

**KATHLEEN T. HOWARD**  
Executive Director, BSCC

**BOARD MEMBERS**

**LINDA M. PENNER**  
Chair, BSCC

**RALPH DIAZ**  
Secretary, CDCR

**GUILLERMO VIERA ROSA**  
Director  
Adult Parole Operations, CDCR

**DEAN GROWDON**  
Sheriff, Lassen County

**WILLIAM GORE**  
Sheriff, San Diego County

**LEE LOR**  
Merced County Supervisor

**LEE SEALE**  
Chief Probation Officer  
Sacramento County

**KELLY M. ZUNIGA**  
Chief Probation Officer  
Kings County

**GORDON S. BARANCO**  
Retired Judge  
Alameda County

**ANDREW MILLS**  
Chief of Police  
City of Santa Cruz

**SCOTT BUDNICK**  
Film Producer and Founder of  
The Anti-Recidivism Coalition

**DAVID STEINHART**  
Director, Commonweal  
Juvenile Justice Program

**NORMA CUMPIAN**  
Women's and Non-Binary Services Manager  
Anti-Recidivism Coalition (ARC)



**MINUTES**  
**BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING**  
**THURSDAY, SEPTEMBER 10, 2020**

Meeting Held Via Zoom & Teleconference  
Pursuant to Governor's [Executive Order N-29-20](#)

**I. Call to Order**

Chair Linda Penner called the meeting to order at 10:03 AM.

Chair Penner welcomed the Board Members and the public to the Zoom & Teleconference meeting.

Board Secretary Adam Lwin provided instructions to the Board members and the public for participation in the Zoom meeting.

Penner administered the Oath to the Governor's appointment of new Board members: Merced County Supervisor, Ms. Lee Lor and Kings County Probation Chief, Ms. Kelly Zuniga. Penner also announced the Governor's reappointment of Sheriff Dean Growdon to the Board.

Lwin called roll and announced that there was a quorum.

The following members were in attendance on Zoom or Teleconference:

Chair Penner	Mr. Diaz	Mr. Viera Rosa	Mr. Growdon
Mr. Gore	Ms. Lor	Mr. Seale	Ms. Zuniga
Mr. Baranco	Mr. Mills	Mr. Budnick	Mr. Steinhart
Ms. Cumpian			

**ABSENT BOARD MEMBERS:**

Mr. Seale

## **II. Closed Session – Consultation with Legal Counsel Regarding Significant Exposure to Litigation (Gov. Code, § 11126, subd. (e)(1)(B) & (e)(2)(B))**

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Board members went into closed session at 10:19 AM.

Board members returned to open session at 11:04 AM.

## **III. Information Items**

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Penner announced the retirement of Secretary Ralph Diaz and the Governor's appointment of Kathleen Allison as the new Secretary of CDCR.

Chair Penner reported on [Senate Bill 823](#) Juvenile justice realignment: Office of Youth and Community Restoration and its impact on the agency. More information on SB 823 was presented by Executive Director Howard.

### **1. COVID-19 Update:**

Executive Director Kathleen Howard reported on the following:

- On July 31, 2020 the BSCC launched the COVID-19 data dashboard and collected cases of COVID from local facilities. The BSCC collected information about:
  - Facility population
  - Number of COVID-19 test that have been administered
  - Number of positive tests
  - Number of hospitalizations
  - Number of resolved cases
  - Number of deaths.
- Four weeks of data has been published on the dashboard.
- Fresno and Orange counties had higher rates of positive cases.
- Both adult and juvenile facilities have reported.

### **3. Executive Director Report & [Legislative Report](#):**

Executive Director Kathleen Howard reported on the following:

On September 2, 2020 [Center on Juvenile and Criminal Justice \(CJCJ\)](#) sent a public comment letter to the Board members that was posted on the BSCC's website and shared with the Board members on September 3, 2020.

