

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS



April 8, 2021
Board Meeting
Agenda & Reports



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916-445-5073

KATHLEEN T. HOWARD
Executive Director, BSCC

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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
Associate Director
Anti-Recidivism Coalition (ARC)



Board Meeting Agenda

April 8, 2021 - 10:00 a.m.

TELECONFERENCE & ZOOM PARTICIPATION ONLY

Pursuant to Governor's [Executive Order N-29-20](#)

Instructions for Attending ZOOM/Teleconference Board Meeting appear at the end of this agenda

To request to speak on an agenda item during the Board meeting, please email publiccomment@bscc.ca.gov Please state in the subject line on which item you would like to speak.

If you would like to submit written public comment on an agenda item, please email publiccomment@bscc.ca.gov

Routine items are heard on the consent calendar. All consent items are approved after one motion unless a Board member asks for discussion or separate action on any item. Anyone may ask to be heard on any item on the consent calendar prior to the Board's vote. Members of the public will be given the opportunity to give public comment during the Board's discussion of each item. There is a two-minute time limit on public comment unless otherwise directed by the Board Chair.

I. Call Meeting to Order

II. Information Items

1. COVID-19 Update
 - Letter from Fresno County Sheriff
2. Chair's Report
3. Executive Director's Report
 - Budget Hearings
 - [Legislative Analyst Office Report: A Review of State Standards and Inspections for Local Detention Facilities](#)
 - [Public Safety Realignment - Weak State and County Oversight Does Not Ensure That Funds Are Spent Effectively](#)
4. Legal Update
5. Legislative Update
6. Enhanced Inspection Update
7. Follow Up on Facility Inspection Listening Session

III. Action: Consent Items

- A. Minutes from the February 11, 2021 Board Meeting:
Requesting Approval
- B. Senate Bill 1022, Local Criminal Justice Facilities: Madera County Requesting Scope Change: **Requesting Approval**

IV. Action: Discussion Items

- C. Senate Bill 823: Summary of Stakeholder Input Session and Release of Request for Applications: **Requesting Approval**
- D. Juvenile Justice Fees: Senate Bill 1290, Chapter 340 Information Gathering: **Requesting Approval**
- E. Coronavirus Emergency Supplemental Funding Program (CESF) Funding Recommendations: **Requesting Approval**
- F. Proposition 64 Public Health and Safety Grant Program Cohort 2 Funding Recommendations: **Requesting Approval**
- G. Title II Grant Program - Identifying Effective Interventions and Replicable Strategies for Reducing Racial and Ethnic Disparities Contract: **Requesting Approval**

V. Public Comments

Public comment about any agenda item or any future agenda items may be heard at this time.

VI. Adjourn

Next Meeting:

Tuesday, April 27, 2021 – 2:00 p.m. Strategic Planning

Thursday, June 10, 2021 – BSCC Board Meeting

Instructions or Attending ZOOM/Teleconference Board Meeting:

Please click here to join:

Join from a PC, Mac, iPad, iPhone or Android device:

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[April 8, 2021 BSCC Board Meeting](#)

Passcode: 085404

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+13462487799,,89347331107# US (Houston)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

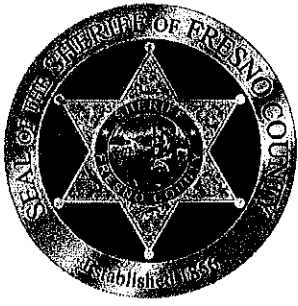
US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or
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Information Item 1

COVID-19 Update



Margaret Mims
Sheriff
Fresno County Sheriff's Office

March 2, 2021

Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

To Whom It May Concern:

I am writing this letter to address concerns over the Fresno County Jail's reporting of inmate COVID-19 data to the Board of State and Community Corrections (BSCC). Over the past weeks, inmate advocate groups have been speaking out during the BSCC public comment forums, about their belief that the Fresno County Jail is incorrectly reporting COVID-19 statistics to the BSCC. Their beliefs stem from a discrepancy between the COVID numbers reported to the BSCC and the total number of positive COVID test results, which were reported in a New York Times article.

In July of 2020, the BSCC began weekly reporting requirements for county jails. The Fresno County Sheriff's Office has reported accurately inmate COVID statistics to include; total inmates tested, total confirmed positive tests, COVID hospitalizations, resolved COVID cases, and COVID related inmate deaths. These statistics have been kept by our jail medical provider (Wellpath Inc.).

The Fresno Sheriff's Office began collecting COVID data with our first known positive inmate case on March 3, 2020. As was mentioned above, reporting of COVID data to the BSCC began in July of 2020, and did not include retroactive data to the beginning of the pandemic. The discrepancy arose when data published in a New York Times article did not match data reported to the BSCC. Specifically, the New York Times article published data of all COVID positive results, which included COVID positive tests of inmates who had previously tested positive.

During the beginning stages of the pandemic, once an inmate tested positive for COVID-19, the inmate was placed into quarantine housing. Inmates remained in quarantine housing until they had a subsequent negative COVID test. This resulted in inmates testing positive for a second and third time, causing an inflated number of reported positive results. It was relatively unknown at the time, that once positive, an inmate may continue to test positive for months, while no longer being contagious.

Dedicated to Protect & Serve

Board of State and Community Corrections

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March 2, 2021

Retesting of COVID positive inmates is no longer recommended by the Centers for Disease Control or the Fresno County Department of Public Health (FCDPH).

The data reported to the New York Times was the total number of COVID positive results (3814), which was reported as the total number of positive cases in the Fresno County Jail. From March 3, 2020 to March 1, 2021, the Fresno County Sheriff's Office has had a total of 1365 inmates test positive for COVID-19. This number does not include any previous or subsequent positive results for the same inmate.

The Fresno Sheriff's Office is dedicated to ensuring transparency in its reporting of all inmate COVID data throughout this pandemic. Due to the on-going challenges of COVID-19, along with the ever changing recommendations for the testing and reporting of positive results, some minor discrepancies may arise in data reported versus data requested. In a meeting on Monday March 1, 2021, the Fresno County Sheriff's Office confirmed the accuracy of our data that we have been reporting to the BSCC.

The Fresno Sheriff's Office is working with its jail medical provider (Wellpath) in an effort to continually test all inmates who wish to be tested on a weekly basis and in booking during the intake process. Beginning early in the pandemic, we supplied masks to all inmates upon arrival in booking and have supplied additional masks to inmates weekly or when requested. We also began health screening, which included taking temperatures of all employees and vendors entering jail facilities. The jail has also taken extraordinary steps to ensure the cleanliness and safety of the jail facilities for the inmates and staff. We provide weekly testing opportunities for employees, and hundreds of these tests have been administered.

The Fresno County Sheriff's Office is dedicated to excellence in the delivery of medical and mental health services to the inmates of the Fresno County Jail. In the most recent development, in partnership with the FCDPH, the jail has also begun providing COVID vaccinations to inmates in accordance with state distribution guidelines.

Please feel free to contact me with any questions and/or concerns regarding COVID-19 testing and reporting data in the Fresno County Jail. I can be reached at 559-600-8800 or via email at margaret.mims@fresnosheriff.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Mims". The signature is fluid and cursive, with the first name "Margaret" and last name "Mims" clearly distinguishable.

Margaret Mims

Sheriff-Coroner-Public Administrator

Information Item 5

Legislative Update

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
1	<u>AB 29</u> <u>State bodies: meetings</u> <u>Assemblymember Cooper</u> <u>(D-9)</u>	<p>Introduced, December 7, 2020</p> <p>The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public, and that all persons be permitted to attend any meeting of a state body. Current law requires the state body to provide notice of its meeting to make the notice available on the internet at least 10 days in advance of the meeting. This bill would require that notice to include all writings or materials provided for the noticed meeting to a member of the state body by the staff of a state agency, board, or commission, or another member of the state body that are in connection with a matter subject to discussion or consideration at the meeting.</p>	May impact BSCC public meetings	<p>1/11/21</p> <p>Referred to Assembly Committee on Government Operations</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
2	<u>AB 48</u> <u>Law enforcement: kinetic energy projectiles and chemical agents</u> <u>Assemblymember Gonzalez</u> <u>(D-80)</u>	<p>Revised, March 24, 2021</p> <p>This bill would prohibit the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards set by the bill, and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer.</p>	May impact training regulations	<p>3/24/21</p> <p>Coauthors revised. From Assembly committee: Do pass and re-refer to Assembly committee on Appropriation s</p> <p>(6 - 2)</p> <p>(March 23).</p> <p>Re-referred to Assembly committee on appropriation s</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
3	<u>AB 308</u> <u>Law enforcement: vehicle burglary and theft task forces.</u> <u>Assemblymember Chen</u> <u>(R-55)</u>	<p>Amended in Assembly, March 25, 2021</p> <p>This bill would require the Board of State and Community Corrections to administer grants to law enforcement agencies that participate in regional vehicle burglary and theft reduction joint task forces. The bill would make law enforcement agencies in specified counties eligible to participate in the regional task forces. The bill would require participating law enforcement agencies in each region to form a joint task force coordination council consisting of a representative of the Department of the California Highway Patrol and the sheriff or chief of police, or their representatives, of each participating law enforcement agency.</p>	Would require the BSCC to administer this grant	<p>3/25/21</p> <p>Read second time and amended</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
4	<u>AB 328</u> <u>Reentry Housing and Workforce Development Program.</u> <u>Assemblymember Chiu (D-17)</u>	<p>Amended in Assembly, March 17, 2021</p> <p>This bill would establish the Reentry Housing and Workforce Development Program. The bill would require the department, on or before July 1, 2022, to take specified actions to, upon appropriation by the Legislature, provide grants to applicants, as defined, for innovative or evidence-based housing, housing-based services, and employment interventions to allow people with recent histories of incarceration to exit homelessness and remain stably housed. The bill would require the department to establish a process, in collaboration with the Department of Corrections and Rehabilitation and with counties in which recipients are operating, for referral of participants, in accordance with certain guidelines and procedures.</p>	May impact the current Adult Reentry Grant administered by the BSCC	<p>3/18/21</p> <p>Re-referred to Assembly Committee on Appropriations</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
5	<u>AB 653</u> <u>Medication-Assisted Treatment Grant Program</u> <u>Assemblymember Waldron</u> <u>(R-75)</u>	<p>Amended in Assembly, March 30, 2021</p> <p>This bill would establish, until January 1, 2026, the Medication-Assisted Treatment Grant Program, to be administered by the Board of State and Community Corrections. The bill would require the board to award grants, on a competitive basis, to counties and would authorize counties that receive grants to use grant funds for various purposes relating to the treatment of substance use disorders and the provision of medication-assisted treatment. The bill would prohibit counties from using the grant funds to supplant existing resources for medication-assisted treatment services delivered in county jails or in the community. The bill would require counties that receive grants pursuant to these provisions to collect and maintain data relating to the effectiveness of the program and would require the board, by July 1, 2025, to submit a report to the Legislature describing the activities funded by the grant program and the success of those activities in reducing drug overdoses and recidivism by jail inmates and persons under criminal justice supervision.</p>	Would require the BSCC to administer this grant	<p>3/30/21</p> <p>From committee chair, with author's amendments:</p> <p>Amend, and re-refer to Assembly Committee on Public Safety</p> <p>Read second time and amended</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
6	<u>AB 731</u> <u>County jails: recidivism: reports</u> <u>Assemblymember Bauer-Kahan (D-16)</u>	<p>Introduced, February 16, 2021</p> <p>This bill would require the sheriff in each county to compile and submit specified data to the Board of State and Community Corrections on their antirecidivism programs and success rates in reducing recidivism. The bill would require the Board of State and Community Corrections to compile a report based upon those findings and submit the report to the Legislature by a specified date.</p>	Would require research and data collection and compiling a report to the Legislature	<p>2/25/21</p> <p>Referred to Assembly Committee on Public Safety</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
7	<u>AB 785</u> <u>Mental health</u> <u>Assemblymember</u> <u>Rivas</u> <u>(D-30)</u>	<p>Introduced, February 16, 2021</p> <p>This bill would, upon appropriation, establish the Mental Health Response and Treatment Challenge Grant Pilot Program. The bill would provide that the purpose of the pilot program is to provide a statewide investment program to provide funds and flexibility to cities, counties, cities and counties, or other local governmental agencies that interact with the criminal justice system to develop programs that seek to improve services in 3 areas, as specified. The bill would require the Board of State and Community Corrections to administer the pilot program and award grants on a competitive basis.</p>	Would require the BSCC to administer the grant	<p>2/25/21</p> <p>Referred to Assembly Committees on Public Safety and Health</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
8	<u>AB 1213</u> <u>California Violence Intervention and Prevention Grant Program.</u> <u>Assemblymember Levine (D-10)</u>	<p>Introduced, February 19, 2021</p> <p>SPOT BILL RELATED TO CALVIP GRANT PROGRAM</p>	More information needed	<p>2/22/21</p> <p>Read first time</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
9	<u>AB 1223</u> <u>Firearms and ammunition: excise tax.</u> <u>Assemblymember Levine (D-10)</u>	<p>Introduced, February 19, 2021</p> <p>This bill would, until January 1, 2028, impose an excise tax on a retailer in the amount of \$25 per firearm on the sale in this state of a handgun or semiautomatic rifle or shotgun sold as new, as provided, and an excise tax on a retailer in the amount of ____% of the gross receipts from any sale of ammunition. The tax would be collected by the state pursuant to the Fee Collection Procedures Law. The bill would require that the revenues collected be deposited in the CalVIP Firearm and Ammunition Tax Fund, which the bill would create. The bill would continuously appropriate moneys in that fund to the Board of State and Community Corrections to provide CalVIP grants, thereby making an appropriation.</p>	Would secure funding to the CalVIP grant	<p>3/4/21</p> <p>Referred to Assembly committees on Public Safety and Revenue and Taxation</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
10	AB 1336 Hate crimes: task force. Assemblymember Nguyen (R-72)	<p>Amended in Assembly, March 23, 2021</p> <p>Would require the Board of State and Community Corrections to establish a hate crimes task force. The bill would authorize local law enforcement agencies to participate in the task force through regional task forces, as specified. The bill would require the board to, upon appropriation by the Legislature, administer grants to law enforcement agencies that participate in the regional hate crime task forces. The bill would require funds allocated to the regional task forces to be expended with the goal of reducing hate crimes, identifying suspects engaging in hate crimes, identifying interregional movement of offenders, coordinating enforcement efforts, and promoting law enforcement training and best practices to reduce the incidence of hate crimes. The bill would require the regional task forces to report specified information to the board and would require the board to compile that information and report it to the Legislature, as specified.</p>	Would require developing a taskforce and compiling research, data, and a report to the Legislature	<p>3/24/21</p> <p>Re-referred to Assembly committee on Public Safety</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
11	<u>AB 1474</u> <u>Sentencing: consideration of costs</u> <u>Assemblymember Gabriel (D-45)</u>	<p>Introduced, February 19, 2021</p> <p>This bill would require a prosecuting attorney, at sentencing, to state on the record the estimated cost of incarceration or supervision for any proposed sentence. Would also require a county probation department, if preparing a presentence report, to provide the court with specified information regarding the estimated and projected cost of incarceration or other supervision of the defendant as has been proposed in the recommended sentence. The court, during sentencing, to state on the record, the estimated cost of the sentence imposed. Would require the Legislative Analyst's Office (LAO) to annually compile the average annual costs of incarceration and postincarceration supervision, provide this information to the public on its website. This bill would require the Board of State and Community Corrections to annually compile the annual costs of incarceration and noncustodial supervision for a person under the supervision of each county sheriff or probation department, and to provide the information to prosecutor's officers and the chief probation officer of each county. The bill would also require the board to provide this information to the public on the board's internet website.</p>	Would require data and research on costs of incarceration and compile reports	<p>3/11/21</p> <p>Referred to Assembly committee on Public Safety</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
12	<u>SB 2</u> <u>Peace officers: certification: civil rights.</u> <u>Senator Bradford</u> <u>(D-35)</u>	<p>Amended in Senate, March 11, 2021</p> <p>This bill would provide that a threat, intimidation, or coercion under the Tom Bane Civil Rights Act may be inherent in any interference with a civil right and would describe intentional acts for these purposes as an act in which the person acted with general intent or a conscious objective to engage in particular conduct. The bill would eliminate certain immunity provisions for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act.</p>	May impact standards for training	<p>3/24/21</p> <p>Set for hearing April 13, 2021</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
13	<u>SB 334</u> <u>Detention facilities: contracts.</u> <u>Senator Durazo</u> <u>(D-24)</u>	<p>Introduced, February 8, 2021</p> <p>This bill would require a private detention facility responsible for the custody and control of a prisoner or civil detainee to operate in compliance with these standards and to maintain specified insurance coverages, including general, automobile, and umbrella liability, and workers' compensation. The bill would require an insurer providing insurance to require the private detention facility to comply with the standards and to notify the director of the facility and the Insurance Commissioner of deficiencies and that the insurance contract will be canceled if the deficiencies are not corrected within 60 days, among other duties. The bill would state that it does not apply to specified detention facilities. The bill would state that it does not create any additional authority or responsibility for the Board of State and Community Corrections and Department of Corrections and Rehabilitation, as specified.</p>	None	<p>3/25/21</p> <p>From committee: Do pass and re-refer to Senate committee on Judiciary</p> <p>Vote: (8-1)</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
14	<u>SB 472</u> <u>Social Innovation Financing Program.</u> <u>Senator Caballero</u> <u>(D-12)</u>	<p>Introduced, February 17, 2021</p> <p>Current law establishes the Social Innovation Financing Program, administered by the Board of State and Community Corrections, to award grants to 3 counties selected by the board, for the purpose of entering into a social innovation financing contract. This bill would, commencing January 1, 2021, authorize the board, upon an appropriation by the Legislature to the Social Innovation Fund created by this bill, to award a new round of grants to 5 counties selected by the board, as specified. The bill would also authorize the board to utilize no more than 2% of any appropriated funds to award microgrants to counties applying for a grant to support the development of grant proposals. The bill would require the board and the grant recipients to report annually to the Governor and the Legislature, as specified. The bill would extend the repeal date of the program to January 1, 2031.</p>	<p>Upon appropriations would require BSCC to administer grants to five counties</p>	<p>3/10/21</p> <p>Set for hearing April 6, 2021</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
15	<p><u>SB 493</u></p> <p><u>Local government financing: juvenile justice</u></p> <p><u>Senator Bradford</u></p> <p><u>(D-35)</u></p>	<p>Amended in Senate, March 23, 2021</p> <p>This bill would revise and recast required components of the multiagency juvenile justice plan to, among other things, additionally require a plan to include an assessment of existing community-based youth development services, identification and prioritization of areas of the community that face significant public safety risk from crime, documentation of the effectiveness of the programs funded under these provisions, and a description of the target population funded under these provisions. The bill would require programs and strategies funded under these provisions to, among other things, be modeled on trauma-informed and youth development approaches and in collaboration with community-based organizations. The BSCC shall compile the local reports and, by March 1 of each year following their submission, make a report to the Governor and the Legislature summarizing the programs and strategies and related expenditures made by each county and city and county from the appropriation made for the purposes of this paragraph. The report shall provide statewide analysis of spending, strategies, quantitative and qualitative description of the total population of youth served in the preceding fiscal year.</p>	<p>May impact JJCPA reporting criteria</p>	<p>3/23/21</p> <p>Set for hearing April 13.</p> <p>From Senate committee with author's amendments.</p> <p>Read second time and amended.</p> <p>Re-referred to Senate Committee on Public Safety</p>

Information Item 6
Enhanced Inspection
Update

Targeted Jail Inspections

Summary

This information item provides an update on the targeted jail inspections that have been completed in the 2020/2022 Biennial Inspection Cycle.

Background

The 2020/2022 Biennial Inspection Cycle began on July 1, 2020; this inspection cycle will include the implementation of the Enhanced Inspection Process (EIP), as proposed to the Board in February 2020.

Ten counties were identified for a targeted inspection early in the 2020/2022 Biennial Inspection Cycle:

1. Imperial County Sheriff's Office
2. Los Angeles County Sheriff's Department
3. Madera County Department of Corrections
4. Modoc County Sheriff's Office
5. Mono County Sheriff's Office
6. Riverside County Sheriff's Department
7. San Francisco County Sheriff's Department
8. Santa Cruz County Sheriff's Office
9. Sutter County Sheriff's Office
10. Trinity County Sheriff's Department

These targeted inspections are focused on the items of noncompliance identified in the previous inspection cycle (2018/2020). The targeted inspection does not replace the comprehensive biennial inspection that will still be conducted in the current inspection cycle (2020/2022).

All targeted inspections have been completed; the status of remaining items of noncompliance is located here:

<https://app.smartsheet.com/b/publish?EQBCT=a8589252397847ee8dcb371a9c6ec015>.

Staff will provide additional detail and discuss the information shared with the Board to enhance tracking of items of noncompliance according to the EIP.

Information Item 7
Jail Listening Session
Update



LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

2590 VENTURE OAKS WAY, SUITE 200 ♦ SACRAMENTO CA 95833 ♦ 916.445.5073 ♦ BSCC.CA.GOV



GAVIN NEWSOM
Governor

Follow Up on Facility Inspection Listening Session

Summary

This information item provides follow-up information on the Facility Inspection Listening Session held on December 9, 2020. BSCC staff presented an analysis of the comments received during the listening session at the February 11, 2021 Board Meeting and have prepared initial response for potential Board action.

Background

At the February 11, 2021 BSCC Board meeting, staff presented an analysis of the feedback received during the December 9, 2020 Facility Inspection Listening Session. While some of the feedback was directed at practices that the BSCC is already conducting, much of the feedback received requires greater attention and further review to determine the best course of action for system improvement.

The comments that were received were grouped into four main categories:

1. Local Facility Inspections
2. Role of the BSCC
3. Facility Conditions During the Coronavirus Pandemic
4. General Facility Conditions

A total of seven (7) subcategories were developed from the main categories:

- A. Inspection Process
- B. Inspection Team
- C. Written Standardized Procedures
- D. Regulations
- E. Agency Culture
- F. Facility Conditions
- G. Health and Medical Care.

In those subcategories, comments were grouped into “codes” that describe the comment’s subject matter in detail. Analyses were based on 34 comments (written and/or verbal) received from unique individuals and/or agencies.

The BSCC carefully reviewed the feedback on the inspection process and has compiled an initial response to the specific code that represented comments and groups of codes where appropriate. This response is contained in Attachment 2.

The initial responses fall into three general themes:

1. Current practice of the BSCC
 - a. How it is implemented
 - b. How it could be improved
2. A proposed practice that is worthy of consideration for implementation
3. Issue is outside of the BSCC's scope of authority

BSCC staff will continue to listen and solicit feedback from members of the community to ensure transparency, accountability, and a meaningful inspection process. We look forward to hearing Board member discussion and suggestions for next steps based on these initial responses.

Information Item 7
Jail Listening Session
Update

Attachment

BSCC Initial Response to Facility Inspection Listening Session - December 9, 2020

#	Comment	BSCC Response	BSCC Notes
Category: Inspection Process			
1	Unannounced inspections	Worth considering.	The BSCC is considering the feasibility of conducting unannounced inspections.
2	Enhanced process is insufficient	Current practice: EIP is in process.	The EIP is still in early implementation; the goal of the EIP is to provide greater accountability and transparency in the inspection process. BSCC staff have identified areas where the EIP can be more clearly defined and we will continue to seek improvements to the EIP in consultation with the Board.
3	Implementation focus - the inspections process should focus on observation and implementation. Inspectors should determine that facilities adopt and implement policies. That is, inspections are more than a paper review.	Current practice: will continue to improve inspection reports.	BSCC staff review and analyze policy and practices to ensure compliance with applicable regulations. We will continue to refine our report writing to ensure that our reports reflect the type of review and feedback given to ensure details with the regulation.
4	Public notification - upon the identification of issues of serious noncompliance, the Board and general public should be notified in a timely manner.	Current practice: EIP is in process.	This is a central component of the EIP; effective July 1, 2020 our Initial Inspection Reports will be posted and details about outstanding items of noncompliance will be shared with the Board regularly.
5	Responsive - the inspection process should be responsive to identified problems, including those outside of Title 15. These identified problems may include current legal actions, investigations, and complaints and should be documented by BSCC.	Exceeds BSCC statutory authority.	The BSCC does not have authority to determine compliance on items that are not contained in Title 15 regulations, nor does the BSCC have authority to conduct investigations.
6	Independent assessment - the inspections process should focus on independent assessments of compliance. There should not be self-reporting of "compliance" by the facility.	Current practice.	BSCC staff do not rely on self-reporting by facility managers for compliance. BSCC staff do rely on reports drafted by other county agencies for compliance (education, medical/mental health, nutritional, environmental, fire and life safety, etc.). Assessments of education in juvenile detention facilities must be completed by an independent party.
7	Applied to juvenile inspections - the enhanced inspection process should be applied to the juvenile facility inspections.	Current practice.	The EIP applies to Juvenile Detention Facility inspections.
8	Legislative report content: include juvenile facilities.	Current practice.	The BSCC plans to include juvenile detention facility items of noncompliance in the next legislative report.
Category: Inspection Team			
9	Community members and advocates: should be present during inspections.	Worth considering.	Further analysis of these comments are required.
10	Subject matter experts: should be present during inspections.		
Category: Written Standardized Procedures			
11	Interview protocol: BSCC should establish a written protocol for interviewing detainees.	Worth considering.	Further analysis of these comments are required; the BSCC is interested in developing "job aids" for inspections to ensure clarity, consistency and accountability.
12	Written protocol: BSCC should establish written protocols for the inspection process.		

BSCC Initial Response to Facility Inspection Listening Session - December 9, 2020

#	Comment	BSCC Response	BSCC Notes
Category: Regulations			
13	Enforced: BSCC regulations should be enforced.	Exceeds BSCC statutory authority.	BSCC minimum standards are not enforceable.
14	Emergency response: regulations should address procedures during disasters such as wildfire and pandemic.	Current practice.	Title 15 requires agencies to have emergency procedures for natural disasters and other emergent situations. Agencies develop their emergency procedures in consultation with the appropriate local responders and disaster planning partners.
15	National standards: standards should be aligned with national best practices.	Current practice: review of regulations in process.	The BSCC is in the process of ensuring that minimum standards are aligned with national best practices.
16	Older and long-term youth	Worth considering.	The BSCC will be working with new OYCR to determine the best way to ensure that BSCC regulations consider the older and long term youth that will be returning to their communities as DJJ facilities close.
17	Specificity: there is a need to provide more specific provisions and guidance in existing regulations.	Current practice: review of regulations in process.	The BSCC is in the process of revising minimum standards and is considering specificity where appropriate and ensuring that regulations are aligned with best practice.
Category: Role of BSCC			
18	Leadership: BSCC should use its authority to go above and beyond minimum requirements for jail inspections.	Current practice and exceeds BSCC statutory authority.	BSCC inspection responsibilities fundamentally focused on ensuring the health and safety of those who are incarcerated. We will continue to solicit and listen to feedback. The BSCC can only inspect for and report on items of noncompliance with minimum standards. BSCC staff provide technical assistance to facility administrators throughout the biennial inspection cycle to ensure and encourage compliance with regulations and use of best practices.
19	Improve data collection	Current practice.	The BSCC is continually improving data collection efforts.
20	Coordinate with OYCR	Current practice.	The BSCC will collaborate with the OYCR.
21	Train other inspectors	Current practice.	BSCC staff train other inspectors regularly, including members of county juvenile justice commissions, grand juries, health inspectors, and other interested parties upon request.
Category: Coronavirus Facility Conditions			
22	Access to PPE and hygiene products	Current practice: BSCC has reviewed policies and procedures related to communicable diseases in local detention facilities. Other aspects of individual comments exceed the BSCC's authority.	BSCC staff have reviewed each county's plans for managing communicable diseases in accordance with Title 15 minimum standards and have found no issues of noncompliance with applicable requirements. Each agency has a health care administrator that is responsible for providing medical care to the people housed in their facilities. The facility administrator and the health care administrator are responsible for complying with applicable state and federal laws related to the outbreak of a communicable disease. Additionally, the county health officer is responsible for annually inspecting each place of detention in the county to ensure compliance with applicable Title 15 regulations.
23	Improper or no mask use		
24	Inability to social distance		
25	Lack of testing		
26	Lack of transparency		
27	Access to cleaning products		
28	Lack of quarantining		
29	No family visitation		
30	Population movement		
31	Facility cleanliness		
32	Access to education and programs		
33	Denial of hot meals		
34	Suspension of regulations: should be considered reasonable and necessary to help reduce exposure to COVID-19.	Current practice.	Current suspensions of standards and mitigation plans are continually reviewed by BSCC staff and are reviewed by, and approved by, the Board Chair every 30 days.

BSCC Initial Response to Facility Inspection Listening Session - December 9, 2020

#	Comment	BSCC Response	BSCC Notes
Category: Agency Culture			
35	Poor treatment of incarcerated people by facility staff.	Exceeds BSCC statutory authority.	The BSCC does not have regulations that specifically address the culture of agencies that operate local detention facilities. Additionally, BSCC minimum standards are not enforceable. If poor treatment is related to noncompliance in a local detention facility, BSCC staff will absolutely make a finding of noncompliance and offer technical assistance to the agency to urge compliance through corrective action and encourage facility administrators to address issues in a timely manner.
36	Will to address issues: lack of will by local detention facility to acknowledge and change identified problems.	Exceeds BSCC statutory authority.	
Category: Facility Conditions			
37	Facility cleanliness: The facilities are dirty, inmates are relied upon for cleaning but are not provided with adequate cleaning supplies, and deep cleaning or sanitation is not occurring.	Current practice: Title 15 addresses and regulation revisions.	Title 15 § 1280, Facility Sanitation, Safety, and Maintenance requires agency administrators to have policy and procedure to maintain cleanliness in local detention facilities. Current regulations are being reviewed; this regulation can be reviewed to determine if revisions can enhance facility cleanliness.
38	Long hours in cells: Inmates/detainees are spending up to 23 hours per day in their cells.	Current practice: regulation revision.	Current regulations are being reviewed and revised to ensure adequate minimum time out of cells.
39	Insufficient meals: The meals provided lack nutritional content, quality, and variety. The portion size is inadequate, and meals often go cold before they can be eaten.	Current practice: Title 15 addresses.	Title 15 § 1241, Minimum Diet outlines minimum dietary requirements that comport with federal regulations. The county health officer inspects the nutritional program in each local detention facility annually.
40	Commissary cost: The cost to purchase items through the commissary (e.g., Top Ramen, soap) is too high	Exceeds BSCC statutory authority.	There are no minimum standards associated with commissary in local detention facilities.
41	Video visitation: Video visitation is either unavailable or cannot be done successfully due to connectivity issues.	Current practice: Title 15 addresses. Exceeds BSCC authority in some areas.	While § 1062, Visiting outlines the requirements for video visitation in local detention facilities, BSCC has no oversight over individual connections or contracts between the video visitation vendor and the agency.
42	Lack of programming: Programming is not available and/or is only available for those with lower-level offense.	Current practice: regulation revision.	Current regulations are being reviewed and revised to ensure adequate programming.
43	Potential violations of regulations	Current practice.	BSCC staff documents all items of noncompliance that are identified.
Category: Health and Medical Care			
44	Medical care: inadequate or delayed responses to medical needs	Exceeds BSCC statutory authority.	Although there are minimum standards related to the provision of medical care and medication delivery in local detention facilities, the health authority and facility administrator are directly responsible for health care response in the facility.
45	Medication: delays in delivery or lack of delivery		
46	Deaths in custody: preventable by timely access to medical care	Exceeds BSCC statutory authority.	Title 15 § 1046. Death in Custody outlines the requirements for the agency to review all deaths in custody. BSCC minimum standards do not address how deaths are investigated and do not have access to medical information to determine if a death is due to lack of timely and adequate medical care.
47	Menstruation products: access to products	Current practice: Title 15 addresses.	Title 15 § 1265. Issue of Personal Care Items requires that each female inmate is provided with adequate feminine hygiene supplies. BSCC staff inspect for this requirement.

