

**MINUTES**  
**BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING**  
**THURSDAY JULY 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://youtu.be/RJ4Axr4edic>

**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.

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

The following members were in attendance:

Chair Penner	Mr. Haynes	Ms. Chavez*	Ms. Gaard
Mr. Macomber	Mr. Taylor	Mr. Richart	Mr. Mills
Mr. Johnson			

Absent Board Members:

Mr. Dicus, Ms. Zaragoza, Mr. Budnick, and Ms. Cumpian

---

\* Board Members participated remotely through Zoom.

## II. Information Items

---

### 1. Chair's Report

None to report.

### 2. Executive Director's Report

Executive Director Kathleen Howard reported on the following:

#### Acknowledgments:

Welcome Kasey Warmuth, who was promoted to Deputy Director over the Standards and Training for Corrections (STC) and Research Division. Howard acknowledged Greg Hosman and thanked him for serving as Acting Deputy Director in STC.

#### Board Updates:

Howard said that effective July 1, 2024, two new positions will be added to the Board membership per [Assembly Bill 268](#) by Assemblymember Weber. These positions included a Licensed Healthcare Provider and Licensed Mental or Behavioral Health Provider, both appointed by the Governor. Howard reported that recruitment is actively underway, and appointments are expected soon.

#### Senate Bill 519 Updates:

Howard reported the following:

- The In-Custody Death Review Division (ICDR) is in the early stages of implementation.
- Regulations to support the effort have been adopted, with further updates to follow.
- The responsibilities for the Director of In-Custody Death Review took effect on July 1st.
- The Governor proposed \$3.3 million in funding and 15 positions to support the ICDR in the final budget.
- Staff recruitment is ongoing.
- The BSCC has begun receiving reports of deaths in custody and established an online web portal for local detention facilities.
- Training has been provided to local data reporters in detention facilities.

## Budget Updates:

Howard reported the following on the Governor's final budget:

- The Missing and Murdered Indigenous People (MMIP) Grant received an additional \$13.25 million, with a third RFP to be released later this year. The BSCC will continue the outreach to tribal communities and local law enforcement to ensure awareness of available funding.
- Juvenile Justice Grants: Transfer of all juvenile justice-related grants from BSCC to the Office of Youth and Community Restoration (OYCR) as per [SB 823](#) the DJJ realignment bill from 2020.
  - Grants affected: Title II grant program, including the SACJJDP, Juvenile Reentry Grant, and reporting on YOYG and JJCPA State grants.

### *Grant reductions included:*

- Eliminations: Proud Parenting, Community Corrections Partnership Plan and Reporting (\$7.9 million), and Medication Assisted Treatment Grants.
- Prop 64 Loan: \$150 million loan (temporary reduction in available funding).
- CalVIP Program: The Violence Intervention and Prevention Program will now be funded through excise tax revenue on firearms and ammunition as per AB 28, estimated to generate \$75 million in the first year.

## Improving Outreach to Underserved Communities in the Proposition 47 Grant Program: Engaging Hispanic and Latino Participants:

Howard provided an update on a recent project initiated by the Research Division related to the Prop 47 Grant program. The project focused on evaluating the engagement of Latino participants in mental health and substance use disorder treatment programs funded under Prop 47.

### Details of the Project:

- Qualitative Review: Initiated to evaluate the experiences of Prop 47 grantees in engaging Latino participants.
- Methodology: Included focus groups and interviews with program participants and agency representatives.

### Key Findings:

- Two primary themes emerged from the evaluation
  - The importance of hiring culturally competent staff, particularly those who are bilingual.
  - Establishing trust and providing a safe space for participants.
- Emphasized its potential impact on improving service delivery.
- A comprehensive report detailing these findings is available on the [BSCC website](#).

## Opioids Antagonist Survey

Director Howard presented the preliminary findings of the Opioid Survey which was approved at the April 2024 meeting. The first round of data, covering January 1st to March 31<sup>st</sup>, was due to the BSCC on June 10th. Howard said the research team is still clarifying certain numbers with reporting facilities, and that a detailed analysis will be provided after the second quarter of data is received.

Findings are as follows:

### **Adult Detention Facilities:**

- **Response Rate:** 90% (108 out of 120 facilities responded)
- **Key Findings:**
  - 99% (107 facilities) have opioid antagonists available.
  - 207 unique incidents of opioid antagonist use were reported.
  - 99% of facilities have antagonists accessible to custodial staff.
  - 66% have antagonists on the duty belts of custodial staff.
  - All facilities provide training and education on antagonist administration.
  - 27 facilities have antagonists accessible to detained people, with training provided.

