

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY APRIL 13, 2023 – 9:00 A.M.
BOARD MEETING

Meeting Held In-Person, Zoom & Teleconference

Board Room
2590 Venture Oaks Way
Sacramento, California, 95833

The full recording of the meeting can be viewed here:
https://www.youtube.com/watch?v=2E_piqGlufQ

I. Call Meeting to Order

Chair Linda Penner called the meeting to order at 9:03 a.m.

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

Penner introduced new Board Members Angeles Zaragoza, Senate Rules appointee and Marvin Speed, *ex-officio* member and acting Director of CDCR-Division of Adult Parole Operations. Chair Penner administered the Oath of Office.

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

Mr. Lwin called the roll and announced that there was a quorum.

The following members were in attendance:

Chair Penner	Mr. Dicus*	Ms. Gaard*	Ms. Zaragoza
Mr. Macomber	Ms. Chavez	Mr. Budnick*	
Mr. Speed	Mr. Haynes	Mr. Mills*	
Mr. Growdon	Ms. Vernon	Ms. Cumpian	

*Attended remotely

At the request of the Chair, Information Items were moved to the end of the Agenda.

III. Action: Consent Items

A. [Minutes from the February 9, 2022 Board Meeting: Requesting Approval](#)

B. [Title II Grant Program – Tribal Request for Proposals: Requesting Approval](#)

This agenda item requested Board approval to release a Title II Grant Program - Tribal Request for Proposals as recommended by the State Advisory Committee on Juvenile Justice and Delinquency Prevention and the Title II Executive Steering Committee.

C. [Proposition 47 Grant Program Twelve-Month No-Cost Extension: Requesting Approval](#)

This agenda item requested Board approval of a 12-month, no-cost extension for one Proposition 47 Cohort II grantee. Santa Ana Unified School District experienced implementation delays and service interruption due to the coronavirus (COVID-19) and was unable to deliver services as planned. An extension until May 15, 2024, would allow for additional time to operate programs and spend down grant funds in accordance with the grant agreement.

Mr. Growdon moved approval. Ms. Vernon seconded. The motion was approved by all other Board members. Mr. Dicus was not present for the vote.

IV. Action: Discussion Items

D. [Organized Retail Theft Grant Program, Request for Proposals: Requesting Approval](#)

This Agenda item, presented by Deputy Director Ricardo Goodridge, requested the Board's approval to release the Request for Proposals for the Organized Retail Theft Prevention Grant Program, the Organized Retail Theft Vertical Prosecution Grant Program, and to convene a Scoring Panel to read, rate, and make funding recommendations to the Board for both grant programs.

This RFP makes \$242,250,000 available competitively to city police, county sheriffs' departments, and probation departments to support local law enforcement agencies in preventing and responding to organized retail theft, motor vehicle or motor vehicle accessory theft, or cargo theft.

The Board agreed to extend the timeline grant timeline in which proposals would be due back to the BSCC from June 23 as originally proposed to until Friday, July 7, 2023.

Public comment was heard:

Israel Villa: Stated that the grants are not addressing root causes and issues and suggested that there should be diversity and balance on the Board.

Written public comment was recorded and shared as noted below:

[City of Bakersfield Mayor Goh](#)

End of public comment

Ms. Gaard stated that the ESC followed the statutory language on how the funding should be used and the Board was constrained, and it was written by the Legislature.

Mr. Haynes moved approval with an amendment to change the due date of the proposals to July 7, 2023. Mr. Speed seconded. Mr. Dicus, Ms. Chavez, and Mr. Mills recused pursuant to Government Code section 1091. The motion was approved by all other Board members for Agenda Item D.

E. [Missing and Murdered Indigenous Persons Grant, Requests for Proposals: Requesting Approval](#)

This agenda item, presented by Field Representative Eddie Escobar, requested Board approval to release the Missing and Murdered Indigenous People Grant Program Request for Proposals as recommended by the ESC.

Chaired by Board Member Norma Cumpian, the Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) established the Missing and Murdered Indigenous People Grant Program to award 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.

Ms. Cumpian thanked BSCC staff for the work on the grant and the community members who added input.

Public comment was heard:

Israel Villa: Supported this grant and stated that his organization would assist in outreach.

Nancy Juarez: Thanked the Board and ESC members for this grant and investment and asked that funding should reach tribes who are not federally recognized.

Yusef Miller: Asked to include funding for tribes that are not federally recognized.

End of public comment

Mr. Dicus stated that he was looking forward to working with the sovereign nations in his area and thanked Ms. Cumpian and the staff for their work on getting the request for proposals completed and out to the public.

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

F. [Mobile Probation Service Centers Grant Program, Funding Recommendations: Requesting Approval](#)

This Agenda item, presented by Deputy Director Ricardo Goodridge, requested Board approval of the funding recommendations developed by the Mobile Probation Service Centers Grant Program [Scoring Panel](#). Twenty-five probation departments are eligible to receive \$17,644,154 for mobile probation centers.