Agenda Item A

KATHLEEN T. HOWARD
Executive Director, BSCC

BOARD MEMBERS

LINDA M. PENNER
Chair, BSCC

KATHLEEN ALLISON
Secretary, CDCR

GUILLERMO VIERA ROSA
Director
Adult Parole Operations, CDCR

DEAN GROWDON
Sheriff, Lassen County

WILLIAM GORE
Sheriff, San Diego County

VACANT
CAO/ 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, FEBRUARY 11, 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 10:00 AM.

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

Penner provided instructions to the Board members and the public for participating in the meeting.

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

The following members were in attendance on Zoom or Teleconference:

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

ABSENT BOARD MEMBERS:

Ms. Allison

II. Information Items

1. COVID-19 Update:

This information item was presented by Executive Director Kathleen Howard:

- Howard thanked the research team and the county data reporters on the work they are doing and the information they are submitting.
- Reported that data may differ from what is on the BSCC's website and what has been reported to the media.
- Stated that BSCC is making every effort to have the most up-to-date data.
- Reported that the average daily population data was collected from February 2020:
 - Across the state, 73,000 county population numbers dropped
 - The population was at its lowest in May of 2020 with 50,631 people in county jails
 - The current average daily population is almost 61,000
- Howard said that from November through the end of January the population has been stable and the data that the BSCC collects weekly from data reporters tracks the following COVID-19 data elements:
 - Testing confirmed cases
 - Hospitalizations
 - Deaths
- Howard clarified that when a facility reports a number that is less than 11 (positive values between 1 and 10) that for privacy purposes is reported as less than 11 and not the actual number. The highest week of reported numbers of tests was 7,600 during the middle of December.
- Reported that on November 1 and January 30, Riverside and Orange county submitted increases rates as follows:
 - During the week of November 28 Orange county reported 225 people who were tested
 - Riverside reported 2,300 tested in the week ending November 7 and then 530 tested in the week ending on January 9
- Howard said that the positivity rate of 9.84 percent. The positivity rate at the low estimate is 5.85 percent and the high estimate is 9.7 percent. The general population positivity rate remains consistent.
- Howard said that the responsibility within the county detention facilities for management of a communicable disease is a responsibility that's shared between the detention facility and the responsible physician, facility administrator, and county health officer.

2. Chair's Report:

Chair Penner reported on her inspection visit to Riverside County on January 20, 2021. Penner was joined by Board Member Norma Cumpian, Deputy Director Allison Ganter, and Field Representative Michael Bush.

Penner met with Riverside Sheriff's department representatives, who provided an overview of the department's COVID-19 response, including policy, procedures and screening forms and documentation.

The team reviewed intake and screening COVID-19 protocols, testing, visit intake, medical and general population housing units.

The team also observed programs and vocational education opportunities, and spoke with people housed in the facilities, and with medical and custodial staff relative to protocols and practices relative to COVID-19.

3. Executive Director Report:

Executive Director Kathleen Howard reported on the following budget items:

County Jail Lease Revenue Bond Funding Relinquishment:

- BSCC Budget Impact – Reallocation of Relinquished Construction Funds:
The BSCC administers five financing programs for adult jail facilities in counties statewide. Since these programs began, several county recipients have relinquished their awards and some counties realized minor project savings that remain unspent. Approximately \$202 million is currently available for allocation. The Administration supports reallocating these bonds to purchase or modify county community mental health facilities.

Proposition 47: Second Chance Fund:

- Budget Impact –Increased Funds
 - DOF estimated net General Fund savings of \$114.8 million, which is an increase of \$11.9 million over the estimated savings in FY 2020-21.
 - The savings can be attributed to the state's reduced reliance on contract facilities to house prison inmates.
 - The current estimated transfer to the BSCC is \$74.363 million, which is an increase of \$7.734 million from FY 2020-21. This amount represents the initiative-mandated 65% of the savings intended for grants to public agencies to support various recidivism reduction programs.

Proposition 64/Cannabis Tax Fund:

- Budget Impact – Increased Funds
 - The Budget includes \$60.215 million from the Cannabis Tax Fund.
 - 5 percent of the appropriation is reserved for administration support = \$3.011 million.
 - 95 percent of the appropriation is reserved for local assistance = \$57.204 million.
 - This is a \$20.48 million increase from FY 2020-21.

Ongoing Grants/Programs with No Change in Funding:

- Adult Reentry Grant (ARG)
 - On-going \$37 million. No change from FY 2020-21.
- Community Corrections Partnership Plan
 - On-going \$7.95 million. No change from FY 2020-21.
- California Violence Intervention and Prevention (CalVIP)
 - On-going \$9 million. No change from FY 2020-21.
- Standards and Training for Corrections (STC)
 - \$20,970 million to support training for local corrections agencies. No change from FY 2020-21.
- BSCC Overall Programs and Operations
 - No change in funding for positions and support of programs

4. Legal Update:

General Counsel Aaron Maguire reported on the following:

Edward Byrne JAG litigation is currently under review by the United States Supreme Court. The Court may review the information on February 26.

NCJA has indicated that the immigration conditions will be removed from federal grants.

He flagged conflict of interests for Board Members who may have remote interests.

5. Legislative Update:

Legislative Analyst Adam Lwin reported on the following:

Referred the Legislative report in the Board meeting materials. The Legislature has until February 19 to introduce bills and it was too early to determine bills that might impact the Board.

6. Targeted Jail Inspections:

Deputy Director Allison Ganter presented information on the targeted jail inspections:

Ten counties have been identified for the 2020-2022 targeted inspections based on the number of items of noncompliance in 18/20 inspections. These include:

1. Imperial County Sheriff's Office
2. Los Angeles County Sheriff's Department
3. Madera County Department of Corrections (inspection completed)
4. Modoc County Sheriff's Office (inspection completed)
5. Mono County Sheriff's Office (inspection completed)
6. Riverside County Sheriff's Department
7. San Francisco County Sheriff's Department
8. Santa Cruz County Sheriff's Department
9. Sutter County Sheriff's Office
10. Trinity County Sheriff's Department (inspection completed)

The enhanced inspection process will include items of noncompliance in the initial inspection report.

The agency has 30 days to correct or submit a corrective action plan (CAP). The agency will have 90 days to provide a correction. If the BSCC does not receive a response or if no action was taken, the Board may invite the Sheriff to appear.

Field Representatives will provide continuous technical assistance and staff will provide regular updates to the Board on noncompliance status.

Ganter provided information on five counties that the FSO division has inspected, along with the noncompliance items. More detail on the facilities can be found here: <https://www.bscc.ca.gov/wp-content/uploads/Info-Item-6-Targeted-Inspections-FINAL.pdf>

With all noncompliance issues, Field Representatives are working with counties to come back into compliance and align with state and federal guidelines.

Ganter included in her report:

- San Francisco has been scheduled for inspection on February 16, 2021 and Field Representatives are providing technical assistance before the inspections.

- Santa Cruz is tentatively scheduled for March 24, 2021. A corrective action plan has been submitted and staff is continuing technical assistance.
- Sutter County will be inspected as soon as possible. Staff is providing technical assistance for Sutter.

Chair Penner and Ms. Cumpian reported on their experience visiting the Riverside County jail.

Cumpian stated that incarcerated individuals can get tested and have received all resources they needed in the facility.

Penner reported that the Riverside County jail is meeting the minimum standards expectations.

Chair Penner reported on the jail listening sessions that were held in 2020 and the amount of information received from the public. Chair Penner thanked local staff who have worked to be transparent, open and accountable in the work that they do.

7. Jail Listening Sessions Outcomes

Deputy Director Allison Ganter presented on this item:

- Reported that the BSCC research team provided an analysis of responses from the previous sections.
- 31 people provided verbal and written comments
- 82 percent represented community-based organizations or advocate groups, 29 percent of which were formerly system involved.
- 15 percent represented family members of those currently incarcerated
- 9 percent were attorneys
- Comments fell into the following categories
 - Local facility inspections
 - Inspection Process
 - Inspection Team
 - Written Standardized Procedures
 - Regulations
 - Role of the BSCC
 - Facility conditions during COVID-19
 - General facility conditions
 - Agency Culture
 - Facility Conditions
 - Health and Medical Care

- The listening sessions addressed some issues as unannounced inspections. Public notifications, improved data collection, access to PPE and hygiene products, lack of transparency & quarantining, lack of visitation and denial of hot meals. A full analysis of may be found here:

https://www.bscc.ca.gov/wp-content/uploads/Attachment-B-Facility-Inspections-Content-Analysis_2_3_2021-Final.pdf

- Ganter stated that more information will be brought to the Board at the April Board meeting.

Board Members discussed the effectiveness of the listening session and having unannounced visits.

Chair Penner said that the Board is in constant conversation with the administration and the Department of Finance of the BSCC's abilities, authority, and what changes need to be made within the agency.

Penner explained that announced visits are conducted to review policies, procedures before an inspector enters a facility. The review of documentation is vital.

Public Comment was heard for the Information Items 1 through 5:

Brian Goldstein (Center on Juvenile and Criminal Justice): Reported that COVID-19 data from Fresno County is underreported and referred to the New York Times article which reports a different number. Asked for an explanation of the undercount, for a revise of Fresno's COVID-19 testing data and review of other facility information.

Avalon Edwards (Starting Over Inc.): Described the conditions in Riverside County jail and encouraged that the BSCC to complete unannounced visits to capture the day to day of the facility.

Captain Kevin McConnell: Reported that San Francisco Sheriff's department is ready and accepting of the upcoming inspections but due to COVID-19 the number of individuals in the facility will be limited. Thanked the advocacy groups for raising concerns that should be addressed.

Joseph Bear (Transgender Gender Variant and Intersex Justice Project): Requested CDCR release incarcerated individuals and reduce the prison population by 50 percent.

Red Martinez: Asked if officers are being tested and suggested that inspectors should check all facilities carefully and conduct surprise visits.

Kerry Schaaf: Described a lived experience of her family member and explained her experience with detention facilities. Encouraged more talks with policy makers and incarcerated individuals.

Michael Jurado (Participatory Defense): Described his experience being incarcerated and requested that surprised visits be conducted.

Courtney Morris (Justice Under Capitalism): Described experiences of those in detention facilities and requested unannounced inspections.

End of Public Comment

Mr. Baranco and Ms. Cumpian asked if an ombudsman or a hotline is available for those who are detained.

Ganter explained that the BSCC does receive letters and phone calls and provides resources and responses to each one.

III. Action: Consent Items:

A. [Minutes from the November 19, 2020 Board Meeting: Requesting Approval](#)

Mr. Steinhart moved approval. Mr. Budnick seconded. The motion carried for consent item A.

IV. Discussion Items:

B. [Modification of the California Department of Corrections and Rehabilitation Coronavirus Emergency Supplemental Funding Grant Agreement: Requesting Approval](#)

This agenda item was presented by Deputy Director Ricardo Goodridge and Jessica Fernandez of the California Department of Corrections and Rehabilitation (CDCR)

This agenda item requested Board approval to amend the CDCR's \$15 million Coronavirus Emergency Supplemental Funding (CESF) program grant agreement to allow for additional reentry services not listed in the original agreement for people returning from state prison.

Public Comment was heard for Agenda Item B:

Daniella Tavaki: Asked if the CDCR programs provide programs for transgender women and men and what the services were and if these individuals are being housed within homes with the gender with which they identify.

Mary Moreno: Suggested oversight of the funds being released to CDCR and if the funds are going to programs and services.

Mr. Budnick acknowledged CDCR and the positive work parole is doing for those who are being released from incarceration and shared the positive changes he is seeing in facilities.

End of Public Comment

Mr. Budnick moved approval. Mr. Growdon seconded. Mr. Viera Rosa recused pursuant to **pursuant to Government Code section 1091**.

C. [Senate Bill 823: Request For Information Reports and Request For Application development: Requesting Approval](#)

This agenda item was presented by Deputy Director John Prince.

This agenda item proposed the development of a Request for Application (RFA) for the \$9.6 million Youth Programs and Facilities Grant Program portion of Senate Bill 823 (Chapter 337, Statutes of 2020) requested by the working group, co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart. This item delegated to the working group the development of the Youth Facilities Grant Program RFA to be brought back to the Board for approval and release at the April 8, 2021 board meeting.

Chair Penner and Mr. Steinhart added that this grant program is for infrastructure improvements. Steinhart added that this approach is to get the funding out to the counties quickly to meet their needs.

Public Comment was heard for Agenda Item C:

Miguel Garcia (Anti-Recidivism Coalition): Shared his experience as a formerly incarcerated youth. Asked for more transparency of this grant and have stakeholder input and expand the workgroup to include lived experience youth and subject matter experts.

Dominique Nong (Children's Defense Fund): Was concerned that community input was not sought for this grant. Requested that the workgroup should be more transparent and include community members. Requested that the allocation should be more targeted.

Renee Menart (CJCJ): Requested the Board refrain from distributing any of the funds pro rata. Added that the workgroup structure should be expanded.

Karen Pank (CPOC): Testified in support of this grant and the BSCC's recommendation. Added that realignment would change probation facilities and programs and this funding would aid the probation departments.

Alexis Magdalano (MILPA): Requested more transparency of the workgroup decisions and an expanded workgroup. Wanted more information about which youth would be sent back to Monterey County or released.

Bernie Gomez (MILPA): Requested more transparency of the working group. Asked that stakeholder input be done and talk with those with lived experience before investing in this grant.

Red Martinez: Wanted more programs and continuum of care for youth rather than infrastructure and high security.

Cesar Lara (MILPA): Requested information on counties that did not complete the survey and suggested that Monterey County should not receive additional funding for infrastructure.

Aaron Coronado (MILPA): Requested more transparency and suggested that more services in prevention and intervention should be used with this funding.

End of Public Comment

Mr. Steinhart said that the working group used a modified approach in part because the grant was noncompetitive by statute. This grant focuses on infrastructure and improvements of local facilities to house youth coming out of DJJ. Higher security will be needed, or the youth would need to enter adult court or state prisons.

Steinhart acknowledged some very important service needs for females, mentally ill youth, and those with sex offenses that needed sex offender treatment and this grant will address these needs.

He said that this is a start but due to time constraints this proposal should be moved. Steinhart added that the workgroup will consider community input.

Mr. Mills moved approval. Mr. Growdon seconded. Mr. Seale and Ms. Zuniga recused pursuant to Government Code section 1091. Mr. Gore and Mr. Budnick were not present during the vote. The motion carried.

D. [Board of State and Community Corrections 2018-2020 Strategic Plan Timeline for 2022-2026 Strategic Planning Process: Requesting Approval](#)

Field Representative Tonya Parker-Mashburn presented on this agenda item.

This agenda item requested approval to extend the current BSCC 2018-2020 Strategic Plan through December 31, 2021 and approve a timeline for the development of a new strategic plan that will be implemented beginning January 1, 2022. Instead of a three-year plan, it is proposed that the new strategic plan will be developed and implemented for five years (2022-2026).

Mr. Baranco moved approval. Mr. Growdon seconded. Mr. Budnick and Mr. Gore were not present during the vote. The motion carried.

E. [Extension of the Existing Residential Substance Abuse Treatment \(RSAT\) Grant Agreements covering July 1, 2018 to June 30, 2021, and Approval of a new Request for Proposals for July 1, 2021 to June 30, 2024: Requesting Approval](#)

This agenda item requested Board approval to modify the current Residential Substance Abuse Treatment (RSAT) Grant Agreements with a no-cost, six-month grant-term extension and to release a new Request for Proposals (RFP) for the next cohort as recommended by its Executive Steering Committee (ESC).

Mr. Steinhart moved approval. Mr. Mills seconded. Mr. Gore and Mr. Budnick was not present during the vote. The motion carried.

F. [Proud Parenting Grant Program – Appointment of Chair and Establishment of Executive Steering Committee: Requesting Approval](#)

This agenda item requested approval to establish an ESC to oversee the development of an RFP for the Proud Parenting Grant Program. Staff is also requested 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.

The Board nominated Norma Cumpian as the Chair to develop the ESC.

Mr. Growdon moved approval. Mr. Baranco seconded. Mr. Seale and Ms. Zuniga recused from this item pursuant to Government Code section 1091. Mr. Gore and Mr. Budnick were not present during the vote. The motion carried.

G. Jail Profile Survey: Addition of Late-Night Release Information and AB 109 Survey: Requesting Approval

Chief of Research Kasey Warmuth presented this agenda item.

This agenda item requests approval to collect data related to late-night releases from jail and the AB 109 survey data through the Jail Profile Survey (JPS). Staff also requested the Board's approval of the timeline for adding late-night release

Mr. Steinhart moved approval. Mr. Mills seconded. Mr. Growdon recused from this item.. Mr. Gore and Mr. Budnick were not present during the vote. The motion carried.

H. Coronavirus Emergency Supplemental Funding Program (CESF) Request for Applications – Extension of Application Deadline: Requesting Approval

This agenda item requested Board approval to extend the Coronavirus Emergency Supplemental Funding (CESF) program application due date to March 12, 2021 to allow eligible counties additional time to apply for funding.

Public comment was heard for Agenda Item H:

Avalon Edwards (Starting Over Inc.): Asked why the CESF funding for reentry services was not available to CBOs but the Riverside County Sheriff applied for \$3.3 million.

Executive Director Howard provided a response:

The BSCC provided notice out of the CESF emergency funding for counties to all county administrative officers as well county probation chiefs, the focus that the board had determined as a priority was related to reentry. The CAO's had the opportunity to share that as broadly and widely within their county government.

Local advisory committees' membership is written in the RFP that at a minimum the local CESF advisory committee representatives should include non-governmental

community-based organizations, tribes, and cities within the counties that are impacted by the proposal.

End of Public Comment

Mr. Baranco moved approval. Mr. Viera Rosa seconded. Mr. Mills recused from this item pursuant to Government Code section 1091. Mr. Gore and Mr. Budnick were not present during the vote. The motion carried.

V. Public Comments

Brian Goldstein (CJCJ): Stated the Fresno County COVID-19 jail data is inaccurate from BSCC's data and data reported to New York Times and asked BSCC to address the issue.

Renee Menart (CJCJ): Referred to Chair Penner and Ms. Cumpian's visit to Riverside County jail. Suggested that an unannounced visit should have been conducted. Suggested that grant funding to the facility and the county should be revoked. Asked the BSCC to address community concerns with the substantially revised inspections process and to solicit feedback from community member before seeking approval from the board

VI. Adjourn

The meeting adjourned at: 1:37 PM

Next Meeting:

- | | |
|-----------------------------------|-----------------------|
| ❖ BSCC Board Meeting: | April 8, 2021 (Zoom) |
| ❖ BSCC Strategic Planning Meeting | April 27, 2021 (Zoom) |

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Viera Rosa, Director Division of Adult Parole CDCR
3. Mr. Growdon, Sheriff, Nevada County
4. Mr. Gore, Sheriff, San Diego County
5. Mr. Seale, Chief Probation Officer, Sacramento County
6. Ms. Zuniga, Chief Probation Officer, Kings County
7. Mr. Baranco, Retired Judge, Alameda County
8. Mr. Mills, Chief of Police, Santa Cruz County
9. Mr. Budnick, Founder, Anti-Recidivism Coalition
10. Mr. Steinhart, Director, Commonwealth Juvenile Justice Program
11. 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
John Prince, Deputy Director, County Facilities & Construction
Adam Lwin, Board Secretary
Tonya Parker-Mashburn, Field Representative, County Facilities & Construction
Timothy Polasik, Field Representative, Corrections Planning and Grants Program
Helene Zentner, Field Representative, Corrections Planning and Grants Program
Kasey Warmuth, Chief of Research

Agenda Item B

MEETING DATE: April 8, 2021**AGENDA ITEM:** B**TO:** BSCC Chair and Members**FROM:** Michael Shores, Field Representative, County Facilities and Construction michael.shores@bscc.ca.gov**SUBJECT:** Senate Bill 1022, (Local Criminal Justice Facilities) Madera County Requesting Scope Change: **Requesting Approval**

Summary

This agenda item requests that the Board approve Madera County's request for a scope change that would shift construction of a jail addition from a second story to ground-floor space adjacent to and connected to the existing jail.

Background

SB 1022, chaptered in 2012, created lease revenue bond funding authority in the amount of \$509,060,000 for the acquisition, design, construction, and renovation of adult criminal justice facilities. Initially, 15 counties received conditional awards. Madera County, which had requested \$19,000,000, did not receive funding. At its November 17, 2016 meeting, the Board conditionally awarded Madera County \$15,586,000 after Lake County relinquished its award. (Attachment B-1)

At the February 16, 2017 board meeting, Madera County received the remainder of its original request -- \$3,414,000 -- after Shasta County relinquished funding. (Attachment B-2)

On September 6, 2018, the BSCC approved a scope change requested by Madera County to build and remodel existing jail space to include the construction of 20 new, special-use beds, medical and mental health space, program and classroom areas, storage and staff space. (Attachment B-3) Remodeled space would create and improve two large classrooms, a computer lab, two safety cells and additional staff space.

Currently, Madera County is requesting approval (Attachment B-4) to shift the construction of the project from a second story, vertical build on top of the previously built AB 900 Phase 2 project, to space adjacent to and connected to the earlier project. Madera County has been in the planning phase of its project and the contracted design team has indicated to the County that shifting construction to ground level will save construction costs while preserving the ability to expand vertically in the future. The construction of upper floors to the existing jail would have included elevators, stairs and increased fire and life safety measures that added to the cost of construction. The requested change will allow the County to move forward with the project more efficiently and to meet required timelines.

Additionally, the scope change reflects minimal changes and does not impact the number of beds being built. There will be two additional classrooms, a medical prep room, and two intake holding cells.

Recommendation/Action Needed

1. Staff recommends the Board approve the Madera County SB 1022 scope change as submitted.

Attachments

B-1: November 17, 2016, Board Meeting, Agenda Item C
B-2: February 16, 2017 Board Meeting, Agenda Item E
B-3: September 6, 2018 Board Meeting, Agenda Item F
B-4: March 3, 2021 Madera County Letter

Attachment B-1

DATE: November 17, 2016

AGENDA ITEM: C

TO: BSCC Chair and Members

FROM: Magi Work, Deputy Director, magi.work@bscc.ca.gov

SUBJECT: Senate Bill 1022 Adult Local Criminal Justice Facilities Construction, Lake County Relinquishment and Recommended Conditional Awards to Tehama and Madera Counties: **Requesting Approval.**

Summary

Lake County has formally relinquished its \$20,000,000 Senate Bill 1022 Adult Local Criminal Justice Facilities Construction Financing Program funding award. This agenda item requests that the Board of State and Community Corrections acknowledge and accept this relinquishment and approve the reallocation of funding to the next-ranked projects on the list. This means that Tehama County would receive \$4,414,000 to augment its partial award to a full \$20,000,000, and Madera County, which was not funded and had requested \$19,000,000, would receive the remaining \$15,586,000.

Background

The currently authorized SB 1022 lease revenue bond funding authority is \$500,000,000. The Board fully allocated this funding at its January 16, 2014 meeting by making conditional awards to 14 counties (Attachment C-1).

At that meeting the Board made a full award of \$20,000,000 to Lake County, which ranked fifth in the small-sized county category. In the same category, the Board granted Tehama County, which ranked sixth, a conditional partial award of \$6,526,000. Assembly Bill 114 made additional money available under SB 1022, and on July 16, 2015 the Board approved an additional conditional partial award of \$9,060,000 to Tehama County for a total conditional award of \$15,586,000. (Attachment C-2).

On October 6, 2016, Lake County, citing financial constraints and a decreasing jail population, provided formal notice to the BSCC that it is declining its conditional award (Attachment C-3).

Tehama County is the next in rank order for full funding in the Small County Set-Aside category. Madera County is in line (seventh on the list) to receive the remaining \$15,586,000. It has been past practice of this Board to allow funds reverted by a county to be awarded to the next county in ranked order within the same population category.

Recommendation/Action Needed

1. Staff recommends the Board acknowledge that Lake County has declined its SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program funding award.
2. Staff recommends that the Board make Tehama County's partial award a full conditional award, increasing it from \$15,586,000 to \$20,000,000, and that Madera

County receive a partial conditional award of \$15,586,000. Staff also requests approval to formally present these two conditional awards to Tehama and Madera counties.

Attachments

C-1: January 2014 Board Agenda Report H, Attachment B

C-2: July 16, 2015 Board Agenda Report C

C-3: Lake County Relinquishment Letter, dated October 6, 2016

Attachment F-2

Attachment B-2

DATE: February 16, 2017

AGENDA ITEM: E

TO: BSCC Chair and Members

FROM: John Prince, Deputy Director (A), john.prince2@bscc.ca.gov

SUBJECT: Senate Bill 1022 Adult Local Criminal Justice Facilities Construction Program: Shasta County Relinquishment and Recommended Conditional Awards to Madera and Humboldt Counties: **Requesting Approval.**

Summary

Shasta County has formally relinquished its \$20,000,000 Senate Bill 1022 Adult Local Criminal Justice Facilities Construction Financing Program funding award. This agenda item requests that the Board of State and Community Corrections acknowledge and accept this relinquishment and approve the reallocation of funding to the next-ranked projects on the list. This means that Madera County would receive \$3,414,000 to augment its partial award to a full \$19,000,000, and Humboldt County, which was not funded and had requested \$17,855,500, would be offered the remaining \$16,586,000.

Background

The currently authorized SB 1022 lease revenue bond funding authority is \$500,000,000. The Board fully allocated this funding at its January 16, 2014 meeting by making conditional awards to 14 counties (Attachment E-1). At that meeting the Board made a full award of \$20,000,000 to Shasta County, which ranked fifth in the small-sized county category.

At the November 2016 Board meeting, the Board approved a conditional partial award of \$15,586,000 to Madera County due to the relinquishment of funds by Lake County. (Attachment E-2).

On January 31, 2017 Shasta County, citing financial constraints, provided formal notice to the BSCC that it is declining its conditional award (Attachment E-3).

Madera County is the next in rank order for full funding in the Small County Set-Aside category. Humboldt County is in line (eighth on the list) to receive the remaining \$16,586,000. It has been past practice of this Board to allow funds reverted by a county to be awarded to the next county in ranked order within the same county population category.

Recommendation/Action Needed

1. Staff recommends the Board acknowledge that Shasta County has declined its SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program funding award.
2. Staff recommends that the Board make Madera County's partial award a full conditional award, increasing it from \$15,586,000 to \$19,000,000, and that Humboldt County be offered a partial conditional award of \$16,586,000, pending further information explaining how the county will use this funding in conjunction with its SB 863 award.

Staff also requests approval to formally present these two conditional awards to Madera and Humboldt counties.

Attachments

E-1: January 2014 Board Agenda Report H, Attachment B

E-2: November 17, 2016 Board Agenda Report C

E-3: Shasta County Relinquishment Letter, dated January 31, 2017

Attachment F-3

Attachment B-3



August 14, 2018

Michael Shores
Field Representative
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

RE: SB 1022 Scope Change Request

Dear Mr. Shores,

The County of Madera respectfully requests a change in scope to our SB 1022 proposal. The original proposal submitted in 2013 consisted of construction of a new 144- bed housing unit "N" and "O", remodeling the existing housing unit "A" and "B" to hold 80 beds, and necessary support and program space. The original proposal was based on the County's 2007 Needs Assessment, which estimated that the County's population would grow by significant proportions by 2040 and require an increase in general population jail beds.

As suggested by Board of State and Community Corrections (BSCC) staff, the County updated its needs assessment following notification of conditional grant award. The 2018 Needs Assessment Update did not demonstrate the general population housing deficiency noted in the 2007 Needs Assessment. This can be attributed to a number of factors including Proposition 47 and 57. Since 2014 and the passage of Proposition 47, for instance, the County Jail population has remained relatively flat.

Instead, the 2018 Needs Assessment Update reflected a need for special use beds, program space, and expanded infrastructure to accommodate the new areas. As such, the County's revised project scope includes the construction of a new housing unit consisting of 20 special use, single cell rated beds; program space; supportive spaces such as safety cells and multipurpose rooms; and upgrades to the central plant. The revised scope also accounts for the substantial increase in construction cost since 2013, which necessitated a reduction in overall project size.

Nonetheless, the change in scope aligns well with the basic tenants of Senate Bill 1022. The legislation specified that funding consideration would be given to counties seeking to renovate existing buildings or construct new facilities to provide adequate space for the provision of treatment and rehabilitation services, including mental health treatment. Further, the legislation directly calls for the inclusion of program space in any proposal to the BSCC. Not doing so would make the project ineligible for funding

The following sections detail the differences between the 2007 Needs Assessment and 2018 Needs Assessment Update, as well as the justification for changing the project scope. The County respectfully requests approval of the scope change as detailed below

2007 Needs Assessment

In 2007, the County of Madera utilized TRG Consulting to perform a Needs Assessment that would act as the foundation for the County's future Jail expansion projects. The Needs Assessment detailed specific needs for the Jail based on projected population growth for the County. Those needs included:

- Beds (single occupancy cells, double occupancy cells, and dormitories)
- Public Visitation
- Program Space
- Medical and Mental Health
- Central Control
- New Administration Areas
- New Kitchen
- New Laundry
- Maintenance Work and Storage Area
- Medical Infirmary

The Needs Assessment then became the basis for the County's AB 900 Jail Expansion Phase I and Phase II projects. The Phase I project included the construction of a new 144-bed housing unit ("L" and "M"); new Administration building; new video visitation area, central control, and central plant. The County's Phase II project included the construction of a new kitchen, laundry area, and maintenance work and storage area.

