1,000,000
Greenville Rancheria	\$982,870	\$982,870
Hoopa Valley Tribe	\$1,000,000	\$1,000,000
Karuk Tribe	\$1,000,000	\$1,000,000
Pala Band of Mission Indians	\$1,000,000	\$1,000,000
Pechanga Band of Indians	\$980,035	\$980,035
Picayune Rancheria of the Chukchansi Indians	\$967,845	\$967,845
Pit River Tribe	\$1,000,000	\$1,000,000
Round River Indian Tribe	\$750,571	\$750,571
San Pasqual Band of Mission Indians	\$926,136	\$926,136
Santa Rosa Rancheria Tachi Yokut Tribe	\$981,173	\$981,173
Wilton Rancheria	\$991,323	\$991,323
Recommended Funding:		\$11,579,953

Small Scope Applicants	Amount Requested	Amount Recommended
Scotts Valley Band of Pomo Indians	\$498,690	\$498,690
Torres Martinez Desert Cahuilla Indians	\$500,000	\$500,000
Recommended Funding:		\$998,690

Collaborative Applicants (in collaboration with)	Amount Requested	Amount Recommended
Cahuilla Band of Indians (Santa Rosa Band of Cahuilla Indians, Los Coyotes Band of Cahuilla and Cupeno Indians)	\$999,998	\$999,998
Ione Band of Miwok Indians (Wilton Rancheria)	\$1,999,675	\$1,999,675
Jamul Indian Village of California (Manzanita Band, San Pasqual Band, and Sycuan Band of the Kumeyaay)	\$1,999,625	\$1,999,625
Pinoleville Pomo Nation (Robinson Rancheria, Kashia Band of Pomo Indians, and Redwood Valley Rancheria)	\$1,999,661	\$1,999,661
Recommended Funding:		\$6,998,958

Attachment E-3

**Missing and Murdered Indigenous People Grant Program
Cohort 2 Project Summaries
Grant Cycle: August 1, 2024 to June 1, 2028**

1. Cahuilla Band of Indians (in collaboration with the Santa Rosa Band of Cahuilla Indians, Los Coyotes Band of Cahuilla and Cupeno Indians): \$999,998

The Cahuilla Consortium Victim Advocacy Program plans to build a "Hub" website that would warehouse awareness, prevention, and direct service information for all tribes in California, focused by region – Northern, Central and Southern. The information would be arranged and accessible to key audiences, tribal members, tribal service providers, tribal leadership, non-tribal service providers, both tribal and non-tribal law enforcement agencies. Additionally, the CCVAP will provide direct emergency services to those victimized by crimes that connect to the MMIP epidemic, with support provided to vulnerable Native survivors, their families, and communities.

2. Dry Creek Rancheria Band of Pomo Indians: \$1,000,000

The Dry Creek Rancheria Band of Pomo Indians will implement two initiatives. 1) *Protecting the Sacred*, through which the tribe will a) Educate schools, law enforcement, tribal systems on the signs of human trafficking, exploitation, and abuse; b) Convene an Indigenous Regional MMIP Coalition; c) Conduct a culturally based outreach and awareness campaign; and d) Promote coordination between Emergency Responders (police, firefighters, EMT, child welfare, health systems) to address human trafficking, exploitation, and violence towards indigenous people. 2) *Healing Our Communities*, through which the tribe will provide: a) Behavioral health and crisis interventions; b) Community healing activities; c) Traditional healing services; and d) Culturally centered interventions.

3. Greenville Rancheria: \$982,870

Greenville Rancheria will take a preventative and proactive approach to ensuring youth, family and individuals' well-being in our communities along the Northern California I-5 corridor and in rural remote areas through: 1) Prevention, awareness, education, and events for tribal communities we serve; 2) Developing and producing digital mapping, and story maps with the collaboration of experts, to locate clusters of areas where our MMIP persons were last seen or were found; and 3) Assisting victim families with the most immediate needs of private investigator funds, counseling or as a liaison between law enforcement, courts processes and seeking help from culturally sensitive and familiar outreach.

4. Hoopa Valley Tribe: \$1,000,000

With the support of BSCC funding, the Hoopa Tribal Education Association will strengthen internal capacity to disrupt systems of violence in the Hoopa community by promoting cultural engagement opportunities, trauma-informed practices, and by supporting access to education. The proposed project will hire a full-time Cultural Coordinator, support trauma-informed practices by providing opportunities for community training and wellness and support equal access to education for youth.

By building protective factors through culture, education, and furthering ourselves as a trauma-informed community we hope to reduce the individual risk factors that perpetuate violence.

5. Lone Band of Miwok Indians (in collaboration with Wilton Rancheria): \$1,999,675

Find My Relations Project is dedicated to addressing the critical issue of organizing a dedicated task force exclusively dedicated to finding missing and murdered indigenous people. With a mission rooted in compassion and justice, we aim to bring closure to affected families, find those who are lost, and significantly raise awareness about this pressing issue. Our multifaceted approach includes establishing a specialized and highly trained Native tactical task force, launching comprehensive awareness and education campaigns, and providing direct support to families and communities in need.

6. Jamul Indian Village of California (in collaboration with the Manzanita Band, San Pasqual Band, and Sycuan Band of the Kumeyaay): \$1,999,625

Our proposal focuses on combating human trafficking in San Diego Indigenous communities through awareness, training, and law enforcement collaboration. It includes initiatives such as hosting a Summit, expanding the Acorns to Oaks program for young Indigenous girls, and launching public service announcements and billboard campaigns. Training programs will be enhanced with virtual reality components, and a tribal officer will be assigned to the San Diego Human Trafficking Task Force to promote coordination between tribal police and their non-tribal counterparts. This comprehensive approach aims to create a safer community and combat human trafficking effectively.

7. Karuk Tribe: \$1,000,000

The Karuk Tribe requires a specialist to create and execute a Tribal Community Response Plan for MMIP cases, which outlines the roles, protocols, and resources for handling incidents and is tested and updated regularly. The specialist will also raise awareness, protect youth and vulnerable groups, and directly support victims and families.

8. Pala Band of Mission Indians: \$1,000,000

The Pala Band of Mission Indians (PBMI), a Federally Recognized Tribe, submits this MMIP grant proposal to enhance efforts to provide awareness and preventative measures with the MMIP crisis affecting our tribal communities. PBMI intends to implement systemic change providing culturally based prevention strategies, strengthening responses to human trafficking, improving cooperation and communication on jurisdictional issues between state, local, federal and tribal law enforcement. PBMI intends to collaborate collectively with other Tribes in their efforts to bring awareness for all California's MMIP regardless of geographical area.

9. Pechanga Band of Indians: \$980,035

This program is a multi-disciplinary approach to enhance the Pechanga Tribal Rangers (PTR) and Pechanga Child and Family Services (PCFS) departments' capacity to effectively respond to runaway juvenile and missing persons incidents and strengthen juvenile runaways and potential victims of human trafficking. Further, it will

educate and engage our tribal community to work together to protect our vulnerable and at-risk members. PTR will hire a trained law enforcement investigator/MMIP and Human Trafficking Coordinator. PCFS will hire a Master's level Social Worker with a comprehensive background in Commercial Sexual Exploitation.

10. Picayune Rancheria of the Chukchansi Indians: \$967,845

The Picayune Rancheria is dedicated to addressing the issue of domestic violence in our community. Our Tribe recognizes that domestic violence cases are high and resources available in our area are limited to address these cases. To address this urgent need, we intend to use the MMIP grant to establish a program that will provide essential MMIP services to our community. Our program will offer a range of services, including crisis intervention, counseling, legal assistance, and case management. With the support of the MMIP grant, we will be able to provide the necessary resources and support to help victims find safety, healing, and justice.

11. Pinoleville Pomo Nation (in collaboration with the Robinson Rancheria, Kashia Band of Pomo Indians, and Redwood Valley Rancheria): \$1,999,661

The proposed collaborative project is designed to increase awareness on MMIP issues to 500 people in Tribal and non-Tribal communities; provide mental health services, community healing and wrap around services focusing on at-risk youth (30 per year) and promoting jurisdictional cooperation in Lake, Mendocino and Sonoma County. The project collaborates with Potter Valley Tribe and Redwood Valley Rancheria and partners with Ukiah Unified School District, Mendocino College, Consolidated Tribal Health Project and New Life Clinic. The project will implement three major goals to address critical challenges faced by the Native American youth in response to MMIP.

12. Pit River Tribe: \$1,000,000

The Pit River Tribe will develop MMIP projects led by the Tribal Victim Witness department. The MMIP project will include culturally based support and resources for family members that have had their loved one go missing. The project will develop and provide training such as search and rescue teams, a formal process in feather alert activation, and coordination with law enforcement. With an emphasis on culturally based practices that address the intersections of the MMIP crisis within the four county regions of the ancestral boundary area of Pit River, of which extends 3.5 million acres. This includes the Shasta, Modoc, Lassen and Siskiyou Counties.

13. Round River Indian Tribe: \$750,571

The Round River Indian Tribe will build a MMIP system of response that is based on the Tribe's unique needs as a rural and remote community. The tribe will utilize a multi-strategy approach that includes prevention, intervention, and response. The intent of the proposed project is to respond to urgent needs to prevent factors that contribute to MMIP. The Tribe will hire two full-time staff to develop the MMIP Prevention and Intervention/Response Program components.

14. San Pasqual Band of Missions Indians: \$926,136

The proposed project is designed to help the San Pasqual community to develop and implement evidence and culturally informed prevention and outreach strategies and

strengthen responses to issues related to MMIP. Culturally based prevention strategies include activities that help to restore youth and adult connections to traditional knowledge, language learning, and cultural awareness aim to improve cultural identities, wellness and self-esteem. Community engagement workshops and advocacy/awareness campaigns aim to improve knowledge and understanding to prevent victimization, reduce violent crime and improve community involvement in safety concerns.

15. Santa Rosa Rancheria Tachi Yokut Tribe: \$981,173

The Santa Rosa Rancheria Tachi Yokut Tribe will use BSCC funding to establish a comprehensive program to address a critical gap in MMIP awareness, prevention, support, and healing to human trafficking victims, survivors, and families on the Tribal reservation. The Tribal Public Safety and Social Service Departments will train staff on how to recognize warning signs of human trafficking and learn to engage, assist, and provide services for human trafficking. The Tribe and both departments shall offer enhanced trainings and programs in several categories of MMIP.

16. Scotts Valley Band of Pomo Indians: \$498,690

The Scotts Valley Band of Pomo Indians will create a MMIP awareness and protection program that utilizes wrap around program service concepts in a culturally informed manner. Services will include prevention, intervention and protection for Tribal members that are the most vulnerable and at risk of MMIP.