### **Opioid Introduction Methods:**

- **Total Incidents:** 655 known instances
- **Methods:**
  - 51% through mail or package deliveries.
  - 43% on the individuals being detained.
  - Less than 1% through sworn custodial staff.

### **Juvenile Detention Facilities:**

- **Response Rate:** 98%
- **Key Findings:**
  - 100% of responding facilities have opioid antagonists available.
  - 4 unique incidents of opioid antagonist use were reported.
  - 67% have antagonists accessible to youth supervision staff.
  - 40% have antagonists on duty belts.
  - 94% report antagonists accessible to medical staff.
  - All provide training similar to adult facilities.

### **Opioid Introduction Methods:**

- **Total Incidents:** 19 known instances
- **Methods:**
  - 63% through youth being detained.

- 21% through mail or package deliveries.
- 11% through visitors.

The board discussed the preliminary data and its implications and questions were raised about the accuracy and completeness of the data and the need for continuous improvement in data collection and reporting was emphasized.

Howard said more detailed information will be provided at the next Board meeting after the second quarter of data is received.

---

### **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**

Chair Penner referred the Board to their reading materials.

---

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=RJ4Axr4edic>. Public comment for Information Items Start: 21:12; End: 23:28.

---

Before the start of the Action items, Chair Penner requested that Agenda Item G be discussed before Agenda Item F.

### **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**

This agenda item requested 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 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 timeframe of the current JAG Multi-Year State Strategy.

Mr. Mills moved approval. Mr. Macomber seconded. The motion was approved by all other Board members for Agenda item A and B.

### **IV. Action: Discussion Items**

---

- C. Adult Reentry Grant Program – Appointment of a Chair and Establishment of an Executive Steering Committee: **Requesting Approval**

Field Representative Ian Silva presented Agenda item C which requested the Board’s approval to establish an Executive Steering Committee (ESC) to develop a Request for Proposals (RFP) for Cohort 4 of the Adult Reentry Grant Program (ARG). Staff requested 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.

Chair Penner nominated Board Member and Director of Adult Parole Operations Jason Johnson to Chair the ESC.

Mr. Taylor moved approval. Mr. Richart seconded. The motion was approved by all other Board members for Agenda item C.

**D. California Violence Intervention and Prevention Grant Program Appointment of a Chair and Establishment of an Executive Steering Committee: Requesting Approval**

Field Representative Michael Martinez presented Agenda item D which requested the Board's approval to establish an ESC to develop a RFP for the California Violence Intervention and Prevention Grant Program and to implement the significant changes brought with the enactment of [Assembly Bill 762 \(Chapter 241, Statutes of 2023\)](#) and [Assembly Bill 28 \(Chapter 231, Statutes of 2023\)](#). Staff also requested 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.

Chair Penner nominated Board Member and Retired Judge Janet Gaard to Chair the ESC.

Mr. Mills moved approval. Mr. Johnson seconded. Mr. Haynes and Ms. Chavez recused pursuant to Section 1091. The motion was approved by all other Board members for Agenda item D.

---

**E. Missing and Murdered Indigenous People Grant Program – Cohort 2: Funding Recommendations: Requesting Approval**

This agenda item requested Board approval of the Missing and Murdered Indigenous People (MMIP) Grant Program Cohort 2 awards as recommended by the ESC. With the Board's approval, 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. The recommended proposals and its project summaries are linked below:

- [MMIP Applicants Recommended for Funding](#)
- [MMIP Proposal Summaries](#)

Chair Penner thanked Board Member Norma Cumpian, the ESC, and staff for the work on this grant.