The County Jail had a rated bed capacity of 419 beds prior to the AB 900 Phase I project. Upon project completion, the Jail had a rated capacity of 563 beds. At the time of the Needs Assessment, the average daily population of inmates ranged from 369-416 inmates, which meant the facility could easily reach 90 percent capacity and severely impact classification and separation of inmates.

The Needs Assessment also indicated that the County population would grow significantly between 2010 and 2040. It estimated the County population would reach 184,120 people by 2010; 301,920 people by 2020; and 537,520 people by 2040. The Needs Assessment projected concurrent growth in the number of Jail beds needed, with 705 beds needed in 2010; 1,155 beds needed in 2020; and 2,057 beds needed in 2040. With only 563 beds, the Jail's rated bed capacity would not meet future needs as illustrated in the 2007 Needs Assessment.

Original SB 1022 Project Scope (2013)

In 2013, the County applied for \$19 million in SB 1022 funds to construct a new housing unit above the AB 900 Phase I housing unit, and remodel existing housing unit "A" and "B". The proposal focused on construction of beds and program space as the 2007 Needs Assessment indicated that the Jail's existing rated bed capacity and program space would not be sufficient to meet future population growth.

The proposal included:

Construction of a new 144-bed housing unit above the existing housing unit "L" and "M" (See Summary Table A)

- Work would consist of a main floor of dormitory units, showers, and program space and a mezzanine level of dormitory units, single room cells, and showers
- Remodeling of existing 121-bed housing unit “A” and “B” (See Summary Table B)
 - Work would consist of reconfiguring existing dormitory units, showers, and program space, and renovating the dayroom for additional natural light
 - The remodeled housing unit would contain 80 beds at completion

Summary Table A

SPACE (New Housing Unit)	MAIN LEVEL (SF)	MEZZAINE AREA (SF)	SUBTOTAL
HOUSING “N” AND “O” (144 BEDS)	2,582	2,572	5,154
PROGRAM SPACE	710		710
DAYROOM	5,911		5,911
RECREATION	1,408		1,408
SHOWERS	235	224	459
SUPPORT SPACE	8,246	6612	14,858
TOTAL	19,092	9,408	28,500

Summary Table B

SPACE (Existing Housing Unit)	AREA (SF)
HOUSING (80 BEDS)	4,328
PROGRAM SPACE	1,528
DAYROOM	7,671
RECREATION	1,667
SHOWERS	354
SUPPORT SPACE	3,348
TOTAL	18,896

Estimated building construction and remodeling costs for the project at the time were \$17,500,000.00. The County’s proposal was not selected for funding in 2013.

2018 Needs Assessment Update

In October 2016, the County was informed by the Board of State and Community Corrections (BSCC) that it was next in line to receive partial funding of \$15,586,000.00. The County was then notified in November 2016 that it was conditionally awarded the full \$19 million grant. In December 2016, the County met with BSCC staff who suggested updating its 2007 Needs Assessment since nearly ten years had passed since it was conducted. The County was also informed that it would only need to provide BSCC with documentation justifying the change in scope as a revised SB 1022 application would not be necessary.

In March 2017, the County contracted with Kitchell CEM to perform the updated Needs Assessment. Initial review of the current County Jail population showed that the number of beds requested in the 2013 proposal to BSCC were no longer necessary. The average daily population for the County Jail has ranged from 370-455 at any given time over the past 10 years – 66% to 80% of the rated capacity.

This change can be attributed to a number of factors including changes in the California Criminal Justice System, such as AB 109 realignment, Proposition 47, and Proposition 57. Moreover, the County as a

whole did not see the population growth that was projected in the 2007 Needs Assessment. Projections are shown in the table below.

YEAR	2007 POPULATION PROJECTIONS	2018 POPULATION PROJECTIONS*
2010	184,120	150,145
2020	301,920	162,990
2040	537,520	212,405

*Current State of California Department of Finance Population Projections

Instead, the 2018 Needs Assessment Update validated a need for:

- **Special Use Beds.** The County is seeing rising medically ill populations, and a number of aging inmates with multiple illnesses. A special-use bed facility will grant the County the flexibility to house inmates with mental health needs, acute substance abuse inmates, or female inmates with health concerns. The special-use bed facility will be designed to conform to the standards and requirements contained in Title 15, CCR, Division 1, Chapter 1, Subchapter 4 and title 24, CCR, Part 1, Section 13-102 and Part 2, section 1231. This flexibility to deal with classification of inmates is necessary to better serve the inmate population by providing improved treatment, better observation, and improved safety for both inmates and officers. The expansion of beds will also free up single/double cells within the County Jail for other classifications.
- **Safety Cells.** Additional safety cells are needed to ensure enough cells are available for inmates who pose a threat to themselves or others.
- **Program space.** Program space was included as a need in the 2007 Needs Assessment. Since then, programs have expanded even more, necessitating adequate facilities to properly conduct programs. Currently, 402 participants are enrolled in education and vocation programs offered by the County Jail. A focus on program space will result in reduced recidivism and reduce correctional expenditures.
- **Expanded infrastructure.** Modifications to the central plant are necessary to support new building areas.

Updated SB 1022 Project Scope (2018)

It was necessary to tailor the County's revised project scope to fit within the \$19 million grant parameters, and 5 percent County match of \$950,000.00. Costs for new construction have risen substantially since the County's 2013 application. Estimated cost per square foot for new I3 occupancy construction in 2013 was \$441. It has risen to \$889 per square foot as of March 2018. The revised project scope was developed to not only meet current need, but remain within the project budget. The new scope consists of:

- Construction a new housing unit "N" and "O" on top of existing Housing Units "L" and "M" (See Summary Table C):
 - 20 Special Use Single Cell Beds
 - (18) High-security
 - (2) Accessible High-security
 - Supportive Spaces
 - (4) Video visitation
 - (2) Staff Restroom
 - (2) Accessible Inmate showers

- (2) Recreational Yards
- (4) Day Rooms
- (2) Exam Rooms
- (2) Small multi-purpose rooms
- (6) Interview rooms
- (3) Safety cells
- (2) Sally ports
- (4) Staff stations
- (1) Staff office
- 2 Large Educational Classrooms
- 1 Large Computer Lab/Classroom
- Single floor construction, with allocated space for storage that could be converted later to bed space.
- Remodel Work: “Old” Kitchen Area (See Summary Table D):
 - 2 Large Educational Classrooms
 - 1 Large Computer Lab
 - Supportive Spaces
 - (1) Computer equipment room
 - (1) Facility storage
 - (2) Sally ports
 - (2) Restrooms
 - (1) Staff office
 - (1) Search room
- Remodel Work: Booking Area (Summary Table E):
 - 2 Safety cells
- Infrastructure Upgrades: Expansion of Central Plant to accommodate new / remodeled construction (See Summary Table E):
 - 1 new cooling tower
 - 1 new chiller
 - Upsize existing water systems (Piping, pumps, accessories, etc.)
 - 1 new emergency generator

Summary Table C

SPACE (New Housing Unit)	AREA (SF)
HOUSING “N” and “O”(20 BEDS)	8,089
PROGRAM SPACE	3107
COMMON SPACE	508
STORAGE SPACE	8,035
TOTAL	19,740

Summary Table D

SPACE (Existing Decommissioned Kitchen Area)	AREA (SF)
PROGRAM SPACE	2,673
TOTAL	2,673

Summary Table E

ADDITIONAL SCOPE	QUANTITY
SAFETY CELLS	2
NEW COOLING TOWER	1
NEW CHILLER	1
NEW EMERGENCY GENERATOR	1
UPSIZE WATER SYSTEMS	N/A

Conclusion

The change in scope as detailed above reflects the County's current 2018 needs. The project scope also accounts for rising construction costs. Although the new project scope differs from the original scope, additional beds and program space continue to be the main focus of the project. The emphasis on special use beds and program space fully adheres to the intent of the SB 1022 legislation. Further, the County can no longer demonstrate the housing capacity deficiency that was noted in the original application. The County does, however, have other immediate needs such as special use beds and program space that must be addressed.

The new project scope has been approved by the Madera County Board of Supervisors. It is also supported by the Madera Community Corrections Partnership (CCP). The multijurisdictional CCP has also provided the matching funds in the amount of \$950,000.00 based on the new project scope.

The County appreciates your assistance in facilitating approval of the project scope change. County staff is available to answer any questions you may have. Please do not hesitate to contact the County's project manager, Jorge Mendoza, at (559) 675-7703 or jorge.mendoza@maderacounty.com.

Very Truly Yours,



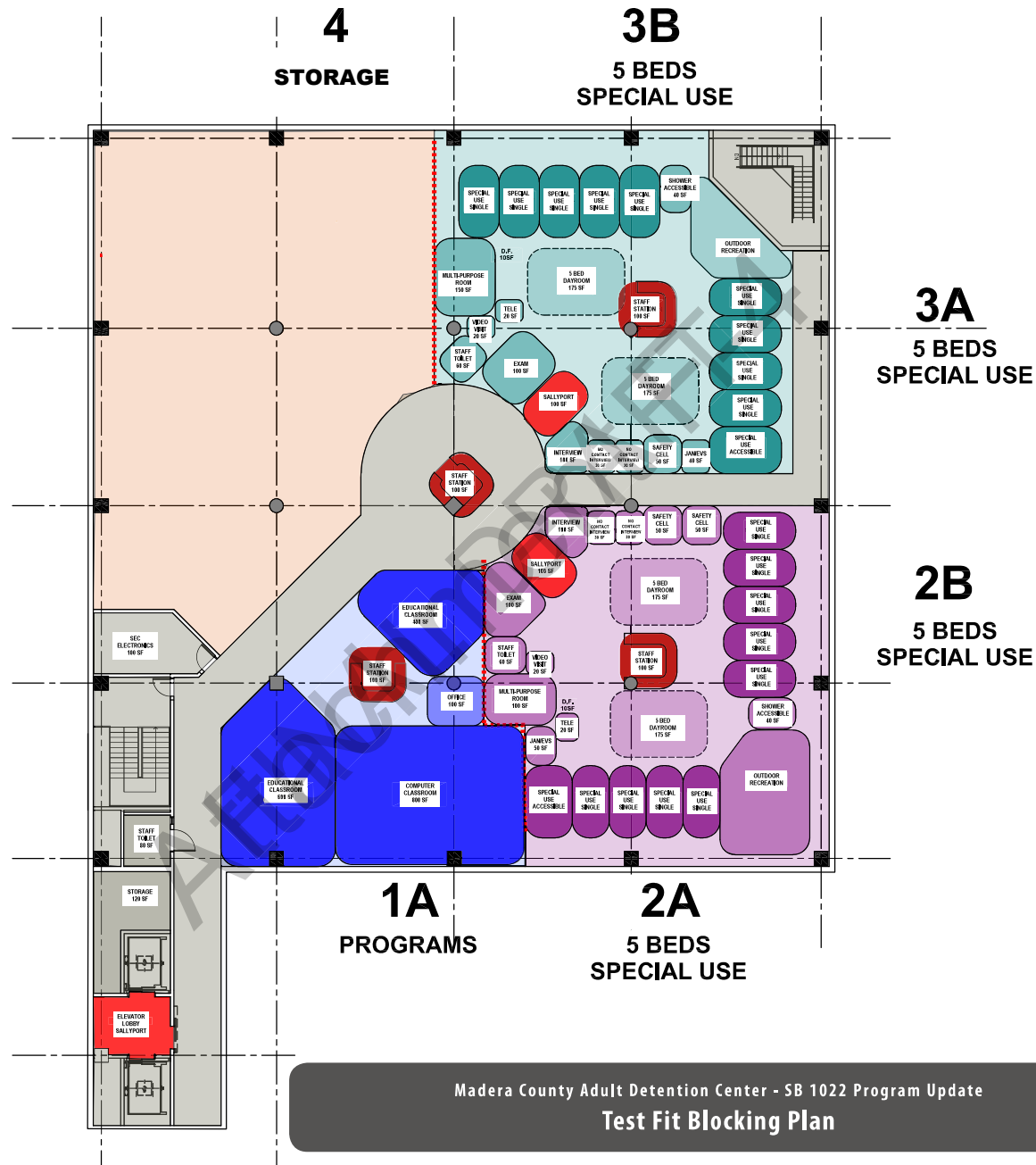
Eric Fleming, CAO
County of Madera

EXHIBIT A
Side-by-Side Scope Comparison

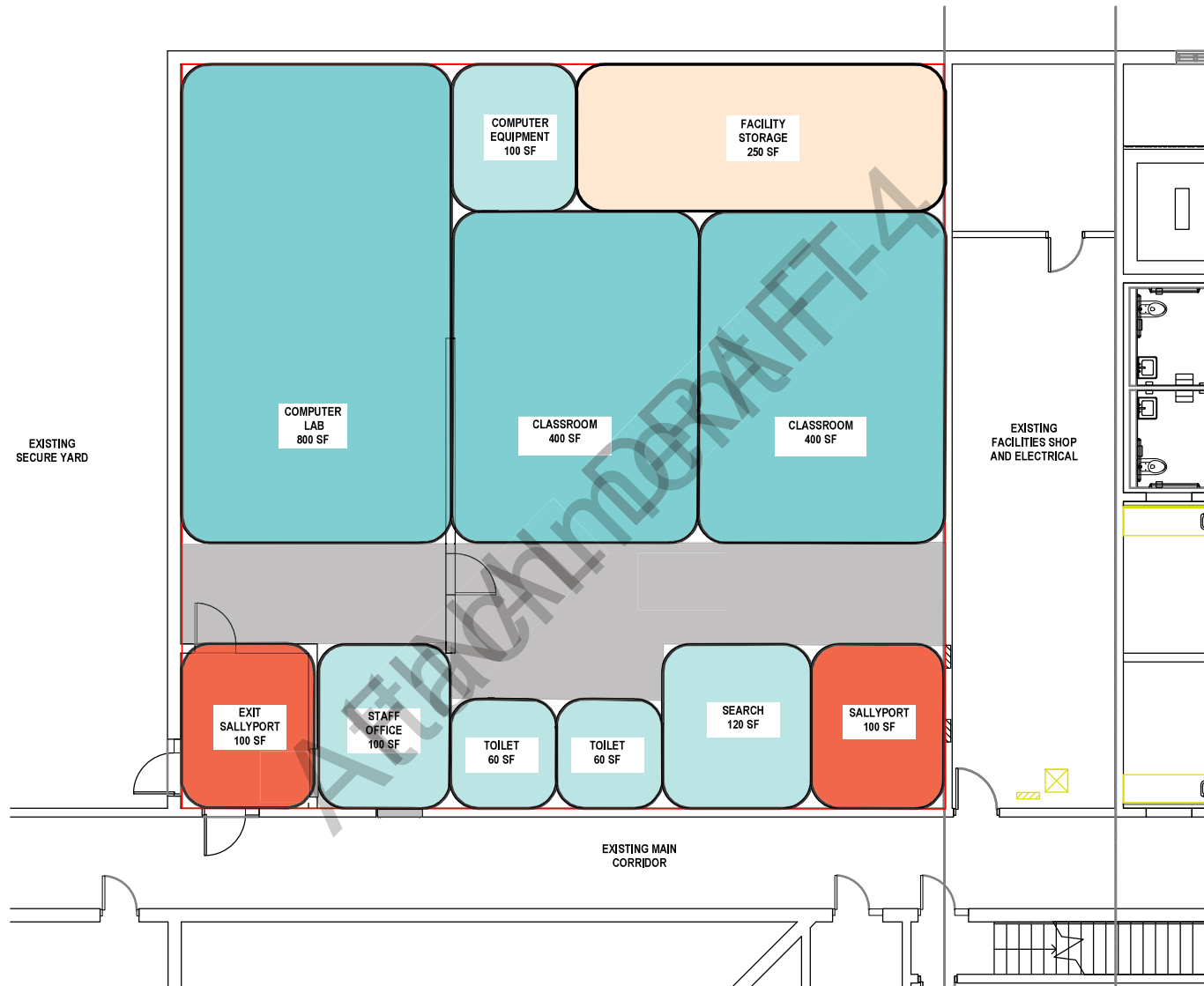
ORIGINAL SCOPE	REVISED SCOPE
<ul style="list-style-type: none"> • New Construction: New 144-bed housing unit “N” and “O” above existing Housing Units “L” and “M” (See Summary Table A) <ul style="list-style-type: none"> ▪ Work would consist of a main floor of dormitory units, showers, and program space and a mezzanine level of dormitory units, single room cells, and showers ▪ 28,500 SQ FT 	<ul style="list-style-type: none"> • New Construction: New housing unit “N” and “O” above existing Housing Units “L” and “M” (See Summary Table C): <ul style="list-style-type: none"> ▪ 20 Special Use Single Cell Beds <ul style="list-style-type: none"> ▪ (18) High-security; (2) Accessible High-security ▪ Supportive Spaces <ul style="list-style-type: none"> ▪ (4) Video visitation; (2) Staff Restroom; (2) Accessible Inmate showers; (2) Recreational Yards; (4) Day Rooms; (2) Exam Rooms; (2) Small multi-purpose rooms; (6) Interview rooms; (3) Safety cells; (2) Sally ports; (4) Staff stations; (1) Staff office; 2 Large Educational Classrooms; 1 Large Computer Lab/Classroom ▪ Single floor construction, with allocated space for storage that could be converted later to bed space ▪ 19,740 SQ FT
<ul style="list-style-type: none"> • Remodel Work: Remodel existing 121-bed housing unit “A” and “B” (See Summary Table B) <ul style="list-style-type: none"> ▪ Work would consist of reconfiguring existing dormitory units, showers, and program space, and renovating the dayroom for additional natural light ▪ The remodeled housing unit would contain 80 beds at completion ▪ 18,896 SQ FT 	<ul style="list-style-type: none"> • Remodel Work: “Old” Kitchen Area (See Summary Table D): <ul style="list-style-type: none"> ▪ 2 Large Educational Classrooms; 1 Large Computer Lab ▪ Supportive Spaces <ul style="list-style-type: none"> ▪ (1) Computer equipment room; (1) Facility storage; (2) Sally ports; (2) Restrooms; (1) Staff office; (1) Search room ▪ Booking Area (Summary Table E): 2 Safety cells ▪ 2,673 SQ FT
<ul style="list-style-type: none"> • Infrastructure Upgrades: Not noted in original proposal 	<ul style="list-style-type: none"> • Infrastructure Upgrades: Expansion of Central Plant to accommodate new / remodeled construction (See Summary Table E): <ul style="list-style-type: none"> ▪ 1 new cooling tower ▪ 1 new chiller ▪ Upsize existing water systems (Piping, pumps, accessories, etc.) ▪ 1 new emergency generator

Madera County - SB1022 Proposed Floor Plan
Modules N & O

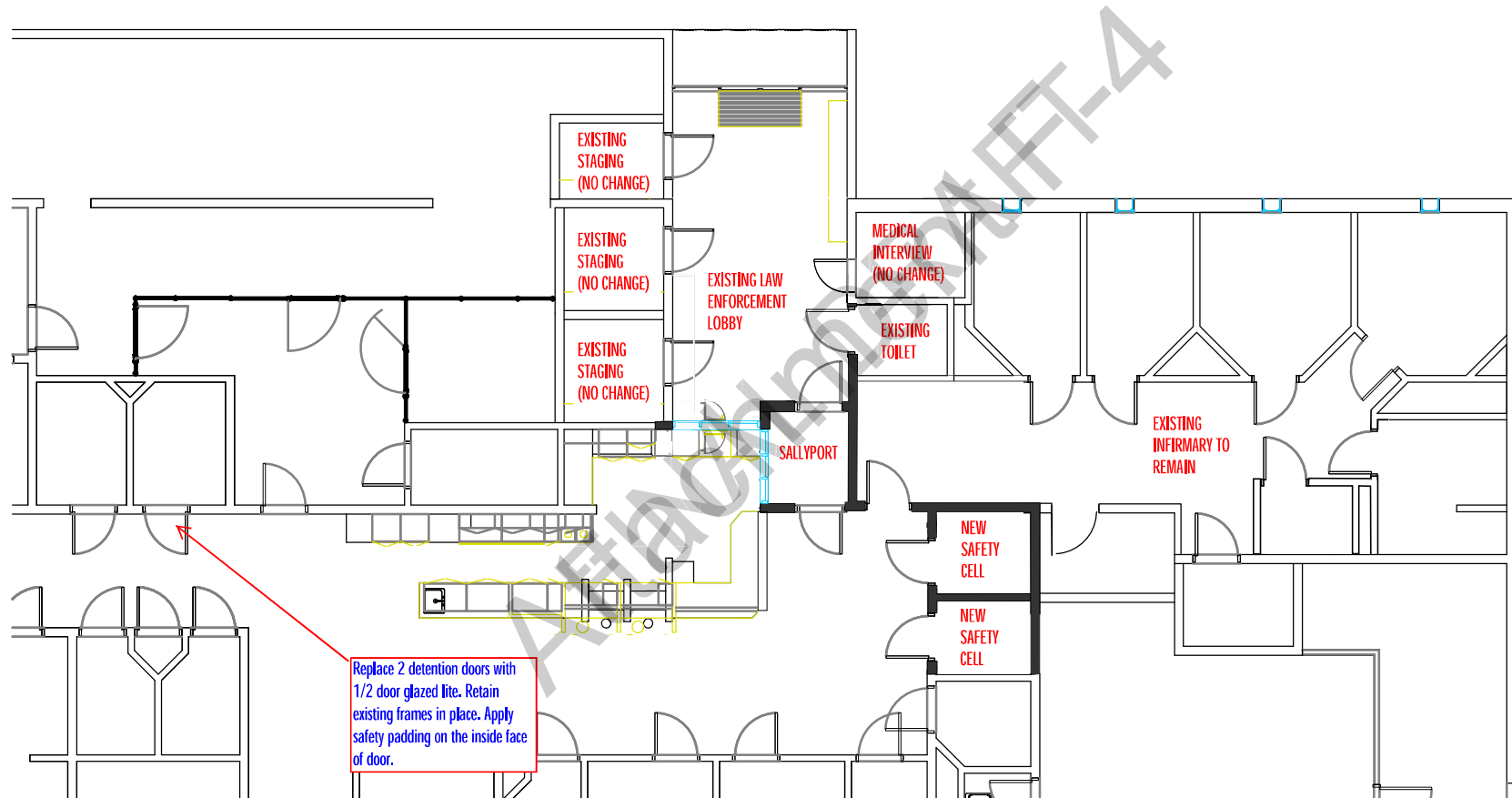
Attachment B-3



Madera County SB1022 - Remodeled Kitchen Area



Madera County SB1022 - Remodeled Intake for 2 New Safety Cells



Attachment B-4



March 3, 2021

Michael Shores
Field Representative
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

RE: SB 1022 Revised Scope Change Request

Dear Mr. Shores,

The County of Madera respectfully requests a change in scope to the SB 1022 proposal approved by the Board of State and Community Corrections (BSCC) on September 6, 2018.

In 2018, the County completed updating its Needs Assessment which reflected a need for special use beds, program space and expanded infrastructure to accommodate the new areas. Based on these findings the County submitted a formal scope change request to BSCC on August 14, 2018, seeking approval to build and remodel existing jail space to include the construction of a new housing unit; proposed to be constructed on top of existing housing unit "L" and "M". The new housing consisted of 20 special-use, single cell beds: medical and mental health space, program and classroom areas, storage, and staff space. The remodeled space consisted of two classrooms and a computer lab, two safety cells and additional staff space as well as upgrades to the central plant. On September 6, 2018, the BSCC approved the County's request for scope change.

On July 7, 2020, the County entered into contract with Dewberry Architects Inc. to provide design services for the SB1022 project. Dewberry's initial project assessment indicated the BSCC approved scope change was estimated to cost over \$20 million for the new housing unit alone, which is \$4.5 million over the estimate performed at the time of the original scope change request. To address this challenge, the County requested Dewberry perform a "scope alignment" for the housing unit in order to align costs and scope and to come up with value engineering options. In addition, the scope alignment would help the County reevaluate and plan for the best use of previous infrastructure investments done under the Phase 1 AB900 project.



For historical context, the County planned and invested in vertical reinforcement at housing unit “L” and “M” for future expansion needs during the Phase 1 project planning and construction. In addition, the County planned and invested in utility service stubs infrastructure needed to build an on-grade housing unit adjacent to housing unit “L” and “M” (highlighted in yellow and attached as Exhibit C). At the time of the 2018 updated Needs Assessment, discussions centered on vertical expansion to align with the original SB1022 application. However, vertical expansion presents challenges with higher infrastructure costs needed to build up, i.e., elevators, additional central plant infrastructure and construction challenges.

On September 11, 2020, Dewberry completed the scope alignment evaluation comparing the potential development costs for three options: 1) the original poured in place over-build estimated to be \$20,247,205; 2) the value engineered option for a steel structure over-build estimated to be \$15,948,144; and 3) the on-grade scheme option estimated to be \$12,316,265. Based upon these findings, the best possible way to meet the BSCC approved scope and match the County’s budget is to build the new housing unit on-grade.

In addition, the County believes that utilizing previous investments for vertical expansion would be better suited for future projects. This means that, although vertical expansion would not occur at this time, this does not preclude the County from building up in the future should the need arise. The on-grade expansion, which was part of the 2011 Phase 1 planning efforts, would be better suited for this project, not only in terms of cost savings but in terms of operations.

The County continued to work with Dewberry to develop schematic design drawings (attached) based upon the new on-grade scheme option to include all programming spaces described in the September 6, 2018 approved scope change. As with the September 6, 2018 approved scope change, this new proposed change in scope aligns with the basic tenants of Senate Bill 1022. The legislation specified that funding consideration would be given to counties seeking to renovate existing buildings or construct new facilities to provide adequate space for the provision of treatment and rehabilitation services, including mental health treatment. Further, the legislation directly calls for the inclusion of program space in any proposal to the BSCC.

Consequently, the new housing unit on-grade spaces are consistent with the BSCC September 6, 2018 approved scope as detailed on the side-by-side comparison attached as Exhibit A.

Conclusion

As detailed above, the new housing unit on-grade spaces are consistent with the BSCC September 6, 2018 approved scope. The on-grade scheme option allows the County to address the rising construction costs and still maintain the BSCC approved scope change. Additional beds and program space continue to be the main focus of the project. The emphasis on special use beds and program space fully adheres to the intent of the SB 1022 legislation.

The County is ready to advance the design further and to work with BSCC to move this project to the next phase. The County appreciates your assistance in facilitating approval of the project scope change. County staff is available to answer any questions you may have. Please do not hesitate to contact the County's project manager, Maritza Rodriguez, at (559) 675-7703 or maritza.rodriguez@maderacounty.com.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Jay Varney', with a long horizontal flourish extending to the right.

Jay Varney, CAO
County of Madera

Exhibit A

Side-by-Side Scope Comparison

New Housing Unit – Building on top of “L” and “M” Approved 9.6.2018 BSCC Scope		New Housing Unit – Building on-grade adjacent to “L” and “M” Proposed on-grade option	
Space Name	Quantity	Space Name	Quantity
Special Use Single Cell Beds	20	Special Use Single Cell Beds	20
Video Visitation	4	Video Visitation	4
Accessible Inmate Showers	2	Accessible Inmate Showers	2
Recreational Yards	2	Recreational Yards	2
Day Rooms	2	Day Rooms	2
Exam Rooms	2	Exam Rooms	2
Multi-Purpose Rooms	2	Multi-Purpose/Classrooms	4
Interview Rooms	2	Interview Rooms	2
Sallyports	2	Sallyports	2
Educational Classrooms	2	Educational Classrooms	2
Computer Lab	1	Computer Lab	1
Storage	1	Storage	2
		Medical Staff Room	2
		Medical Prep Room	1

Remodel Work at Old Kitchen Approved 9.6.2018 BSCC Scope		Remodel Work at Old Kitchen Proposed Option	
Space Name	Quantity	Space Name	Quantity
Educational Classrooms	2	Educational Classrooms	2
Computer Lab	1	Computer Lab	1
Sallyports	2	Sallyports (existing to remain)	1

Remodel at Intake/Booking Approved 9.6.2018 BSCC Scope		Remodel at Intake/Booking Proposed Option	
Space Name	Quantity	Space Name	Quantity
Safety Cells (new)	2	Safety Cells (new)	2
Existing Booking Stations (no work)	4	Remodel Booking Stations	6
Existing Law Enforcement Lobby Holding Cells (no work)	3	Remodel Law Enforcement Lobby Holding Cells	2
		New Intake Holding Cells	2

Central Plant Infrastructure Upgrades Approved 9.6.2018 BSCC Scope		Central Plant Infrastructure Upgrades Sized and Adjusted to Current Design Scope	
Item	Quantity	Item	Quantity
New Cooling Tower	1	New Cooling Tower	1
New Chiller	1	New Computer Lab	1
Upsize existing water systems	1	Upsize Existing water systems	1
New Generator	1	New Generator	1

Total Approved Square Feet		Total Proposed Square Feet	
Total	22,413 SF	Total	22,515 SF

Exhibit B

Proposed Changes

New Housing Unit – Building on top of “L” and “M” Approved 9.6.2018 BSCC Scope		New Housing Unit – Building on-grade adjacent to “L” and “M” Proposed on-grade Changes	
Space Name	Quantity	Space Name	Quantity
Multi-Purpose Rooms	2	Multi-Purpose Rooms	4
Storage	1	Storage	2
		Medical Staff Room	2
		Medical Prep Room	1

Remodel at Old Kitchen Approved 9.6.2018 BSCC Scope		Remodel at Old Kitchen Proposed Changes	
Space Name	Quantity	Space Name	Quantity
Sallyports	2	Sallyport (existing to remain)	1

Remodel at Intake/Booking Approved 9.6.2018 BSCC Scope		Remodel at Intake/Booking Proposed Changes	
Space Name	Quantity	Space Name	Quantity
Existing Law Enforcement Lobby Holding Cells (no work)	3	Remodel Law Enforcement Lobby Holding Cells	2
		New Intake Holding Cells	2

Exhibit C

Madera Jail Expansion Phase 1

Overall Site Plan



Detailed, RFIs without Routing Information Grouped by RFI Number

Report ID: 62458201				Date Created: 31/05/2013			
Answer Company		Answered By		Author Company		Authored By	
Kichell LLC		Kichell LLC		Browns Builders Inc		Nail Mechanics	
Kichell LLC 7001 Cedar Drive		Gordon Rogers		Woodmont, CA 95776			
Suite 300							
Sunnyvale, CA 95033							
Co-Representative		Author PRT Number					
		00024					
Subject		Discipline		Category			
Steel Stud		Structural		Structural Steel			
Code Impact		Amount		Sched Impact		Days	
		No		0		No	
Question		Codebook: Steel PRT 1008 Steel jobs: Steel attached. Please advise.					
Suggestion		Data Required: 5/25/2013					
Answer		Data Answered: 6/8/2013					

[illegible]

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OWNER:
MADERA COUNTY

ARCHITECT:
DURRANT

CIVIL ENGINEER:
PROVOST & PROTHARD

**STRUCTURAL MECHANICAL
PLUMBING ELECTRICAL:**
TAYLOR TETER PARTNERSHIP

SECURITY:
DURRANT

SUBMITTAL

ISSUE

PROJECT NO. _____

DATE _____

DRAWN BY _____

CHECKED BY _____

BWS

SHEET CONTENTS

OVERALL SITE PLAN

Agenda Item C

MEETING DATE: April 8, 2021

AGENDA ITEM: C

TO: BSCC Chair and Members

FROM: John Prince, John.Prince@bscc.ca.gov, Deputy Director

SUBJECT: **Senate Bill 823:** Summary of Stakeholder Input Session, Release of Request for Applications: **Requesting Approval**

Summary

This agenda item proposes the release of a Request for Application (RFA) for the \$9.6 million Youth Programs and Facilities Grant Program portion of Senate Bill 823 (Chapter 337, Statutes of 2020) developed by the working group, co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart, and the approval of a formation of a Scoring Panel to rate the applications.

