

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, JUNE 13, 2019

Meeting Location:
BSCC Board Room
2590 Venture Oaks Way, Suite 101
Sacramento, CA 95833

I. Call to Order

Chair Linda Penner called the meeting to order at 10:04 AM and welcomed the Board Members and the public to the meeting.

The Chair congratulated Mr. Jerry Powers on his retirement as Director of the California Department of Corrections and Rehabilitation Division of Adult Parole Operations.

Mr. Powers thanked Chair Penner and all in attendance for the support.

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

The following members were in attendance:

Ms. Penner	Mr. Steinhart	Mr. Diaz	Mr. Powers
Mr. Growdon	Mr. Gore	Mr. Varela	Mr. Baranco
Mr. Ertola			

Absent Board Members:

Mr. Mills, Ms. Perez, and Mr. Budnick.

II. Information Items

1. Chair's Report

None to report.

2. Executive Director's Report

Executive Director Kathleen Howard reported on the following:

2019-2020 Budget Updates:

The budget included an increase of \$6.15 million that was proposed by the Governor's May Revise for the Standards and Training for Corrections program. This funding will address reductions that had been made in recent years, and it will assist locals in meeting their ongoing training requirements. The Board approved updates to the training standards in January 2019, and there are some additional requirements in the core training that this funding will help address.

Grant Related Updates:

Youth Reinvestment Grant (YRG): The first round of YRG had a remaining balance of \$5.9 million, which will carry over in the 2019-20 Budget for round two.

- 2019-20 Budget included an additional \$5 million for YRG.
- For the Tribal Youth Diversion Grant, \$10 million in new one-time funding was added.

Adult Reentry Grant (ARG): FY 18/19 budget allocated \$50 million as follows:

- \$25 million available for Rental Assistance;
- \$9.35 million available for Warm Hand-Off;
- \$15 million for rehabilitation of existing property to provide housing for individuals coming out of state prison.

The work that is in progress now is for the first two components, rental assistance and warm hand-off. The RFP was released January 2019. The BSCC received 147 proposals requesting approximately \$188 million. \$146 million for rental assistance programs and \$42 million for warm hand-off programs. 38 applicants applied for both.

The ESC chaired by Chair Penner and Board member Francine Tournour is reading and rating the proposals. The ESC will meet on June 18 and 19 to develop award recommendations and to be brought to the Board at the July meeting.

The third component of this grant from FY 18/19 is a \$15 million appropriation for rehabilitation of existing property. This portion of the grant will be brought to the Board in July 2019.

At the July meeting the following recommendations are anticipated to be made:

- “going down the rank ordered list” to allocate out the additional funding in this year’s budget (\$32,950,000 is to be split 50/50 between Rental Assistance and Warm Hand-Off)
- A proposed process for grant development on the \$15 million from last year’s budget allocation to rehabilitation of existing properties.

California Violence Prevention and Intervention Grant (CalVIP): A total of \$30 million is proposed in the 19/20 budget. The Conference Committee adopted the Senate budget version which included:

- \$9 million general fund ongoing;
- \$18 million general fund one-time;
- \$3 million general fund one-time – focused on rural communities;
- A total of \$30 million in 19/20, and back down to \$9 million in 20/21 ongoing.

Proposition 64: There will be \$26 million available for the BSCC. According to the Proposition the BSCC will administer the Public Health and Safety (Prop 64 PH&S) grant. Eligible applicants will be local governments that have not banned the cultivation or retail sale of marijuana. The Prop 64 PH&S grants are intended to assist with programs that “assist with law enforcement, fire protection, and other local programs addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act (Proposition 64)” such as prevention and intervention programs focused on youth, law enforcement including task forces to address illegal cultivation and sales, and fire protection issues.

In addition, there are numerous specified pass-through funds that the BSCC will administer address a variety of public-safety-related priorities such as:

- Gun Violence Restraining Order Training
- Challenger Memorial Youth Center of Los Angeles
- Car Break-In Prevention Funding

State Advisory Committee on Juvenile Justice & Delinquency Prevention (SACJJDP)

The SACJJDP met June 12, 2019 to discuss the release of the RFPs. There was also a discussion about the Governor's proposal to move Department of Juvenile Justice (DJJ) to Health and Human Services. Chuck Supple, Director of DJJ, was a guest speaker.

Audits

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) conducted a compliance audit the week of May 13-17 to review compliance with the four core protections in the federal Juvenile Justice and Delinquency Prevention Act. Substantive findings are not anticipated; the official report will be released within the next few weeks.

3. Legislative Update Report (Presented by Executive Director Howard):

Legislative Board Report in Board binders.

4. Legal Update:

General Counsel Aaron Maguire provided the following updates:

The Byrne JAG application for 2019 was posted on May 24, 2019 for 30 days and presented to the Board. The BSCC anticipates applying for the grant after the 30-day public comment period. The federal government has new requirements and conditions related to immigration that conflicts with California law. The Attorney General is waiting for the award conditions before filing a lawsuit. Updates will be brought to the Board at the July meeting.

Maguire asked if there were Board or public comment on the 2019 JAG application.