Counsel Aaron Maguire gave the [Legislative report](#):

*Counsel Maguire reported on the following:*

- ❖ [Assembly Bill 732](#): *County jails: prisons: incarcerated pregnant persons.* If the Governor signs the bill, the bill would impact the BSCC regulation revisions process.
- ❖ [Assembly Bill 1196](#): *Peace officers: use of force:* Would require modifications to standards and training for corrections (STC). Action was taken during the last meeting to ban carotid holds and it will be revisited upon signing by the Governor. This bill may impact the STC training and regulations revisions.
- ❖ [Assembly Bill 1872](#): *Cannabis:* This bill would impact the Proposition 64 grant and would change the guidelines to include that counties allowing either indoor or outdoor cultivation of marijuana or both be eligible for the grant funding.
- ❖ [Assembly Bill 2483](#): *County jails: recidivism: reports:* Local sheriffs would be required to collect recidivism reports and the BSCC would need to collect the reports and compile data if the Governor signs this bill.
- ❖ [Senate Bill 369](#): *Prisoners: California Reentry Commission:* Would require the BSCC to coordinate with CDCR on the reentry grants if the Governor signs the bill.

## **5. Legal Update:**

Counsel reminded Board members who might have a remote interest on grant items during the funding discussions to recuse themselves pursuant to Government Code section 1091.

## **6. [Edward Byrne Memorial Justice Assistance Grant \(JAG\) Strategic Plan Update](#)**

*Executive Director Howard continued to report on the following:*

- Edward Byrne Justice Assistance Grant (Byrne/JAG): The BSCC is continuing to work on the strategic planning, which will begin October 2022. There are eight service areas under this grant eligible for funding. Listening sessions and a survey will inform the RFP.

## **7. Update on Division of Juvenile Justice (DJJ) Realignment**

- Executive Director Howard reported on [Senate Bill 823](#) Juvenile justice realignment: Office of Youth and Community Restoration and its impact on the agency.
- Under Senate Bill 823 the custody and care of juveniles in the Division of Juvenile Justice will be transferred to counties beginning July 2021. The state Division of Juvenile Justice will eventually close when all youth presently housed

in state institutions have completed their terms of confinement. A new Office of Youth and Community Restoration in HHS with ombudsman and grantmaking functions related to realignment will be developed starting July 2021.

- The BSCC would continue to inspect county juvenile facilities and conduct ongoing Title 15 and Title 24 regulations revisions.

*Counsel Maguire reported on the following:*

- Intake at CDCR-DJJ is required to close on July 1, 2021 with some adjustments.
- The bill requires that all juvenile justice grants currently administered by BSCC would be transferred to HHS effective by 2025, starting with the Realignment Block Grant in FY 21-22.
- The new HHS office will develop a state-level ombudsman to receive complaints about the handling or processing of youth in county custody and find resolutions.
- A Juvenile Justice Realignment Block Grant would also be established by the bill to provide funding to counties to develop new programs. There will be a new planning process and locals will need to submit plans to the state to qualify for block grant funds.
- A data requirement has been added in which the Department of Justice will need to produce a plan by January 1, 2023 to upgrade or replace the state juvenile justice data back known as the Juvenile Court and Probation Statistical System JCPSS.

Mr. Steinhart stated that Chief Probation Officers and counties will work together to implement the changes.

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*Public Comment was heard for the Information Items 1 through 7:*

James Martinez (MILPA): COVID-19 data dashboard should have cumulative data.

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*End of Public Comment*

**IV. Action: Consent Items:**

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A. [Minutes from the August 13, 2020 Board Meeting: Requesting Approval](#)

B. [Proposed 2021 Board of State and Community Corrections Meeting Schedule: Requesting Approval](#)

Mr. Gore moved approval. Mr. Diaz seconded. The motion carried for consent items A and B.

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**V. Discussion Items:**

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C. [Facilities Standards and Operation \(FSO\) Enhanced Inspections of Local Detention Facilities: Update: Requesting Approval](#)

Deputy Director Allison Ganter presented Agenda Item C, which focused on onsite inspections of detention facilities with the enhanced inspection process. The enhanced inspection will include a timeline, detail, and updates to the Board.

Then Board approved staff's recommendation of the proposed enhanced inspections [process workflow](#).

The Board had a discussion of the new process flow, timeline, audits, and interaction with those incarcerated in the facilities.

Public comment was heard for Agenda Item C:

**Avalon Edwards (Starting Over Inc.):** Asked the BSCC to speak to incarcerated individuals privately to prevent bias and asked for surprised inspections.