17. Torres Martinez Desert Cahuilla Indians: \$500,000

The Torres Martinez Desert Cahuilla Indians' initiative to establish a tiny homes village for the unhoused, along with a new grant database, aligns with the MMIP Grant Program, addressing homelessness and promoting cultural resilience. The village provides a culturally sensitive and safe living environment for the tribe's most vulnerable members, while the grants database enhances coordination and secures future funding. These efforts contribute to addressing MMIP by fostering community support and aiding at-risk or homeless tribal members. If awarded, 70 percent of funds will support services for the village, with 30 percent allocated to implement a sophisticated cloud based tribal grants database.

18. Wilton Rancheria: \$991,323

Wilton Rancheria will use BSCC funding over the 46-month grant period to establish culturally appropriate trainings to local law enforcement agencies, uphold the current MOU with Sacramento County Sheriff's Office, create our Tribal Law Enforcement code, and initiate the process of developing a Tribal Law Enforcement Department. The gap Wilton Rancheria intends to address consists of strengthening the public trust with local tribal communities with policing agencies, and to prevent MMIP and human trafficking in Sacramento County.

Attachment E-4

Missing and Murdered Indigenous People Grant Program

5227-122-0001—For local assistance, Board of State and Community Corrections	4,000,000
--	-----------

Schedule:

4945-Corrections Planning and Grant	
(1) Programs	4,000,000

Provisions:

These funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people. The board shall consult with and include stakeholders from the indigenous community to inform the grant outreach process and the process to select and administer grants.

- 1.

Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement in order to investigate and solve cases involving missing and murdered indigenous people.

- 2.

Of the amount identified in this item, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2025.

- 3.

Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2025.

- 4.

The Board of State and Community Corrections shall provide an initial report to the Legislature by December 1, 2023, and a final report by December 1, 2025, that includes, but is not limited to, information about the grant recipients, the allocation of funds, and applicable metrics and outcomes of the program.

- 5.

Attachment E-5



Missing and Murdered Indigenous People Grant Program (Cohort 2)

Proposal Instruction Packet

Eligible Applicants: Federally Recognized
California Indian Tribes

Release Date: November 17, 2023

Proposals Due: March 15, 2024

Grant Period: August 1, 2024 to June 1, 2028



This page intentionally left blank.

Table of Contents

Background Information	1
Contact Information	1
Proposal Due Date and Submission Instructions	1
Need More Information About the Grant?	3
Technical Assistance for the Virtual Grant Information Sessions	4
Are you Planning to Apply?	4
Development of the MMIP Grant: Executive Steering Committee	4
Eligibility to Apply	5
Funding Information	6
Eligible Grant Activities	7
Grant Period	11
Data Collection, Reporting and Evaluation Requirements	11
General Grant Requirements	13
Overview of the RFP Process	18
Proposal Narrative Instructions	21
Proposal Budget Instructions	26
Appendices	28
Appendix A: Executive Steering Committee Members	29
Appendix B: Federally Recognized California Tribes	30
Appendix C: Senate Bill 104 (2023)	35
Appendix D: Sample Project Work Plan	36
Appendix E: Glossary of Terms	38
Appendix F: Sample Key Partner Commitment Form	42
Appendix G: Sample Criteria for Non-Governmental Organizations Receiving Subawards	43
Appendix H: Sample Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement	45
Appendix I: Sample Governing Board or Tribal Council Resolution	46

CONFIDENTIALITY NOTICE

All documents submitted as a part of the Missing and Murdered Indigenous People 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: GRANT INFORMATION

Background Information

The State Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) established the Missing and Murdered Indigenous People Grant Program. Funding is available to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, investigate, and solve cases involving missing and murdered indigenous people. Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement.

Contact Information

This Request for Proposal (RFP) Instruction Packet provides the necessary information to prepare a proposal to the Board of State and Community Corrections (BSCC) for the Missing and Murdered Indigenous People Grant Program.

This is a competitive grant process, therefore BSCC staff cannot assist the applicant or its partners with the preparation of the proposal. Any questions concerning this RFP, the proposal process, or the submission process must be submitted by email to: mmip@bscc.ca.gov.

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

Proposal Due Date and Submission Instructions

The Missing and Murdered Indigenous People Grant Program (MMIP) 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 Friday, March 15, 2024**.

****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 March 15, 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 MMIP 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 (if applicable), 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/missing-and-murdered-indigenous-people-grant-program/>.

1. Project Work Plan
2. Budget Attachment (Project Budget Table and Budget Narrative)
3. Key Partner Commitment Form, if applicable
4. Grantee Assurance for Non-Governmental Organizations Receiving BSCC Funds
5. Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement
6. Governing Board Resolution – (optional; not required for proposal submission)

Proposals for the MMIP Grant Program must be submitted through the **BSCC Submittable Portal**. A link to the BSCC Submittable portal, MMIP Grant Program Proposal, and all required attachments are available on the BSCC [MMIP website](#).

The MMIP Grant Program RFP is accessible by clicking the “Click here to Submit; Powered by Submittable” button located on the MMIP Grant Program Homepage at: <https://www.bscc.ca.gov/missing-and-murdered-indigenous-people-grant-program/>. 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.

After an account is established, applicants may proceed with the submission process. As part of this process, applicants will be required to upload mandatory attachments (listed above). Applicants will download these documents from the BSCC [MMIP website](#), complete these attachments ahead of time, and then upload them to the BSCC Submittable portal. All mandatory attachments are listed at the end of this document and available on the.

****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.

Having Tech Issues?

If you experience technical difficulties with submitting your proposal through the Submittable portal, you should submit a Help Ticket through [Submittable](#), as BSCC does not control that site. Also please email the BSCC at: mmip@bscc.ca.gov and/or call the BSCC main line at (916) 445-5073 and ask to speak to someone about the MMIP 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.

Need More Information About the Grant?

To learn more about the grant or ask technical questions, prospective applicants are invited to attend a **Grant Information Session**. The purpose of these Information Sessions is to provide clarification on proposal instructions and answer technical questions from prospective applicants. At these sessions, BSCC staff will review proposal submission instructions, applicant eligibility, funding information, eligible grant activities and the rating process. After a brief presentation, prospective applicants will be able to ask questions. Attendance at these sessions is not a requirement of applying for the grant and it is not necessary to attend both sessions. Details are listed below:

VIRTUAL
MMIP Grant Information Session #1
Thursday, December 14, 2023
3:00 PM

Join by Zoom:

<https://us02web.zoom.us/j/86500616742?pwd=WIBIR0NydTJUyjc1QmJ3dWtNU1ZjQT09>

OR

Call In:

1-669-900-9128

Meeting ID: 865 0061 6742

Passcode: 203301

VIRTUAL
MMIP Grant Information Session #2
Thursday, January 25, 2024
10:00 AM

Join by Zoom:

<https://us02web.zoom.us/j/87102847676?pwd=YXFZTjQzVINORStvaVBuUi9PdJQxQT09>

OR

Call In:

1-669-900-9128

Meeting ID: 871 0284 7676|

Passcode: 284547

Technical Assistance for the Virtual Grant Information Sessions

The Grant Information Sessions will be recorded and posted to the BSCC website for those who are unable to attend. If you need additional technical assistance on completing the grant proposal during the solicitation period, please send an email to mmip@bscc.ca.gov or call **(916) 445-5073** during the following times:

February 6, 2024, 10:00 AM to 1:00 PM
February 7, 2024, 10:00 AM to 1:00 PM
February 27, 2024, 10:00 AM to 1:00 PM
February 28, 2024, 10:00 AM to 1:00 PM

If MMIP staff are away from their desk or on another call, you will be prompted to leave a message.

Are you Planning to Apply?

Prospective applicants are asked, but not required, to submit a non-binding letter indicating their intent to apply. These letters help the BSCC plan for the proposal evaluation process. Please submit your letter in Microsoft Word or as a PDF.

There is no formal template for the letter, but it should include the following information:

1. Name of the federally recognized tribe;
2. Name and title of a contact person; and
3. 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 that submit a Letter of Intent and decide later not to apply will not be penalized. Email your non-binding Letter of Intent to Apply by **Friday, January 12, 2024**. Please identify the email subject line as **MMIP Grant Letter of Intent** and submit the letter to mmip@bscc.ca.gov.

Development of the MMIP Grant: Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses an Executive Steering Committee (ESC) process to inform decision making. An ESC is composed of subject matter experts, community partners, and interested parties 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 by the BSCC Board to carry out specified tasks, including the development of BSCC's grant programs. In addition to developing the RFP, members of the ESC also read and rate the proposals submitted by prospective grantees. Once the proposal evaluation process is complete, 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 ESC for the MMIP Grant Program includes representation from native organizations, community-based organizations, legal services, and state and local law enforcement agencies. A list of ESC members can be found in **Appendix A**.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party participating on the ESC from receiving funds from the grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the ESC membership roster and ensuring that no grant dollars are passed through to any entity represented by any member of the ESC.

Eligibility to Apply

Eligible applicants are federally recognized Indian tribes in California. The current list, as published by the U.S. Department of Interior, Bureau of Indian Affairs, is attached as **Appendix B**.

Eligible tribes may apply individually and/or as part of a collaborative proposal, as described here:

- **Individual Proposals**

For an individual proposal, a single eligible tribe is the applicant and responsible for the fiscal and program management of the grant. The applicant may still subcontract with outside entities for grant services. See corresponding funding information below.

- **Collaborative Proposals**

Partnerships among tribes are allowed and encouraged. For a collaborative proposal, two or more tribes partner together and share the grant award. For a collaborative proposal, one tribe must be designated as the Lead Tribal Applicant and will be responsible for the fiscal and program management of the grant. See corresponding funding information below.

Tribes Already Receiving a Cohort 1 MMIP Grant

Tribes that were awarded a Cohort 1 MMIP grant may submit an individual proposal for new or expanded activities and/or apply as part of a collaborative proposal. Tribes that were already awarded funds will be considered for an individual award, **only** if there are funds remaining after all new eligible applicants have been funded.

Funding Information

This RFP makes \$19,923,997¹ competitively available to federally recognized Indian tribes in California.

Funding Categories

Recognizing that Indian tribes have different capacities, resources, and needs, there are three funding categories within which applicants will compete:

1. Individual Tribe – Small Scope (up to \$500,000)
2. Individual Tribe – Large Scope (up to \$1,000,000)
3. Two Or More Tribes – Collaborative Proposal (up to \$2,000,000)

An individual applicant will choose to apply in either the Small Scope category or Large Scope category (but not both), depending on the size and scope of the project, and the amount of funding needed to implement the project.