There was no public comment for the 2019 JAG application.

Maguire reported on the case of California vs. Raybon in relation to the Proposition 64. The law legalized the possession of marijuana in state prison and jails however, smoking of marijuana is still illegal in state prisons and jails.

Maguire also reported that there might be grant related items on the Agenda that could pose a conflict of interest for some of the Board members and that Members should recuse themselves during discussion.

Action: Consent Items

A. Minutes from the April 11, 2019 Board Meeting: Requesting Approval

Mr. Gore moved approval. Mr. Varela seconded. The motion carried.

III. Discussion Items

B. Youth Reinvestment Grant Funding Recommendations: Requesting Approval.

Field Representative Kimberly Bushard presented this agenda item, which requested Board approval of the Youth Reinvestment Grant (YRG) Program funding awards as recommended by the Executive Steering Committee (ESC). The YRG ESC met on June 4, 2019 to make final recommendations for funding. If the proposed list of grantees is approved, the grant period will begin on July 1, 2019. Proposals recommended for funding include 30 Cities/Counties:

- 1 project in small counties or the cities within those counties;
- 7 projects in medium counties or the cities within those counties;
- 6 projects in large counties or the cities within those counties; and
- 16 of the highest rated projects regardless of location.

Mr. Steinhart mentioned the hard work of the ESC and staff on the grant and the benefits these funds will provide to the youth in the community.

Mr. Growdon asked why only one small county applied for the grant.

Mr. Steinhart explained that some small counties lack resources and community-based organizations are not always available.

Chair Penner mentioned that the BSCC received a letter of support from Assemblymember Reggie Jones-Sawyer Sr.

Public Comment was heard for Agenda Item B:

Dan Prince, Chief Probation Officer, Imperial County: Thanked the BSCC for awarding the Youth Reinvestment Grant to Imperial County.

Daniel Mendoza, Fathers and Families of San Joaquin County: Thanked the Board for the focusing on the vulnerable youth in the community.

Crystal Rodriguez, Fathers and Families of San Joaquin County: Asked why smaller counties are not receiving funding and resources and encouraged investing in youth in smaller counties.

Amanie Falol, Fathers and Families of San Joaquin County: Thanked the BSCC for funding youth programs. Encouraged the Board to invest more on youth in smaller counties.

Lizette Diaz, Community Agency for Resources Advocacy, and Services: Thanked the Board for the funding and supported the additional \$5.9 million to Indian Tribes in the community.

Raymundo Armendariz, National Center for Youth Law: Requested that the Central Valley should be considered for future funding.

Renee Menart CJCJ: Thanked the YRG ESC and asked that the next round of funding be given directly to CBOs.

Dafna Gozani, National Center for Youth Law: Requested scoring preference to smaller counties and community awareness via workshops in the next round.

End of Public Comment

Mr. Growdon moved approval. Mr. Baranco seconded. Prior to the discussion of this agenda item Mr. Varela recused himself and left the room, pursuant to Government Code section 1091. The motion carried.

C. Tribal Youth Diversion Grant Funding Recommendations: Requesting Approval.

Field Representative Kimberly Bushard presented this agenda item, which requested the Board's approval of the Tribal Youth Diversion Grant funding awards as recommended by the ESC and the Tribal Advisory Group (TAG). The TAG met on May 30, 2019 to finalize recommendations for funding. The grant period will begin July 1, 2019. Proposals recommended for funding include two tribes.

Staff recommended:

1. Fully fund the proposal submitted by the Pinoleville Pomo Nation totaling \$889,737 for the providing diversion services to Indian children.
2. Partially fund the Karuk Tribe, which fell at the funding cut-off point on the rank ordered list, in the amount of \$229,263 (of the \$249,011 requested).
3. Authorize staff to continue to make awards from the proposal rank-ordered list if any applicant is unable to accept the award or relinquishes an award, first by offering to make any partial awardee whole and then to the next highest-ranked proposal(s).
4. Authorize staff to continue to make awards from the proposed rank-ordered list should staff determine during the follow-up award-making process that an applicant recommended for award is ineligible or should a grantee become ineligible during the grant cycle.

Mr. Steinhart thanked Mr. Olin Jones, Chair of the Tribal Advisory Group.

Public comment was heard for Agenda Item C:

Dafna Gozani, National Center for Youth Law: Requested that the \$5.9 million left over funds from the YRG be used to fund Tribes.

Bonnie Lockhart, Program Coordinator, Pinoleville Pomo Nation: Thanked the Board for funding her tribe and encouraged further work with Indian Tribes.

Angela James, Vice Chair, Pinoleville Pomo Nation: Thanked the Board for funding the Pinoleville Pomo Nation and expressed excitement to work with the local probation department.

Chris Lindstrom, Executive Officer, California Tribal Business Alliance: Thanked Assemblymember Reginald Jones-Sawyer Sr., the Board and the Legislature for passing this grant and asked if the new funding will be a new RFP or will go down the existing list.

Raymundo Armendariz, National Center for Youth Law: Asked that the 2019 Youth Reinvestment Grant fund more Tribal Youth applicants.