Background

On September 30, 2020, Governor Newsom signed Senate Bill 823, which began the closure of the state's Division of Juvenile Justice, realigning those state functions to county governments. As part of SB 823, \$9.6 million was set aside for the Board of State and Community Corrections to "award one-time grants, to counties for the purpose of providing resources for infrastructure-related needs and improvements to assist counties in the development of a local continuum of care."

At the November 19, 2020 meeting, the Board approved the formation of a working group, co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart, to develop for county response a request for information (RFI). At the February 11, 2021 meeting, the Board approved the development of a RFA by the working group. (Attachment C-1)

After the meeting the working group solicited public comment in two distinct ways: written comment was requested from February 19, 2021 through March 22, 2021 (Attachment C-2) and concluded with a virtual Stakeholder Input Session on March 22, 2021, which can be viewed online. (<https://www.youtube.com/watch?v=RgESmNXyOk>)

The public comment received can be grouped into seven categories:

- flexible funding
- funding allocations
- general funding question
- grant making process
- infrastructure needs
- RFA recommendations
- funding use

Comments pertaining to flexible funding focused on allowing counties the ability to meet their individual needs in a timely manner. Recommendations for funding allocations varied with comments on grant competitiveness, funding distribution, and prioritization of projects. General funding questions were asked as to the local control of distributions and if a county could apply for more than one regional grant. There were also comments on the grant making process as it related to the inclusivity of stakeholders and survey solicitation for the RFI. Items recommended for inclusion in the RFA related to project oversight and best practices for positive youth development. Lastly there were comments on funding use for programming and CBO inclusion in the projects. A more detailed summary of the public comments received is included in Attachment C-2: Content Analysis of SB 823 Comment Submissions.

After consideration of all input, the proposed RFA was modified. Significant modifications include an increase of the number of regional project grants from four to five projects of up to \$1,000,000 each. A scoring system for the regional applications was added and a scoring panel will be convened to review regional applications. In addition, county juvenile population (instead of total population) will be used to determine county allocations for funding in the "All County Distribution" category. (Attachment C-3)

The proposed RFA is recommended to be split into two parts. Part A of the RFA will make \$5 million available to fund up to five projects (up to \$1 million each) to develop regional hubs to serve youth referred by other counties in the three high-needs programming and treatment areas: females, youthful sex offenders, and seriously mentally ill youth. Funding will be prioritized so that at least one project in each of the three high-needs areas can be funded. Part B will make \$4.12 million available to all counties (by formula) based on county juvenile population to support infrastructure and improvements for local programs and facilities for their in-county population of realigned youth.

The RFA also proposes that additional funds be made available for Part B under the following two scenarios:

1. Funds available in Part A are not exhausted. The amount remaining from Part A will be used to increase the amount available for Part B accordingly. The new total amount available will be distributed as follows: 40% to small counties, 30% to medium counties, and 30% to large counties.
2. One or more counties does not apply for Part B funds. Any individual county share that is not applied for will be distributed as follows: 40% to small counties, 30% to medium counties, and 30% to large counties.

If one or both of the two scenarios above occur, counties that applied will be notified, provided with the total amount of increased funding available, and will be permitted to adjust their project accordingly through a budget modification process.

It is proposed that the Board dissolve the working group and approve the formation of a five-member scoring panel which will be co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart. All interested parties are invited to submit statements of interest to serve on the scoring panel, whose additional members will be selected by the co-chairs.

Contingent on the Board's approval, the RFA will be released on April 9, 2021, with a due date of May 12, 2021. Recommendations on awards to counties would be made at the June 10, 2021 meeting.

Recommendation/Action Needed

- 1) Approve the recommendations of the SB 823 Working Group, included in the revised RFA.
- 2) Approve and release the RFA.
- 3) Dissolve the SB 823 Working Group and approve the formation of a five-member Scoring Panel, co-chaired by Linda Penner and David Steinhart.
- 4) Approve the recommendation to invite participation on the Scoring Panel through the BSCC website.

Attachments

- C-1: February 11, 2021, BSCC Board Meeting – Agenda Item C
- C-2: Content Analysis of SB 823 Comment Submissions
- C-3: Youth Programs and Facilities Grant RFA
- C-4: Youth Programs and Facilities Grant Budget Table

Attachment C-1

MEETING DATE: February 11, 2021

AGENDA ITEM: C

TO: BSCC Chair and Members

FROM: John Prince, john.prince@bscc.ca.gov, Deputy Director

SUBJECT: Senate Bill 823: Request For Information Summary and Request For Application development: **Requesting Approval**

Summary

This agenda item proposes the development of a Request for Application (RFA) for the \$9.6 million Youth Programs and Facilities Grant Program portion of Senate Bill 823 (Chapter 337, Statutes of 2020) requested by the working group, co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart.

Background

On September 30, 2020, Governor Newsom signed Senate Bill 823, which began the closure of the state's Division of Juvenile Justice, realigning those state functions to county governments. Under SB 823, DJJ intake will close for most youth on July 1, 2021, and counties then become fully responsible for housing, programming and treatment of youth at higher offense and needs levels who can no longer be committed to DJJ.

As part of SB 823, \$9.6 million was set aside for the Board of State and Community Corrections to "award one-time grants, to counties for the purpose of providing resources for infrastructure-related needs and improvements to assist counties in the development of a local continuum of care."

At the November 19, 2020 meeting, the Board approved the formation of a working group, co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart, to develop for county response a request for information (RFI). The survey requested information about each county's intent to house youth after June 30, 2021, specific programming that may be developed/offered for the population, whether youth from other counties will be housed, the anticipated number of youth to be housed, and infrastructure needs to house these youth. Counties were asked to respond to the RFI by January 15, 2021. Fifty-seven of the 58 Counties in California responded to the survey, which have been summarized (Attachment C-1). For reference, a 2019 Overview of the DJJ population is also attached (Attachment C-2).

For the youth population that can no longer be committed to DJJ, a majority of responding counties indicate that they lack capacity to serve youth in one or more of the following

high-needs categories and that they intend to refer these youth to other counties for appropriate treatment and placement.

1. Females
2. Sex Offenders
3. Seriously Mentally Ill youth

SB 823 does not include funding that is specifically dedicated to regional hubs or centers that can accept referrals of realigned youth from other counties. Nevertheless, about a dozen counties responding to the survey have indicated that they will or may be able to accept placements of high-needs, DJJ level youth under referral agreements from other counties. The proposed RFA would allocate grant resources to support the infrastructure needs of counties that can provide facility and treatment space for referrals from other counties that lack this local, specialized capacity.

Furthermore, most counties responding to the survey indicated that they have substantial infrastructure and improvement needs related to serving their locally retained population of realigned DJJ youth. Priorities noted by counties in this regard were: separation of youth by age, modified treatment space and specialized programming.

Based on the data collected, the working group proposes to develop an RFA to help address the above-noted highest-priority needs. Of the \$9.12 million available (after BSCC administrative cost), the RFA will make available a total of \$4 million for four projects (up to \$1 million each) to develop regional hubs to serve youth referred by other counties in the three high-needs areas noted above (females, sex offenders, seriously mentally ill). The intent is to award at least one project in each of the three high-needs categories. The remaining \$5.12 million will be distributed pro rata to all counties to support infrastructure and improvements needed to serve their in-county population of realigned youth.

In the event that we receive more than four applications to develop regional specialized treatment programs, a criticality rating will be used to assist the working group in selecting the applications to be funded. The criticality rating will be based on a formula designed to weigh key aspects of each proposed project using objective criteria that rely on information that will be requested through the application process. Examples of this objective criteria may include bed space available for out-of-county youth, number of counties from which youth will be accepted, and type or extent of specialized programming that will be available. Other pertinent criteria may be identified during the development of the RFA. The formula for the criticality rating will be included in the RFA materials for counties to consider.

Contingent on the Board's approval today, the working group will develop the RFA, which will be brought to the Board for approval at the April 8, 2021 meeting. Recommendations on awards to counties would be made at the June 10, 2021 meeting.

Recommendation/Action Needed

- 1) Delegate to the working group the development of the Youth Facilities Grant Program Request for Applications as described above to be brought back to the Board for approval and release at the April 8, 2021 board meeting.

Attachments

- C-1: SB823 Summary of Findings
C-2: DJJ Population Overview 2020

Attachment C-1

Attachment C-2



CONTENT ANALYSIS OF SB 823 COMMENT SUBMISSIONS

MARCH 2021



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Background

On September 30, 2020, Governor Newsom signed Senate Bill 823 (SB 823), which began the closure of the state's Division of Juvenile Justice (DJJ), realigning those state functions to county governments. Under SB 823¹, DJJ intake will close for most youth on July 1, 2021 and counties will then become fully responsible for the housing, programming, and treatment of youth with high-level offenses and longer-term needs who can no longer be committed to DJJ.

SB 823 allocated \$9.6 million for the Board of State and Community Corrections (BSCC) to "award one-time grants, to counties for the purpose of providing resources for infrastructure-related needs and improvements to assist counties in the development of a local continuum of care." These funds are limited to counties as eligible applicants.

The BSCC issued to counties a Request for Information on December 18, 2020. The survey requested information about each county's intent to house these youth after June 30, 2021, specifically in programming that may be developed/offered for the population, whether youth from other counties will be housed, the anticipated number of youth to be housed, and the infrastructure needs to house these youth. A majority of the responding counties indicated they lack capacity to serve youth in one or more of the following high-needs categories and that they intend to refer these youth to other counties for appropriate treatment and placement: 1. Females, 2. Sex Offenders, and 3. Seriously Mentally Ill Youth.²

In February 2021 the Board was provided a proposal to make available \$4 million for four projects (up to \$1 million each) to develop regional programs to serve youth referred by other counties in the three high-needs areas noted above (females, sex offenders, seriously mentally ill). The intent is to award at least one project in each of the three high-needs categories. Under this proposed distribution, the remaining \$5.12 million will be distributed equitably to all counties to support infrastructure and improvements needed to serve their in-county populations of realigned youth.

The Board sought input from all stakeholders and interested parties about the needs and priorities that should be addressed by the \$9.6 million in one-time funds designated in SB

¹ Welfare and Institutions Code, Division 2.5, Section 2250

² For detailed findings see *Request for Information: Regional Youth Programs and Facilities Grant Program. Survey Summary Findings*, BSCC, January 26, 2021. Available at <https://www.bscc.ca.gov/wp-content/uploads/Attachment-C-1-Survey-Summary-Findings-Final.pdf>.

823 for start-up infrastructure planning. The BSCC posted a public comment period during which comments could be emailed to help formulate the Request for Applications.

Commenters were asked to take into account the following statutory parameters for the SB 823 Youth Program and Facilities Grant:

1. Eligible applicants must be counties.
2. Grant funds must be used for infrastructure-related needs and improvements to assist counties in the development of a local continuum of care.
3. Infrastructure and improvements must be for facilities or programs addressing the needs of youth who are being realigned to counties as a result of the planned closure of the state DJJ.

Commenters were also asked to indicate if the comment pertained to the recommendation to allocate \$4 million for regional programs or to the \$5.12 million to be distributed to all counties.

This report presents a qualitative content analysis of the written public comments provided to the BSCC during the comment period.

Methodology

Procedure

On February 19, 2021, the Board launched a written public comment process. This public comment opportunity was advertised through a BSCC public notice on the BSCC website.³ The public notice was distributed by email using the BSCC's general listserv⁴ consisting of approximately 1,500 people. All stakeholders and interested parties were invited to email written comments to the BSCC by March 8, 2021.

On March 17, 2021, the Board launched a second public comment period. The virtual listening session was advertised through a BSCC public notice on the BSCC website.⁵ The public notice was distributed by email using the BSCC's general listserv. The virtual listening session was held on March 22, 2021. During the 1.5-hour session, participants had the opportunity to make verbal comments through the online meeting platform, which

³ The public notice is available at: <https://www.bscc.ca.gov/news/public-comment-period-opens-for-the-senate-bill-823-youth-programs-and-facilities-grant-program-written-public-comment-may-be-submitted-through-march-8-2021/>

⁴ A listserv for individuals who are interested in the work of the BSCC to subscribe to in order to receive BSCC general mailing and press releases

⁵ The public notice is available at: <https://www.bscc.ca.gov/news/bscc-seeks-sb-823-input/>

were recorded and saved to a secure location. The recording was used to develop a transcript of each speakers' comments.

Comment Authors

Ten comments were received by email during the comment period and 14 individuals provided comments during the listening session. During the listening session, some individuals made multiple comments regarding different topics. For analysis purposes, all verbal and written comments made by the same individual were combined so that each comment document would represent those of a single individual. Therefore, the analyses were based on 23 comments (written and/or verbal) received from unique individuals and/or agencies.

Among the individuals and agencies who provided comments:

- 52 percent ($n = 12$) represented policy advocacy groups or community-based organizations, including one representing 25 organizations.
- 26 percent ($n = 6$) represented probation departments, including one from the Chief Probation Officers of California (CPOC).
- 17 percent ($n = 4$) identified as being formerly system-involved.
- 8 percent ($n = 2$) represented a behavioral health organization.
- 4 percent ($n = 1$) were members of the public
- 4 percent ($n = 1$) represented a police department.

Commenters may have identified themselves as both formerly system-involved and as working for a policy advocacy group/CBO, which is why the total percentage is greater than 100%. Additionally, one written comment was submitted by a collective of 25 policy advocacy groups and CBOs, so for analysis purposes this submission was counted as one comment.

Analysis

The written comments were analyzed using a thematic content analysis approach.⁶ The following iterative process was used to develop the codebook:⁷

- First, the researchers developed initial codes after reading the comments submitted during the comment period.
- Second, all written comments were read thoroughly and then the initial codes were

⁶ Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3, 77–101.

⁷ All coding and analyses were done using Atlas.ti software. Atlas.ti 8 Scientific Software Development GmbH, version 8 for Windows.

revised.

- Third, all comments were coded by all researchers in a group to ensure there were no inconsistencies in coding. Rules and definitions were revised as necessary.

The comments provided were grouped into the following seven (7) main categories:

- A. Flexible Funding
- B. Funding Allocations
- C. Funding Questions
- D. Funding Use Recommendations
- E. Grant Making Process
- F. Infrastructure Needs
- G. RFA Recommendations

In all seven categories, a total of 26 groups of comments (codes) were developed. Table 1 provides an overview of the codebook with definitions for each code (group of comments). Codes displayed in Table 1 have been organized by frequency of code use throughout all comments; frequency of code use is displayed in Table 2.

Appendices A through G provide the quotations assigned to each code and are organized by the five categories of the codebook, respectively (e.g., Flexible Funding, Funding Allocations). Each quote is given an identification number corresponding to its document identification number and quotation number within the project file (e.g., 9:1).⁸

⁸ This identification number enables the direct quote to be identified within the Atlas.ti project file. (the content analysis software used for this project). The example provided (9:1) refers to document 9, quotation 1.

Table 1. *Codebook Overview*

Code Category	Code Definitions
Category A. Flexible Funding	
1. Meet varying needs of counties	Funding parameters should be diverse enough to meet the varying needs of counties (e.g., size, geographic region, population, serving their own youth/collaborating with others, or developing a specialized program).
2. Use for preparation activities	Funding should be flexible to allow counties to quickly and adequately prepare to serve these youth by July 1, 2021.
3. Timely	Counties should have the ability to use funding in preparation for serving older youth. Examples include establishing contractual relationships for shared services, staffing, training, comprehensive review/update of policies, and program design.
Category B. Funding Allocations	
4. Equitable distribution insufficient	Depending on how the \$5.12 million is equitably distributed among the counties, some counties may not be able to adequately address the facility improvements needed. Counties may not have adequate front-end resources from the state for a successful transition.
5. Prioritize quality of life	The funding should prioritize infrastructure needs that improve youth quality of life. Examples provided include use of least restrictive settings, addressing cramped living conditions, excessive security fencing, lack of windows to the outside, and the unique needs of those who are disable or those with mental illnesses.
6. Competitive	Not all counties should receive funding and grant funds should be awarded on a competitive basis.
7. Inadequate funding	The funding provided under SB 823 is not enough to serve the target populations across the entire state.
8. Prioritize positive youth development	The funding should be used on infrastructure that supports positive youth development.
9. Required to accept out-of-county youth	If a county accepts SB 823 funding, they should be required to accept out-of-county youth who are appropriate for the programs offered by that county.
10. Rewards prior DJJ use	The regional funding formula rewards counties that are significant users of DJJ while penalizing counties that have been successful at implementing diversion efforts.
11. Should be targeted	Rather than the \$5.12 pro rata distribution, these funds should be more targeted and have set priorities to support local infrastructure.
Category C. Funding Questions	
12. Local distribution	Questions about how the funding will be distributed within the county (who decides programs, agencies that receive the funds, etc.).
13. Regional hub and serving multiple needs	Question whether a county can apply for \$2 million if they plan to serve two high-need areas (i.e., females who are seriously mentally ill).

Category D. Grant Making Process

14. Non-inclusive

The SB 823 grant making process has not followed BSCC's usual ESC approach, has not included various stakeholders with a breadth of experience and has not convened any public meetings. This should be corrected, at minimum, by comprising a Scoring Panel for this grant program.

15. Only probation needs surveyed

The December 2020 Request for Information solicited input solely from probation departments and this information informed the funding recommendations. The BSCC must consider input from other individuals and other entities in the county that play a critical role in the local juvenile justice systems.

Category E. Infrastructure Needs

16. Space and equipment for programming

Funding is needed for facility upgrades to provide space and equipment for programming. Specific needs mentioned include furniture for a therapeutic environment, technology for programming, and recreational needs.

17. Provide security

Funding is needed for facility upgrades to improve security and youth and staff safety.

18. Female housing

Funding is needed for facility modifications to create female youth specific secure housing.

19. Treatment space

Funding is needed for facility modifications to create treatment space (health and mental health services).

Content Analysis of Comments

Table 2 provides the number of comment authors that addressed each code and their percent of representation across the total number of comments (written and/or verbal) received from unique individuals and/or agencies ($N = 23$). For example, of the 23 unique comments received, 2 comments supported flexible funding to meet the varying needs of counties ($n = 2$), representing 8.7 percent of the comments received.

Table 2. *Code Use Frequency Within Each Code Category*

Flexible Funding	Comment Authors	
	Count	Percent of Total
Meet varying needs of counties	2	8.7%
Use for preparation activities	2	8.7%
Timely	1	4.3%
Funding Allocations	Count	Percent of Total
Should be targeted	7	30.4%
Equitable distribution insufficient	2	8.7%
Inadequate funding	2	8.7%
Prioritize quality of life	2	8.7%
Competitive	1	4.3%
Minimum threshold	1	4.3%
Prioritize positive youth development	1	4.3%
Required to accept out-of-county youth	1	4.3%
Rewards prior DJJ use	1	4.3%
Funding Questions	Count	Percent of Total
Local Distribution	1	4.3%
Regional hub and serving multiple needs	1	4.3%
Funding Use Recommendations	Count	Percent of Total
Work with CBOs	4	17.4%
Programs	3	13.0%
Grant Making Process	Count	Percent of Total
Non-inclusive	5	21.7%
Only probation needs surveyed	3	13.0%
Public application review	1	4.3%
Infrastructure Needs	Count	Percent of Total
Space and equipment for programming	5	21.7%
Provide security	3	13.0%
Female housing	1	4.3%
Treatment space	1	4.3%
RFA Recommendations	Count	Percent of Total
Oversight	2	8.7%
Project outline	1	4.3%
RFA best practices	1	4.3%

Appendix A: Flexible Funding: Quotations Assigned to Each Code

Code: Meet Varying Needs of Counties

Two (2) quotations

“The County respectfully recommends that the BSCC reevaluates how grant funding will be awarded and to dedicate more funds to counties that are in high need to support infrastructure and improvements as created by SB 823. The County estimates that one third of DJJ youth in the state will be housed in its county. Grant funds should be awarded proportional to the number of youth in each county.” (8:2)

“Funding parameters should be diverse enough to meet the myriad of needs that will vary by county based upon size, both geographic and population, whether counties are serving their own youth or collaborating with others on a regional option or aiming to develop a specialized program to serve a specific need such as, but not limited to acute mental health needs or female youth. Parameters should include the ability to address:

- Establishment of contractual relationships and agreements for shared services and/or joint effort to one county serving youth from multiple counties
- Personnel needs to include staffing and training to be prepared for serving older youth
- Comprehensive review of updating of policies
- Program design consultation with researchers” (25:1)

Continued by:

“Just wanted to kind of make note on this point that we, you know, appreciate the work that obviously has gone into this and want to reiterate the importance of the funding parameters really being diverse enough to meet the myriad of needs that we know will vary by county. From the importance of programming costs, specialty staff, and many other things, again to make sure that both regionally and as we look at the different county needs that were able to kind of have all of those needs met again with the goal of setting in place the most robust programs as needed. Especially, again, in light of needing to be prepared for youth coming very soon on July 1, 2021. So, I think again, one-time cost focused on programming, specialty staff, and again flexibility to meet the diverse needs of the various counties.” (25:7)

Code: Use for Preparation Activities

Two (2) quotations

“Salary and staff time should also be considered in the RFP to assist counties in implementing this continuum of care.” (7:2)

“Funding parameters should be diverse enough to meet the myriad of needs that will vary by county based upon size, both geographic and population, whether counties are serving their own youth or collaborating with others on a regional option or aiming to develop a specialized program to serve a specific need such as, but not limited to acute mental health needs or female youth. Parameters should include the ability to address:

- Establishment of contractual relationships and agreements for shared services and/or joint effort to one county serving youth from multiple counties
- Personnel needs to include staffing and training to be prepared for serving older youth
- Comprehensive review of updating of policies
- Program design consultation with researchers” (25:1)

Continued by:

“I would also add that programming and staffing should be considered as part of the one-time funding in order to establish specialized hubs and programming, to ensure that the beds and programs to meet the specific needs of the youth are in place, as we continue to build out all of these things in a very robust manner.” (25:4)

Code: Timely

One (1) quotation

“Flexibility to allow counties to quickly and adequately prepare for first youth ordered to secure treatment program track on or near July 1, 2021.” (25:3)

Continued by:

“As stated at the beginning of the call, we also believe it's very important that we do get the-, that the money goes out quickly to be ready for July 1st as we're working very steadfast along with, you know, many of the stakeholders and partners to effectuate the goals of this realignment, and so I just wanted to underscore that point on the need to do this, to make sure that the things are in place, again, to best serve the youth as we make this transition.” (25:6)

Appendix B: Funding Allocations: Quotations Assigned to Each Code

Code: Should be Targeted

Seven (7) quotations

“We are deeply concerned that the BSCC is considering giving out these critical funds to counties that have not indicated any interest in doing relevant work. According to the RFI survey results, only half of counties expressed interest in applying to this grant. Given the relatively small allocation of funds for the Youth Programs and Facilities Grant (\$9.6 million), it is unwise to spread over half of the already-limited funding across all counties.

Counties will already receive over \$200 million by fiscal year 2024-25 through the Juvenile Realignment Block Grant. The BSCC should be more targeted in setting priorities to support local infrastructure for youth impacted by DJJ closure.” (9:7)

Continued by:

“The working group’s recommendation currently provides no guidance to counties for how they should use these funds. What is more, the working group has not provided any reason why the BSCC plans to give funding to approximately 16 counties that have no youth currently at DJJ. If the BSCC provides any funding to counties for general improvements, the RFA must specify eligible expenditures as facilities’ programming spaces, outdoor recreation, and/or environmental improvements for long-term commitments.

We do not believe pro rata distribution is an appropriate use of this state grant and recommend the BSCC eliminate this funding category entirely. Alternatively, the BSCC should combine this \$5.12 million with the \$4 million for “regional hubs” to foster regional partnerships that better serve specified high-needs youth populations.” (9:10)

“Rather than taking a pro rata approach for infrastructure improvement generally, the BSCC should expressly prioritize county proposals that are trauma-informed and aligned with SB 823’s goals for providing and implementing public health approaches to support positive youth development. By dividing funds pro rata across counties who have not put forth plans or proposals to meet the stated purpose of this grant, the BSCC will be abdicating their responsibility to administer the specially designated state funding.” (12:2)

“ARC believes that the BSCC should not distribute 5.12 million pro rata to all counties, we do not believe that. This distribution is an appropriate use of the State grant and recommend that the BSCC find an alternative. And that alternative, we suggest, would be combining the 5.12 million with the 4 million for regional hubs to foster regional partnerships that better serve the specified needs of the youth that we are talking about.” (14:1)

“I am commenting today to express that the BSCC has failed to offer any explanation for allocating the 5.12 million per county pro rata, and we are deeply concerned that that the BSCC is considering giving out these critical funds to counties that have not indicated any interest in doing relevant work. According to RFI survey results, only half of counties expressed interest in applying to this grant, and so we find no reason why it is necessary for the BSCC to offer this grant funding non-competitively to counties.” (15:1)

“So, I also want to reiterate that the BSCC should not distribute the 5.2 million pro rata to all counties. I believe that the distribution is not an appropriate use of the state grant and we are recommending in ARC that the BSCC eliminates it.” (17:2)

“I would just like to reiterate the comments that my colleagues Esteban Nuñez and Heile Gantan made regarding part two [funding for all counties], and the pro rata allocation.” (22:2)

“I think that's probably what my major comment is concerned with – the oversight, agreeing Aditi and Esteban, you know, not understanding very clearly about what is actually being intended to do at the county-site level. My concern is the oversight, you know, making sure that subcommittees are being met, the reporting. As of now, some of the funding that has been currently given at the county level, there's still no health accountability for outcomes and measures and we'd love to see more oversight and ensuring that trauma informed practices are being instilled, that the funding is going, being inclusive of all community members, especially those who are impacted by the most, which is youth and those who have been incarcerated, which at present moment just don't have enough community endpoint in that.” (23:1)

Code: Equitable Distribution Insufficient

Two (2) quotations

“The BSCC has failed to offer any explanation for allocating \$5.12 million, or approximately \$88,000 per county, pro rata. This is an abdication of the BSCC's

responsibility to administer this specially designated state funding. The pro rata amount given to counties is so marginal as to likely have little impact on infrastructure improvements, although even that will be impossible to measure given the lack of clear grant reporting detailed by the SB 823 working group.” (9:6)

“The newly carved out \$5.12 million proposed to be distributed "equitably" raises the concern that many of the smaller counties may not be able to adequately address facility improvements during implementation depending on the formula ultimately used to determine the "equitable" distribution of funds. Minimally, Butte County has a need for such things as increased security fencing, enhanced programming areas, and upgraded security monitoring equipment. This facilities grant, in whichever manner the funds are ultimately distributed, raise the continued concern that the state has pushed forward with the process of realigning DJJ back to the counties without providing adequate front-end resources to help ensure this successful transition within facilities not originally designed for such long-term youth.” (11:2)

Code: Inadequate Funding

Two (2) quotations

“The \$9.6 million initially allotted to serve the infrastructure modifications for this long-term population seems woefully inadequate to serve the needs of the entirety of the State of California.” (11:1)

“We’re very concerned that the RFA is proposing over \$5 million to all counties in part two *[funding for all counties]*, we believe the BSCC should eliminate this category and shift the funding to the regional projects. BSCC has offered no justification, and it’s concerning, given many counties aren’t sending youth to DJJ, so we’re unclear of how the BSCC came up with this recommendation. The pro rata amount given the counties is so marginal that it will likely have minimal impact on infrastructure or program improvements.” (26:1)

Code: Prioritize Quality of Life

Two (2) quotations

“Probation departments’ survey responses to the RFI show troubling priorities. As the state prepares to transition responsibility from DJJ to the local level, we must

ensure we do not replicate DJJ's harmful conditions at the local level. Notably, the majority of county probation departments that responded to the RFI survey indicated that they would house youth in their existing juvenile halls and camps. We are concerned by the BSCC's potential investment in counties' overreliance on costly juvenile halls, which are designed for short-term placements of youth awaiting adjudication, to house higher needs youth with longer stays.

For decades, DJJ has been criticized for subjecting youth to a prison-like environment⁸ complete with barbed wire and cold, concrete indoor areas. According to the county probation survey results, the second highest priority was "security fencing." This commonly stated priority maintains a severely limited scope of what security looks like in detention settings. Out-of-home placements are traumatic, particularly for youth. A safe environment for youth and staff must include positive relationships between them, comfortable home-like spaces, and formal principles for humane treatment. Beyond physical facility structures, counties must invest in building up infrastructure for rehabilitative programming and reentry. In particular, counties that partner with community-based service providers can better support youth through culturally relevant, health-centered services through various stages of the justice system." (9:4)

"We ask that the \$4 million designated to regional facilities and the \$5.12 million designated equitably to counties for infrastructure development needs ensure that youth quality of life are put first.

The California Welfare and Institution Code (WIC), which governs the juvenile justice system in the state, explicitly mandates that probation departments and youth justice systems place youth in the least restrictive setting as possible. When sending a child adjudicated delinquent into a residential placement, the law in California - WIC 706.6(c)(3)(b) - states "An appropriate placement is an environment that promotes normal childhood experiences, in closest proximity to the minor's home; that meets the minors best interests and special needs. In order to effectively and humanely implement SB823, the entire youth justice system, on every level, should shift down toward the least restrictive setting compliance with WIC.

Consequently, we urge you to take into consideration current facility norms such as cramped cells, excessive security fencing, and a severe lack of windows facing the outside world. After all, an environment conducive to regeneration is physical as it is social. Far too many times, funds spent on infrastructure serve to alienate our youth instead of furthering our goal of rehabilitating them.