- Individual applicants in the Small Scope category may apply for up to **\$500,000**.
- Individual applicants in the Large Scope category may apply for up to **\$1,000,000**.

The purpose of the two funding categories is to allow small scope projects to compete against other small scope projects and large scope projects to compete against other large scope projects.

Tribes that apply as part of a Collaborative Proposal will compete in a third category against other Collaborative Proposals. Applicants in this category may apply for up to **\$2,000,000**.

An eligible tribe may submit an individual proposal and be included on a Collaborative Proposal.

Note: applicants may apply for any dollar amount up to and including the maximum grant amount identified in the above funding categories and are strongly encouraged to apply for only the amount of funding needed to implement the project. Proposals will be scored, in part, on the reasonableness of the proposed budget.

An illustration of the funding categories, maximum grant awards, and total available funding by category is provided below:

Funding Categories	Maximum Grant Award	Total Available Funding
Small Scope	Up to \$500,000	\$7,923,997
Large Scope	Up to \$1,000,000	\$6,000,000
Collaborative Proposal	Up to \$2,000,000	\$6,000,000
Total Funding Available for Competitive Grants:		\$19,923,997

¹ Provided funding is appropriated in the Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) and the Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023), which was amended by Senate Bill 104 (Chapter 189, Statutes of 2023).

Reimbursement-Based Grant

Be advised that the MMIP Grant is a reimbursement-based grant. This means that grantees are reimbursed (in arrears) for grant-related expenditures. Grantees will choose to invoice BSCC on either a monthly or quarterly basis. There will be no advance payments. Therefore, applicants should have sufficient capital to support the first 2-3 months of grant expenditures (for monthly invoicing) or the first 3-6 months of grant expenditures (for quarterly invoicing).

Funding Decisions

As explained above, applicants will compete for funds within either the Small Scope, Large Scope, or Collaborative Proposal category. Proposals will be scored and ranked within each category, and a ranked list of all scored proposals will be generated. The BSCC will move down the ranked list to fund all qualified applicants who meet the Minimum Scoring Threshold (see page 19) in each of the three funding categories 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 funding remains in one or more categories, the following will occur:

- Funds remaining in the Small Scope category after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in the Large Scope category first and then used to fund the Collaborative Proposal category.
- Funds remaining in the Large Scope category after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in the Small Scope category first and then used to fund the Collaborative Proposal category.
- Funds remaining in the Collaborative Proposal category after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in the Large Scope category first and then used to fund the Small Scope category.

If an applicant or grantee relinquishes an award, BSCC has authority to offer that award to the next qualifying applicant(s) on the ranked list.

Eligible Grant Activities

The Missing and Murdered Indigenous People Grant Program was established in Senate Bill 154 (Senate Bill 154, Chapter 43, Statutes of 2022). The Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023) augmented the annual appropriation and then Senate Bill 104 (Chapter 189, Statutes of 2023) added language regarding eligible expenditures (in bold below) (**Appendix C**).

Funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people. The

board shall consult with and include stakeholders from the indigenous community to inform the grant outreach process and the process to select and administer grants.

Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement in order to investigate and solve cases involving missing and murdered indigenous people. **Allowable expenditures may include reimbursement to eligible tribes for contracted services with local law enforcement agencies for staffing in support of eligible grant activities.**

Within these parameters, tribal applicants have discretion in how to use these grant funds. Tribal applicants are encouraged to develop proposals that best fit the needs of their communities. Grant funds can be used for activities such as:

- Culturally based outreach and awareness campaigns
- Mental health services
- Substance use disorder treatment
- Reunification of indigenous foster youth or runaways with their families
- Community healing activities
- Activities to prevent human trafficking
- Services for the families of missing or murdered indigenous people
- Promoting coordination between tribal police and their non-tribal counterparts
- Legal clinics that offer training on the development of formal agreements between tribes and state and local governments
- Funding partnerships with local law enforcement agencies

In support of these efforts, each applicant will develop a Project Work Plan that identifies measurable project goals, objectives, and corresponding timelines (**Appendix D**). Additional information on these terms (i.e., goals and objectives) and other definitions referenced in this RFP are available in the Glossary of Terms (**Appendix E**).

Applicants may either implement new activities, strategies, or programs and/or expand existing activities, strategies, or programs (without supplanting funds - see definition for “Supplanting” in the General Grant Requirements).

With input from California’s tribal community, the ESC developed the following list of strategies that could be implemented with grant funds. This list is not exhaustive but provided to foster discussion and assist in planning among prospective applicants and their communities.

Sample Strategy: Culturally Based Prevention Strategies

Culturally based prevention strategies are vast, varied, and have different meanings to the impacted tribal communities. For the purposes of this grant, eligible activities, strategies, or programs could include:

- Missing and murdered indigenous people outreach and awareness campaigns.
- Mental health services to prevent or address the impact of missing and murdered indigenous people.
- Substance use disorder treatment to prevent or address the impact of missing and murdered indigenous people.

Sample Strategy: Strengthening Responses to Human Trafficking

Human trafficking is a crime involving the exploitation of a person for labor, services, or commercial sex. For the purposes of this grant, eligible activities, strategies, or programs could include:

- Programs to reunite indigenous foster youth or runaways with their families.
- Community healing activities (e.g., cultural ceremonies, healing circles, GONA [Gathering of Native Americans] gatherings).
- Domestic violence and sexual assault prevention campaigns for indigenous people.
- Human trafficking education and training for law enforcement (tribal and non-tribal), health care workers and community providers.
- Human trafficking task forces focused on the recovery of missing and murdered indigenous people.
- Support services for the victims and families dealing with the loss of a missing and murdered indigenous person (e.g., counseling, safe houses, temporary housing).

Sample Strategy: Improving Cooperation and Communication on Jurisdictional Issues

Improved cooperation and communication between Indian tribes, and state and local governments may aid in the identification and investigation of cases involving missing and murdered indigenous people. For the purposes of this grant, eligible activities, strategies, or programs could include:

- Education programs on Public Law 83-280 and the rights of Indian tribes.
- Programs that promote collaboration between tribal police, tribal courts, and their non-tribal counterparts on cases involving missing and murdered indigenous people.
- Programs that promote cross deputization (e.g., tribal police are commissioned as deputy sheriffs, state police, or municipal officers and non-tribal law enforcement officers are commissioned as tribal police).
- Programs that support coordination with local law enforcement and Indian tribes in high crime areas.
- Legal clinics that offer training on the development of MOUs and formal agreements between Indian tribes and state and local governments.

Examples of items that may be purchased using grant funds: *(Note: this list is not exhaustive but provided to assist with planning)*

- Alert Notifications Systems (Amber Alerts, Feather Alerts)
- Billboard, Online, and Print Advertising
- Burial Costs / Costs Connected to the Transfer of Human Remains
- Databases
- Case Management Systems
- Computers / Laptops / Tablets
- Contracts with Private Investigators, Legal Advocates, Subject Matter Experts
- Dedicated MMIP investigators to work with Local Law Enforcement Agencies
- DNA Testing
- Identification and cataloging of missing and murdered indigenous people remains consistent with the practices and approaches identified by the [California Native American Heritage Commission](#)
- Independent Autopsies
- Participant Support Items such as clothing, hygiene, job supplies, etc. (see [BSCC Grant Administration Guide](#), Pages 29-31)
- Telephone and Text and Message Tip Lines
- Vehicles / Law Enforcement Vehicles
- Investigative Equipment / Software

All proposed activities, strategies, or programs must have a link to the Missing and Murdered Indigenous People Program as described in the authorizing legislation and this RFP.

Grant Period

Proposals selected for funding will be under agreement from August 1, 2024 to June 1, 2028. The grant service period will start on August 1, 2024 and end on December 31, 2027. However, an additional six months (January 1, 2028 to June 1, 2028) will be included in the term of the grant agreement for the sole purposes of finalizing and submitting a required Local Evaluation Report and a required financial audit. A visual illustration of the grant agreement period is provided below:

August 1, 2024 to June 1, 2028

Start-Up & Implementation	Service Delivery	Service Delivery	Service Delivery	Data Evaluation & Financial Audit
Up to 6 Months	Year 1	Year 2	Year 3	Up to 6 Months
August 1, 2024 to December 31, 2024	January 1, 2025 to December 31, 2025	January 1, 2026 to December 31, 2026	January 1, 2027 to December 31, 2027	January 1, 2028 to June 1, 2028
Implementation period for hiring, procurement, and other activities that facilitate a timely start. Grantees who do not need the full implementation period can begin service delivery at any time once under contract.	Service delivery and data collection.	Service delivery and data collection.	Service delivery and data collection.	Data analysis and evaluation period. Completion of a grant-specific audit. Only expenses incurred for evaluation and audit efforts may be incurred in this period.

Match Requirement

No match is required for the Missing and Murdered Indigenous People Grant Program.

Data Collection, Reporting and Evaluation Requirements

Projects selected for funding will be required to submit Quarterly Progress Reports, a Local Evaluation Plan and a 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.

Required Set-Aside for Data Collection and Evaluation Efforts

To ensure that grantees can comply with BSCC's data collection and reporting requirements in a meaningful way that benefits both the tribal applicants and the State of California:

- Applicants applying for funding in the Small Scope category **must budget a minimum of \$10,000 but not more than \$25,000 in grant funds** for data collection and evaluation efforts, including the development of the Local Evaluation Plan and Local Evaluation Report.

- Applicants applying for funding in the Large Scope category **must budget a minimum of \$25,000 but not more than \$50,000** in grant funds for data collection and evaluation efforts, including the development of the Local Evaluation Plan and Local Evaluation Report.
- Applicants applying for funding in the Collaborative Proposal category **must budget a minimum of \$25,000 but not more than \$75,000** in grant funds for data collection and evaluation efforts, including the development of the Local Evaluation Plan and Local Evaluation Report.

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 who 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 could be subject to the withholding of funds. Once grants are awarded, BSCC staff will work with grantees to create custom progress reports.

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 applicant will assess the effectiveness of the proposed program in relationship to each of its goals and objectives identified in the proposal. A relationship between the goals and objectives identified in the proposal 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. Applicants should also address 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. The Local Evaluation Plan is due no later than **December 15, 2024**.

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. 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 Local Evaluation Plan previously submitted to the BSCC. More detailed instructions on the Local Evaluation Report will be made available to successful applicants. The Local Evaluation Report is due no later than **June 1, 2028**.