Mr. Gore moved approval. Mr. Growdon seconded. The motion carried.

Under Government Code section 1091 Chair Penner and Mr. Ertola recused themselves and left the room during this Agenda Item. Vice Chair Dean Growdon presided over Agenda Item D.

D. Proposition 47 Funding Recommendations: Requesting Approval

Field Representative Ricardo Goodridge presented this agenda item, which requested Board approval of the Proposition 47 grant awards as recommended by the Prop 47 Scoring Panel. If the proposed list of award recommendations is approved, the grant period will begin August 15, 2019 and end May 15, 2023. Funding is contingent upon the Fiscal Years (FY) 2019-20 and 2020-21 deposits into the Second Chance Fund, estimated at approximately \$96 million (total from both FYs). Adjustments to individual award amounts will be made equitably, as needed when the deposits are made. The 2019 Request for Proposals allocated \$18,616,627 for Smaller Scope Proposals and \$77,817,873 for Larger Scope Proposals. Within the Larger Scope category, the County of Los Angeles could apply for up to \$18,616,627.

The Board voted to:

1. Fully award 14 large-scope and 8 small-scope proposals for programs and initiatives to provide mental health services, substance-use disorder treatment, and/or diversion programs for people in the criminal justice system.
2. Offer one partial award to Contra Costa County Behavioral Health Services, which fell at the funding cut-off point in the large-scope proposal ranked list.

3. Authorize staff to continue to make awards from the proposal ranked-order lists if existing grantees from the first round of Prop 47 funding grant term relinquish an award, if additional deposits are made into the Second Chance Fund in FY 2019-2020 or FY 2020-21, or if any applicant is unable to accept the award or relinquishes an award, first by offering to any partial awardee(s) equitably.
4. Authorize staff to continue to make awards as noted above if staff determines during the follow-up award-making process that an applicant recommended for an award is ineligible or if a grantee becomes ineligible during the grant cycle.
5. Adjust award amounts to grantees equitably if Second Chance deposits are different from what is estimated in the RFP.

Chair Growdon thanked staff and Chair Baranco for the work on this project.

Mr. Baranco thanked the BSCC staff for all of their work.

Christian Franco Motivating Individual Leadership for Public Advancement:
Thanked the Board for creating funding for formerly incarcerated individuals.

Mr. Steinhart moved approval. Mr. Gore seconded. The motion carried.

Recessed at 11:32am

Reconvened at 11:35

E. Title II Request for Proposals Technical Changes and Re-Release: Requesting Approval

Field Representative Timothy Polasik presented this agenda item, which requested the Board's approval to re-release the Title II Grant Program Request for Proposals with technical changes that add eligibility for Non-Governmental Nonprofit Agencies (CBOs), clarify Indian Tribe eligibility, and modify the funding methodology to support funding at least one proposal for each of the six Program Purpose Areas. This agenda item further requested the re-release of the Title II Tribal RFP with the same Indian Tribe eligibility clarification. These changes were made at the request of, and were approved by, the State Advisory Committee on Juvenile Justice and Delinquency revention (SACJJDP) at its June 12, 2019 meeting.

Mr. Growdon moved approval. Mr. Baranco seconded. The motion carried. Prior to the discussion of this agenda item Mr. Varela and Mr. Ertola recused themselves and left the room, pursuant to Government Code section 1091. The motion carried.

IV. Public Comments

Dan Prince, Probation Chief, Imperial County: Congratulated Mr. Powers on his retirement and thanked him for his services.

Randal Broadhurst, Gang Awareness and Prevention: Asked that funding and resources be made available to probationers to help reduce recidivism.

V. Adjourn

The meeting adjourned at: 11:43 PM.

Next Meeting:

❖ BSCC Board Meeting:

Thursday, July 11, 2019 (Sacramento & Various Telephonic Locations)

ROSTER OF PERSONS IN ATTENDANCE

BSCC BOARD MEMBERS:

Chair Penner, Chair, Board of State and Community Corrections
Mr. Diaz, Secretary, CDCR
Mr. Powers, DAPO-CDCR
Mr. Growdon, Sheriff, Lassen County Sheriff
Mr. Gore, Sheriff, San Diego County Sheriff
Mr. Varela, Chief Probation Officer, Ventura County
Mr. Ertola, Chief Probation Officer, Nevada County
Mr. Baranco, Retired Judge, Alameda County
Mr. Steinhart, Director, Commonweal Juvenile Justice Program

BSCC STAFF:

Kathleen T. Howard, Executive Director
Tracie Cone, Communications Director
Aaron Maguire, General Counsel
Mary Jolls, Deputy Director, Corrections Planning and Grant Programs
John W. Prince, Deputy Director, County Facilities Construction
Allison Ganter, Deputy Director, Facilities Standards and Operations
Adam Lwin, Board Secretary, Associate Governmental Program Analyst
Kimberly Bushard, Field Representative, Corrections Planning and Grant Programs
Ricardo Goodridge, Field Representative, Corrections Planning and Grant Programs
Timothy Polasik, Field Representative, Corrections Planning and Grant Programs