Living arrangements should also take into account the special populations of our youth with severe mental illnesses and developmental disabilities. Mental health should be a priority when developing or enhancing infrastructure. Facilities that do not recognize and

respect these population's unique needs would not optimize the mission of the juvenile justice system.

We ask you to seriously investigate all the infrastructure needs mentioned by each county in their respective surveys. Outdoor/recreation modifications, medical and/or treatment area modifications, and environmental improvements were all reported to be mediocre when the presence of these items are crucial for healthy outcomes. The Request for Application should set specific standards guaranteeing each of these items are met.

It is our hope we can continue to come together for the benefit of our youth and improve the prospects for rehabilitation in our communities. Together we can make the juvenile justice system a better place.” (10:1)

Code: Competitive

One (1) quotation

“We find no reason why it is necessary for the BSCC to offer this grant funding non-competitively to counties. As an example, BSCC allocated SB 81 Juvenile Facility Construction Rounds 1 and 2 through a competitive grant process. Ultimately, this should be a competitive grant.” (9:8)

Code: Minimum Threshold

One (1) quotation

“In a more tangible way, looking through the outline for the RFA, I recommend that the BSCC include a minimum threshold for the projects that are funded. I don't see a minimum threshold and it's been pretty standard in the past, for there to be a 50% or 60% minimum score that projects need to receive and something should be instated so we can make sure that we're not funding bad projects, simply because those are the folks that, you know, that provided an application. (24:3)

Code: Prioritize Positive Youth Development

One (1) quotation

“BSCC must specify that all funding through the Youth Programs and Facilities Grant Program must support infrastructure that fosters positive youth development.

The BSCC should prioritize county proposals that are trauma-informed and align with SB 823 goals for “providing and implementing public health approaches to support positive youth development”. The working group currently provides no clear guidance to how counties should utilize funding to develop a local continuum of care, as outlined in SB 823. Neither of the two recommended grant allocations require counties to use funds for this critical purpose.” (9:11)

Code: Required to Accept Out-of-County Youth

One (1) quotation

“As we are a small county without a juvenile hall or rehab program we have had to rely for years on contracting with other counties for juvenile detention and commitment space. There were times when there were few beds available in the State and I would spend hours on the telephone trying to find a county willing to take our youth. This funding, will undoubtedly help counties who plan on housing their own DJJ youth to improve their local programs, but there is nothing that mandates a county accept or contract with a county that has no ability to provide any services to DJJ type youth. Personally I think that if any county accepts any State funding for DJJ youth, that it be mandated that they will take youth deemed appropriate for the programs offered by a county.” (5:1)

Code: Rewards Prior DJJ Use

One (1) quotation

“Public Comment: The regional funding formula continues to reward the counties that are significant users of DJJ, while disadvantaging/penalizing counties that have been successful at implementing diversion efforts. It is important to acknowledge that there have been significant population changes since the beginning of the COVID pandemic that the funding formula does not account for. Alameda County does not historically send a large number of youth to DJJ and has been successful in implementing effective diversion and delinquency prevention efforts. Currently, the majority of individuals in Juvenile Hall are 707b eligible and are not being sent to DJJ and therefore Alameda County does not qualify for a large share of the funding. This should be considered in the development of this RFP.” (7:1)

Appendix C: Funding Questions: Quotations Assigned to Each Code

Code: Local Distribution

One (1) quotation

“\$5.12 million be divided equitably by the counties.

Which departments or agencies in Fresno County decide programs and funding distribution?

In previous opportunities, I don’t recall cities having a voice in the process.” (3:1)

Code: Regional Hub and Serving Multiple Needs

One (1) quotation

“The requirements state that \$4M will be made available for up to \$1M each in each of the 3 high-needs categories. Would it be acceptable to apply for an amount above the \$1M maximum if we include two of the categories? For example, could we potentially apply for \$2M if we propose a program that targets females who are seriously mentally ill?” (4:1)

Appendix D: Funding Use Recommendations: Quotations Assigned to Each Code

Code: Work with CBOs

Four (4) quotations

"I know that we talk about investing in building new alternatives and, alternative types of systems, whatever, but I would say that we need to really think beyond just facilities and how to remodel them, because at the end of the day, I feel that we need to really figure out ways how the BSCC can create real infrastructures of community-based organizations that can actually work with youth, who are in these places, because at the end of the day, the service providers, CBOs, are the ones that are going to really get to the root cause of the issues that we're dealing with or that the youth are experiencing. So, I would say that in counties that a partner with community-based organizations, we need to do better at just really working together with CBOs. How can we really reevaluate programs and services that are currently contracted with counties and probably they're not working or how can we reevaluate those things and really create different avenues for CBOs to be able to provide these types of support for youth who are in these places." (17:1)

Continued by:

"So yeah, I guess I really wanted to reiterate that we focus more on just the community-based organizations that are really helping to create better outcomes for our youth and to not just focus on, you know, the facility structures, but actually focus on what can be provided for the youth while they're in these places, and when they're coming home." (17:3)

"I think it's absolutely essential that some of these funds are allocated to grassroots, nonprofit organizations like the Anti-Recidivism Coalition. They showed me how to apply for college. I too, was accepted to five colleges. I'm currently studying in social work at Humboldt State University maintaining a 4.0. I'm currently-, I've been there for around a year, in a year I'll graduate and I'm planning on pursuing my masters, because I want to be a service to individuals in our community. But grassroots organizations are the ones that helped me reintegrate into society. Not only did they get me accepted to college they showed me how to get a driver's license. They showed me how to build my credit. They showed me how to open a bank account. They show me everything that I needed to do to successfully reintegrate into society. As a result, I was released from parole five and a half years early. I was supposed to be on for seven I've been on for two and a half. Part of that is some of the things that I've been doing out here in the community.

I'm also a life coach for the men confined in Pelican Bay State Prison. I work inside Pelican Bay State Prison, showing those men that rehabilitation is possible and providing the services that make that absolutely possible.” (20:1)

“And I recommend that the BSCC use some of these monies to create secure housing, such as that was found in Harrisburg, Pennsylvania, with the Arc Program that is offered there. Also, there are multiple models out in New York where, within the boroughs, youth who commit serious harms live and stay within the community. I believe it is best interest that the BSCC prioritize these types of transitional housing, as we will then, with what is outlined with the regional hubs will be creating many DJJs and I think that is something would work.” (22:1)

“That can be helped by partnerships with community-based organizations and other service providers and it's really critical that while the counties of course need to be applicants for this funding, as is often the case with BSCC grants, they can be partnering with other entities, including community-based service providers. And the BSCC could, and should, support and prioritize projects that implement those kinds of partnerships.” (24:2)

Code: Programs

Three (3) quotations

“I think it's very, very important that these reentry programs are...yeah that I think that it's these community-based programs are very, very essential. I myself am formerly incarcerated and I went through a community-based program. I went through Center for Employment Opportunity, and I thank God that that organization was there. I had a peer navigator which kind of helped me navigate through this system and also, I became a member at Anti-Recidivism Coalition. I've been a member there for almost three years and it's been like very, very important on my journey, my reentry journey, I also, like, from my personal experience, I took a few classes and I become a community health worker which that's what I do.” (16:1)

“So, I just want you guys to know that it is essential that we prioritize rehabilitative programming and reentry. You know, it's really important for counties to invest in the components of reentry that can contribute to recidivism reduction and the safety of our communities.” (19:1)

Continued by:

“Because I was given the confidence, you know, and others paved that way and they showed me that it was possible, and if I didn't have these community organizations that gave me that community to meet individuals who have gone down this path I wouldn't have gone down that.

So, it's so important that we invest in these organizations, right.” (19:2)

“We would also note that one-time funding shouldn't be limited to just hard costs and that programming should be something that is allowable and we believe this is a very important component.” (25:5)

Appendix E: Grant Making Process: Quotations Assigned to Each Code

Code: Non-inclusive

Five (5) quotations

“The SB 823 working group is neither inclusive of stakeholders nor accessible to the public.

Before we comment on the SB 823 working group’s funding recommendations, we must express serious concern with the agency’s flawed grantmaking process. The BSCC standardly sets up an Executive Steering Committee (ESC) to inform the development of a Request for Applications (RFA) and score proposals. These groups perform an essential role in the BSCC’s grant administration by bringing together various stakeholders that have a breadth of experience not available in-house. In November, despite public comment requesting broader representation in the development of the Youth Programs and Facilities Grant Program, the BSCC approved a working group of only two members selected from its own Executive Board. This decision fails to meet the precedent set by BSCC grant administration in recent years. Not only has there been no committee leadership from subject matter experts beyond these two individuals, but the SB 823 working group has not convened any public meetings during the grantmaking process thus far.” (9:3)

Continued by:

“We are very concerned by the BSCC’s lack of transparency during decision-making. The SB 823 working group structure, with only two members, appears to dodge California’s open meeting laws and limits opportunities for substantive input from diverse stakeholders. Moving forward, at a minimum, the BSCC should solicit subject matter experts to comprise a Scoring Panel for this grant program. Its membership should include individuals with direct experience in the juvenile justice system, youth service providers, and individuals with expertise in positive youth development.” (9:1)

“First, I want to quickly highlight the serious shortcomings of the process for this listening session. Notice of the session was given less than a week ago, with even less time for the community to review the RFA. The timing of this meeting, along with the lack of advance notice, is deeply concerning and undermines trust in the BSCC.” (12:1)

"I would like to bring up that, while it's very unfortunate that, you know, that the public wasn't really involved in in the process, I just want to voice my concerns that this has been like a kind of a pattern with when the BSCC holds these listening sessions. I understand that it's the Committee's right to go ahead and end the commitment or call right after public comment. But there are folks that, when given this timeline, you know, the advocacy community is struggling to get more folks on these calls, and when we're given like a specific time we would hope that the BSCC respects that time." (22:3)

"So again, I appreciate the feedback session, but I do feel like it's very quick because I understand it's all coming down quickly but, you know, having a little bit more oversight and accountability, I think, will help with the, you know, the flow of the quickness of this, you know, funding that needs to come down." (23:2)

"I appreciate the space provided for the stakeholder input today, but I do think that we need to acknowledge that many stakeholders, particularly those that are directly impacted and from community service providers, were not able to participate in today's session. This continues to have some signs point to the inaccessibility of this grant-making process.

Unfortunately, with less than three working-days' notice and a scheduled time during many directly-impacted community members' work hours, this really fails to address concerns about the non-inclusive process that we've seen rollout." (24:5)

Code: Only Probation Needs Surveyed

Three (3) quotations

"This public comment opportunity is inaccessible to critical community stakeholders.

In December 2020, the working group issued a Request for Information (RFI) to determine counties' infrastructure and programming needs relating to youth who will no longer face DJJ commitments. While SB 823 clearly states the grant should be used to support counties' local continuum of care, the BSCC only collected input from one type of county agency - probation departments - to inform their funding recommendations.

Unfortunately, the BSCC's current funding recommendations assume a framework set forth solely by county probation departments. This current solicitation for public comment does not address community concerns stated at the February 11, 2021 BSCC Board meeting, which requested that the BSCC collect input from juvenile justice stakeholders in a formal manner on par with the survey responded to by county probation departments. While counties are the only eligible grant recipients, the BSCC has a responsibility to

establish priorities for this funding based on well-rounded information.

Various stakeholders, including youth-serving public agencies, community-based organizations, and individuals who have been directly impacted by DJJ or youth detention, play a critical role in local juvenile justice systems. The BSCC must consider the array of supports, such as therapeutic programming and reentry services, which are critical to establishing county infrastructure for the care of high-needs youth.” (9:2)

“In particular, looking at the drafted RFA, you know, we see that the recommendations were developed entirely on probation feedback that came through with that survey that went out in December and it doesn't take into account the varied ways that we can be addressing youths' needs as we move through that transition from DJJ to the counties.” (24:6)

“In particular I'd like to say that, you know, moving forward I'm interested to better understand how the BSCC plans to score these proposals, and would recommend that, while there's a time factor, that there be a scoring panel developed that includes membership with individuals who are directly experienced in the juvenile justice system, including youth service providers and individuals with expertise in positive youth development.

At the very least, regardless of how applications are rated, looking over the RFA it's clear that there also needs to be rating factors developed that align with SB 823's legislative intent and a rubric to be included for clear scoring considerations. Those are standardly included in BSCC's other work and in RFA's, more generally, so we really do need to see some of those rating factors included that align with the legislative intent.” (24:7)

Code: Public Application Review

One (1) quotation

“The question for the Committee: In the past, the Board of State and Community Corrections, with all of their facility construction funding, whether it was on the adult side for jail construction or on round one and two of SB 81, allowed the public to provide public comment when the committee was reviewing applications. Will the Committee allow that to happen again, again, in line with what the Agency has done for all of the facility construction funding?

What I mean is that, in the past, so for SB 81 round two, counties submitted applications, the Committee met in public so the public could attend it, see how the Committee was waiting the applications, and the public provide public comment. It

doesn't seem like this Committee has had any public meetings. So, what we're asking is that if the agency is going to be giving out millions of dollars to counties for facility construction funding, will the public have an opportunity to attend a public meeting and provide public comment on these applications?" (26:3)

Attachment C-2

Appendix F: Infrastructure Needs: Quotations Assigned to Each Code

Code: Space and Equipment for Programming

Four (5) quotations

“By far, our most pressing infrastructure need is space and equipment for programming. The design of our building is such that a significant portion of the actual floorplan is dedicated to individual, locked sleeping rooms and very little open space for education and programming. Additional needs include furniture that is not only durable but comfortable and conducive to providing a therapeutic environment, interactive technology including smart TV’s, computers, tablets, white-boards and ergonomic chairs and tables or desks.” (1:1)

“The County will provide housing, programming, and treatment to an estimated 150 DJJ youth following SB 823. These youth will be housed at Juvenile Halls which will require extensive infrastructure modifications and enhancements. The modifications needed, but not limited to are: secure space for the different levels of offending youth; create separate space for juveniles in long term commitment programs; create specialized program space; create treatment space; and create space necessary to separate youth by age or other factors. Also, enhancements needed include the creation of new specific programming for DJJ youth; security for DJJ youth; health and mental health services; female youth specific secure housing; youth space; and technology enhancements.” (8:1)

“Minimally, Butte County has a need for such things as increased security fencing, enhanced programming areas, and upgraded security monitoring equipment.” (11:3)

“Counties need to be investing in building up the infrastructure for rehabilitative programming inside of these facilities, as well as looking at reentry as something that happens far before release.” (24:1)

“Ability to use funding for facility upgrades to transform spaces into more secure, therapeutic, home-like settings, youth and staff safety, recreational needs, and additional programming space.” (25:2)

Code: Provide Security

Three (3) quotations

“The County will provide housing, programming, and treatment to an estimated 150 DJJ youth following SB 823. These youth will be housed at Juvenile Halls which will require extensive infrastructure modifications and enhancements. The modifications needed, but not limited to are: secure space for the different levels of offending youth; create separate space for juveniles in long term commitment programs; create specialized program space; create treatment space; and create space necessary to separate youth by age or other factors. Also, enhancements needed include the creation of new specific programming for DJJ youth; security for DJJ youth; health and mental health services; female youth specific secure housing; youth space; and technology enhancements.” (8:1)

“Minimally, Butte County has a need for such things as increased security fencing, enhanced programming areas, and upgraded security monitoring equipment.” (11:3)

“Ability to use funding for facility upgrades to transform spaces into more secure, therapeutic, home-like settings, youth and staff safety, recreational needs, and additional programming space.” (25:2)

Code: Female Housing

One (1) quotation

“The County will provide housing, programming, and treatment to an estimated 150 DJJ youth following SB 823. These youth will be housed at Juvenile Halls which will require extensive infrastructure modifications and enhancements. The modifications needed, but not limited to are: secure space for the different levels of offending youth; create separate space for juveniles in long term commitment programs; create specialized program space; create treatment space; and create space necessary to separate youth by age or other factors. Also, enhancements needed include the creation of new specific programming for DJJ youth; security for DJJ youth; health and mental health services; female youth specific secure housing; youth space; and technology enhancements.” (8:1)

Code: Treatment Space

One (1) quotation

“The County will provide housing, programming, and treatment to an estimated 150 DJJ youth following SB 823. These youth will be housed at Juvenile Halls which will require extensive infrastructure modifications and enhancements. The modifications needed, but not limited to are: secure space for the different levels of offending youth; create separate space for juveniles in long term commitment programs; create specialized program space; create treatment space; and create space necessary to separate youth by age or other factors. Also, enhancements needed include the creation of new specific programming for DJJ youth; security for DJJ youth; health and mental health services; female youth specific secure housing; youth space; and technology enhancements.” (8:1)

Appendix G: RFA Recommendations: Quotations Assigned to Each Code

Code: Oversight

Two (2) quotations

“...where's the oversight for the counties? Who is controlling, you know, the communication between the counties and the community, and is there any expectation that the county would have to communicate with us? Because it has been clear that, in a lot of places they don't want to communicate with community-based organizations and advocates who are working to better meet the needs of our young people, and if these meetings are going to continue to be private and had without our input, where is the example that's being set for the counties to actually include us in these conversations?” (21:1)

“I think that's probably what my major comment is concerned with – the oversight, agreeing Aditi and Esteban, you know, not understanding very clearly about what is actually being intended to do at the county-site level. My concern is the oversight, you know, making sure that subcommittees are being met, the reporting. As of now, some of the funding that has been currently given at the county level, there's still no health accountability for outcomes and measures and we'd love to see more oversight and ensuring that trauma informed practices are being instilled, that the funding is going, being inclusive of all community members, especially those who are impacted by the most, which is youth and those who have been incarcerated, which at present moment just don't have enough community endpoint in that.” (23:1)

Code: Project Outline

One (1) quotation

“But, frankly it's impossible to determine what the impact is going to be because there isn't any grant reporting in the outline. The RFA only requires two pages on project need and description. There's no budget, there's no reporting, and there's minimal planning required.

Counties can seemingly write anything and will receive funding. So, therefore, we asked the BSCC and the Executive Steering Committee to shift the funding” (26:2)

One (1) quotation

"I also would ask that the RFA include an appendix with best practices and, in particular, definitions for some key elements of SB 823 such as positive youth development, which was directly referenced in the legislation and should be upheld in this grant. Thank you very much for your consideration today." (24:4)

Attachment C-2

Attachment C-3



Youth Programs and Facilities Grant Program

APPLICATION PACKAGE

Eligible Applicants: California Counties

RFA Released: April 9, 2021

RFA Due: May 12, 2021

Grant Period: June 10, 2021 to June 1, 2024



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Youth Programs and Facilities Grant Program

Background

On September 30, 2020, Governor Newsom signed Senate Bill 823 (Chapter 337, Statutes of 2020), which began the closure of the state's Division of Juvenile Justice, realigning those state functions to county governments. Under SB 823, DJJ intake will close for most youth on July 1, 2021, and counties then become fully responsible for housing, programming, and treatment of youth at higher offense and needs levels who can no longer be committed to DJJ.

As part of SB 823, \$9.6 million was set aside for the Board of State and Community Corrections to "award one-time grants, to counties for the purpose of providing resources for infrastructure-related needs and improvements to assist counties in the development of a local continuum of care." (Welf. & Inst. Code, § 2250, subd. (a).)

Request for Application Development

The Board of State and Community Corrections (BSCC) issued a Request for Information (RFI) on December 18, 2020 to inform the Board's decision making and identifying potential counties to receive a one-time grant as part of the Youth Programs and Facilities Grant (YPFG) Program under SB 823, for the purposes of providing resources for infrastructure related needs and improvements to assist them in the development of a local continuum of care for justice system-involved youth.

The survey requested information about the county's intent to house these youth after June 30, 2021, specific programming that may be developed/offered for the population, whether youth from other counties will be housed, anticipated number of these youth to be housed, and infrastructure needs to house these youth. Counties were asked to respond to the RFI by January 15, 2021. Fifty-seven of the 58 Counties in California responded to the survey. For the youth population that can no longer be committed to DJJ, a majority of responding counties indicated they lack capacity to serve youth in one or more of the following high-needs categories and that they intend to refer these youth to other counties for appropriate treatment and placement: 1. Females, 2. Sex Offenders, and 3. Seriously Mentally Ill youth.

On February 11, 2021, the BSCC Board approved a request for the development of a Request for Application (RFA). This RFA will allocate grant resources to support the infrastructure needs of counties, including counties that can provide facility and treatment space for referrals from other counties that lack this local, specialized capacity.

Between February 19 and March 22, 2021, the BSCC solicited and received written public comment on the grant program and on the further development of the RFA. In addition, on March 22, 2021, the BSCC convened a statewide virtual Stakeholder Input Session for live public comment on the grant process and the RFA. Public comments have been

reviewed and incorporated by the YPFG working group into this final Request for Applications.

Purpose of the YPFG Program

The purpose of the YPFG Program is to award one-time funding to counties solely for infrastructure needs to facilitate youth programming that maintains trauma-informed, culturally relevant and gender appropriate services to youth in the care of counties.

Infrastructure and improvement needs are defined below. Further information about eligible costs are available in the Budget Considerations section (page 9).

- Site preparation, fixed equipment and fixed furnishings, installation of fixed equipment and fixed furnishings necessary for the operation of the facility or program.
- Moveable equipment, and moveable furnishings necessary for the activation and operation of the facility or program.
- Additional infrastructure-related needs and improvements to assist counties in the development of a local continuum of care including but are not limited to supplies; transportation acquisitions; and training material acquisition.

While the intent of this grant is to address infrastructure needs, other DJJ Realignment funding will be provided to counties after July 1, 2021, to establish evidence-based and best practice programming for all youth that aligns with individual case plan development, the establishment of relevant goals and needs, treatment, and transition planning for successful re-entry to the community. Facility providers, community-based organizations and families will work together with agency personnel to integrate services in and out of custody to provide a continuum of care.

Consideration of SB 823 Intent

In completing this application, Applicants should acknowledge and demonstrate their commitment to supporting the intent of SB 823 such that the infrastructure needs that are identified and funded support the following:

- Justice system involved youth remain closer to their families and communities and they receive age-appropriate treatment.
- Youth needs are met by providing and implementing public health approaches to support positive youth development and building the capacity of a continuum of community-based approaches.
- The use of evidence-based and promising practices and programs that improve the outcomes of youth and public safety.
- Further the development of a local “continuum of care”.
- Reduce the transfer of youth into the adult criminal justice system.
- Ensure that dispositions are in the least restrictive appropriate environment.
- Reduce and then eliminate racial and ethnic disparities.
- Reduce the use of confinement in the juvenile justice system by utilizing community-based responses and interventions.

The terms “trauma-informed approaches”, “trauma-informed care”, and “culturally responsive” are used in SB 823 and are defined in section 1302 of Title 15 of the California Code of Regulations (CCR). These definitions are:

- **Trauma-informed approaches** are policies, practices and procedures that ensure that all parties involved recognize and respond appropriately to the impact of traumatic stress and ensure the physical and psychological safety of all youth, family members, and staff.
- **Trauma-informed care** means an organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma. Trauma-informed care also emphasizes raising awareness and providing resources about trauma and the impact of trauma on youth, family members and staff.
- **Culturally responsive** means considering the diverse population of a facility with regard to race, language, ethnicity, sexual orientation, gender, gender expression, immigration status and values.

Programming in County Facilities Subject to State Minimum Standards

Applicants planning to use YPFG funds for infrastructure or improvements to local facilities covered by Title 15 of the CCR, including juvenile halls and probation camps, must ensure that funded projects observe the programming requirements that are included in the facility standards. Required opportunities for programs, recreation, and exercise in juvenile facilities are specified in Section 1371 of Title 15 of the CCR. Programming is to include, but not be limited to, trauma focused, cognitive, evidence-based, best practice interventions that are culturally relevant and linguistically appropriate, or pro-social interventions and activities designed to reduce recidivism. These programs should be based on the youth's individual needs as required by Sections 1355 and 1356. Such programs may be provided under the direction of the Chief Probation Officer or the County Office of Education and can be administered by county partners such as mental health agencies, community-based organizations, faith-based organizations, or probation staff.

Evidence-based Practices

The BSCC is committed to supporting programs, practices, and strategies that are rooted in documented evidence showing they reduce youth risk factors and rates of recidivism while also considering participant characteristics, situations, and preferences. Applicants for Part A regional projects are asked to describe evidence-based or research-based approaches in program descriptions for their projects. Applicants may find it helpful to review the information on evidence-based treatment practices in Appendix A of this RFP as well as in the Substance Abuse and Mental Health Services Administration's (SAMHSA) Guide to Evidence-Based Practices available at:

www.samhsa.gov/ebpwebguide.

Funding Information

Of the \$9.12 million available (after BSCC administrative cost), funding is available for two project types:

- Regional Hubs (Part A)
- All County Distribution – All Counties (Part B)

Counties may submit an application for funding in both categories, but must submit a separate application for each part, Part A and Part B. Counties wishing to receive funding in only one category may submit only one application and must note which “Part” is being applied for.

Regional Hubs (Part A)

A total of \$5 million is available to fund up to five projects (up to \$1 million each) to develop regional hubs to serve youth referred by other counties in the three high-needs areas: (1) females, (2) youthful sex offenders, and (3) seriously mentally ill youth. Funding will be prioritized so that each of the three high-needs areas is funded. This funding priority will be implemented as follows:

1. Applicants will identify the high-need area their project will address on the Applicant Information Form. Applicants may submit only one Part A application and can apply to serve only one high-need area.
2. Applications for Part A will be scored and must receive at least 50% of the total points available to be considered for funding (see Application Scoring Process – Part A Applicants Only on page 12).
3. It is the intent to fund at least one application in each of the high-needs areas. This means that an application for a particular high-needs area may be funded even if the application scores lower than other applications that fund different high-needs areas.

If there are not sufficient qualified applicants in Part A, Regional Hubs, to exhaust all funds, those funds will be used to augment the Part B, All County Distribution.

All County Distribution (Part B)

A minimum of \$4.12 million will be allocated pro rata (by formula) to all counties based on county juvenile population (age 12 – 17) to support infrastructure and improvements for local programs and facilities for their in-county population of realigned youth. These Part B funds must be spent on infrastructure or improvements to programs, services, or facilities serving youth who are realigned to counties as a result of the closure of the Division of Juvenile Justice.

To ensure that large, medium, and small counties all have the opportunity to share in the available funding, the \$4.12 million has been distributed based on county juvenile population category (see Appendix F, County Juvenile Population Index). The county juvenile population categories are based on each county's share of the statewide population of youth age 12 through 17. In the table below, the maximum dollar amount that can be requested by a county is listed as the Funding Amount Per County, according to the category in which that county falls:

	Small Counties	Medium Counties	Large Counties
Juvenile Population Threshold	Population < 25,000	Population 25,001-95,000	Population 95,001+
Total Number of Counties	35	15	8
Total Amount to Category	\$1,648,010	\$1,236,000	\$1,236,000
Total Percent to Category	40%	30%	30%
Funding Amount Per County Applicant	\$47,086	\$82,400	\$154,500

The table above reflects a total allocation of \$4.12 million. It is possible that funds available for Part B may be augmented. This may occur in two ways:

1. Funds available in Part A are not exhausted. The amount remaining from Part A will be used to increase the amount available for Part B accordingly. The new total amount available will be distributed as outlined in the table above (40% to small counties, 30% to medium counties, and 30% to large counties).
2. One or more counties do not apply for Part B funds. Any individual county share that is not applied for will be distributed as outlined in the table above (40% to small counties, 30% to medium counties, and 30% to large counties).

If one or both of the two scenarios above occur, counties that applied will be notified, provided with the total amount of increased funding available, and will be permitted to adjust their project accordingly through a budget modification process.

Eligible Applicants

Only California's 58 counties are eligible to apply.

All YPFG county applicants and grantees are required to designate a Lead Public Agency to serve as the coordinator for the administration of the YPFG. The Applicant County should designate a department, agency, or office under its jurisdiction to serve as the Lead Public Agency. The Lead Public Agency is responsible for the management of the grant and reporting requirements. The application must be signed by either the chief executive officer of the county or the duly designated head of the Lead Public Agency.

Part B Deferred Spending Approval Process

For Part B funding, counties that have not yet finalized how these funds will be spent may apply based on available information, describing the infrastructure and improvements for the realignment population that are contemplated including a timeline for submitting a modified application with more complete information no later than six months from the award date. The county should submit a place holder budget requesting the full amount available depending on the county size designation.

Contact Information

This Request for Application (RFA) provides the information necessary to prepare an application to the BSCC for grant funds available through the YPFG program.

The BSCC staff cannot assist the applicant or its partners with the actual preparation of the application. Any technical questions concerning the RFA, the application process, or program issues must be submitted to by email to: SB823Grant@bscc.ca.gov.

The BSCC will accept and respond to questions about the RFA **until April 30, 2021**. Frequently asked questions and answers (FAQs) concerning this RFA will be posted on the BSCC website and posted periodically through April 30, 2021.

Application Due Date and Submission Instructions

The YPFG Program Application Package for Part A and Part B is provided at the end of this document. Applicants must submit (1) electronic copy of the original signed application for each part they are applying for (i.e., one for Part A and one for Part B if applying for both parts) to the BSCC **by 11:59 p.m. on Friday, May 12, 2021**.

Applicants must ensure the proposal package is signed with a digital signature **OR** a wet blue ink signature that is then scanned with the completed application package.

A complete application package includes a scanned copy of the signed application and all required attachments as described in the Application Checklist (page 16 for Part A and page 26 for Part B).

Email the application package in a single email to: SB823Grant@bscc.ca.gov.

**The deadline for submitting the
application package by email is:**

11:59 p.m. (PDT) on May 12, 2021

General Grant Requirements

The grant period will begin on June 10, 2021 and end on June 1, 2024.

Grant Agreement

Applicants approved for funding by the BSCC Board are required to enter into a grant agreement with the BSCC. Grantees must agree to comply with all terms and conditions of the Grant Agreement. See Appendix B for a sample grant agreement (State of California: Contract and General Terms and Conditions). The terms and conditions of the grant agreement may change before execution.

The grant agreement start date is expected to be June 10, 2021. Grant agreements are considered fully executed only after they are signed by both the Grantee and the BSCC. Work, services, and encumbrances cannot begin prior to the grant agreement start date. Work, services, and encumbrances that occur after the start date, but prior to grant agreement execution, may not be reimbursed. Grantees are responsible for maintaining their grant agreement, all invoices, records, and relevant documentation for at least three years after the final payment under the contract.

Supplanting

BSCC grant funds shall be used to support new program activities or to augment existing funds that expand current program activities. BSCC grant funds shall not be used to replace existing funds. Supplanting is strictly prohibited for all BSCC grants. When using outside funds as match, applicants must be careful not to supplant. Supplanting is the deliberate reduction in the amount of federal, state, or local funds being appropriated to an existing program or activity because grant funds have been awarded for the same purposes.