Statewide Evaluation

BSCC Research will conduct a statewide evaluation of the impact of the initiatives supported by the grant funding including the outcomes and objectives that were achieved. The Researcher will: develop the research methodology for the statewide evaluation; design and develop instruments for collecting and evaluating data from grantees; provide ongoing technical assistance to grantees for data collection and evaluation activities; compile, screen and analyze data obtained from grantees; and develop a final report on the impact of the program. As a condition of award, grantees agree to collect data requested for the evaluation (this may include a standardized Quarterly Progress Report format with specified baseline, output, and/or outcome measures) and fully cooperate and share information within timelines set for the statewide evaluation.

General Grant Requirements

Key Partner Commitments

For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the applicant does not have direct control over and that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. Examples could include:

- If awarded, the grantee will provide funding to a law enforcement agency or nonprofit (already identified) for specified services.
- If awarded, the grantee will depend upon referrals from a local probation department or state parole to meet target population eligibility requirements.
- If awarded, the grantee will need a data sharing agreement with a local law enforcement agency to meet grant reporting requirements.
- If awarded, the grantee will require access to a local detention facility under the control of a local department.
- If awarded, the grantee will rely on staff dedicated via a contractual relationship with the local department of behavioral health services.

For each Key Partner, the applicant must submit a signed **Key Partner Commitment Form (Sample: Attachment F)** from the outside entity or agency named. The form must identify the outside agency or entity, include a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or organization. Submit one form per partner agency or entity.

The applicant is not required to submit a Key Partner Commitment Form if the applicant has determined that an outside agency or entity is not critical to the launch or ongoing implementation of the proposed program. “Key partners” do not include vendors that provide contracted goods, services, or products.

Criteria for Non-Governmental Organizations

Applicants for the Missing and Murdered Indigenous People Grant Program may elect to partner, contract, or establish agreements with non-governmental organizations (NGOs)² in the implementation of their program.

All applicants must complete, sign, and submit the BSCC *Grantee Assurance for Non-Governmental Organizations* (**Sample: Appendix G**), 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. All NGOs must adhere to the terms described in the table below:

Eligibility Criteria for Non-Governmental Organizations Providing Services with BSCC Grant Funds

Any non-governmental organization that receives Missing and Murdered Indigenous People Grant funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six months prior to the effective date of its fiscal agreement with the BSCC or with the Missing and Murdered Indigenous People 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-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 Attorney General's Office Register of Charitable Trust, 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;
- 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.

² 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.

Organizational Capacity and Coordination

Applicants will be rated, in part, on how well they demonstrate they have the experience, staffing, and any partnerships necessary to implement the proposed strategy. If an applicant is unable to identify staff and/or subcontractors until after the grant is awarded, the applicant should explain, at a minimum, the process and criteria by which they will select staff and/or subcontractors after an award is granted.

Distinct from administrative staff and partners, applicants must also demonstrate how they plan to ensure that the staff who deliver the services or work with the target population in the field have backgrounds and experience that are culturally relevant to the proposed strategy and/or target population.

BSCC Audit Requirements

Grantees are required to provide the BSCC with a program-specific compliance audit that covers the three-year service delivery period of the grant (August 1, 2024 to June 30, 2027). The audit report will be due no later than **June 1, 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 program-specific compliance audit may be reimbursed with grant funds for actual costs up to \$25,000.

In addition, the BSCC reserves the right to call for a program, compliance, or financial audit at any time between the execution of the grant agreement and three years following the end of the grant period. The Department of General Services, 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.

BSCC Grant Agreement

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 Grant Agreement for the Missing and Murdered Indigenous People Grant Program is available on the [BSCC website](#).

The Grant Agreement start date is expected to be **August 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. 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 the 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 the life of the grant cycle plus three years after the final payment under the contract.

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.

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 an assurance certifying they are compliant with the BSCC's policies on debarment, fraud, theft, and embezzlement (**Sample: Appendix H**).

Governing Board or Tribal Council Resolution

Successful applicants will be required to submit a Resolution from their Governing Board or Tribal Council before the grant award can be finalized and funds awarded. 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 Governing Board or Tribal Council Resolution has been received by the BSCC. A sample Governing Board Resolution can be found in **Appendix I**.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a 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. Award recipients will be provided with additional details regarding the Grantee Orientation.

Invoicing

Disbursement of grant funds occurs on a **reimbursement basis** for costs incurred during a reporting period (either monthly or quarterly). The State Controller's Office (SCO) will issue the warrant (check) to the individual designated as the Financial Officer for the grant. Grantees must submit invoices to the BSCC on either a monthly or quarterly basis through an online process no later than 45 days following the end of the invoicing period.

Grantees will make their choice between monthly or quarterly invoicing prior to grant agreement execution.

Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct a desk review, which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period. In addition, BSCC staff may conduct on-site monitoring visits that 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](#).

Program Monitoring / Site 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 Comprehensive Monitoring Visit checklist can be found on the Corrections Planning and Grants Program [website](#).

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. Missing and Murdered Indigenous People Grant Program funds shall be used to support new program activities or to augment or expand existing program activities but 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.

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.

- **Indian Tribes and Non-Governmental Organizations (NGOs)**

Grantees and NGOs 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.

- **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.

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

“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.

Disqualification - PLEASE REVIEW CAREFULLY

The following will result in an automatic disqualification:



- Proposal submission is not received by 5:00 P.M. (PST) on Friday, March 15, 2024. (Allow sufficient time to upload all required documents in the BSCC Submittable portal. Do not wait until the last minute!)
- The applicant is not a federally recognized Indian tribe.
- The proposal and all required attachments are not submitted through the BSCC Submittable portal.
- The Budget Attachment is not included.
- The funding request exceeds the allowable amount in the Small Scope, Large Scope, or Collaborative Proposal categories.
- Attachment(s) are illegible.
- Attachment(s) will not open or the file(s) are corrupted.

Proposal Rating Process

Unless disqualified, proposals will advance to the ESC for funding consideration. Proposals will be evaluated in accordance with the BSCC’s [Grant Proposal Evaluation Process](#) and as described below. The MMIP 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 July 11, 2024. Applicants and their partners are not to contact members of the ESC or the BSCC Board to discuss proposals.

Rating Factors

The Rating Factors that will be used and the maximum points assigned to each factor are shown in the table below. Applicants are asked to address each of these factors as a part of their proposal. A percent of total value is assigned 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	15%	30
2	Project Description	0-5	45%	90
3	Project Organizational Capacity and Coordination	0-5	10%	20
4	Project Evaluation and Monitoring	0-5	15%	30
5	Project Budget	0-5	15%	30
Maximum Proposal Score:			100%	200

ESC 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 below. For each Rating Factor, the rating value received is then weighted according to the "Percent of Total Value" column (determined by the ESC) 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 final overall proposal score. The maximum possible proposal score is 200.

Minimum Scoring Threshold

To be considered for funding, a proposal must meet a threshold of **20 percent (20%)**, or a minimum proposal score of **40** total points.

In the event two proposals have identical proposal scores, the tie will be resolved by evaluating the individual Rating Factor scores of the two proposals, starting with the highest weighted Rating Factor (in this case, the Project Description score). If an identical score occurs on this Rating Factor, Rating Factor Scores will be used in the following order based on the descending weight valued until the tie is broken Project Need, Project Budget, Project Evaluation and Monitoring, and Project Organizational Capacity and Coordination.

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.

Summary of Key Dates

The following table shows the key dates for the MMIP Grant.

Activity	Date
Present the RFP for BSCC Board approval	November 16, 2023
Release the RFP	November 17, 2023
Applicant Information Session #1	December 14, 2023
Letter of Intent Due to the BSCC	January 12, 2024
Applicant Information Session #2	January 25, 2024
Proposals Due to the BSCC	March 15, 2024
Proposal Rating Process and Development of Funding Recommendations	March to April 2024
BSCC Board Considers Funding Recommendations	July 11, 2024
Grant Period Begins	August 1, 2024
Mandatory New Grantee Orientation (Virtual)	August or September 2024 (TBD)
Grant Service Period Ends	December 31, 2027
Final Evaluation Report and Program Audit Due	June 1, 2028

PART II: PROPOSAL INSTRUCTIONS

This section contains the necessary information for completing the Missing and Murdered Indigenous People (MMIP) Grant Program Proposal Package. The proposal and all required attachments are provided on the BSCC [MMIP 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 Value	Addressed In:
1	Project Need	15%	Proposal Narrative
2	Project Description	45%	
3	Project Organizational Capacity and Coordination	10%	
4	Project Evaluation and Monitoring	15%	
5	Project Budget	15%	Proposal Budget (Excel 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 section must address Rating Factors 1-4, as listed in the table above. Within the Proposal Narrative, each Rating Factor has a character limit as shown below:

	Rating Factor	Total Characters	Approximate Microsoft Word Equivalent*
1	Project Need	4,474	Up to 2 (two) pages
2	Project Description	8,948	Up to 4 (four) pages
3	Project Organizational Capacity and Coordination	4,474	Up to 2 (two) pages
4	Project Evaluation and Monitoring	4,474	Up to 2 (two) 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 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 MMIP Proposal Narrative sections until they comply with all character limit requirements.

Bibliography

Applicants may, but are not required to, upload 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 portal page. The bibliography may not exceed 2,218 total characters. 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 completing the Proposal Narrative, the following attachments, located on the BSCC [MMIP 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):

- Project Work Plan (Sample: Appendix D)
- Budget Attachment (Project Budget Table and Budget Narrative)
- Key Partner Commitment Form (Sample: Appendix F) – *if applicable*
- Grantee Assurance for Non-Governmental Organizations (Sample: Appendix G)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Sample: Appendix H)
- Governing Board or Tribal Council Resolution *Optional* (Sample: Appendix I) – *not required at time of submission; however, must be submitted if awarded grant funds.*

Note: Letters of general support (i.e., from elected officials, community members, etc.) will not be accepted. If these are uploaded to Submittable, they will be discarded.

Writing the Proposal Narrative

Section 1: Project Need (Percent Value - 15%)

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 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; 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	Please describe the need(s) of the community or communities that will be addressed by the Missing and Murdered Indigenous People (MMIP) Grant Program.
1.2	Identify local gaps in service that contribute to the need for the MMIP Grant Program.
1.3	<p>Please provide relevant local qualitative and/or quantitative data (e.g., local tribal data) with citations in support of the MMIP Grant Program need(s).</p> <ul style="list-style-type: none">• If data supporting the need(s) is not formally documented, please speak to the concern(s) surrounding the lack of data related to the Project Purpose Area(s) identified above.• Describe the process of how the applicant documents those ongoing concern(s).
1.4	<p>Please describe the process used and level of collaboration that was utilized to determine the need(s), including:</p> <ul style="list-style-type: none">• If the applicant collaborated with other stakeholders (e.g., impacted populations, local tribes, tribal organizations, local law enforcement, community, public), please describe the stakeholders and/or partners, and• The results of that collaboration.