The full list of the proposals and the proposal summaries may be found below:

- [Mobile Probation Service Centers Grant Programs Recommended for Funding](#)
- [Mobile Probation Service Centers Grant Programs Proposal Summaries](#)

Mr. Growdon moved approval. Mr. Speed seconded. Ms. Chavez, Mr. Haynes, and Ms. Vernon recused pursuant to Government Code section 1091. The motion was approved by all other Board members.

V. Special Order of Business (Commenced at 10:00 a.m.)

[Inspection of Los Angeles County Juvenile Halls: Determination of Suitability – \(Welf. & Inst. Code, § 209, subds. \(a\)\(4\) & \(d\).\)](#)

- [Barry J. Nidorf Juvenile Hall](#)
- [Central Juvenile Hall](#)

This Agenda item was presented by Chief Deputy Director/ General Counsel Aaron Maguire and Deputy Director Allison Ganter, who requested that the Board make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivisions (a)(4) and (d) for the Barry J. Nidorf Juvenile Hall and the Central Juvenile Hall in the County of Los Angeles.

Los Angeles County Supervisor Janice Hanh, Chief of Probation Karen Fletcher, and Chief Executive Officer Feisa Davenport along with other representatives from Los Angeles County appeared before the Board and provided additional information on the corrective action plan and the supplemental corrective action plan outlining how the facilities would come into compliance and detailed how the county will continue to improve the two juvenile facilities.

Chief Fletcher provided updates on the current staffing situation and how the county is expanding recruitment and the marketing of vacant positions. The County will also focus on training to align with Title 15.

The County asked the Board to approve the [Supplemental Plan](#), which outlines their presentation and to adopt the staff's recommendation to defer further action to a future Board meeting.

The Board Members discussed at length the supplemental plan, the safety and security of staff and youth, and the actions by the county moving forward.

Chair Penner called for public comment. Public comment was heard from 53 people; the full recording of the public comment and its transcription may be viewed by turning on closed captions here: https://youtu.be/2E_piqGlufQ

Written public comment was recorded and shared with the Board and posted on the BSCC's website as noted below:

[Public Comment from Peace and Justice Law Center and Youth Law Center](#)
[Public Comment from The Education Justice Coalition et. al](#)
[Public Comment from Youth Justice Education Clinic](#)

End of public comment

After a lengthy discussion among the Board members and Los Angeles County Probation, the following recommendation was adopted:

Staff's original recommendation:

1. Defer further action on the Los Angeles County Juvenile Halls to a future board meeting for the following reasons: the county has proactively moved to make improvements to both facilities, filed a supplemental plan, and has hired new key personnel. As such, the Board should take additional time to evaluate whether the county has "fail[ed] to meet its commitment to resolve noncompliance issues outlined in the corrective action plan..." (Welf. & Inst. Code, § 209, subd. (d).)
2. Request the county file a new, detailed SYTF form under Welfare and Institutions Code section 875, subdivision (g)(4), delineating the SYTF portions of Barry J. Nidorf.
3. Schedule an additional board meeting for mid-May for the Board to reassess suitability; that timeframe will allow for additional staff analysis of the supplemental corrective action plan and on-site inspections by BSCC staff to verify any completed corrective action to inform the recommendation for further Board action.

Amended by the Board:

4. Request additional information from LA County on staffing plans and other details so that the BSCC can later inspect and verify compliance.
5. Request additional information on what alternative plans LA will implement if the juvenile halls are found not suitable in May.

Ms. Chavez moved approval with the amended recommendations. Mr. Growdon seconded. Ms. Gaard, Ms. Zaragoza, and Mr. Budnick recused from the discussion and vote. The motion was approved by all other Board members.

The Board recessed at 11:52 a.m.

The Board returned at 12:16 p.m.

The Board returned to the unfinished items in Agenda IV. Action: Discussion Items:

G. [Edward Byrne Memorial Justice Assistance Grant Program, Funding Recommendations: Requesting Approval](#)

This Agenda item was presented by Field Representative Ian Silva, who requested the Board's approval of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program awards, as recommended by the JAG [Scoring Panel](#). Under the program

\$47,316,384 will be distributed among the 26 successful applicant counties. These grantees consist of eight large counties, nine medium counties, and nine small counties. The grant agreement term for these contracts would be from June 1, 2023, to December 31, 2026.

The full list of the proposals and the proposal summaries may be found below:

[Justice Assistance Grants Proposals Recommended for Funding](#)
[Justice Assistance Grant Proposal Summaries](#)

Public Comment was Heard:

Jonathan Raven: Thanked the Board for the funding for restorative justice in Yolo County.