It is the responsibility of the Grantee to ensure that supplanting does not occur. The Grantee must keep clear and detailed financial records to show that grant funds are used only for allowable costs and activities.

Payment of State Grant Funds – Part A Regional Hub

Payment will be made to counties in arrears (reimbursement) based on invoices (which may include progress reports) submitted to the BSCC on a monthly, every other month or quarterly basis. Counties will pay first and then submit reimbursement requests to the BSCC. Invoices are processed by the BSCC upon receipt, and then forwarded to the appropriate state agencies for payment. The typical turn-around time for payment to counties after submittal of an invoice is approximately 30-60 days. Counties should plan for needed cash flow to support the project on a monthly, every other month or quarterly reimbursement basis.

Payment of State Grant Funds – Part B All County Distribution

Grantees shall be paid in one lump sum. The State Controller's Office (SCO) will issue the warrant (check) to the individual designated on the Applicant Information Form as the Financial Officer for the grant. Grantees must submit quarterly invoices to document how the money was spent to the BSCC through an online process no later than 45 days following the end of the invoicing period. Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct a desk review process which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period and on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

Compliance Monitoring Visits

The BSCC staff will monitor each project to assess whether the project is in compliance with grant requirements and making progress toward grant objectives. As needed, monitoring visits may also occur to provide technical assistance on fiscal, programmatic, evaluative, and administrative requirements. For your reference, a sample Monitoring Visit Checklist Tool is provided in Appendix C.

Report Requirements

By July 1, 2024, each grantee that receives a grant from the Youth Programs and Facilities Grant Program shall submit a detailed report to the BSCC with the following information:

- An accounting of expenditures.
- A description of the physical and system enhancements made.
- How many regional placement beds were supported with the funding (Part A grantees only).
- What proportion of the regional placement beds were contracted to other counties and which counties (Part A grantees only).

More detailed instructions on the report process will be made available to grantees.

Grantee Orientation Process

Following the start of the grant period, BSCC staff will conduct a virtual Grantee Orientation (at a date to be determined later). The purpose of this mandatory training is to review the grant requirements, invoicing and modification processes, reporting requirements, as well as other grant management and monitoring activities. Typically, the Project Director, Financial Officer, and Day-to-Day Contact must attend.

Debarment, Fraud, Theft or Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

The BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation. All applicants must complete Appendix D certifying that they are in compliance with the BSCC's policies on debarment, fraud, theft and embezzlement.

Budget Considerations

Eligible Costs for State Reimbursement for Part A and Part B Grants

State Grant Funds can be used for design, construction, and infrastructure or improvement activities that occur after the Grant Agreement had been signed by both the County and the BSCC. All construction, including renovation, proposed to be completed within this program must meet all of the requirements as identified in this RFA and must enable facilities to: maintain compliance with safety and security considerations in facility operational standards as contained in Title 15 of the California Code of Regulations; fire and life safety standards and physical plant requirements contained in Title 24 commencing with Section 1231 of the California Code of Regulations. If for any reason the proposed project is claimed to be exempt from any state or local laws, regulations, ordinances, standards, or requirements, counties must provide the BSCC with a statement citing the appropriate exemption.

Project costs eligible for this state financing are:

1. Costs for the design and construction of the BSCC-approved YPFG project, incurred after the execution of the grant agreement, including site preparation, fixed equipment and fixed furnishings, installation of fixed equipment and fixed furnishings necessary for the operation of the facility or program.
2. Moveable equipment, and moveable furnishings necessary for the activation and operation of the facility or program.
3. Additional infrastructure-related needs and improvements to assist counties in the development of a local continuum of care including but are not limited to supplies; transportation acquisitions; and training material acquisition.

A maximum of 25 percent of proposed project expenditures may be allocated for one-time personnel costs that are necessary to plan, develop or manage the proposed improvement or infrastructure program or project. This 25 percent allowance may include payments to public or private agency personnel or consultants for planning, development or management of the project but shall not be construed to limit or disallow personnel or contract costs incurred for the design, purchase, installation, construction, renovation or other direct implementation of project improvements or infrastructure.

Costs attributed to the items above must be identified in the application.

Ineligible Costs

Project items or costs not eligible for state grant funding shall include but are not limited to, the following:

1. Temporary holding or court holding facilities.
2. Purchase, lease, or rent of land; excavation of burial sites; public art; off-site costs including access roads, power generation and utilities development; bonus payments; and debt service or interest payments on indebtedness.

Funds from the YPFG Program shall not be used by counties to enter into contracts with private entities whose primary business is the custodial confinement of adults or youth in a prison or prison-like setting. (Welf. & Inst. Code, § 2250, subd. (d).)

Overview of the RFA Process

Confirmation of Receipt of Application

Upon submission of an application, applicants will receive a confirmation email from the BSCC stating the application has been received. The email will be sent to the individual who signed the application and the person listed as the Project Director.

Disqualification

The following will result in disqualification:

- The original hard copy or electronic version of the application are not received by 11:59 p.m. on May 12, 2021.
- The applicant is not one of the following: (1) a county government agency, which includes individual agencies or departments within a County.

“Disqualification” means the application will not be considered for YPFG funding.

Technical Compliance Review

It is the BSCC’s intent to avoid having otherwise worthy applications eliminated from consideration due to relatively minor and easily corrected errors or omissions. Therefore, during the week immediately following the proposal due date, BSCC staff will conduct a Technical Compliance Review - a review to determine whether an application is in compliance with all technical requirements. Applicants will have a limited opportunity to respond to deficiencies identified during the technical review process by making nonsubstantive changes that bring the proposal into technical compliance.

Unless disqualified, Part A applications will advance to the Application Rating Process.

Unless disqualified, Part B applicants will be notified of the funding recommendations. It is anticipated the BSCC Board will act on the recommendations at its meeting on June 10, 2021. Applicants are not to contact members of the Scoring Panel nor the BSCC Board to discuss applications.

Summary of Key Dates

The following table shows an estimated timeline of key dates related to the YPFG Program.

Activity	Date
Release Request for Applications	April 9, 2021
Final Frequently Asked Questions Posted	April 30, 2021
Applications Due to the BSCC	May 12, 2021
Application Rating Process and Development of Funding Recommendations	May 2021
BSCC Board Considers Funding Recommendations	June 10, 2021
Notice to Grantees	June 10, 2021
New Grant Begins	June 10, 2021

Application Scoring Process – Part A Applications Only

The BSCC will be using a Scoring Panel process to complete the reading and rating of Part A applications, and to develop scoring recommendations for the BSCC Board.

The YPFG Program Scoring Panel members will read and rate each Part A application in accordance with the prescribed rating factors listed in the table below. The raters will base their scores on how well an applicant addresses the items listed under each rating factor within the Application Narrative and Budget. Ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the funding recommendations. It is anticipated the BSCC Board will act on the recommendations at its meeting on June 10, 2021. Applicants are not to contact members of the Scoring Panel nor the BSCC Board to discuss applications.

Rating Factors

The Rating Factors to be used and the maximum points assigned to each factor are shown in the table below. Applicants are asked to address each of these factors as a part of their application. The percent value assigned to each of the Rating Factors correlates to its importance (see Percent of Total Value column).

YPFG Program Regional Hubs (Part A) Rating Factors and Point Values

	Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
1	Juvenile Justice Realignment Population	0 - 5	20%	40
2	Infrastructure and Improvements	0 - 5	20%	40
3	Realignment Program Description	0 - 5	25%	50
4	Regional Factors	0 - 5	25%	50
5	Budget	0 - 5	10%	20
Maximum Final Application Score:			100%	200

Raters will score an applicant's response in each of the Rating Factor categories on a scale of 0-5, according to the six-point rating scale shown below. Each rating is then weighted according to the "Percent of Total Value" column (determined by the ESC) associated with each Rating Factor to arrive at the final Weighted Score for each Rating Factor. The Weighted Rating Factor Score for each rating factor are then added together to calculate the Final Application Score.

Threshold/Minimum Score

An application must meet a threshold of **50%**, or minimum score of **100** total points to be considered for funding.

Six-Point Rating Scale

Not Responsive 0	Poor 1	Fair 2	Satisfactory 3	Good 4	Excellent 5
The response fails to address the criteria.	The response addresses the criteria in a very inadequate way.	The response addresses the criteria in a non-specific or unsatisfactory way.	The response addresses the criteria in an adequate way.	The response addresses the criteria in a substantial way.	The response addresses the criteria in an outstanding way.

Scoring Panel and Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party who participated on the above referenced YPFG Program Scoring Panel from receiving funds from the grants awarded under this RFA. Applicants who are awarded grants under this RFA are responsible for reviewing the YPFG Program Scoring Panel membership roster and ensuring that no grant dollars are passed through to any entity represented by any member of the Scoring Panel. [Scoring-Panel-Membership](#) will be posted to the BSCC website no later than May 1, 2021.

Part A: Regional Hub Application Instructions and Rating Factors

The following section contains pertinent information on how to complete the Request for Application Package for the YPFG Program, Part A Regional Hub. See page 6 for submittal instructions.

The following items are included in this section:

- Cover Sheet
- Proposal Checklist
- Applicant Information Form – Instructions
- Applicant Information Form
- Instructions for Application Narrative and Budget
- Rating Factors:
 - Juvenile Justice Realignment Population
 - Infrastructure and Improvements
 - Realignment Program Description
 - Regional Factors
 - Budget
- Required Request for Applications Attachment
 - Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

Youth Programs and Facilities Grant Program (YPFG)

Part A Regional Application Package Coversheet

Submitted by:

INSERT NAME OF APPLICANT COUNTY

Date Submitted:

INSERT DATE

Part A Regional Hubs Application Checklist

[NOTE: Only Fill Out Part A if County Intends to Operate a Regional Hub]

A complete application package for funding under the Youth Programs and Facilities Grant (YPFG) Program must contain the following items:

	Required Items:	✓
1	Cover Sheet (previous page) <ul style="list-style-type: none">• Insert Applicant Name and Date of Submission	
2	YPFG Proposal Checklist <ul style="list-style-type: none">• Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.	
3	Applicant Information Form <ul style="list-style-type: none">• Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.	
4	Application Narrative <ul style="list-style-type: none">• 10 pages or fewer	
5	Budget Attachment	
6	Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement (Appendix D) <ul style="list-style-type: none">• Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.	
	Optional:	
7	Governing Board Resolution (Appendix E) <i>Note: The Governing Board Resolution is due prior to contract execution but is not required at the time of proposal submission.</i>	

I have reviewed this checklist and verified that all required items are included in this proposal packet.

X

Applicant Authorized Signature (see Applicant Information Form, Part L, next page)

Part A Regional Hub Application Information Form: Instructions

- A. **Applicant:** Complete the required information for the local government submitting the application (i.e. <NAME> County).
- B. **Tax Identification Number:** Provide the tax identification number of the Applicant.
- C. **Project Title:** Provide the title of the project.
- D. **Project Summary:** Provide a summary (100-150 words) of the project. Note: this information will be posted to the BSCC's website for informational purposes.
- E. **High-Needs Area: Indicate the high-needs area to be served:** 1. Females, 2. Sex Offenders, or 3. Seriously Mentally Ill youth. Select only one.
- F. **Grant Funds Requested:** Provide dollar amount of grant funds requested.
- G. **Lead Public Agency (LPA):** Indicate which local public agency will be the Lead for the YPFG Program. The county probation department can be the LPA.
- H. **Project Director:** Provide the name, title and contact information for the individual responsible for oversight and management of the project. This person must be an employee of the Grantee.
- I. **Financial Officer:** Provide the name, title and contact information for the individual responsible for fiscal oversight and management of the project. Typically, this is the individual that will certify and submit invoices. This person must be an employee of the Grantee.
- J. **Day-to-Day Project Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for the grant. Typically, this individual has day-to-day oversight for the project. This person must be an employee of the Grantee.
- K. **Day-to-Day Fiscal Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for fiscal matters related to the grant. This may be the individual who prepares the invoices for approval by the Financial Officer. This person must be an employee of the Grantee.
- L. **Authorized Signature:** Complete the required information for the person authorized to sign for the Applicant. This individual must read the assurances under this section, then sign and date in the appropriate fields.

Part A Regional Hub Applicant Information Form

A. APPLICANT < Name> County				B. TAX IDENTIFICATION NUMBER			
NAME OF APPLICANT				TAX IDENTIFICATION #:			
STREET ADDRESS		CITY		STATE		ZIP CODE	
MAILING ADDRESS (if different)		CITY		STATE		ZIP CODE	
C. PROJECT TITLE:							
D. PROJECT SUMMARY (100-150 words):							
E. High-needs Area		<input type="checkbox"/> Females		<input type="checkbox"/> Sex Offenders		<input type="checkbox"/> Seriously Mentally Ill Youth	
F. GRANT FUNDS REQUESTED: (Up to \$1,000,000.00)							
\$							
G. LEAD PUBLIC AGENCY:							
H. PROJECT DIRECTOR:							
NAME		TITLE		TELEPHONE NUMBER			
STREET ADDRESS				FAX NUMBER			
CITY		STATE		ZIP CODE		EMAIL ADDRESS	
I. FINANCIAL OFFICER:							
NAME		TITLE		TELEPHONE NUMBER			
STREET ADDRESS				FAX NUMBER			
CITY		STATE		ZIP CODE		EMAIL ADDRESS	
PAYMENT MAILING ADDRESS (if different)		CITY		STATE		ZIP CODE	
J. DAY-TO-DAY <u>PROGRAM</u> CONTACT:							
NAME		TITLE		TELEPHONE NUMBER			
STREET ADDRESS				FAX NUMBER			
CITY		STATE		ZIP CODE		EMAIL ADDRESS	

K. DAY-TO-DAY <u>FISCAL</u> CONTACT:			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		FAX NUMBER	
CITY	STATE	ZIP CODE	EMAIL ADDRESS

L. AUTHORIZED SIGNATURE			
By signing this application, I hereby certify that I am vested by the Applicant with the authority to enter into contract with the BSCC, and that the grantee and any subcontractors will abide by the laws, policies and procedures governing this funding.			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
APPLICANT'S SIGNATURE (<u>Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.</u>) X			DATE

Authorized Signature: Must be a representative with the authority to sign documents and obligate the applicant

CONFIDENTIALITY NOTICE

All documents submitted as a part of the Youth Programs and Facilities Grant (YPFG) Program are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC, as a state agency, may have to disclose these documents to the public. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, §§ 6250 et seq.)

Instructions for Application Narrative and Budget for Part A Regional Hubs

Instructions: The Application Narrative must be submitted in Arial 12-point font with one-inch margins on all four sides. The narrative must be 1.5-line spaced and cannot exceed **10 numbered pages** in length. For the Application Narrative, address each of the five (5) Rating Factor sections below.

Rating Factor 1: Juvenile Justice Realignment Population

Rating Factor 2: Infrastructure and Improvements

Rating Factor 3: Realignment Program Description

Rating Factor 4: Regional Factors

Each section should be titled according to its section header as provided (e.g., Juvenile Justice Realignment Population, Infrastructure, and Improvements). Within each section, address the numbered criteria in a cohesive, comprehensive narrative format. Do not include website links.

Instructions: The Budget and Budget Narrative must be completed using the Budget Attachment (an Excel workbook, a link and instructions are provided on page 22). For the Budget and Budget Narrative address the numbered criteria provided below.

Rating Factor 5: Budget

The 10-page limit does not include the Cover Sheet, Application Checklist, Applicant Information Form, Budget Table or other required attachments (see YPFG (Part A) Program Proposal Checklist).

It is up to the applicant to determine how to use the total page limit in addressing each section, however as a guide, the percent of total point value for each section is listed under each header.

Each of the five (5) rating factors will be rated according to the following six-point rating scale.

Not Responsive 0	Poor 1	Fair 2	Satisfactory 3	Good 4	Excellent 5
The response fails to address the criteria.	The response addresses the criteria in a very inadequate way.	The response addresses the criteria in a non-specific or unsatisfactory way.	The response addresses the criteria in an adequate way.	The response addresses the criteria in a substantial way.	The response addresses the criteria in an outstanding way.

Rating Factor 1: Juvenile Justice Realignment Population

Percent of Total Value: 20%

For the Juvenile Justice Realignment Population rating factor address the criteria defined below in narrative form. The response will be evaluated with a single rating based on a scale of 0-5.

- 1.1. Describe the juvenile justice realignment population to be served by the regional project or program for which infrastructure and improvement funds are sought. Include a description of the service population by age, gender, offense, offense history and treatment or program need and by any other factors you plan to utilize.
- 1.2. Describe the number of youth to be served (maximum capacity at a given time), proposed length of stay and whether youth in the general population will also be served by this realignment project or program.

Rating Factor 2: Infrastructure and Improvements

Percent of Total Value: 20%

For the Infrastructure and Improvements rating factor address the criteria defined below in in narrative form. The response will be evaluated with a single rating based on a scale of 0-5.

- 2.1 Describe the infrastructure and improvements for which funds are sought, including the facility (e.g., juvenile hall, probation camp, other) and location where the improvements or infrastructure will be added.
- 2.2 Explain why the infrastructure and improvements are needed in relation to existing resources and how this will generate program enhancements which will serve the realigned population.
- 2.3 Provide a timetable and plan for the purchase, installation or build out of the improvements or infrastructure.

Rating Factor 3: Realignment Program Description

Percent of Total Value: 25%

For the Realignment Program Description rating factor address the criteria defined below in narrative form. *This section describes the program in general, specific information about the regional aspects of the program are requested in Section 4.*

- 3.1 Describe the proposed regional program for which these funds are sought. Include how the program will address and meet the security, treatment and rehabilitation needs of youth in the proposed service population (females, sex offenders, seriously mentally ill)?
- 3.2 Describe the agencies or community-based programs or service providers that will be involved or integrated into the program or project.

- 3.3 Describe whether and how the program is modeled on a research- or evidence-based approach for the defined service population.
- 3.4 Describe how the facility improvements or infrastructure needs to provide the proposed program are related to the “development of a local continuum of care”?
- 3.5 Describe the outcome measures that will be applied by the program or project to assess youth outcomes and project or program performance.

Rating Factor 4: Regional Factors

Percent of Total Value: 25%

For the Regional Factors rating factor address the criteria defined below in narrative form. The response will be evaluated with a single rating based on a scale of 0-5.

- 4.1 Describe the counties from which the host county will accept referrals from for the program’s defined service population.
- 4.2 Describe the referral and acceptance process for referrals from other counties.
- 4.3 Describe the program capacity that will be dedicated and/or set aside for youth from other counties.
- 4.4 Describe the process for contracts or agreements with referring counties to pay for services and operating costs.
- 4.5 Describe how case management planning will occur between the host county and referring county.

Rating Factor 5: Budget

Percent of Total Value: 10%

For the Budget section, address the criteria defined below when completing the Budget Attachment. The response will be evaluated with a single rating based on a scale of 0-5.

- 5.1 Provide a complete and detailed budget information in each section of the Budget Attachment (link below) that includes:
 - a. language supporting each expense.
 - b. expenses that are allowable within the definitions or parameters of the RFA.
 - c. expenses that are appropriate for the described program or project.

Budget Attachment Instructions:

As part of the application process, applicants are required to submit the **Budget Attachment**, which is an Excel Workbook that can be accessed at: <https://www.bscc.ca.gov/wp-content/uploads/Attachment-C-4-SB-823-RFA-Budget-FINAL.xlsx>

Upon submission, the Budget Attachment will become Section 5 of the Application and will be reviewed as such based on the Budget Rating Factor section criteria listed above.

Applicants should be aware that budget of a funded application will still be subject to review and approval by the BSCC staff to ensure all proposed costs listed within the budget narrative are allowable and eligible. Regardless of any ineligible costs that may need to be addressed post award, the starting budget and the total amount requested will be the figures used for the Standard Grant Agreement.

Applicants are solely responsible for the accuracy and completeness of the information entered in the Budget Table and Budget Narrative Table. Detailed instructions for completing the Budget Attachment are listed on the Instructions tab of the Excel workbook.

Required Attachment for Part A Regional Hubs

Please see Appendix D for the **Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement.**

Part B: All County Distribution Application Instructions

The following section contains pertinent information on how to complete the Request for Application Package for the YPFG Program, Part B All County Distribution. See page 6 for submittal instructions.

The following items are included in this section:

- Cover Sheet
- Proposal Checklist
- Applicant Information Form – Instructions
- Applicant Information Form
- Instructions for Application Narrative and Budget
- Required Request for Applications Attachment – Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

Youth Programs and Facilities Grant Program (YPFG)

Part B All County Distribution Application Package Coversheet

Submitted by:

INSERT NAME OF APPLICANT COUNTY

Date Submitted:

INSERT DATE

Part B All County Distribution Application Checklist

A complete application package for funding under the Youth Programs and Facilities Grant (YPFG) Program must contain the following items:

	Required Items:	✓
1	Cover Sheet (previous page) <ul style="list-style-type: none">• Insert Applicant Name and Date of Submission	<input type="checkbox"/>
2	YPFG Proposal Checklist <ul style="list-style-type: none">• Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.	<input type="checkbox"/>
3	Applicant Information Form <ul style="list-style-type: none">• Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.	<input type="checkbox"/>
4	Application Narrative <ul style="list-style-type: none">• 2 pages or fewer	<input type="checkbox"/>
5	Budget Attachment	<input type="checkbox"/>
6	Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement (Appendix D) <ul style="list-style-type: none">• Signed by the authorized signatory with a digital signature OR a wet signature in blue ink.	<input type="checkbox"/>
	Optional:	
7	Governing Board Resolution (Appendix E) <i>Note: The Governing Board Resolution is due prior to contract execution but is not required at the time of proposal submission.</i>	<input type="checkbox"/>

I have reviewed this checklist and verified that all required items are included in this proposal packet.

X

Applicant Authorized Signature (see Applicant Information Form, Part L, next page)

Part B All County Distribution Application Information Form: Instructions

- A. **Applicant:** Complete the required information for the local government submitting the application (i.e. <NAME> County).
- B. **Tax Identification Number:** Provide the tax identification number of the Applicant.
- C. **Project Title:** Provide the title of the project.
- D. **Project Summary:** Provide a summary (100-150 words) of the project. Note: this information will be posted to the BSCC's website for informational purposes.
- E. **Grant Funds Requested:** Provide dollar amount of grant funds requested.
- F. **Deferred Spending:** Indicate whether the county is electing to use the deferred spending option. This would defer payment until a modified application with more complete information is submitted no later than six months from the award date.
- G. **Lead Public Agency (LPA):** Indicate which local public agency will be the Lead for the YPFG Program. The county probation department can be the LPA.
- H. **Project Director:** Provide the name, title and contact information for the individual responsible for oversight and management of the project. This person must be an employee of the Grantee.
- I. **Financial Officer:** Provide the name, title and contact information for the individual responsible for fiscal oversight and management of the project. Typically, this is the individual that will certify and submit invoices. This person must be an employee of the Grantee.
- J. **Day-to-Day Project Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for the grant. Typically, this individual has day-to-day oversight for the project. This person must be an employee of the Grantee.
- K. **Day-to-Day Fiscal Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for fiscal matters related to the grant. This may be the individual who prepares the invoices for approval by the Financial Officer. This person must be an employee of the Grantee.
- L. **Authorized Signature:** Complete the required information for the person authorized to sign for the Applicant. This individual must read the assurances under this section, then sign and date in the appropriate fields.

Part B All County Distribution Applicant Information Form

A. APPLICANT < Name> County				B. TAX IDENTIFICATION NUMBER	
NAME OF APPLICANT			TAX IDENTIFICATION #:		
STREET ADDRESS		CITY	STATE		ZIP CODE
MAILING ADDRESS (if different)		CITY	STATE		ZIP CODE
C. PROJECT TITLE:					
D. PROJECT SUMMARY (100-150 words):					
E. GRANT FUNDS REQUESTED: (See Appendix F: County Juvenile Population Index)					
\$					
F. DEFERRED SPENDING: Is the application for a deferred spending award?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
G. LEAD PUBLIC AGENCY:					
H. PROJECT DIRECTOR:					
NAME		TITLE	TELEPHONE NUMBER		
STREET ADDRESS		FAX NUMBER			
CITY	STATE		ZIP CODE	EMAIL ADDRESS	
I. FINANCIAL OFFICER:					
NAME		TITLE	TELEPHONE NUMBER		
STREET ADDRESS		FAX NUMBER			
CITY	STATE		ZIP CODE	EMAIL ADDRESS	
PAYMENT MAILING ADDRESS (if different)		CITY	STATE		ZIP CODE
J. DAY-TO-DAY <u>PROGRAM</u> CONTACT:					
NAME		TITLE	TELEPHONE NUMBER		
STREET ADDRESS		FAX NUMBER			
CITY	STATE		ZIP CODE	EMAIL ADDRESS	

K. DAY-TO-DAY FISCAL CONTACT:			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		FAX NUMBER	
CITY	STATE	ZIP CODE	EMAIL ADDRESS

L. AUTHORIZED SIGNATURE			
By signing this application, I hereby certify that I am vested by the Applicant with the authority to enter into contract with the BSCC, and that the grantee and any subcontractors will abide by the laws, policies and procedures governing this funding.			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
APPLICANT'S SIGNATURE (Signed by the authorized signatory with a digital signature <u>OR</u> a wet signature in blue ink.) X			DATE

Authorized Signature: Must be a representative with the authority to sign documents and obligate the applicant

CONFIDENTIALITY NOTICE

All documents submitted as a part of the Youth Programs and Facilities Grant (YPFG) Program are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC, as a state agency, may have to disclose these documents to the public. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, §§ 6250 et seq.)

Instructions for Application Narrative and Budget for Part B All County Distribution

A minimum of \$4.12 million in YPFG Program funds will be allocated to all counties based on juvenile population (ages 12 – 17) to support infrastructure and improvements for local programs and facilities for realigned youth. These Part B funds must be spent on allowable infrastructure or improvement expenses for programs, services, or facilities serving youth who are realigned to counties as a result of the closure of the Division of Juvenile Justice. In the narrative, applicant counties should describe the need and the proposed expenditures as they relate to programs, services, or facilities the county will create or utilize to house or serve the realignment population.

For information about eligible costs, see the Budget Considerations section (page 9). Note that a maximum of 25 percent of the proposed expenditures may be allocated for one-time county personnel, costs necessary to plan or implement the proposed infrastructure program or project.

Deferred Spending Approval Process

For Part B funding, counties that have not yet finalized how these funds will be spent may apply based on available information, describing the infrastructure and improvements for the realignment population that are contemplated including a timeline for submitting a modified application with more complete information no later than six months from the award date. The county should submit a place holder budget requesting the full amount available depending on the county size designation.

Instructions: The Application Narrative must be submitted in Arial 12-point font with one-inch margins on all four sides. The narrative must be 1.5-line spaced and cannot exceed **2 numbered pages** in length. For the Application Narrative, address each of the four (3) sections below.

Section 1: Project Need

Section 2: Project Description

Each section should be titled according to its section header as provided (e.g., Juvenile Project Need). Within each section, addressed the numbered criteria in a cohesive, comprehensive narrative format. Do not include website links.

Instructions: The Budget and Budget Narrative must be completed using the Budget Attachment (an Excel workbook, a link and instructions are provided on page 32). For the Budget and Budget Narrative address the numbered criteria provided below.

Section 3: Budget

The 2-page limit does not include the Cover Sheet, Application Checklist, Applicant Information Form, Budget Table or other required attachments (see YPFG (Part B) Program Proposal Checklist).

It is up to the applicant to determine how to use the total page limit in addressing each section.

Section 1: Project Need

For the Project Need section, address the information requested below in narrative form.

- 1.1. Describe the project need as it relates to programs, services or facilities the county will create or utilize to house or serve youth who are realigned to counties as a result of the closure of DJJ. Include a description of the service population by age, gender, offense, offense history, and treatment or program need and by any other factors you plan to utilize.
- 1.2. Describe the number of youth to be served (maximum capacity at any time), and proposed length of stay.

Section 2: Project Description

For the Project Description section, address the information requested below in narrative form.

- 2.1. Describe the infrastructure and improvements for which funds are sought, including the facility (e.g., juvenile hall, probation camp, other) and location where the improvements or infrastructure will be added.
- 2.2. Explain why the infrastructure and improvements are needed in relation to existing resources and how this will generate program enhancements which will serve the realigned population.

Section 3: Budget

For the Budget section, provide the information below when completing the Budget Attachment.

- 3.1. Provide a complete and detailed budget information in each section of the Budget Attachment (link below) that includes:
- language supporting each expense.
 - expenses that are allowable within the definitions or parameters of the RFA.
 - expenses that are appropriate for the described program or project.

Budget Attachment Instructions:

As part of the application process, applicants are required to submit the **Budget Attachment**, which is an Excel Workbook that can be accessed at: <https://www.bscc.ca.gov/wp-content/uploads/Attachment-C-4-SB-823-RFA-Budget-FINAL.xlsx>

Upon submission, the Budget Attachment will become Section 3 of the Application.

Applicants should be aware that budget of a funded application will still be subject to review and approval by the BSCC staff to ensure all proposed costs listed within the budget narrative are allowable and eligible. Regardless of any ineligible costs that may need to be addressed post award, the starting budget and the total amount requested will be the figures used for the Standard Grant Agreement.

Applicants are solely responsible for the accuracy and completeness of the information entered in the Budget Table and Budget Narrative Table. Detailed instructions for completing the Budget Attachment are listed on the Instructions tab of the Excel workbook.

Required Attachment for Part B All County Distribution

Please see Appendix D for the **Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement.**

Appendix A: Evidence-Based Resources

The BSCC is committed to supporting programs, practices, and strategies that are rooted in documented evidence showing they reduce youth risk factors and rates of recidivism while also considering participant characteristics, situations, and preferences.

In the process of developing and describing their projects for purposes of this RFA, applicants may find it helpful to focus on the following three basic principles:

- 1. Is there evidence or data to suggest that the intervention, service, or strategy is likely to work, i.e., produce a desired benefit?** For example, was the intervention, service, or strategy selected by the project used by another entity with documented positive results? Is there published research/information on the intervention the project has chosen to implement showing its effectiveness? Is the intervention or strategy being used by another entity with a similar problem and similar target population?
- 2. Once an intervention, service, or strategy is selected, will you be able to demonstrate that it is being carried out as intended?** For example, does this intervention, service, or strategy provide for a way to monitor quality control or continuous quality improvement? If this intervention, service, or strategy was implemented in another area, are there procedures in place to ensure the model is being closely followed (so the project is more likely to achieve similar desired outcomes)?
- 3. Is there a plan to collect data that will allow for an appraisal of whether the intervention, service, or strategy worked?** For example, will the intervention, service, or strategy selected allow for the collection of data or other information so outcomes can be measured at the conclusion of the project? Are there or will there be processes in place to identify, collect, and analyze that data/information?