Section 2: Project Description (Percent Value - 45%)

Within this section address the criteria that defines the Project Description Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Description: The applicant provides a description 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; 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.	
2.1	<p>Please describe the proposed project that will address the need(s) discussed in the Project Need section above, to include:</p> <ul style="list-style-type: none">• A description of the components of the proposed project.• A description of the target area and/or population which will be the focus of the project, including how and why it was selected.• If applicable, an estimate of how many individuals will be served and the process for determining which services/activities an individual/group will receive.
2.2	<p>Please describe the goals, objectives, and impact of the proposed project, making a connection to the intent of the MMIP Grant Program.</p> <ul style="list-style-type: none">• The completed Work Plan (Sample: Appendix D) is appropriate for the proposed project and aligns with the need and intent of the MMIP Grant Program. The plan identifies the top goals and objectives (see Appendix E for definitions) and how these will be achieved in terms of the activities, responsible staff/partner agencies, process measures and outcome measures, data sources and start and end dates.
2.3	<p>Please describe the rationale for the proposed MMIP Grant Program which includes:</p> <ul style="list-style-type: none">• How the target population/area will benefit from the program.• What guidance, consultation, and/or considerations were used to determine the structure of the proposed program.• An explanation of how the proposed strategy will achieve reductions in missing and murdered indigenous people.• If evidenced-based, evidence-informed, promising, or innovative practices, interventions, and services are used, describe how.

Section 3: Project Organizational Capacity and Coordination (Percent Value - 10%)

Within this section, address the criteria that defines the Project Organizational Capacity and Coordination Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project 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; 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.	
3.1	<p>Please describe the applicant's ability to administer the MMIP Grant Program-related services to the local target area/population, to include:</p> <ul style="list-style-type: none">• The individual applicant's (or multiple applicants', for collaborative proposals) current infrastructure for administering the proposed program.• How the proposed project will increase capacity to serve the target area/population, and/or improve the applicant's infrastructure related to the intent of the MMIP Grant Program.• How subcontractors or partner agencies or organizations will contribute to the project. If partner agency (or agencies) are to be selected after the grant is awarded, then specify the process and criteria for selecting those partner agency (or agencies).• Include a Key Partner Commitment Form (Sample: Appendix F) for any indispensable agency or entity, named in the proposal, that the grantee does not have direct control over and that will provide essential services for the grant project. (Note: The applicant is not required to submit a Key Partner Commitment Form if the applicant has determined that an outside agency or organization is not critical to the launch or ongoing implementation of the proposed program.) (See page 12 for more information.)
3.2	<p>Please provide a description of the timeline for the execution of the contract(s) and the implementation of services such that they are in place in a reasonable timeframe to support the project. Include a description of readiness to proceed.</p>
3.3	<p>Please describe the proposed outreach and community engagement efforts for the MMIP Grant Program-related services to include:</p> <ul style="list-style-type: none">• How people with lived experience or who are impacted contributed or will contribute to the project's design, implementation, and evaluation process.• What methods will be used by the applicant to conduct outreach and engagement efforts.• If community engagement and outreach is not applicable to the proposed program, describe why.
3.4	<p>Please describe how the applicant or lead tribal applicant (for regional partnerships) will ensure that the proposed program is implemented as intended. If outside technical assistance is required, describe the plan for obtaining outside technical assistance (i.e., subject matter expertise) to implement the proposed program as intended.</p>

Section 4: Project Evaluation and Monitoring (Percent Value - 15%)

Within this section, address the criteria that defines 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 this 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.	
4.1	Please describe the plan to determine the internal staff and/or external entity that will conduct the project evaluation and how monitoring activities will be incorporated in the various phases of the project (e.g., start-up, implementation, service delivery period).
4.2	<p>Please identify the process measures and outcome measures that are quantifiable, including:</p> <ul style="list-style-type: none">• How the process measures and outcome measures are in line with the intent of the proposal, and• How the process measures and outcome measures are in line with the objectives listed in the Work Plan (see Sample: Appendix D for definitions).
4.3	Please describe the plan collecting and evaluating data related to the process measures and outcome measures identified in 4.2. Describe a plan for entering into data sharing agreements, if necessary.

Proposal Budget Instructions

As part of the proposal submission process, applicants are required to complete and upload a Proposal Budget Table and Budget Narrative (Budget Attachment) in the budget section of the BSCC Submittable portal. The Budget Attachment is provided on the BSCC [MMIP website](#).

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 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 Proposal 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. **The Budget Table must cover the entire grant period.** For additional guidance related to grant budgets, refer to the [BSCC Grant Administration Guide](#).

Proposal Budget Rating Factor

Section 5: Project Budget (Percent Value – 15%)

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 (Proposal 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; 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.

5.1

Please provide complete and detailed budget information in each section of the MMIP Grant Program Budget Attachment that includes:

- For each section, a brief explanation justifying each expense.
- For each section, ensure expenses are appropriate for the grant's intent, the project's goals, and planned activities.

PART III: APPENDICES

Appendices

This section includes the following appendices:

- Appendix A: Executive Steering Committee Members
- Appendix B: Federally Recognized Tribes in California by U.S. Department of Interior, Bureau of Indian Affairs as of March 1, 2023
- Appendix C: Senate Bill 104 (2023)
- Appendix D: Sample Project Work Plan **(REQUIRED)**
- Appendix E: Glossary of Terms
- Appendix F: Sample Key Partner Commitment Form **(REQUIRED, BUT ONLY IF APPLICABLE)**
- Appendix G: Sample Grantee Assurance for Non-Governmental Organizations **(REQUIRED)**
- Appendix H: Sample Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement **(REQUIRED)**
- Appendix I: Governing Board or Tribal Council Resolution **(MAY BE INCLUDED IF READY AT TIME OF SUBMISSION; HOWEVER, MUST BE SUBMITTED IF AWARDED GRANT FUNDS)**

**Appendix A: Missing and Murdered Indigenous People Grant
Executive Steering Committee (ESC)**

	Member	Title	Organization/Tribe
1.	Norma Cumpian, ESC Chair	Associate Director	Anti-Recidivism Coalition
2.	Merri Lopez-Keifer	Director	California Attorney General's Office of Native American Affairs
3.	Matt Hansen	Lieutenant	Red Bluff Police Department
4.	Hedi Bogda Hitchcock	Lawyer/Consultant	Leech Lake Band
5.	Walter Kurtz	Sergeant	Riverside County Sheriff's office
6.	Keely Linton-Gallardo	Director	Strong Hearted Native Women's Coalition
7.	Percilla Frizzell	Director	Sacred Generations
8.	Morning Star Gali	Project Director	Indigenous Justice
9.	Heather Hostler	Executive Director	California Legal Services
10.	Dr. Elena Hood	Director	Director, Intertribal Resource Center at UC San Diego
11.	Ricardo Torres	Secretary/Tribal Elder	Board Member for the Sacramento Native American Health Center

Appendix B: Federally Recognized California Tribes
U.S. Department of Interior, Bureau of Indian Affairs as of March 2023

No.	TRIBE
1	Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California
2	Alturas Indian Rancheria, California
3	Augustine Band of Cahuilla Indians, California
4	Bear River Band of the Rohnerville Rancheria, California
5	Berry Creek Rancheria of Maidu Indians of California
6	Big Lagoon Rancheria, California
7	Big Pine Paiute Tribe of the Owens Valley
8	Big Sandy Rancheria of Western Mono Indians of California
9	Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
10	Bishop Paiute Tribe
11	Blue Lake Rancheria, California
12	Bridgeport Indian Colony
13	Buena Vista Rancheria of Me-Wuk Indians of California
14	Cabazon Band of Mission Indians, California
15	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California
16	Cahto Tribe of the Laytonville Rancheria
17	Cahuilla Band of Indians
18	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California
19	California Valley Miwok Tribe, California
20	Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California)

No.	TRIBE
21	Capitan Grande Band of Diegueno Mission Indians of California: Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California
22	Cedarville Rancheria, California
23	Chemehuevi Indian Tribe of the Chemehuevi Reservation, California
24	Cher-Ae Heights Indian Community of the Trinidad Rancheria, California
25	Chicken Ranch Rancheria of Me-Wuk Indians of California
26	Cloverdale Rancheria of Pomo Indians of California
27	Cold Springs Rancheria of Mono Indians of California
28	Coyote Valley Band of Pomo Indians of California
29	Dry Creek Rancheria Band of Pomo Indians, California
30	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California
31	Elk Valley Rancheria, California
32	Enterprise Rancheria of Maidu Indians of California
33	Ewiiapaayp Band of Kumeyaay Indians, California
34	Federated Indians of Graton Rancheria, California
35	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California
36	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
37	Fort Mojave Indian Tribe of Arizona, California & Nevada
38	Greenville Rancheria
39	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
40	Guidiville Rancheria of California
41	Habematolel Pomo of Upper Lake, California
42	Hoop Valley Tribe, California
43	Hopland Band of Pomo Indians, California

No.	TRIBE
44	Iipay Nation of Santa Ysabel, California
45	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California
46	Ione Band of Miwok Indians of California
47	Jackson Band of Miwuk Indians
48	Jamul Indian Village of California
49	Karuk Tribe
50	Kashia Band of Pomo Indians of the Stewarts Point Rancheria, California
51	Kletsel Dehe Band of Wintun Indians
52	Koi nation of Northern California
53	La Jolla Band of Luiseno Indians, California
54	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California
55	Lone Pine Paiute-Shoshone Tribe
56	Los Coyotes Band of Cahuilla and Cupeno Indians, California
57	Lytton Rancheria of California
58	Manchester Band of Pomo Indians of the Manchester Rancheria, California
59	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California
60	Mechoopda Indian Tribe of Chico Rancheria, California
61	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California
62	Middletown Rancheria of Pomo Indians of California
63	Mooretown Rancheria of Maidu Indians of California
64	Morongo Band of Mission Indians, California
65	Northfork Rancheria of Mono Indians of California
66	Pala Band of Mission Indians

No.	TRIBE
67	Paskenta Band of Nomlaki Indians of California
68	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California
69	Pechanga Band of Indians
70	Picayune Rancheria of Chukchansi Indians of California
71	Pinoleville Pomo Nation, California
72	Pit River Tribe, California
73	Potter Valley Tribe, California
74	Quartz Valley Indian Community of the Quartz Valley Reservation of California
75	Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
76	Ramona Band of Cahuilla, California
77	Redding Rancheria, California
78	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California
79	Resighini Rancheria, California
80	Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California
81	Robinson Rancheria
82	Round Valley Indian Tribes, Round Valley Reservation, California
83	San Pasqual Band of Diegueno Mission Indians of California
84	Santa Rosa Band of Cahuilla Indians, California
85	Santa Rosa Indian Community of the Santa Rosa Rancheria, California
86	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California
87	Scotts Valley Band of Pomo Indians of California
88	Sherwood Valley Rancheria of Pomo Indians of California

No.	TRIBE
89	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
90	Soboba Band of Luiseno Indians, California
91	Susanville Indian Rancheria, California
92	Sycuan Band of the Kumeyaay Nation
93	Table Mountain Rancheria
94	Tejon Indian Tribe
95	Timbisha Shoshone Tribe
96	Tolowa Dee-ni' Nation
97	Torres Martinez Desert Cahuilla Indians, California
98	Tule River Indian Tribe of the Tule River Reservation, California
99	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California
100	Twenty-Nine Palms Band of Mission Indians of California
101	United Auburn Indian Community of the Auburn Rancheria of California
102	Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California
103	Wilton Rancheria, California
104	Wiyot Tribe, California
105	Yocha Dehe Wintun Nation, California
106	Yuhaaviatam of San Manuel Nation
107	Yurok Tribe of the Yurok Reservation, California

Appendix C: Senate Bill 104 (2023)

SEC. 66.

