

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.