The websites provided below may be useful to applicants in the proposal development process. This list is not exhaustive, and it is offered as a suggested starting point for applicants to use in researching evidence-based programs, practices, and strategies.

Blueprints for Violence Prevention

<http://www.colorado.edu/cspv/blueprints/index.html>

Board of State and Community Corrections

http://www.bscc.ca.gov/s_web-basedresourcesonevidence-basedpractices/

California Institute of Behavioral Health Solutions

<http://www.cibhs.org/evidence-based-practices-0>

Coalition for Evidence-Based Policy
<http://evidencebasedprograms.org/>

CrimeSolutions.gov
<http://www.crimesolutions.gov/>

Evaluating Drug Control and System Improvement Projects
Guidelines for Project Supported by the Bureau of Justice Assistance
<https://www.bja.gov/evaluation/guide/documents/nijguide.html>

Justice Research and Statistic Association
<http://www.jrsa.org/>

National Child Traumatic Stress Network
<https://www.NCTSN.Org>

National Criminal Justice Reference Service (NCJRS)
“Preventing and Reducing Youth Crime and Violence: Using Evidence-Based Practice.”
A report prepared by Peter Greenwood, Ph.D., for the California Governor’s Office of
Gang and Youth Violence Policy, 2010.
<https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=255934>

National Institute of Corrections
<http://nicic.gov/Library/>

National Reentry Resource Center
<http://nationalreentryresourcecenter.org/>

Office of Justice Programs – Crime Solutions.gov
<http://www.CrimeSolutions.gov>

Office of Juvenile Justice and Delinquency Prevention Model Program Guide
<http://www.ojjdp.gov/mpg/>

Promising Practices Network
<http://www.promisingpractices.net/>

Reducing Recidivism to Increase Public Safety: A Cooperative Effort by Courts and
Probation Hon, J. Richard Couzens, Placer County Superior Court (Ret.)
<http://www.courts.ca.gov/documents/EVIDENCE-BASED-PRACTICES-Summary-6-27-11.pdf>

Substance Abuse and Mental Health Services Administration
www.samhsa.gov/ebpwebguide

The National Documentation Centre on Drug Use
<http://www.drugsandalcohol.ie/3820/>

Washington State Institute for Public Policy
<http://www.wsipp.wa.gov/>

Appendix B: Sample Grant Agreement

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

SCO ID: 5227-BSCCXXX20

STANDARD AGREEMENT
STD 213 (Rev 03/2019)

AGREEMENT NUMBER
BSCC XXX-21

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTOR NAME

GRANTEE NAME

2. The term of this Agreement is:

START DATE

JUNE 10, 2021

THROUGH END DATE

JUNE 1, 2024

3. The maximum amount of this Agreement is:

\$XXX,XXX

4. The parties agree to comply with the terms and conditions of the following exhibits, attachments, and appendices which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	3
Exhibit B	Budget Detail and Payment Provisions	2
Exhibit C	General Terms and Conditions (04/2017)	3
Exhibit D	Special Terms and Conditions	3
Exhibit E		13
Attachment 1	2021 Request for Applications	*
Attachment 2	2021 Grant Application	XX
Attachment 3		*


Items shown with an asterisk (), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at: [2020 BJA CESF Program Solicitation](#)

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)


GRANTEE NAME

CONTRACTOR BUSINESS ADDRESS XXX	CITY XXX	STATE XX	ZIP XXX
PRINTED NAME OF PERSON SIGNING XXX	TITLE XXX		
CONTRACTOR AUTHORIZED 	DATE SIGNED		

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTING AGENCY ADDRESS 2590 Venture Oaks Way, Suite 200	CITY Sacramento	STATE CA	ZIP 95833
PRINTED NAME OF PERSON SIGNING	TITLE Deputy Director		
CONTRACTING AGENCY AUTHORIZED 	DATE SIGNED		

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL: EXEMPT PER SCM, VOLUME 1, CH. 4.06

Appendix C: Sample Comprehensive Visit Monitoring Tool

County Facilities Construction (CFC) Programs Division COMPREHENSIVE MONITORING VISIT (CMV) TOOL

Instructions to Grantees

- Please complete this entire document prior to the Comprehensive Monitoring Visit.
- Refer to the CMV Tool User Guide for Grantees for instructions.
- During the visit, the Field Representative will review your responses with you.
- The completed CMV Tool along with the day(s) agenda should be returned to BSCC at least one week prior to the scheduled visit.

Grantee: Yes <input type="checkbox"/> No <input type="checkbox"/>	Award Year: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>
Grant Program:	Federal Funds: <input type="checkbox"/> State Funds: <input type="checkbox"/>
Contract Number:	Grant Amount:
Project Title:	
Project Director:	Financial Officer:
Project Director Phone:	Financial Officer Phone:
Project Director E-Mail:	Financial Officer E-mail:
Field Representative:	
Date of Visit:	Agenda Included: Yes <input type="checkbox"/> No <input type="checkbox"/>
Name and Title of Individual Completing the Form:	
Name:	Title:

Persons Interviewed During the Visit:

Name	Title	Agency

Project Sites Visited (include initial meeting site):

Name of Agency or Organization	Address

Brief Project Summary:

Appendix D: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

By checking the following boxes and signing below, applicant affirms that:

☐ I/We are not currently debarred by any federal, state, or local entity from applying for or receiving federal, state, or local grant funds.

☐ I/We have not been convicted of any crime involving theft, fraud, or embezzlement of federal, state, or local grant funds within the last three years. We will notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

☐ I/We will hold subgrantees and subcontractors to these same requirements.

A grantee may make a request in writing to the Executive Director of the BSCC for an exception to the debarment policy. Any determination made by the Executive Director shall be made in writing.

AUTHORIZED SIGNATURE			
(This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
AUTHORIZED OFFICER SIGNATURE ((Blue Ink Only or E-signature)) X			DATE

Appendix E: Sample Governing Board Resolution

Before grant funds can be reimbursed, a grantee must either (1) submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement or (2) provide sufficient documentation indicating that the prospective grantee has been vested with plenary authority to execute grant agreements (e.g., a City Council or County Board of Supervisors delegating such authority to an Agency head).

Below is assurance language that, **at a minimum**, must be included in the resolution submitted to the Board of State and Community Corrections.

WHEREAS the **(insert name of Local Government)** desires to participate in the Youth Programs and Facilities Grant Program funded through the California State General Fund and administered by the Board of State and Community Corrections (hereafter referred to as the BSCC).

NOW, THEREFORE, BE IT RESOLVED that the **(insert title of designated official)** be authorized on behalf of the **(insert name of Governing Board)** to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the **(insert name of Local Government)** agrees to ensure all matching funds required for the above grant are provided and abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

Passed, approved, and adopted by the **(insert name of Governing Board)** in a meeting thereof held on **(insert date)** by the following:

Ayes:

Notes:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

Appendix F: County Juvenile Population Index

Juvenile Population (age 12 – 17) Chart			
Large Counties (pop. 95,001 +)	Medium Counties (pop. 25,001-95,000)	Small Counties (pop. below 25,000)	
Alameda	Contra Costa	Alpine	Amador
Los Angeles	Fresno	Butte	Calaveras
Orange	Kern	Colusa	Del Norte
Riverside	Merced	El Dorado	Glenn
Sacramento	Monterey	Humboldt	Imperial
San Bernardino	Placer	Inyo	Kings
San Diego	San Francisco	Lake	Lassen
Santa Clara	San Joaquin	Madera	Marin
	San Mateo	Mariposa	Mendocino
	Santa Barbara	Modoc	Mono
	Solano	Napa	Nevada
	Sonoma	Plumas	San Benito
	Stanislaus	San Luis Obispo	Santa Cruz
	Tulare	Shasta	Sierra
	Ventura	Siskiyou	Sutter
		Tehama	Trinity
		Tuolumne	Yolo
		Yuba	
Data Source: California Department of Finance. Demographic Research Unit. Report P-2B: Population Projections by Individual Year of Age, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2020 Release). Sacramento: California. March 2021 https://www.dof.ca.gov/Forecasting/Demographics/Projections/documents/P2B_County_Age.xlsx			

Attachment C-4

Applicant:			
LINE ITEMS	SB 823 BUDGET		
	STATE REIMBURSED	CASH CONTRIBUTION	TOTAL
1. Construction			\$ -
2. Architectural			\$ -
3. Fixed Furnishings/Equipment			\$ -
4. Moveable Furnishings/Equipment			\$ -
5. Construction Management			\$ -
6. Transportation/Equipment			\$ -
7. Training Materials/Supplies			\$ -
8. Programing Materials/Supplies			\$ -
9. Other One-Time Personnel Costs (planning, development, and project management) (Not to Exceed 25% of total budget)			\$ -
10. Other			\$ -
Total Project Costs	\$ -	\$ -	\$ -
Percentage of Total	#DIV/0!	#DIV/0!	#DIV/0!

Provide an explanation below of how the dollar figures were determined for each of the budget categories above that contain dollar amounts. Every cash contribution line item shall be included with a reporting of the full amount budgeted unless a line item is not an actual cash contribution project cost for the county. (In that case, indicate so below.) For each budget category explanation below, include how state funding and the county contribution dollar amounts have been determined and calculated (be specific).

LINE ITEMS	COMMENTS
------------	----------

1. Construction	Describe any construction costs associated with the project:
2. Architectural	Describe the county's current stage in the architectural process: b) Define the budgeted amount for architectural design:
3. Fixed Furnishings/Equipment	Describe the items to be purchased and installed for the project:
4. Moveable Furnishings/Equipment	Describe the items to be purchased and where they are to be placed for the project:
5. Construction Management	Describe which portions/phases of the construction management services the county intends to claim as a) State Reimbursed b) Cash Contribution
6. Transportation Equipment	Describe the equipment to be purchased and the expected use:
7. Training Materials/Supplies	Describe the training materials and supplies to be purchased:

8. Programing Materials/Supplies	Describe the programming materials and supplies to be purchased:
9. Other One-Time Personnel Costs (planning, development, and project management) (Not to Exceed 25% of total budget)	Describe any one-time personnel costs associated with the project:
10. Other	Describe any other cash contribution costs associated with the project:

Agenda Item D

DATE: April 8, 2021

AGENDA ITEM: D

TO: BSCC Chair and Members

FROM: Kathleen T. Howard, Executive Director, Kathleen.Howard@bscc.ca.gov

SUBJECT: Juvenile Justice Fees: Senate Bill 1290, Chapter 340 Information Gathering:
Requesting Approval

Summary

This agenda item requests Board approval to direct the development of a survey instrument to determine the scope of fees imposed on youth and families in connection with county juvenile facilities and programs.

Background

On January 1, 2021, Senate Bill 1290 (Chapter 340, Statutes of 2020) became effective, which vacated certain county-assessed or court-ordered costs imposed before January 1, 2018, for the parents or guardians of wards in specified circumstances, minors who were ordered to participate in drug and substance abuse testing, and adults who were 21 years of age and under at the time of their home detention. On February 1, 2021, Chair Penner received a letter from Senator María Elena Durazo, author of SB 1290, expressing disappointment that counties continue to impose fees for “phone calls, visitor parking, and other items.” (Attachment D-1.) Senator Durazo further requested the Board act “in the spirit of debt-free justice and take any action within your purview to work with the relevant county actors to end all fees that youth and their families might face from contact with the juvenile legal system.”

On February 24, 2021, Chair Penner responded to Senator Durazo, offering to place an item on the next board agenda, expressing a shared concern of fees unduly imposed on families of system-involved youth. (Attachment D-2.) Chair Penner further offered to survey counties to determine the extent to which counties continue to impose fees, and to determine whether the Board should take further action.

Juvenile Justice Fees

Existing BSCC regulations generally do not prescribe how fees or costs may be imposed on youth and families. Juvenile facilities are required to have written policies and procedures to allow youth to access telephones. (Cal. Code Regs., tit. 15, § 1376.) In addition, facilities are required to have written procedures to ensure youth have access to the courts and legal services, including free postage and cost-free telephone access as appropriate. (Cal. Code Regs., tit. 15, § 1377.) To the extent additional fees may be charged or are being charged for other services, it is recommended that the Board develop a plan to survey counties, which will include an inclusive stakeholder process in the development of the survey instrument. Information collected from counties through the survey can then provide further direction for

the Board as to the development of additional regulations or may be used to inform the Legislature as to whether additional legislation may be warranted.

Telephone Rates

It should be noted that the California Public Utilities Commission (CPUC) has recently filed an order instituting rulemaking to consider regulating telecommunications services used by people who are incarcerated.¹ Two public participation hearings have been scheduled, April 28, 2021 and April 29, 2021, requesting the public to respond to the following questions²:

The main issue to be addressed in the public participation meeting is:

- How should the Commission regulate the rates, terms, and conditions of telecommunications services provided to incarcerated people in California to ensure they are just and reasonable?

Issues determined to be within the scope of the meeting include:

- Should the Commission exercise its authority to regulate the companies that provide those telecommunications services to incarcerated minors and people in California and, if so, how?
- Should the Commission set rate caps for intrastate calling for incarcerated people, including video calls?
- Should the Commission limit the types of additional fees providers can charge users of calling services for incarcerated people?
- Should the Commission act to protect calling services for incarcerated people with communications disabilities by limited charges for inmate calling services calls involving the use of text telephones (TTY)?

Given that the CPUC has exercised its jurisdiction over this subject matter area, including using its ability to receive broad information from counties and telecommunications providers, the Board may wish to forego surveying counties regarding current telephone rates or ancillary fees related to telephone services.

Recommendation/Action Needed

Staff recommends that the Board:

- Direct staff to develop a survey related to the imposition of fees on youth and families involved in the juvenile justice system.
- Direct staff to hold a public stakeholder process to accept comments related to the development of the survey.

¹ See <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M348/K902/348902674.PDF>

² See <https://www.cpuc.ca.gov/prisoncalls/>

- Direct staff to return survey results no later than the September board meeting.

Attachments

D-1: February 1, 2021 Letter from Senator María Elena Durazo

D-2: February 24, 2021 Letter from Chair Linda Penner

Attachment D-1

CAPITOL OFFICE
STATE CAPITOL, ROOM 2032
SACRAMENTO, CA 95814
TEL (916) 651-4024
FAX (916) 651-4924

DISTRICT OFFICE
1808 W. SUNSET BLVD.
LOS ANGELES, CA 90026
TEL (213) 483-9300
FAX (213) 483-9305

SENATOR.DURAZO@SENATE.CA.GOV

California State Senate

SENATOR
MARÍA ELENA DURAZO
TWENTY-FOURTH SENATE DISTRICT



CHAIR:
BUDGET SUBCOMMITTEE
NO. 5 ON PUBLIC
SAFETY, JUDICIARY,
TRANSPORTATION & LABOR
LATINO CAUCUS
MEMBER:
BANKING & FINANCIAL
INSTITUTIONS
BUDGET & FISCAL REVIEW
GOVERNANCE & FINANCE
JUDICIARY
LABOR, PUBLIC
EMPLOYMENT & RETIREMENT

February 1, 2021

Chair Linda Penner
California Board of State and Community Corrections
2590 Venture Oaks Way
Sacramento, CA 95833

Dear Chair Penner:

Earlier this year, I co-authored legislation aimed at ending practices that forced families with youth involved in the juvenile legal system to pay fees they could not afford. Effective January 1, 2021, SB 1290 will protect California youth and their families from harmful, regressive, and racially discriminatory administrative fees by requiring the discharge of all fees previously imposed by the juvenile legal system.

I was disappointed to learn that counties continue to impose fees for phone calls, visitor parking, and other items. Many of these fees are not articulated in statute, only in regulation, and with broad discretion given to juvenile facilities on how to develop and implement such policies.¹

These fees disproportionately harm low-income families and families of color, and they are particularly concerning given the public health and economic crisis due to COVID-19. They are also contrary to the intent of SB 1290 to eliminate harmful cost-shifting that burdens families and frustrates the goals of the juvenile legal system.

I respectfully request that your Board act in the spirit of debt-free justice and take any action within your purview to work with the relevant county actors to end all fees that youth and their families might face from contact with the juvenile legal system.

Should you have any questions or concerns, please contact Jack Raineri in our office at jack.raineri@sen.ca.gov. Thank you very much.

Sincerely,

A handwritten signature in black ink that reads "Maria Elena Durazo".

Senator Maria Elena Durazo, 24th District

¹ Cal. Code Regs. tit. 15 § 1376.

Attachment D-2



LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

2590 VENTURE OAKS WAY, SUITE 200 ♦ SACRAMENTO CA 95833 ♦ 916.445.5073 ♦ BSCC.CA.GOV



GAVIN NEWSOM
Governor

February 24, 2021

The Honorable Maria Elena Durazo
State Capitol Room 2032
1315 10 Street
Sacramento, California 95814

Dear Senator Durazo:

I am writing in response to your letter dated February 1, 2021 regarding the implementation of your measure, Senate Bill 1290, which prohibited the collection of certain county-assessed and court-ordered fees related to youth involvement in the juvenile justice system.

I share your concern about placing undue burdens on families – especially as it relates to visitation or communication with family members. The BSCC currently does not collect data about fees related to telephone or other services provided to youth. My understanding is that most juvenile facilities do not charge for such services (although facilities may limit the number of free telephone calls available). Given the concerns you raise, however, I would be pleased to place an item on the Board's agenda to discuss surveying counties to determine how prevalent this practice remains and whether the Board should take further action to limit the imposition of burdensome, cost-shifting fees.

Also, please be advised that the BSCC has no regulations that address parking services. We are aware that there are parking garages located near some juvenile detention facilities that are operated by private entities or county agencies other than the probation department; these vendors may charge fees for parking. The BSCC's regulatory authority does not extend to property or services located outside the juvenile detention facilities.

Thank you for reaching out to our office. I look forward to working with you on this important issue. My staff and I are available to discuss the work of the BSCC and how we can continue to protect and positively impact youth involved in the juvenile justice system.

Sincerely,

LINDA PENNER
Chair

Agenda Item E

MEETING DATE: April 8, 2021

AGENDA ITEM: E

TO: BSCC Chair and Members

FROM: Ricardo Goodridge, Deputy Director, ricardo.goodridge@bscc.ca.gov

SUBJECT: Coronavirus Emergency Supplemental Funding Program (CESF)
Funding Recommendation: **Requesting Approval**

Summary

This agenda item requests Board approval to increase the Coronavirus Emergency Supplemental Funding award to the California Department of Corrections and Rehabilitation (CDCR) by \$6.9 million and make conforming changes to the grant agreement between the Board and CDCR. This additional funding is made available as a portion of the \$58.5 million that had been earmarked for counties was unencumbered following two solicitation periods and a lack of participation by all counties. By allocating leftover funds to the existing CDCR contract, the BSCC can ensure the CESF funds are encumbered before the Board's federal spending authority expires on June 30, 2021.

This increase in funding for CDCR will make a total of approximately \$21.9 million available through CDCR's Specialized Treatment for Optimized Programming (STOP) network of community-based providers to address reentry services and the emergency temporary housing needs of individuals released from state prison due to the coronavirus.

Background

The CESF program is administered by the U.S. Department of Justice, Bureau of Justice Assistance (BJA). CESF provides federal funding to states, local governments, and tribes to prevent, prepare for, and respond to the coronavirus. CESF uses include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

California received a total CESF allocation of \$93,684,166. Of that amount, \$58,518,568 was awarded to the BSCC as the state administering agency, and \$35,165,598 was directed allocated to local governments through a separate application process that did not include the BSCC.

History

- On June 12, 2020, the BSCC launched a 30-day public comment period seeking input on how the CESF allocation should be used.
- At the request of the Administration, on July 16, 2020, the Board held an emergency meeting to allocate \$15 million of the \$58.5 million to CDCR to help address the

emergency temporary housing needs of individuals released from state prison due to the coronavirus.

- On September 10, 2020, the Board considered public comment for allocating \$41.7 million (\$41,763,011) of the \$58.5 million.
- On November 20, 2020, the BSCC released a \$41.7 million Request for Applications to California Counties with a February 1, 2021 due date.
- On February 11, 2021, the Board amended the CDCR grant agreement to allow for additional reentry services not listed in the original agreement (e.g. Substance Use Disorder Treatment, Detoxification Services, Assistance with Enrollment to Health Care Services, etc.).
- On February 11, 2021, the Board extended the Request for Applications due date to March 12, 2021 to allow eligible counties additional time to apply for funding

Request for Application (RFA) Outcome

The BSCC released a non-competitive, formula-based RFA on November 20, 2020 (Attachment E-1). The RFA was open to California counties, and originally 24 applications were received by the February 1, 2021 due date. Thirty-three counties did not respond to the RFA, and Lassen County was not eligible to receive funding because of funds that were already made available to the county through a local BJA allocation.

After extending the deadline an additional month, the BSCC received seven additional applications, bringing the total number of submissions to 31 of a possible 57 eligible counties. In total, 31 counties requested \$34.8 million, leaving approximately \$6.9 million still available for allocation.

To preserve the Board's ability to draw down the entire federal award, the BSCC must encumber the CESF award no later than June 30, 2021. Although the Board could consider repurposing the unencumbered funds through a competitive process, there is insufficient time to create a new RFP, release, receive and score it, and award funding before June 30, 2021. Allocating the \$6.9 million through CDCR's Specialized Treatment for Optimized Programming (STOP) network would quickly allow funding to reach individuals returning home through an established provider network. A minimum of 90 percent of the \$6.9 million would be passed through to community-based providers in the STOP network to help address reentry services and the emergency temporary housing needs of individuals released from state prison due to the coronavirus.

Recommendation/Action Needed

Staff recommends that the Board:

- Increase the CESF award to CDCR by \$6.9 million and direct staff to amend the grant agreement with CDCR accordingly; and
- Further direct staff to re-allocate any future award relinquishments or reversions from county recipients to CDCR to help address the emergency temporary housing needs

of individuals released from state prison due to the coronavirus and for reentry services.

Attachments

E-1: CESF Request for Applications

Attachment E-1



Coronavirus Emergency Supplemental Funding (CESF) Program

REQUEST FOR APPLICATIONS:
Proposal Instructions Packet
Amended Document – See Red Text on
Pages 1 and 10

Eligible Applicants: California Counties

RFA Released: November 20, 2020

~~Proposals Due:~~ February 1, 2021
Amended to March 12, 2021

Grant Period: March 31, 2021 to January 31, 2022



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NOTE: This document contains the necessary information for completing the CESF Program Request for Application (RFA) package. The actual RFA Package is provided as a stand-alone document on the BSCC website at www.bscc.ca.gov.

CONFIDENTIALITY NOTICE

All documents submitted as a part of the Coronavirus Emergency Supplemental Funding (CESF) Program are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC, as a state agency, may have to disclose these documents to the public. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, §§ 6250 et seq.)

PART I: GRANT INFORMATION

Contact Information

This Request for Applications (RFA) provides the information necessary to prepare an Application to the Board of State and Community Corrections (BSCC) for grant funds available through the Coronavirus Emergency Supplemental Funding (CESF) Program. Any questions concerning the RFA must be submitted by email to: CESF@bscc.ca.gov.

The BSCC will accept and respond to questions about this RFA until January 28, 2021. Questions and answers will be posted on the BSCC website and updated periodically up until January 28, 2021.

Background Information

The Coronavirus Emergency Supplemental Funding (CESF) Program is administered by the U.S. Department of Justice, Bureau of Justice Assistance (BJA) to fund approaches that prevent, prepare for, and respond to the coronavirus.

In Spring 2020, BJA released a federal CESF solicitation to states and allocated funding to cities and counties through a separate process. The total CESF allocation to California was \$93,684,166. Of that amount, the state portion is \$58,518,568. Separately, cities and counties received \$35,165,598 directly from BJA. This Request for Applications is specific to the state allocation. Please contact BJA with questions about direct city and county allocations.

Bidder's Conference

Eligible applicants are invited – but not required – to attend a virtual Bidder's Conference. The purpose of the Bidder's Conference is to answer technical questions and provide clarity on the RFA. Bidder's Conference details are listed below:

CESF Bidder's Conference

Wednesday, December 16, 2020 at 10:00 A.M.

A Zoom Meeting link will be posted to BSCC website www.bscc.ca.gov.

Proposal Due Date and Submission Instructions

Proposals must be received by 5:00 P.M. on ~~Monday, February 1, 2021~~ **Friday, March 12, 2021**. Applicants must ensure the proposal package is signed with a digital signature **OR** a wet blue ink signature that is then scanned with the completed proposal package. Submit one (1) completed proposal package via email to: CESF@bscc.ca.gov.

If the BSCC does not receive the proposal package on or before the due date and time noted above, the proposal **will not** be considered.

Federal Requirements

Federal Statutory Authority: The CESF Program is authorized by Division B of H.R. 748, Pub. L. No. 116-136 (Emergency Appropriations for Coronavirus Health Response and Agency Operations); 28 U.S.C. 530C.

If selected for funding, in addition to implementing the funded project consistent with the Office of Justice Programs (OJP) approved application, the grantees must comply with all award requirements (including all award conditions), as well as all applicable requirements of federal statutes and regulations. Additional information about CESF federal statutes and regulations can be found at: <https://www.bja.gov>.

Description of the Grant

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency in California to help combat the spread of the Coronavirus (COVID-19). In support of these efforts, California is releasing a non-competitive, formula-based Request for Applications (RFA).

Grant Period

Eligible applicants will be funded for a 10-month period commencing March 31, 2021 and ending January 31, 2022.

Eligibility to Apply

Eligible applicants are California Counties¹. One (1) application must be submitted on behalf of the County. Applications must be submitted by the Board of Supervisors or the Chief County Administrative Officer.

Lead Public Agency

Applicants are required to designate a Lead Public Agency (LPA) to serve as the coordinator for all grant activities. LPA means a governmental agency with local authority within the applicant county. The applicant may choose to fill the role of LPA itself or it may designate a department, agency, or office under its jurisdiction to serve as the LPA. The role of the LPA is to coordinate with local government agencies and non-governmental organizations to ensure successful implementation of the grant program. The LPA is responsible for data collection and management, invoices, meeting coordination (virtual and/or in-person) and will serve as the primary point of contact with the BSCC.

Eligible Activities

Funds awarded under the CESF Program must be utilized to prevent, prepare for, and respond to the coronavirus with a focus on meeting CESF re-entry related needs.

Allowable projects and purchases include but are not limited to:

- Addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers
- Equipment (Includes law enforcement and medical personal protective equipment)
- Hiring

¹ Lassen County is not eligible to receive funding through this RFA. The County's per-person direct allocation from BJA is greater than the per-person allocation the BSCC is making available to counties.

- Overtime
- Supplies (Gloves, Masks, Sanitizer)
- Training
- Travel Expenses (Particularly costs related to the distribution of resources to the most impacted areas)

Unallowable Costs

For information on allowable and unallowable costs refer to the U.S. Department of Justice [Financial Guide](#) and the [BSCC Grant Administration Guide](#).

Funding Information

The state CESF Program allocation is \$58,518,568. On July 16, 2020, the BSCC awarded \$15,000,000 in funding to the California Department of Corrections and Rehabilitation to help expedite the emergency housing needs of people being released from state prisons. After accounting for grant administrative costs², a total of \$41,763,011 is available to California Counties to prevent, prepare for, and respond to the coronavirus.

Funding Allocation

CESF funding will be allocated to counties as shown in Table I. A detailed funding chart is also provided as Appendix A.

Table I: CESF Available Funding Chart		
	County	Available Funding
1	Alameda County	\$1,121,503.18
2	Alpine County	\$2,207.01
3	Amador County	\$72,812.13
4	Butte County	\$291,542.54
5	Calaveras County	\$50,786.84
6	Colusa County	\$42,327.51
7	Contra Costa County	\$1,547,649.38
8	Del Norte County	\$52,755.75
9	El Dorado County	\$316,901.89
10	Fresno County	\$892,345.82
11	Glenn County	\$56,818.04
12	Humboldt County	\$146,830.64
13	Imperial County	\$250,267.88
14	Inyo County	\$35,915.19
15	Kern County	\$714,959.51
16	Kings County	\$198,072.74
17	Lake County	\$78,481.84
18	Lassen County	\$0
19	Los Angeles County	\$7,998,604.45
20	Madera County	\$113,036.75

² Three percent of the award has been retained for administrative purposes

Table I: CESF Available Funding Chart		
	County	Available Funding
21	Marin County	\$394,828.46
22	Mariposa County	\$34,916.04
23	Mendocino County	\$100,230.25
24	Merced County	\$253,750.85
25	Modoc County	\$18,494.85
26	Mono County	\$26,020.34
27	Monterey County	\$558,445.99
28	Napa County	\$145,437.59
29	Nevada County	\$189,613.79
30	Orange County	\$4,878,736.80
31	Placer County	\$664,209.42
32	Plumas County	\$35,289.03
33	Riverside County	\$3,321,764.66
34	Sacramento County	\$1,286,635.35
35	San Benito County	\$120,502.56
36	San Bernardino County	\$2,158,476.30
37	San Diego County	\$4,085,425.63
38	San Francisco County	\$286,020.73
39	San Joaquin County	\$172,300.74
40	San Luis Obispo County	\$432,736.99
41	San Mateo County	\$1,193,397.89
42	Santa Barbara County	\$571,122.87
43	Santa Clara County	\$2,700,326.74
44	Santa Cruz County	\$287,512.23
45	Shasta County	\$62,439.36
46	Sierra County	\$6,186.21
47	Siskiyou County	\$85,924.73
48	Solano County	\$393,233.95
49	Sonoma County	\$564,141.48
50	Stanislaus County	\$382,686.87
51	Sutter County	\$80,628.09
52	Tehama County	\$34,879.42
53	Trinity County	\$26,182.68
54	Tulare County	\$579,161.06
55	Tuolumne County	\$67,113.85
56	Ventura County	\$1,214,026.08
57	Yolo County	\$263,822.08
58	Yuba County	\$102,569.95

BJA made \$35,165,598 available to California's cities and counties through a separate application process (Appendix B). All local awards have been allocated based on BJA's publicly available data. These local allocations were considered as the BSCC developed a formula to allocate the remaining state award. The \$41,763,011 CESF award is divided by the county's population and the resulting number is the amount per person that should

be allocated (approximately \$1.93). Lassen County is not eligible to receive an allocation because of funds that were already made available to the county through the local BJA allocation.

Mandatory Pass-Through Requirement

Counties must pass-through at least 20 percent of the CESF award to non-governmental community-based organization(s) impacted by coronavirus and providing services in the county. Professional grants management organizations, consulting firms, auditors and evaluators may not count toward meeting this pass-through obligation.

Applicants will be required to submit an assurance that non-governmental organizations receiving CESF meet certain legal and licensure requirements (Appendix C).

Match Requirement

The CESF Program does not have a match requirement.