Item 5227-122-0001 of Section 2.00 of the Budget Act of 2023 is amended to read:

5227-122-0001—For local assistance, Board of State and
Community Corrections

Schedule:

- (1) 4945-Corrections Planning and Grant Programs
.....

Provisions:

1. These funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people. The board shall consult with and include stakeholders from the indigenous community to inform the grant outreach process and the process to select and administer grants.
2. Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement in order to investigate and solve cases involving missing and murdered indigenous people. *Allowable expenditures may include reimbursement to eligible tribes for contracted services with local law enforcement agencies for staffing in support of eligible grant activities.*
3. Of the amount identified in this item, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2026.
4. Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2026.
5. The Board of State and Community Corrections shall provide an initial report to the Legislature by December 1, 2023, and a final report by December 1, 2025, that includes, but is not limited to, information about the grant recipients, the allocation of funds, and applicable metrics and outcomes of the program.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20210220SB154

Appendix D: Sample Project Work Plan

Required Attachment: Applicants will be prompted to upload this document from the BSCC MMIP webpage to the BSCC Submittable portal.

Instructions: Applicants must complete a Project Work Plan, uploaded from the BSCC [MMIP webpage](#), that identifies measurable goals and objectives, process and outcome measures, activities and services, responsible parties for those activities and services, data sources and estimated timelines. Completed plans should (1) identify the project's top goal(s) and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, and start and end dates, process and outcome measures; and (3) provide goal(s) and objectives with a clear relationship to the need and intent of the grant. The Project Work Plan must attempt to identify activities/services and estimate timelines for the entire grant term. A minimum of one goal and corresponding objectives, process measures, etc. must be identified.

(1) Goal:	>		
Objectives (A., B., etc.)	> <input type="text"/>		
Process Measures and Outcome Measures:	> <input type="text"/>		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> <input type="text"/>	> <input type="text"/>	> <input type="text"/>	> <input type="text"/>
List data and sources to be used to measure outcomes: >			

(2) Goal:	>		
Objectives (A., B., etc.)	> <input type="text"/>		

Process Measures and Outcome Measures:	> [REDACTED]		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> [REDACTED]	> [REDACTED]	> [REDACTED]	> [REDACTED]
List data and sources to be used to measure outcomes: >			

(3) Goal:	>		
Objectives (A., B., etc.)	> [REDACTED]		
Process Measures and Outcome Measures:	> [REDACTED]		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> [REDACTED]	> [REDACTED]	> [REDACTED]	> [REDACTED]
List data and sources to be used to measure outcomes: >			

Appendix E: Glossary of Terms

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.³

Community-Based Organization

For this RFP, a Community-Based Organization is an organization located in the State of California that has been determined by the IRS to have 501(c)(3) status (i.e., nonprofit).

Community Defined Evidence Practices

A set of practices that communities have used and found to yield positive results as determined by community consensus over time. These practices may or may not have been measured empirically but have reached a level of acceptance by the community. Community defined evidence takes a number of factors into consideration, including a population's worldview and historical and social contexts that are culturally rooted. It is not limited to clinical treatments or interventions. Community Defined Evidence is a complement to Evidence Based Practices and Treatments, which emphasize empirical testing of practices and do not often consider cultural appropriateness in their development or application.⁴

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 them.⁵

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
- Being open to other people's identities and empathizing with their life experiences
 - Acknowledging that the person is their own best authority, not you.
 - Learning and growing from people whose beliefs, values, and worldviews differ from yours.

³ Source: National Institute of Health

⁴ National Latino Behavioral Health Association

⁵ <https://thinkculturalhealth.hhs.gov/assets/pdfs/resource-library/clas-clc-ch.pdf>

Cultural Relevance

For the RFP, culturally relevant programs incorporate an awareness and understanding of, as well as a capacity to honor, the specific tribal customs, traditions, and beliefs pertinent to the population being served. In a broader sense, cultural relevancy acknowledges the influence of the person's identity characteristics on the person's experience of the world and incorporates perspectives into the program's environment. These identity characteristics include racial/ethnic, gender, class, religion, educational, sexual orientation, gender identity, family heritage, disability, and any other identity the child communicates as important.

Evaluations (Process and Outcomes)

Process Evaluation⁶

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 Evaluation⁷

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 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.

Evidence-based / Promising Practices

Evidence-based practices are programs and strategies that have been found effective at improving outcomes, using rigorous scientific research methods. Programs and strategies may be evidence-based across all populations, or only for particular cultures and identities.

⁶ Justice 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>

⁷ Id at pp. 7-8.

Promising practices are programs and strategies that have shown some positive results and potential for improving outcomes. They may have evidence from use in real-world settings, a strong theoretical framework, and/or expert opinion, but have not been fully replicated in scientific studies. Depending on the level of scientific evidence, these are sometimes referred to as “evidence-informed,” “research-supported,” or “emerging” practices.

Financial Audit

A financial audit provides assurances that an organization’s financial statements are free of material misstatement based upon the application of generally accepted accounting principles.

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 program.⁸

Examples of goal statements:⁹

- 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.

Objectives are defined by statements of specific, measurable aims of program activities.¹⁰ Objectives detail the tasks that must be completed to achieve goals.¹¹ Descriptions of objectives in the proposals should include three elements:¹²

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 objectives:¹³

- 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 the terms of the mediation agreements they have worked out with their victims by program completion.

⁸ 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/njjec/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 .

⁹ *Id.* at p. 4.

¹⁰ 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>.

¹¹ *Id.*; see *supra* fn 1.

¹² 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/njjec/publications/program-evaluation.pdf>.

¹³ *Id.*

Human Trafficking

Human Trafficking is a crime involving the exploitation of a person for labor, services, or commercial sex¹⁴.

Key Partner

A Key Partner is an indispensable agency or entity that the grantee does not have direct control over, that will provide essential services for the grant project.

Trauma

Trauma is an experience(s) that causes intense physical and psychological stress reactions. It can refer to a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual's physical, social, emotional, cognitive, or spiritual well-being.

Trauma-Informed

A Trauma-Informed approach is one in which all parties involved recognize and respond appropriately to the impact of traumatic stress designed to the individual needs and ensure their physical and psychological safety. Trauma-informed care is an organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma.

Qualitative Data

Data/information that is based on written or spoken narratives. The purpose of qualitative data/information is to explain and gain insight and understanding of events through collection of narrative data/information.

Quantitative Data

Data/information that is based on numbers and mathematical calculations. The purpose of quantitative data is to explain, predict, and/or control events through focused collection of numerical data.

Temporary Housing

For this RFP, temporary housing includes reimbursement for hotel/motels stays up to but not exceeding 14-days. Reimbursement for hotel/motels stays must be approved by the BSCC in advance. If temporary housing is requested, it must have a link to a PPA or MMIP grant activities.

¹⁴ U.S. Department of Justice

Appendix F: Sample Key Partner Commitment Form

Missing and Murdered Indigenous People (MMIP) Grant Program

Instructions: For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over, that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. (See RFP for specific examples.)

The form must include the name of the agency or entity, a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or entity. Submit one form per partner agency or organization.

This form is required only if there are key partners identified in the Proposal Narrative.

Tribal Applicant(s):

Partner Organization or Agency:

Grant Service Period: August 1, 2024 to June 1, 2028

Services to be Provided by the Partner Organization or Agency during the Grant Period:

Authorized Signature of Partner Organization or Agency (e-signatures accepted):

--

Title of Individual Signing this Form:

Date Signed:

Appendix G: Sample Criteria for Non-Governmental Organizations Receiving Subawards

Required Attachment: Applicants will be prompted to upload this document from the BSCC [MMIP 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 Missing and Murdered Indigenous People (MMIP) Grant Program Request for Proposals (RFP) includes requirements that apply to non-governmental organizations (NGOs)¹⁵ 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 Missing and Murdered Indigenous People Grant 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 Missing and Murdered Indigenous People 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 Office of the Attorney General's 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 Form

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 upload to the BSCC Submittable portal when prompted.

***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.

¹⁵ 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.

**Missing and Murdered Indigenous People 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 MMIP 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

Appendix H:

Sample Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

Required Attachment: Applicants will be prompted to upload this document from the BSCC [MMIP 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			

Appendix I: Sample Governing Board or Tribal Council Resolution

Before grant funds can be reimbursed, a grantee must either (1) submit a resolution from its Governing Board or Tribal Council 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.

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 Applicant Tribe)*** desires to participate in the Missing and Murdered Indigenous People Grant Program funded through the California State Budget Act and administered by the Board of State and Community Corrections (hereafter referred to as the BSCC).

NOW, THEREFORE, BE IT RESOLVED that the ***(insert title of designated official)*** be authorized on behalf of the ***(insert name of Governing Board or Tribal Council)*** 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 Applicant Tribe)*** 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 or Tribal Council)*** 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: _____

Agenda Item F

MEETING DATE: July 11, 2024

AGENDA ITEM: F

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 in attachment F-1.

There are no outstanding items of noncompliance in juvenile facilities from the 2023 Annual Inspections. The current list of outstanding items of noncompliance in juvenile facilities from the 2024 Annual Inspections is in attachment F-1.