**Renee Menart (CJCJ):** Asked BSCC to include regular noncompliance reports for communities and have community meetings for BSCC decisions.

**Dominique Nong (Children's Defense Fund):** Inspections on noncompliance inspection reports should be posted immediately.

**Ed Little:** Asked that the Board adopt the recommendations in the [CJCJ letter](#) on inspections.

**Brian Goldstein (CJCJ):** Asked why the BSCC did not note noncompliance issues in juvenile facilities.

Deputy Director Ganter responded that future analysis will include noncompliance reports for juvenile facilities.

Chair Penner stated that the BSCC will resume listening sessions in the future to tackle issues raised.

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*End of Public Comment*

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Mr. Baranco moved approval. Mr. Mills seconded. The motion carried.

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**D. Coronavirus Emergency Supplemental Funding Program Funding Recommendations: Requesting Approval**

Deputy Director Ricardo Goodridge presented this agenda item.

The Board approved the following:

- Award \$41.7 million in federal Coronavirus Emergency Supplemental Funding (CESF) to a designated fiscal agent in each county to prevent, prepare for, and respond to the coronavirus.
- As part of the Request for Application (RFA) process, require counties to establish advisory bodies consisting of cities, tribes, and CBOs to collaborate on the development of local CESF priorities and a plan for allocating funding with a specific focus on meeting the CESF re-entry needs of people in the county.
- Require the designated fiscal agent in each county to pass through a minimum of 20% of the CESF award to community-based organizations.
- Authorizes staff to develop a CESF RFA.

Public comment was heard for Agenda Item D:

**Ed Little (California for Safety & Justice):** The BSCC should leverage CESF resources to communities of color, reentry services, and to CBOs to help essential programs.

**Rene Menart (CJCJ):** Asked that 50% of the CESF funds be allocated to CBOs.

**Dominique Nong (Children's Defense Fund):** Asked that the minimum request for applications focus on CBOs.

Board members had a discussion on the allocation amounts and the request for applications and said that it should be more flexible, detailed and specific and include community input.

*End of Public Comment*

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Mr. Baranco moved approval. Mr. Mills seconded. Mr. Growdon, Mr. Gore, Ms. Lor, and Ms. Zuniga recused themselves from the vote pursuant to Government Code section 1091. The motion carried.

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**E. Adult Reentry Grant Warm Handoff Request for Proposals Development Process for 2020-2021: Requesting Approval**

Field Representative Tanya Hill presented Agenda Item E.

The Board approved the following:

- Posting of the draft Adult Reentry Grant Warm Hand-Off RFP with amendments limiting eligibility to new applicants and technical amendments for public comment;
- Approve the use of a Scoring Committee for the purpose of scoring proposals.

*End of Public Comment*

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Mr. Gore moved approval. Mr. Diaz seconded. Mr. Baranco, Mr. Budnick, and Ms. Cumpian recused from the vote pursuant to Government Code section 1091. The motion carried.

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**F. California Violence Intervention and Prevention (CalVIP) Grant Funding Recommendations: Requesting Approval**

Field Representative Katrina Jackson presented Agenda Item F.

The Board approved the following:

- Fully fund 12 city proposals, 5 small city proposals, and 13 CBO proposals for programs and initiatives to prevent and reduce violence.
- Partially fund Southern California Crossroads and the City of Marysville, which fell at the funding cut-off on the CBO and City rank ordered lists.
- Fund the City of Los Angeles for a \$3 million non-competitive grant.

- In the event a grantee is unable to accept the conditional grant award, authorize staff to accept relinquished awards. Relinquished awards will be used first to fully fund the grant receiving a partial award and second to offer conditional awards to grantees next in line on the CBO rank ordered list.

Mr. Mills thanked the staff and the ESC members for the work on this grant.

General Counsel Maguire asked for a modification of staff's recommendation to include:

- Staff to work with Counsel and other staff when entering the grant agreement process, pursuant to the previous closed session discussion during the meeting.

Mr. Steinhart moved approval. Mr. Gore seconded. Mr. Baranco recused himself from the vote pursuant to Government Code section 1091. Mr. Budnick was absent during the vote. Ms. Cumpian abstained. The motion carried.