End of Public Comment

Mr. Mills moved approval. Ms. Cumpian seconded. Mr. Growdon, Mr. Haynes, Ms. Gaard, and Ms. Zaragoza recused pursuant to Government Code section 1091. Mr. Budnick was not present for the vote. The motion was approved by all other Board members.

H. [Proposition 64 Public Health and Safety Grant Program, Cohort III, Funding Recommendations: Requesting Approval](#)

This Agenda item was presented by Field Representative Helene Zentner, who requested Board approval of the Proposition 64 Public Health and Safety (Prop 64 PH&S) Grant Program Cohort 3 awards as recommended by the Cohort 3 [Scoring Panel](#). The Prop 64 PH&S Grant Program is funded by an ongoing portion of tax revenue generated from the cultivation and retail sale of legal, adult-use cannabis or cannabis products in California. Staff recommended the Board approve fully funding the 37 Proposition 64 Cohort 3 proposals totaling \$93,787,468 for grant projects.

The full list of the proposals and the proposal summaries may be found below:

[List of Prop 64 PH&S Grant Program Cohort 3 Proposals Recommended for Funding](#)
[Prop 64 PH&S Grant Program Cohort 3 Proposal Summaries](#)

Mr. Growdon moved approval. Ms. Chavez seconded. Mr. Mills recused pursuant to Government Code section 1091. Mr. Budnick and Ms. Gaard were not present for the vote. The motion was approved by all other Board members.

I. [Appointment of Co-Chair to the Title 15 and 24 Juvenile Regulations Revision Executive Steering Committee: Requesting Approval](#)

This Agenda item was presented by Deputy Director Allison Ganter, who requested approval to appoint Roberto Luca as co-chair of the Juvenile Titles 15 and 24 Regulations Revision Executive Steering Committee in place of Miguel Garcia, who resigned from the Board in November 2022. This would allow the ESC to continue the work of Juvenile Regulations Revision for the duration of the process.

Public Comment was Heard:

Israel Villa: Stated that the decision to remove him as co-chair of the ESC was hypocritical. Asked the Board to do what's right because probation is the root cause of the issues with juveniles.

End of Public Comment

Mr. Haynes moved approval. Ms. Chavez seconded. Mr. Budnick and Ms. Gaard were not present for the vote. The motion was approved by all other Board members.

J. [Local Detention Facilities Inspection Update: Requesting Approval](#)

This Agenda item was presented by Deputy Director Allison Ganter as 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. Ganter provided a summary of current outstanding items of noncompliance for biennial inspections and a summary of current outstanding items of noncompliance for targeted inspections.

The list of outstanding items of noncompliance for adult detention facilities and their statuses may be viewed here: [ADULT](#)

The list of items of noncompliance for juvenile detention facilities may be viewed here: [JUVENILE](#)

Ganter reported that the staff is not recommending any other formal action be taken at this time and the staff remains in continuous contact with agency administrators to provide technical assistance.

This Agenda item did not require Board action.

Chair Penner returned to Agenda Item II: Information Items

II. Information Items

1. Chair's Report

None to report.

2. Executive Director's Report

Executive Director Kathleen Howard reported on the following:

Requests for Proposals for the California Violence Intervention and Prevention Grant were released which required service contracts. Howard stated that the BSCC now has a service contract with an Oakland-based provider that focuses on community-based service providers. More information about the progress of the service contract will be brought to the Board.

VI. Public Comments

There were no public comments.

VII. Adjourn

The Board adjourned at 2:48 p.m.

Next Board Meeting: To Be Determined in May 2023

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Macomber, Secretary, California Department of Corrections & Rehabilitations (CDCR)
3. Mr. Speed, Acting Director, Division of Adult Parole (CDCR)
4. Mr. Growdon, Sheriff, Lassen County
5. Mr. Dicus, Sheriff, San Bernardino County
6. Ms. Chavez, Supervisor, Santa Clara County
7. Mr. Haynes, Chief Probation Officer, Fresno County
8. Ms. Vernon, Chief Probation Officer, Kings County
9. Ms. Gaard, Retired Judge, Yolo County
10. Mr. Mills, Chief of Police, City of Palm Springs
11. Mr. Budnick, Founder, Anti-Recidivism Coalition
12. Ms. Zaragoza, Attorney, Los Angeles County Alternate Public Defender
13. Ms. Cumpian, Associate Director Anti-Recidivism Coalition Women's, and Non-Binary Services

BSCC STAFF:

Kathleen T. Howard, Executive Director
Aaron Maguire, Chief Deputy Director & General Counsel
Tracie Cone, Communications Director
Adam Lwin, Board Secretary
Allison Ganter, Deputy Director, Facility Standards and Operations
Ricardo Goodridge, Deputy Director, Corrections Planning and Grants Program
Eddie Escobar, Field Representative, Corrections Planning and Grants Program
Helene Zentner, Field Representative, Corrections Planning and Grants Program
Ian Silva, Field Representative, Corrections Planning and Grants Program