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

F-1: Outstanding Items of noncompliance

Attachment F-1

2024 Juvenile Noncompliance as of 7.5.24

County	Facility Name	Item of Noncompliance	Inspection Findings	Number of Days Since Exit Briefing
Los Angeles	Los Padrinos Juvenile Hall	§ 1371. Programs, Recreation, and Exercise.	A review of video on randomly selected days in June indicates that many programs indicated on the facility schedule and documented on facility activity logs and program provider youth signoffs did not occur. Additionally, when a scheduled and documented program was observed on video, there were many times that the duration of the program did not match the time indicated on documentation.	8
Kings	Kings County Juvenile Center	§ 1321. Staffing.	The agency does not have adequate staff available on the graveyard shift. At least one staff member must be present on the living unit when youth are present as required by 1321(e). Staff will leave the youth alone in their assigned unit to complete safety checks on youth housed in the holding rooms in Control. In addition, staff will leave the youth alone in their assigned unit to assist with bookings.	10
Kings	Kings Juvenile Center Camp	§ 1321. Staffing.	The agency does not have adequate staff available on the graveyard shift. At least one staff member must be present on the living unit when youth are present as required by 1321(e). Staff will leave the youth alone in their assigned unit to complete safety checks on youth housed in the holding rooms in Control. In addition, staff will leave the youth alone in their assigned unit to assist with bookings.	10
Kings	Kings Secure Youth Treatment Facility	§ 1321. Staffing.	The agency does not have adequate staff available on the graveyard shift. At least one staff member must be present on the living unit when youth are present as required by 1321(e). Staff will leave the youth alone in their assigned unit to complete safety checks on youth housed in the holding rooms in Control. In addition, staff will leave the youth alone in their assigned unit to assist with bookings.	10
Kings	Kings County Juvenile Center	§ 1329. Suicide Prevention Plan.	The facility policies and procedures are not in alignment with the procedures implemented by WellPath Medical and Mental Health for the supervision of youth on suicide watch. Facility policy and procedures requires monitoring of youth with a staggered watch not to exceed ten minutes while youth are placed on 15 minute staggered watch by WellPath. In addition, several youth on suicide watch are placed in a holding room and not afforded the same programming as other youth not on suicide watch based upon WellPath directives to facility staff. There are no lesser restrictive alternatives implemented for youth on suicide watch who present as non-acutely suicidal while pending being seen by mental health. Youth who have been deemed acutely suicidal are typically removed from safety watches by mental health without any instructions for follow up monitoring by facility staff. In addition, the agency is not communicating with law enforcement and parents/guardians during the intake process as to past or present suicidal ideations, behaviors or attempts as required by 1329(f)(1).	10
Kings	Kings Juvenile Center Camp	§ 1329. Suicide Prevention Plan.	The facility policies and procedures are not in alignment with the procedures implemented by WellPath Medical and Mental Health for the supervision of youth on suicide watch. Facility policy and procedures requires monitoring of youth with a staggered watch not to exceed ten minutes while youth are placed on 15 minute staggered watch by WellPath. In addition, several youth on suicide watch are placed in a holding room and not afforded the same programming as other youth not on suicide watch based upon WellPath directives to facility staff. There are no lesser restrictive alternatives implemented for youth on suicide watch who present as non-acutely suicidal while pending being seen by mental health. Youth who have been deemed acutely suicidal are typically removed from safety watches by mental health without any instructions for follow up monitoring by facility staff.	10
Kings	Kings Secure Youth Treatment Facility	§ 1329. Suicide Prevention Plan.	The facility policies and procedures are not in alignment with the procedures implemented by WellPath Medical and Mental Health for the supervision of youth on suicide watch. Facility policy and procedures requires monitoring of youth with a staggered watch not to exceed ten minutes while youth are placed on 15 minute staggered watch by WellPath. In addition, several youth on suicide watch are placed in a holding room and not afforded the same programming as other youth not on suicide watch based upon WellPath directives to facility staff. There are no lesser restrictive alternatives implemented for youth on suicide watch who present as non-acutely suicidal while pending being seen by mental health. Youth who have been deemed acutely suicidal are typically removed from safety watches by mental health without any instructions for follow up monitoring by facility staff.	10
Alameda	Alameda County Juvenile Hall	§ 1321. Staffing.	BSCC observed that when staffing levels were low, the facility separated youth into two groups who alternated being kept in their locked rooms during normally scheduled out of their room program times. BSCC staff was also made aware that when staffing levels were low, one youth supervision staff worked a housing unit populated with over 10 youth, and youth were kept in their rooms and rotated out of their rooms in groups of two youth for 10 and or 15 minute intervals during a shift. This practice also results in noncompliance with Section 1354.5, Room Confinement.	25

County	Facility Name	Item of Noncompliance	Inspection Findings	Number of Days Since Exit Briefing
Alameda	Alameda County Juvenile Hall	§ 1354.5 Room Confinement.	BSCC staff found that Juvenile Hall youth on Reintegration Safety Plans (RSP) are placed in their rooms for extended periods of time when the high risk level of safety and security was no longer evident and or not documented as such. BSCC staff also observed that youth on RSP were required to eat meals in their rooms and remain in their rooms during school hours for educational services; there was no justification of risk to safety and security for these youth Additionally, the facility is not following their policy for room confinement and youth on RSP programming.	25
Alameda	Alameda County Juvenile Hall	§ 1371. Programs, Recreation, and Exercise.	BSCC staff found that, in part, due to staffing challenges, youth on RSP were not consistently provided compliant programs, recreation, and exercise when the high risk level of safety and security no longer existed or was reduced. RSP youth were not receiving one hour of structured programming daily and did not consistently receive an hour each of programming, exercise and recreation.	25
Alameda	Alameda County Secure Youth Treatment Facility (Firm Roots Academy)	§ 1321. Staffing.	BSCC observed that when staffing levels were low, the facility separated youth into two groups who alternated being kept in their locked rooms during normally scheduled out of their room program times. This practice also results in noncompliance with Section 1354.5, Room Confinement.	25
Alameda	Alameda County Secure Youth Treatment Facility (Firm Roots Academy)	§ 1354.5 Room Confinement.	BSCC staff found that Secure Youth Treatment Facility youth on Reintegration Safety Plans (RSP) are placed in their rooms for extended periods of time when the high risk level of safety and security was no longer evident and or not documented as such. BSCC staff also observed that youth on RSP were required to eat meals in their rooms and remain in their rooms during school hours for educational services; there was no justification of risk to safety and security for these youth Additionally, the facility is not following their policy for room confinement and youth on RSP programming.	25
Alameda	Alameda County Secure Youth Treatment Facility (Firm Roots Academy)	§ 1371. Programs, Recreation, and Exercise.	BSCC staff found that, in part, due to staffing challenges, youth on RSP were not consistently provided compliant programs, recreation, and exercise when the high risk level of safety and security no longer existed or was reduced. RSP youth were not receiving one hour of structured programming daily and did not consistently receive an hour each of programming, exercise and recreation.	25
Alameda	Alameda County Camp Sweeney	§ 1328. Safety Checks.	BSCC discovered that Camp Sweeney graveyard staff created an unapproved safety check document that contained predetermined times that safety checks would be conducted throughout a shift. The same document with the predetermined times was copied and utilized for safety checks weekly over the three month period reviewed by BSCC staff. This practice does not allow random and varied safety checks documented at the actual time the check is completed and also violates facility's policy and procedures. During our review of video recordings, we observed graveyard staff routinely not conducting direct visual observation safety checks per regulation and per policy. Safety checks, were typically observed being conducted from a seated position at the counselor's station. The facility was unable to provide assurance that safety checks were conducted.	25

2024 Adult Noncompliance Status as of 7.5.24

County	Facility Name	Item of Noncompliance	Inspection Findings	Number of Days Since Exit Briefing
Madera	Madera County Jail	§ 1065. Exercise and Out of Cell Time.	The logs for exercise and out of cell time were incomplete and BSCC staff was unable to determine time provided out of cells.	46
Lassen	Lassen County Adult Jail	§ 1056. Use of Sobering Cell.	BSCC staff determined the agency is noncompliant with this regulation due to nine out of the sixteen "Jail Intoxication Assessment" forms did not document why the person was placed in the sobering cell.	61
Lassen	Lassen County Adult Jail	§ 1056. Use of Sobering Cell.	BSCC staff determined the agency is noncompliant due to not consistently completing safety checks within the thirty-minute requirements of this regulation.	61
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.	95
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.	95

Agenda Item G

MEETING DATE: July 11, 2024**AGENDA ITEM:** G**TO:** BSCC Chair and Members**FROM:** Allison Ganter, Deputy Director allison.ganter@bscc.ca.gov**SUBJECT:** Suitability and Corrective Action Plan Process - Welfare and Institutions Code Section 209 (d): **Requesting Approval**

Summary

The Board of State and Community Corrections (BSCC) is required by Welfare and Institutions Code section 209, subdivision (d) to make a determination of suitability of any juvenile detention facility that is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the BSCC. Subdivision (d) also sets forth a process requiring a facility to file an “approved corrective action plan” with the BSCC within 60 days after receiving notice of noncompliance.

At the May 2023 Board Meeting, the Board directed staff to outline a process for receipt and approval of corrective action plans (CAPs) from affected probation departments, to include final review and approval by the Facilities Standards and Operations (FSO) Deputy Director. At the September 2023 Board Meeting, staff provided the Board with a draft outline of the timetable for the draft CAP review and approval process, and informed the Board that staff would continue to refine the draft and recommend a proposed CAP process at a future Board meeting. This report and attachment summarize this proposed process.

Background

Welfare and Institutions Code (WIC) section 209, subdivision (d) requires the BSCC to make a determination of suitability for a juvenile detention facility if the facility is found noncompliant with Title 15 minimum standards and fails to meet the requirements outlined in this statute.

Section 209, subdivision (d), provides:

Except as provided in subdivision (e), a juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, 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, or 885, 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 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.

Section 209(d) does not describe a process for receipt and approval of a CAP. To provide consistency in receipt and approval, the Board first delegated approval of CAPs to the FSO Deputy Director and directed staff to outline a process for receipt and approval of CAPs.

The draft process is found in Attachment G-1.

Recommendation/Action Needed

Staff recommends the Board approve the suitability and corrective action plan process as outlined.

Attachments

G-1: Welfare and Institutions Code section 209, subdivision (d) Corrective Action Plan Review and Approval Process

Attachment G-1

DRAFT
Welfare and Institutions Code section 209 (d)
Corrective Action Plan Submission, Review, and Approval Process Outline

1. Notice of Noncompliance.

The Initial Inspection Report (IIR) is the notice to the Chief Probation Officer that noncompliance has been identified during inspection; the IIR Issuance Date starts the 60-day Corrective Action Plan (CAP) Development process.