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**G. Proposition 64 Public Health and Safety Grant Program Funding Recommendations: Requesting Approval**

Field Representative Helene Zentner presented Agenda Item G.

The Board approved the following:

- Fully fund the [10 Proposition 64](#) proposals totaling \$9,982,064 for grant projects that will assist in mitigating local impacts due to the legalization of recreational cannabis in California.

Mr. Gore moved approval. Mr. Steinhart seconded. Mr. Mills recused himself from the vote pursuant to Government Code section 1091. Mr. Budnick was absent during the vote. The motion carried.

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**H. Residential Substance Abuse Treatment Program: Appointment of Chair and Establishment of an Executive Steering Committee: Requesting Approval**

Field Representative Colleen Stoner presented Agenda Item H.

The Board approved the following:

- Authorize an ESC to oversee the development of the RSAT Program RFP and grant recommendations;
- Appoint BSCC Member Sheriff Dean Growdon as Chair of the ESC



- Delegate authority to the Chair to work with BSCC staff to establish an ESC membership and to modify membership if needed and;
- Approve the activities and tentative timeline associated with development of the RFP.

Mr. Growdon thanked Ms. Stoner for her work on the grant.

Mr. Steinhart moved approval. Mr. Baranco seconded. Mr. Budnick was absent during the vote. The motion carried.

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**I. Youth Reinvestment Grant (YRG): Modification to Los Angeles County's Award and Reallocation of Funding: Requesting Approval**

Field Representative Kimberly Bushard presented Agenda Item I:

The Board approved the following:

- Approve a \$997,952 reduction to Los Angeles County's Cohort 1 YRG award.
- Approve augmentations totaling \$997,952 to three YRG Cohort 2 grantees that did not receive full funding which included:
  - \$240,044 to The AMAAD Institute
  - \$377,849 to Flintridge Center
  - \$380,059 to Centinela Youth Services

Public comment was heard for Agenda Item I:

**Jessica Ellis (Centinela Youth Service):** Thanked the BSCC for increasing the funding and support for the organization and highlighted the great works the agency has done with the funding.

*End of Public Comment*

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Mr. Steinhart moved approval. Mr. Gore seconded. Mr. Budnick was absent during the vote. The motion carried.

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**VI. Public Comments**

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**Brian Goldstein (CJCJ):** Asked what steps the BSCC is taking to ensure all counties are reporting COVID-19 testing data.

**VII. Adjourn**

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The meeting adjourned at: 1:43 pm.

**Next Meeting:**

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❖ BSCC Board Meeting: November 19, 2020 (Via Zoom)

## **ATTENDANCE ROSTER**

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### **BSCC BOARD MEMBERS:**

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Diaz, Secretary, California Department of Corrections & Rehabilitation (CDCR)
3. Mr. Viera Rosa, Director Division of Adult Parole CDCR
4. Mr. Growdon, Sheriff, Nevada County
5. Mr. Gore, Sheriff, San Diego County
6. Ms. Lor, Merced County Supervisor
7. Mr. Seale, Chief Probation Officer, Sacramento County
8. Ms. Zuniga, Chief Probation Officer, Kings County
9. Mr. Baranco, Retired Judge, Alameda County
10. Mr. Mills, Chief of Police, Santa Cruz County
11. Mr. Budnick, Founder, Anti-Recidivism Coalition
12. Mr. Steinhart, Director, Commonweal Juvenile Justice Program
13. Ms. Cumpian, Women's and Non-Binary Services Manager Anti-Recidivism Coalition

### **BSCC STAFF:**

Kathleen T. Howard, Executive Director  
Aaron Maguire, General Counsel  
Tracie Cone, Communications Director  
Ricardo Goodridge, Deputy Director, Corrections Planning and Grant Programs  
Allison Ganter, Deputy Director, Facilities Standards & Operations  
Adam Lwin, Board Secretary  
Tanya Hill, Field Representative, Corrections Planning and Grants Program  
Katrina Jackson, Field Representative, Corrections Planning and Grants Program  
Helene Zentner, Field Representative, Corrections Planning and Grants Program  
Kimberly Bushard, Field Representative, Corrections Planning and Grants Program