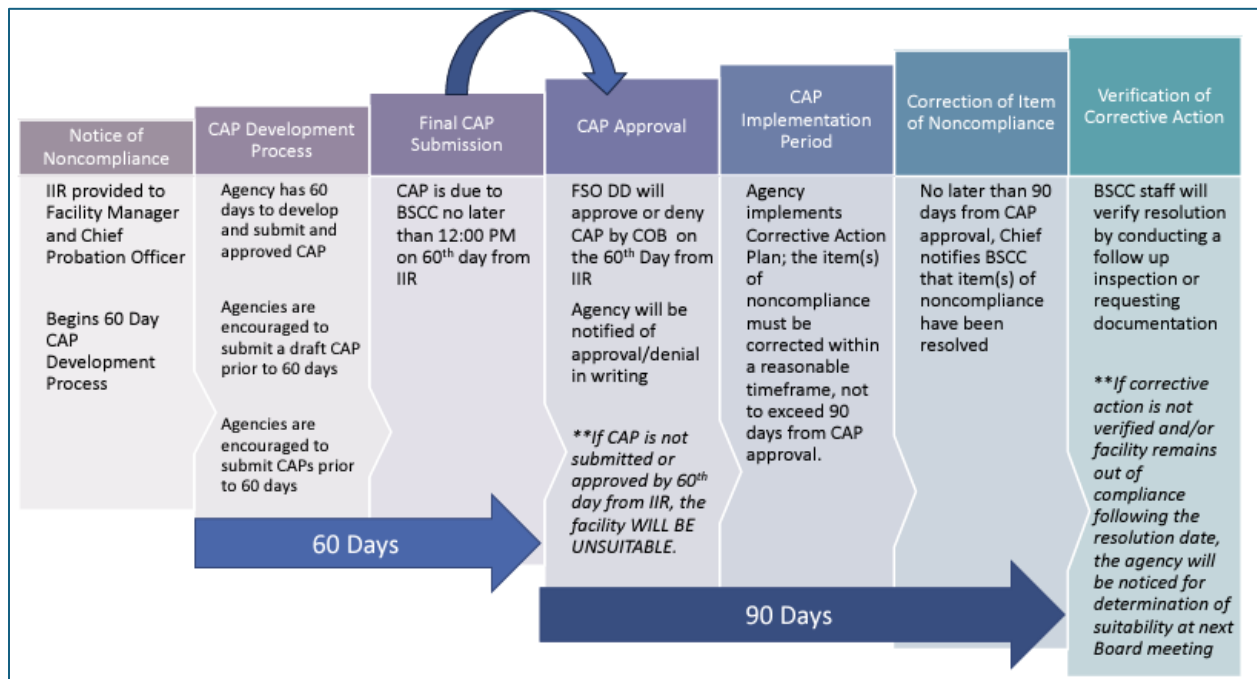
Mr. Haynes moved approval. Mr. Richart seconded. The motion was approved by all other Board members for Agenda item E.

Chair Penner requested that Agenda Item G be discussed before Agenda Item F.

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

Deputy Director Allison Ganter presented this Agenda item. Ganter said that the 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.

Ganter said after working with stakeholders and community advocacy groups a proposed timeline for the corrective action plan submission, approval, and resolution was developed. Ganter presented a timeline of the corrective action plan process as displayed below:





Board Members had a lengthy discussion on the interpretation of the statute regarding the timing of Corrective Action Plans and clarification of the public comments

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=RJ4Axr4edic>. Public comment for Agenda G Start: 1:34:45; End: 1:44:20.

- o Written [Public Comment: The Peace and Justice Law Center](#)

Mr. Mills moved approval. Mr. Richart seconded. Ms. Chavez voted No. Ms. Gaard recused. Votes: (Ayes 7; Noes 1) The motion was approved by all other Board members for Agenda item G.

---

#### F. Local Detention Facilities Inspection Update: **Requesting Approval**

Deputy Director Allison Ganter provided an update on inspections in adult and juvenile detention facilities. Ganter stated that there are no other items of noncompliance that require immediate attention, and staff did not recommend a formal action at this time. Items of noncompliance may be found here: [Outstanding Items of Noncompliance Juvenile & Adult Detention Facilities](#)

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=RJ4Axr4edic>. Public comment for Agenda G Start: 2:07:41; End: 2:10:03.

This item did not require a vote.

---

The Board went into closed session at 12:23 pm

---

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

The Board returned to the public meeting at: 12:56 pm

**VI. 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.

**VII. Adjourn**

---

The meeting adjourned at: 1:00 pm

## **ATTENDANCE ROSTER**

---

### **BSCC BOARD MEMBERS:**

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

### ***Participated Remotely:***

9. Ms. Chavez, Santa Clara County Supervisor

### **BSCC STAFF:**

Kathleen T. Howard, Executive Director  
Aaron Maguire, Chief Deputy Director & General Counsel  
Adam Lwin, Board Secretary  
Ian Silva, Field Representative, Corrections Planning and Grant Programs  
Michael Martinez, Field Representative, Corrections Planning and Grant Programs  
Eddie Escobar, Field Representative, Corrections Planning and Grant Programs  
Collen Curtin, Deputy Director, Corrections Planning and Grant Programs  
Allison Ganter, Deputy Director, Facility Standards and Operations  
Kasey Warmuth, Deputy Director, Research and Standards & Training for Corrections