- a. An IIR will be electronically provided to the Facility Manager and Chief Probation Officer at the conclusion of the inspection at the Exit Briefing.
- a. The IIR Issuance Date is the date the IIR is electronically provided to the Chief Probation Officer and the Facility Administrator.
- b. Each facility will receive a separate IIR.
- c. In addition to information on each item of noncompliance, the IIR will indicate:
 - i. IIR Issuance Date.
 - ii. Maximum Statutory CAP Due/Approval Date
 1. This date is 60 days from the IIR issuance date.
 - iii. Maximum Statutory Resolution Date
 1. This date is 90 days from the CAP Due/Approval date.

2. Corrective Action Plan (CAP) Development Process.

Agencies must develop and submit their CAP to the BSCC within 60 days of the IIR Issuance Date. If the item of noncompliance has been corrected prior to submittal of the CAP, the CAP shall indicate the date the corrective action was completed.

- a. The final CAP shall outline how the agency plans to correct the item(s) of noncompliance within a reasonable timeframe not to exceed 90 days from the date the CAP is submitted.
- b. The final CAP shall contain the following information:
 - i. The date for proposed resolution of the item(s) of noncompliance, indicating either the:
 1. **County Resolution Date:** A reasonable date for correction that is earlier than the Maximum Statutory Resolution Date.
If an agency indicates a County Resolution Date, verification of the correction will be based on this date.
 2. **Maximum Statutory Resolution Date:** A reasonable date for correction that is no later than 90 days from the CAP Due/Approval date.
 - ii. A detailed description of each of the steps that will be taken to correct the item of noncompliance and when each step will be implemented, such as updates to policy, training, county counsel approval, County Board of Supervisors approval, procurement of materials, scheduling work orders, meet and confer timelines, etc.
 - iii. A description of how each of the steps that will be taken will remedy item(s) of noncompliance and how they provide a durable and sustainable remedy.

- a. If short-term or interim remedies are proposed, indicate what the long-term remedy is and when implementation is expected.
 - iv. A brief explanation as to why the proposed resolution date is reasonable.
- c. Draft CAP submission.
 - i. Agencies are encouraged to submit a draft CAP to the BSCC; when requested, BSCC Field Representatives can provide technical assistance regarding whether the steps outlined in the CAP are likely to be approved or identify any missing items.
 - ii. Agencies may submit draft CAPs at any time during the CAP Development Process and may submit more than one draft.

3. Final CAP Submission.

- a. No later than 12:00 PM on the 60th day from the IIR, agencies shall submit a final CAP to the BSCC for approval.
- b. Agencies may submit a CAP for approval at any time during the 60-day CAP Development Process.

4. CAP Approval.

- a. By close of business on the day the final CAP is received by the BSCC, which is no later than 60 days from the issuance of IIR, the FSO Deputy Director will approve or deny the final CAP. The BSCC will provide written notice of approval or denial to the Chief Probation Officer.
 - i. If a CAP is not received by the 60th day from the IIR, the facility shall be deemed unsuitable for the confinement of juveniles pursuant to WIC 209 (d). Notice of unsuitability (WIC 209(a)(4)) shall be issued within three days to the Chief Probation Officer, County Board of Supervisors, County Executive Officer, County Counsel, and Presiding Juvenile Court Judge.
 - ii. If the final CAP is denied, the facility shall be deemed unsuitable for the confinement of juveniles pursuant to WIC 209 (d). Notice of unsuitability (WIC 209(a)(4)) shall be issued within three days to the Chief Probation Officer, County Board of Supervisors, County Executive Officer, County Counsel, and Presiding Juvenile Court Judge.
- b. The following will be considered by BSCC staff when approving a CAP:
 - i. The CAP contains all the required elements outlined in Section 2 (b) above.
 - ii. The timeframe for resolution of the item(s) of noncompliance are reasonable. When determining if the timeframe for resolution is reasonable, the following factors will be considered:
 - a. Severity of item(s) of noncompliance. Does the item of noncompliance pose immediate risk to the safety and health of youth or result in a deprivation of constitutional rights?

- b. Likelihood of continued risk or harm to youth if the item of noncompliance is not addressed within this timeframe.
 - c. Do the steps outlined in the CAP align with a reasonable timeframe? Will planning and implementation take the stated amount of time, or can it be accomplished in less time? Are there other measures that can be taken in the short term to ensure that youth are not at risk of harm?
 - d. Resources required to correct the issue. Can the agency allocate resources immediately or does implementation and planning require acquiring additional resources?
- c. A CAP may be denied if:
 - i. CAP does not contain all required elements outlined in Section 2 (b) above.
 - ii. The proposed corrective action, if completed as described, will not result in compliance.
 - iii. The timeframe for correction is not reasonable.
 - iv. The timeframe for correction exceeds the Maximum Statutory Resolution Date.

5. 90 Day CAP Implementation Period and County Verification of Correction of Item(s) of Noncompliance.

Agency implements CAP during the 90 days following CAP approval.

- a. On or before the resolution date indicated on the final CAP, the Chief Probation Officer must send written verification to the FSO Deputy Director that the corrective action is complete, and the item(s) of noncompliance have been remedied.
 - i. This written verification of correction does not clear the item of noncompliance; BSCC staff must verify the corrective action through follow up inspection or document review before the item is considered corrected.
- b. If an agency's approved CAP indicates a County Resolution Date, and during the 90 day CAP implementation time, the agency determines that the Maximum Statutory Resolution Date is a more reasonable timeframe, the agency must submit a written request to the Deputy Director of the Facilities Standards and Operations Division to change the resolution date. The agency's request must include why the Maximum Statutory Resolution Date is reasonable and necessary.

6. BSCC Verification of Corrective Action.

- a. Following receipt of the County Verification of Corrective Action, BSCC staff will verify the corrective action by conducting an on-site follow up inspection or requesting documentation.
 - i. If the follow up inspection or document request is after the resolution date indicated in the CAP, BSCC staff will verify corrective action beginning on the resolution date going forward.

- b. When BSCC staff has verified corrective action and compliance, the agency will be notified in writing that the items of noncompliance have been corrected and BSCC data reporting systems will be updated.
- c. If corrective action has not been completed and/or the facility remains out of compliance following the resolution date, the agency will be given notice for determination of suitability for the next scheduled board meeting.

DRAFT

Written Public Comments



The Peace and Justice Law Center
2501 E. Chapman Ave., Ste. 245
Fullerton, CA 92831
sean.garcialeys@gmail.com
(323) 490-2412

July 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
Via email only

**Re: Corrective Action Plan Submission, Review, and Approval Process
(July 11, 2024 Board Meeting Agenda Item IV. G.)**

Dear Chair Penner and Members of the Board:

We write to request that the Board refrain from voting on the proposed *Corrective Action Plan Submission, Review, and Approval Process* (“CAP Process”) and instead send the proposed CAP Process back to staff for amendments to be voted on at a future meeting. We also request that the Board directs the Board’s General Counsel to meet and confer with the Peace and Justice Law Center and other advocates regarding the drafting of these amendments before a Board vote. At a minimum, the Board’s General Counsel should be directed to make the following four amendments described below.

First, the CAP Process should be amended to allow for no more than 90 days from the Initial Inspection Report until the CAP is completed and the areas of noncompliance remedied. The proposed CAP Process allows for both 60 days to submit and approve a CAP and then an additional 90 days to implement the CAP. To grant departments these extra months, the proposed CAP Process erroneously interprets Welfare and Institutions Code section 209 subdivision (d) as if it stated, “The corrective action plan shall outline how the juvenile hall, special purpose juvenile hall, law enforcement facility, or jail plans to correct the issue of noncompliance and give a reasonable timeframe, not to exceed 90 days [*from the approval of a CAP*], for resolution, that the board shall either approve or deny.” But that is not what the statute says. When the time between BSCC meetings and the 60 days before a facility must close is added to these statutory deadlines, the proposed CAP Process will allow for youth to be incarcerated in unsuitable conditions for as many as ten months. It cannot be the legislature’s intent that youth should be incarcerated in unsuitable conditions for nearly a year after those conditions are discovered. For that reason, Welfare and Institutions Code section 209 (d) should be read as requiring the remedy of noncompliance within 90 days of the Initial Inspection Report, not within 90 days of the approval of a CAP.

Second, the CAP Process should be amended to include a process for youth, their parents and advocates, and probation boards to challenge a BSCC staff finding that noncompliance has been remedied. Under the proposed CAP Process, a finding of continued noncompliance at the CAP resolution date will result in a Board vote where the department can argue against the staff's findings. In contrast, if BSCC staff finds that noncompliance has been remedied, the process simply ends. As we saw with the Board's recent vote on the unsuitability of Los Angeles' Los Padrinos Juvenile Hall, BSCC staff found that the facility compliant with regulations regarding programming at the same time advocates continued to find the facility noncompliant with those same regulations.¹

For this reason, the unsuitability of all facilities subject to this process should be routinely added to the agenda of the next BSCC meeting after the CAP's resolution, regardless of a finding of compliance or noncompliance. In most cases, findings of compliance can be added to the Board's consent items. However, when there is significant disagreement over staff findings, the Board should resolve that dispute. Relatedly, the BSCC staff conducting inspections should be required to consider public input and engage with the members of the public who provide input.

Third, the CAP Process section 5.b. should be expanded to provide more generally for amendments to a CAP after its approval.

Fourth, several parts of the CAP Process should be made clearer. Specifically, (1) it should be made clearer that it is only in unusual circumstances that departments should write CAPs that use the entire time available, (2) that an Initial Inspection Report must issue immediately upon the discovery of any noncompliance with minimum standards, (3) that a department may submit a revised CAP if one is rejected before the 60th day after the Initial Inspection Report, and (4) that a department that chooses not to submit a CAP because the department believes it has remedied noncompliance risks immediate unsuitability by operation of law if BSCC staff or the Board disagrees.

Lastly, we note that the proposed CAP Process does not address the process for a Board vote on unsuitability. While we thank the Board and its counsel for this proposed CAP Process, we also recognize there remains much work to do before the Board has a complete policy for implementing Welfare and Institutions Code section 209.

Sincerely

A handwritten signature in black ink, appearing to read 'SJL', followed by a long horizontal line extending to the right.

Sean Garcia-Leys
Co-Executive Director

¹ <https://www.bscc.ca.gov/wp-content/uploads/2024/04/2024-4-9-lettter-to-BSCC-re-Los-Angeles-Unsuitability.pdf>