Supplanting

Supplanting is the deliberate reduction in the amount of federal, state, or local funds being appropriated to an existing program or activity because grant funds have been awarded for the same purposes. Supplanting is strictly prohibited for all BSCC grants. The CESF Program shall be used to support new program activities or to augment or expand existing program activities but shall not be used to replace existing funds. When using outside funds as match, applicants must be careful not to supplant. It is the responsibility of the grantee to ensure that supplanting does not occur. The grantee must keep clear and detailed financial records to show that grant funds are used only for allowable costs and activities.

Local Advisory Committee Requirements

In order to apply for funding, counties must form a CESF Local Advisory Committee that includes stakeholders who have experience and expertise in the prospective programs and/or services to be implemented by the proposal.

Membership

At a minimum the CESF Local Advisory Committee should include representatives from non-governmental community-based organizations, Tribes, and cities within the county that are impacted by the proposal. Counties may use an existing body, but it must include individuals with the appropriate experience and expertise and address all the requirements listed in this section. A CESF Membership Roster must be provided as part of the application (Appendix D).

Additional membership examples include, but are not limited to, behavioral health professionals, educators, faith-based organizations, individuals impacted by the justice system, youth, law enforcement, social service providers, advocacy groups, housing providers, and concerned citizens. It is the applicant's discretion to determine the maximum size of the committee and meeting frequency (virtual and/or in-person).

Responsibilities

The CESF Local Advisory Committee is responsible for the development, implementation, and oversight of the funded project. This Advisory Committee will, at a minimum, advise on:

- How to identify and prioritize the most pressing needs to be addressed
- How to identify the strategies, programs and/or services to be undertaken to address those needs;
- The development and submission of the grant project; and
- Ongoing implementation of the grant project.

In support of these efforts, each applicant will develop a Project Work Plan that identifies measurable project goals, objectives, and commensurate timelines (Appendix E).

Conflict of Interest

Each applicant should consider state and local conflict of interest laws when selecting members of the CESF Local Advisory Committee. Applicants are advised to check with local counsel about potential conflicts.

Evidence-Informed Principles

The BSCC is committed to supporting a focus on better outcomes in the criminal justice system and for those involved in it. Applicants that seek funding through this grant process should use data driven decision-making in the development, implementation, and evaluation of their grant-funded projects. In developing a proposal, it may be helpful for applicants to consider the following questions:

- 1. Is there evidence or data to suggest that the program is likely to work, i.e., produce a desired benefit?**

For example, was the program you selected used by another jurisdiction with documented positive results? Is there published research on the program you are choosing to implement showing its effectiveness? Is the program being used by another jurisdiction with a similar problem and similar target population?

- 2. Once the program is selected, will you be able to demonstrate that it is being carried out as intended?**

For example, does this program provide for a way to monitor quality control or continuous quality improvement? If this program was implemented in another jurisdiction, are there procedures in place to ensure that you are following the model closely (so that you are more likely to achieve the desired outcomes)?

- 3. Is there a plan to collect evidence or data that will allow for an evaluation of whether the program “worked?”**

For example, will the program you selected allow for the collection of data or other evidence so that outcomes can be measured at the conclusion of the project? Do you have processes in place to identify, collect and analyze that data/evidence?

Applicants are encouraged to develop a project that incorporates these evidence-informed principles but is tailored to fit the needs of the communities they serve. For additional information and resources related to evidence-based practices and data driven decision making see Appendix F.

General Grant Requirements

Grant Agreement

Applicants approved for funding by the BSCC Board are required to enter into a grant agreement with the BSCC. Grantees must agree to comply with all terms and conditions of the Grant Agreement. See Appendix G for a sample grant agreement (State of California: Contract and General Terms and Conditions). The terms and conditions of the grant agreement may change before execution.

The grant agreement start date is expected to be March 31, 2021. Grant agreements are considered fully executed only after they are signed by both the Grantee and the BSCC. Work, services and encumbrances cannot begin prior to the grant agreement start date. Work, services and encumbrances that occur after the start date but prior to grant agreement execution may not be reimbursed. Grantees are responsible for maintaining their grant agreement, all invoices, records and relevant documentation for at least three years after the final payment under the contract.

Governing Board Resolution

Local governmental applicants must submit a resolution from their governing board addressing specified requirements as included in the sample Governing Board Resolution, which can be found in Appendix H. A signed resolution is not required at the time of proposal submission; however, grant recipients must have a resolution on file for the CESF Program before a fully executed grant agreement can be completed.

Invoices

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. Grantees shall be paid in one lump sum. The State Controller's Office (SCO) will issue the warrant (check) to the individual designated on the Applicant Information Form as the Financial Officer for the grant. Grantees must submit invoices to the BSCC through an online process no later than 45 days following the end of the invoicing period. Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct a desk review process which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period and on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

Additional information about invoicing can be found in the BSCC Grant Administration Guide, located on the BSCC [website](#).

Progress Reports

Grant award recipients are required to submit progress reports to the BSCC. Progress reports are a critical element in BSCC's monitoring and oversight process. Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and that funds are being spent down in accordance with the Grant Award Agreement could be subject to the withholding of funds. Applicable forms and instructions will be available to grantees on the BSCC's website.

Grantee Orientation Process

Following the start of the grant period, BSCC staff will conduct a virtual Grantee Orientation on April 7, 2021. The purpose of this mandatory session is to review the program requirements, invoicing and budget modification processes, data collection and reporting requirements, as well as other grant management and monitoring activities. Typically, the Project Director, Financial Officer, Day-to-Day Contact, and service providers attend.

Travel

Travel is usually warranted when personal contact by project-related personnel is the most appropriate method of completing project-related business. The most economical method of transportation, in terms of direct expenses to the project and the project-related personnel's time away from the project, must be used. Grantees are required to include sufficient per diem and travel allocations for project-related personnel to attend any required BSCC training conferences or workshops as described in the Request for Applications and Grant Agreement.

Units of Government

Grantees that are units of government using BSCC funds may follow either their own written travel and per diem policy or the California State travel and per diem policy. Units of government that plan to use cars from a state, county, city, district carpool, or garage may budget either the mileage rate established by the carpool or garage, or the state mileage rate, not to exceed the loaning agency.

Out-of-State Travel

Out-of-state travel is generally restricted and only allowed in exceptional situations. Grantees must receive written BSCC approval prior to incurring expenses for out-of-state travel. Even if previously authorized in the Grant Agreement, Grantees must submit a separate written request on Grantee letterhead for approval to the assigned BSCC Field Representative. Out-of-state travel requests must include a detailed justification and budget information.

In addition, California prohibits travel, except under specified circumstances, to states that have been found by the California Attorney General to have discriminatory laws. The BSCC will not reimburse for travel to these states unless the travel meets a specific exception under Government Code section 11139.8, subdivision (c). For additional information, please see: <https://oag.ca.gov/ab1887>.

Debarment, Fraud, Theft or Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

The BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation. All applicants must complete Appendix I certifying that they are in compliance with the BSCC's policies on debarment, fraud, theft and embezzlement.

Compliance Monitoring Visits

The BSCC staff will monitor each project to assess whether the project is in compliance with grant requirements and making progress toward grant objectives. As needed, monitoring visits may also occur to provide technical assistance on fiscal, programmatic, evaluative, and administrative requirements. For your reference, a sample Monitoring Visit Checklist Tool is provided in Appendix J.

Overview of the RFA Process

Confirmation of Receipt of Application

Upon submission of a proposal, applicants will receive a confirmation email from the BSCC stating that the proposal has been received. The email will be sent to the individual that signed the application and the person listed as the Project Director.

Review Process

BSCC staff will review each application for compliance with the criteria in this RFA.

Summary of Key Dates

The following table shows a timeline of key dates related to the CESF Program.

Activity	Date
Release Request for Applications	November 20, 2020
Virtual Bidder's Conference	December 16, 2020
Proposals Due to the BSCC	February 1, 2021 March 12, 2021
Proposal Review	February - March, 2021
New Grants Begin	March 31, 2021
Mandatory New Grantee Orientation	April 7, 2021

PART II: PROPOSAL INSTRUCTIONS

This section contains pertinent information for completing the CESF Program Request for Application (RFA) package. The Application Package is provided as a stand-alone document on the BSCC website at: www.bscc.ca.gov.

Proposal Narrative and Budget Instructions

Proposal Narrative

The Proposal Narrative must address the Project Need, Project Description, and CESF Local Advisory Committee criteria. The Proposal Narrative must be submitted using the template provided at the end of this document (Arial 12-point font with one-inch margins on all four sides and at 1.5-line spaced) and cannot exceed **six (6) numbered** pages in length. The CESF Local Advisory Committee Roster and Project Work Plan don't count towards the six-page limit.

Within each narrative section, please address the following:

SECTION One: Project Need Criteria	
1.1	Description of the need(s) to be addressed by the CESF Program.
1.2	Description of how the need(s) to be addressed by the CESF Program were identified.
1.3	Describe why the need(s) described above is not met with existing resources.
1.4	Provide relevant qualitative and/or quantitative data with citations in support of the need(s).

SECTION Two: Project Description Criteria	
2.1	Description of how the proposed approach (program, service, activity, etc.) will be utilized to prevent, prepare for, and respond to the coronavirus with a focus on meeting CESF re-entry related needs
2.2	Description of how the proposed approach will meet re-entry related needs

SECTION Three: CESF Local Advisory Committee Criteria	
3.1	Describe the process that was used to determine who would serve on the CESF Local Advisory Committee Criteria
3.2	Provide a CESF Local Advisory Committee Roster (Appendix D) including member affiliations and their Non-Governmental Organizations status as relevant.
3.3	Provide a Project Work Plan (Appendix E) that: <ul style="list-style-type: none"> Identifies measurable goals, objectives, and commensurate timelines Identifies how the goals will be achieved in terms of the activities, responsible staff/partners, and start and end dates.

Budget Section

As part of the application process, applicants are required to submit the CESF Budget Attachment, which is an Excel Workbook that can be accessed using the link below.

➤ To Access the CESF Budget Section, **click [here](#)**

Applicants should be aware that budgets will be subject to review and approval by the BSCC staff to ensure all proposed costs listed within the budget narrative are allowable and eligible for reimbursement. Regardless of any ineligible costs that may need to be addressed post award, the starting budget for the reimbursement invoices and the total amount requested will be the figures used for the Standard Grant Agreement.

Applicants are solely responsible for the accuracy and completeness of the information entered in the Budget Table and Budget Narrative. Detailed instructions for completing the Budget Attachment are listed on the Instructions tab of the Excel workbook. All project costs must be directly related to the objectives and activities of the project. The Budget Table must cover the entire 10-month grant period.

For additional guidance related to grant budgets, refer to the [BSCC Grant Administration Guide](#)

SECTION III: Project Budget	
4.1	Provide complete and detailed budget information that includes: <ul style="list-style-type: none"> • Language supporting each expense • Expenses that are appropriate for the project's goals and planned activities.

PART III: APPENDIXES

CESF Appendixes

This section includes the following appendixes:

- Appendix A - Funding Allocation Chart
- Appendix B - Bureau of Justice Assistance: 2020 California CESF Allocation by City-and-County
- Appendix C - Criteria for Non-Governmental Organizations Receiving CESF
- Appendix D - CESF Local Advisory Committee Membership Roster
- Appendix E - Project Work Plan
- Appendix F - Glossary of Terms
- Appendix G - Sample Grant Agreement
- Appendix H - Governing Board Resolution
- Appendix I - Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement
- Appendix J - Sample Comprehensive Visit Monitoring Tool

Appendix A: Funding Allocation Chart

County	Population Estimate Jan. 2020	CESF Total Local Allocation	Target Allocation (about \$1.93/person)	Adjusted Allocation (Target minus CESF Total Local Allocation)	Parity Check
Alameda County	1,670,834	2,107,528	\$3,229,031	\$1,121,503.18	1.93258647
Alpine County	1,142		\$2,207	\$2,207.01	1.93258647
Amador County	37,676		\$72,812	\$72,812.13	1.93258647
Butte County	210,291	114,863	\$406,406	\$291,542.54	1.93258647
Calaveras County	45,023	36,224	\$87,011	\$50,786.84	1.93258647
Colusa County	21,902		\$42,328	\$42,327.51	1.93258647
Contra Costa County	1,153,561	681,707	\$2,229,356	\$1,547,649.38	1.93258647
Del Norte County	27,298		\$52,756	\$52,755.75	1.93258647
El Dorado County	193,227	56,526	\$373,428	\$316,901.89	1.93258647
Fresno County	1,023,358	1,085,382	\$1,977,728	\$892,345.82	1.93258647
Glenn County	29,400		\$56,818	\$56,818.04	1.93258647
Humboldt County	133,302	110,787	\$257,618	\$146,830.64	1.93258647
Imperial County	188,777	114,560	\$364,828	\$250,267.88	1.93258647
Inyo County	18,584		\$35,915	\$35,915.19	1.93258647
Kern County	917,553	1,058,291	\$1,773,251	\$714,959.51	1.93258647
Kings County	153,608	98,788	\$296,861	\$198,072.74	1.93258647
Lake County	64,040	45,281	\$123,763	\$78,481.84	1.93258647
Lassen County	28,833	100,496	\$55,722	\$0.00	3.4854507
Los Angeles County	10,172,951	11,661,503	\$19,660,107	\$7,998,604.45	1.93258647
Madera County	158,147	192,596	\$305,633	\$113,036.75	1.93258647
Marin County	260,831	109,250	\$504,078	\$394,828.46	1.93258647
Mariposa County	18,067		\$34,916	\$34,916.04	1.93258647
Mendocino County	87,946	69,733	\$169,963	\$100,230.25	1.93258647
Merced County	283,521	294,178	\$547,929	\$253,750.85	1.93258647
Modoc County	9,570		\$18,495	\$18,494.85	1.93258647
Mono County	13,464		\$26,020	\$26,020.34	1.93258647
Monterey County	441,143	294,101	\$852,547	\$558,445.99	1.93258647
Napa County	139,088	123,362	\$268,800	\$145,437.59	1.93258647
Nevada County	98,114		\$189,614	\$189,613.79	1.93258647
Orange County	3,194,332	1,294,586	\$6,173,323	\$4,878,736.80	1.93258647
Placer County	403,711	115,997	\$780,206	\$664,209.42	1.93258647
Plumas County	18,260		\$35,289	\$35,289.03	1.93258647

County	Population Estimate Jan. 2020	CESF Total Local Allocation	Target Allocation (about \$1.93/person)	Adjusted Allocation (Target minus CESF Total Local Allocation)	Parity Check
Riverside County	2,442,304	1,398,199	\$4,719,964	\$3,321,764.66	1.93258647
Sacramento County	1,555,365	1,719,242	\$3,005,877	\$1,286,635.35	1.93258647
San Benito County	62,353		\$120,503	\$120,502.56	1.93258647
San Bernardino County	2,180,537	2,055,600	\$4,214,076	\$2,158,476.30	1.93258647
San Diego County	3,343,355	2,375,897	\$6,461,323	\$4,085,425.63	1.93258647
San Francisco County	897,806	1,449,067	\$1,735,088	\$286,020.73	1.93258647
San Joaquin County	773,632	1,322,810	\$1,495,111	\$172,300.74	1.93258647
San Luis Obispo County	277,259	103,090	\$535,827	\$432,736.99	1.93258647
San Mateo County	773,244	300,963	\$1,494,361	\$1,193,397.89	1.93258647
Santa Barbara County	451,840	302,097	\$873,219.87	\$571,122.87	1.93258647
Santa Clara County	1,961,969	1,091,348	\$3,791,674.74	\$2,700,326.74	1.93258647
Santa Cruz County	271,233	236,669	\$524,181.23	\$287,512.23	1.93258647
Shasta County	178,045	281,648	\$344,087.36	\$62,439.36	1.93258647
Sierra County	3,201		\$6,186.21	\$6,186.21	1.93258647
Siskiyou County	44,461		\$85,924.73	\$85,924.73	1.93258647
Solano County	440,224	457,537	\$850,770.95	\$393,233.95	1.93258647
Sonoma County	492,980	388,585	\$952,726.48	\$564,141.48	1.93258647
Stanislaus County	557,709	695,134	\$1,077,820.87	\$382,686.87	1.93258647
Sutter County	100,750	114,080	\$194,708.09	\$80,628.09	1.93258647
Tehama County	65,129	90,988	\$125,867.42	\$34,879.42	1.93258647
Trinity County	13,548		\$26,182.68	\$26,182.68	1.93258647
Tulare County	479,977	348,436	\$927,597.06	\$579,161.06	1.93258647
Tuolumne County	54,917	39,018	\$106,131.85	\$67,113.85	1.93258647
Ventura County	842,886	414,924	\$1,628,950.08	\$1,214,026.08	1.93258647
Yolo County	221,705	164,642	\$428,464.08	\$263,822.08	1.93258647
Yuba County	78,887	49,886	\$152,456	\$102,569.95	1.93258647
Grand Total	39,782,870	35,165,599	\$76,883,836	\$41,763,010.99	1.93371192

Minimum: \$0
 Maximum: \$7,998,604
 Average: \$720,052
 SD: \$1,389,609

Appendix B: Bureau of Justice Assistance: 2020 California Allocation by City-and-County

State	Jurisdiction Name	Government Type	Joint Allocation
CA	ADELANTO CITY	Municipal	\$54,789
CA	ALAMEDA CITY	Municipal	\$41,660
CA	ALAMEDA COUNTY	County	\$133,882
CA	ALHAMBRA CITY	Municipal	\$36,679
CA	ANAHEIM CITY	Municipal	\$281,722
CA	ANTIOCH CITY	Municipal	\$161,353
CA	APPLE VALLEY TOWN	Municipal	\$58,791
CA	ARVIN CITY	Municipal	\$42,942
CA	ATWATER CITY	Municipal	\$44,376
CA	AZUSA CITY	Municipal	\$37,355
CA	BAKERSFIELD CITY	Municipal	\$411,905
CA	BALDWIN PARK CITY	Municipal	\$70,790
CA	BANNING CITY	Municipal	\$37,433
CA	BARSTOW CITY	Municipal	\$71,392
CA	BEAUMONT CITY	Municipal	\$35,016
CA	BELL CITY	Municipal	\$51,471
CA	BELLFLOWER CITY	Municipal	\$85,127
CA	BERKELEY CITY	Municipal	\$135,693
CA	BRAWLEY CITY	Municipal	\$33,734
CA	BUENA PARK CITY	Municipal	\$58,714
CA	BURBANK CITY	Municipal	\$46,941
CA	BUTTE COUNTY	County	\$37,658
CA	CALAVERAS COUNTY	County	\$36,224
CA	CARLSBAD CITY	Municipal	\$47,395
CA	CARSON CITY	Municipal	\$106,637
CA	CERES CITY	Municipal	\$40,374
CA	CHICO CITY	Municipal	\$77,205
CA	CHINO CITY	Municipal	\$49,431
CA	CHULA VISTA CITY	Municipal	\$166,711
CA	CITRUS HEIGHTS CITY	Municipal	\$85,279
CA	CLOVIS CITY	Municipal	\$55,621
CA	COACHELLA CITY	Municipal	\$33,357
CA	COLTON CITY	Municipal	\$48,526
CA	COMPTON CITY	Municipal	\$247,611
CA	CONCORD CITY	Municipal	\$105,655
CA	CONTRA COSTA COUNTY	County	\$82,337
CA	CORONA CITY	Municipal	\$46,789
CA	COSTA MESA CITY	Municipal	\$87,467
CA	COVINA CITY	Municipal	\$33,508
CA	CULVER CITY	Municipal	\$41,660

State	Jurisdiction Name	Government Type	Joint Allocation
CA	DALY CITY	Municipal	\$56,072
CA	DELANO CITY	Municipal	\$55,166
CA	DESERT HOT SPRINGS CITY	Municipal	\$56,526
CA	DINUBA CITY	Municipal	\$41,357
CA	DOWNEY CITY	Municipal	\$82,260
CA	EAST PALO ALTO CITY	Municipal	\$32,226
CA	EL CAJON CITY	Municipal	\$89,355
CA	EL CENTRO CITY	Municipal	\$41,808
CA	EL DORADO COUNTY	County	\$56,526
CA	EL MONTE CITY	Municipal	\$98,035
CA	ELK GROVE CITY	Municipal	\$127,767
CA	EMERYVILLE CITY	Municipal	\$32,903
CA	ESCONDIDO CITY	Municipal	\$125,276
CA	EUREKA CITY	Municipal	\$50,185
CA	FAIRFIELD CITY	Municipal	\$113,806
CA	FONTANA CITY	Municipal	\$180,217
CA	FREMONT CITY	Municipal	\$89,657
CA	FRESNO CITY	Municipal	\$683,062
CA	FRESNO COUNTY	County	\$252,969
CA	FULLERTON CITY	Municipal	\$77,205
CA	GARDEN GROVE CITY	Municipal	\$124,600
CA	GARDENA CITY	Municipal	\$77,884
CA	GILROY CITY	Municipal	\$43,922
CA	GLENDALE CITY	Municipal	\$52,524
CA	HANFORD CITY	Municipal	\$65,280
CA	HAWTHORNE CITY	Municipal	\$141,051
CA	HAYWARD CITY	Municipal	\$132,068
CA	HEMET CITY	Municipal	\$126,484
CA	HESPERIA CITY	Municipal	\$76,676
CA	HIGHLAND CITY	Municipal	\$47,318
CA	HUMBOLDT COUNTY	County	\$60,602
CA	HUNTINGTON BEACH CITY	Municipal	\$93,807
CA	HUNTINGTON PARK CITY	Municipal	\$96,298
CA	IMPERIAL COUNTY	County	\$39,018
CA	INDIO CITY	Municipal	\$125,354
CA	INGLEWOOD CITY	Municipal	\$180,369
CA	IRVINE CITY	Municipal	\$35,094
CA	JURUPA VALLEY CITY	Municipal	\$65,809
CA	KERN COUNTY	County	\$515,072
CA	KINGS COUNTY	County	\$33,508
CA	LA MESA CITY	Municipal	\$41,734
CA	LAKE COUNTY	County	\$45,281

State	Jurisdiction Name	Government Type	Joint Allocation
CA	LAKE ELSINORE CITY	Municipal	\$35,393
CA	LAKEWOOD CITY	Municipal	\$57,583
CA	LANCASTER CITY	Municipal	\$251,084
CA	LASSEN COUNTY	County	\$58,008
CA	LAWNDALE CITY	Municipal	\$42,865
CA	LEMON GROVE CITY	Municipal	\$35,545
CA	LIVERMORE CITY	Municipal	\$43,242
CA	LODI CITY	Municipal	\$79,318
CA	LOMPOC CITY	Municipal	\$46,638
CA	LONG BEACH CITY	Municipal	\$657,554
CA	LOS ANGELES CITY	Municipal	\$6,375,560
CA	LOS ANGELES COUNTY	County	\$1,314,279
CA	LYNWOOD CITY	Municipal	\$101,202
CA	MADERA CITY	Municipal	\$100,599
CA	MADERA COUNTY	County	\$91,997
CA	MANTECA CITY	Municipal	\$53,810
CA	MARIN COUNTY	County	\$58,008
CA	MENDOCINO COUNTY	County	\$69,733
CA	MERCED CITY	Municipal	\$136,975
CA	MERCED COUNTY	County	\$112,827
CA	MODESTO CITY	Municipal	\$468,128
CA	MONTCLAIR CITY	Municipal	\$49,886
CA	MONTEBELLO CITY	Municipal	\$43,393
CA	MONTEREY COUNTY	County	\$58,337
CA	MORENO VALLEY CITY	Municipal	\$173,880
CA	MOUNTAIN VIEW CITY	Municipal	\$33,660
CA	NAPA CITY	Municipal	\$65,354
CA	NAPA COUNTY	County	\$58,008
CA	NATIONAL CITY	Municipal	\$67,168
CA	NORWALK CITY	Municipal	\$94,787
CA	OAKLAND CITY	Municipal	\$1,330,582
CA	OCEANSIDE CITY	Municipal	\$153,578
CA	ONTARIO CITY	Municipal	\$138,258
CA	ORANGE CITY	Municipal	\$46,638
CA	ORANGE COUNTY	County	\$53,810
CA	OXNARD CITY	Municipal	\$209,498
CA	PALM SPRINGS CITY	Municipal	\$63,695
CA	PALMDALE CITY	Municipal	\$166,633
CA	PARAMOUNT CITY	Municipal	\$69,430
CA	PASADENA CITY	Municipal	\$111,618
CA	PERRIS CITY	Municipal	\$44,904
CA	PETALUMA CITY	Municipal	\$51,091
CA	PICO RIVERA CITY	Municipal	\$49,431

State	Jurisdiction Name	Government Type	Joint Allocation
CA	PITTSBURG CITY	Municipal	\$63,695
CA	PLACER COUNTY	County	\$65,055
CA	POMONA CITY	Municipal	\$182,028
CA	PORTERVILLE CITY	Municipal	\$48,903
CA	RANCHO CORDOVA	Municipal	\$67,468
CA	RANCHO CUCAMONGA CITY	Municipal	\$64,826
CA	RED BLUFF CITY	Municipal	\$32,980
CA	REDDING CITY	Municipal	\$150,108
CA	REDLANDS CITY	Municipal	\$49,280
CA	REDONDO BEACH CITY	Municipal	\$39,318
CA	REDWOOD CITY	Municipal	\$42,488
CA	REEDLEY CITY	Municipal	\$35,016
CA	RIALTO CITY	Municipal	\$96,072
CA	RICHMOND CITY	Municipal	\$221,800
CA	RIDGECREST CITY	Municipal	\$33,206
CA	RIVERSIDE CITY	Municipal	\$364,813
CA	RIVERSIDE COUNTY	County	\$188,746
CA	ROHNERT PARK CITY	Municipal	\$47,469
CA	ROSEMEAD CITY	Municipal	\$37,355
CA	ROSEVILLE CITY	Municipal	\$50,942
CA	SACRAMENTO CITY	Municipal	\$795,286
CA	SACRAMENTO COUNTY	County	\$643,442
CA	SALINAS CITY	Municipal	\$235,764
CA	SAN BERNARDINO CITY	Municipal	\$632,422
CA	SAN BERNARDINO COUNTY	County	\$204,217
CA	SAN BUENAVENTURA CITY	Municipal	\$90,714
CA	SAN DIEGO CITY	Municipal	\$1,217,682
CA	SAN DIEGO COUNTY	County	\$307,082
CA	SAN FRANCISCO CITY AND COUNTY	Municipal	\$1,449,067
CA	SAN JOAQUIN COUNTY	County	\$179,917
CA	SAN JOSE CITY	Municipal	\$865,998
CA	SAN LEANDRO CITY	Municipal	\$107,391
CA	SAN LUIS OBISPO CITY	Municipal	\$41,431
CA	SAN LUIS OBISPO COUNTY	County	\$61,659
CA	SAN MARCOS CITY	Municipal	\$42,488
CA	SAN MATEO CITY	Municipal	\$58,562
CA	SAN MATEO COUNTY	County	\$70,864
CA	SAN PABLO CITY	Municipal	\$46,867
CA	SAN RAFAEL CITY	Municipal	\$51,242

State	Jurisdiction Name	Government Type	Joint Allocation
CA	SANTA ANA CITY	Municipal	\$368,135
CA	SANTA BARBARA CITY	Municipal	\$85,807
CA	SANTA BARBARA COUNTY	County	\$60,602
CA	SANTA CLARA CITY	Municipal	\$39,923
CA	SANTA CLARA COUNTY	County	\$70,261
CA	SANTA CLARITA CITY	Municipal	\$78,033
CA	SANTA CRUZ CITY	Municipal	\$107,845
CA	SANTA CRUZ COUNTY	County	\$65,506
CA	SANTA MARIA CITY	Municipal	\$109,050
CA	SANTA MONICA CITY	Municipal	\$122,637
CA	SANTA ROSA CITY	Municipal	\$149,879
CA	SELMA CITY	Municipal	\$58,714
CA	SHASTA COUNTY	County	\$131,540
CA	SIMI VALLEY CITY	Municipal	\$40,149
CA	SOLANO COUNTY	County	\$58,008
CA	SONOMA COUNTY	County	\$140,146
CA	SOUTH GATE CITY	Municipal	\$143,013
CA	SOUTH SAN FRANCISCO CITY	Municipal	\$40,751
CA	STANISLAUS COUNTY	County	\$95,241
CA	STOCKTON CITY	Municipal	\$972,181
CA	SUNNYVALE CITY	Municipal	\$37,584
CA	SUSANVILLE CITY	Municipal	\$42,488
CA	SUTTER COUNTY	County	\$58,008
CA	TEHAMA	County	\$58,008
CA	THOUSAND OAKS CITY	Municipal	\$35,622
CA	TORRANCE CITY	Municipal	\$55,772
CA	TRACY CITY	Municipal	\$37,584
CA	TULARE CITY	Municipal	\$58,939
CA	TULARE COUNTY	County	\$82,637
CA	TUOLUMNE COUNTY	County	\$39,018
CA	TURLOCK CITY	Municipal	\$91,391
CA	UNION CITY	Municipal	\$60,450
CA	UPLAND CITY	Municipal	\$53,356
CA	VACAVILLE CITY	Municipal	\$49,357
CA	VALLEJO CITY	Municipal	\$236,366
CA	VENTURA COUNTY	County	\$38,941
CA	VICTORVILLE CITY	Municipal	\$180,143
CA	VISALIA CITY	Municipal	\$116,600
CA	VISTA CITY	Municipal	\$81,883
CA	WATSONVILLE CITY	Municipal	\$63,318
CA	WEST COVINA CITY	Municipal	\$60,602
CA	WEST HOLLYWOOD CITY	Municipal	\$61,053

State	Jurisdiction Name	Government Type	Joint Allocation
CA	WEST SACRAMENTO CITY	Municipal	\$56,072
CA	WESTMINSTER CITY	Municipal	\$67,394
CA	WHITTIER CITY	Municipal	\$60,073
CA	WOODLAND CITY	Municipal	\$50,562
CA	YOLO COUNTY	County	\$58,008
CA	YUBA CITY	Municipal	\$56,072
CA	YUBA COUNTY	County	\$49,886
	Local total		\$35,165,598

Appendix C: Criteria for Non-Governmental Organizations Receiving CESF

(Page 1 of 2)

The Coronavirus Emergency Supplemental Funding (CESF) Program Request for Proposals (RFP) includes requirements that apply to non-governmental organizations that receive funds under this grant. All grantees are responsible for ensuring that any contracted third parties continually meet these requirements as a condition of receiving CESF. The RFP describes these requirements as follows.

Any non-governmental organization that receives CESF (as either subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six months prior to the effective date of its fiscal agreement with the BSCC or with the CESF grantee.
- In either instance (applicant or subgrantee), non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six-month date are also eligible, provided all necessary agreements have been executed and filed with the California Secretary of State prior to the start date of the grant agreement with the BSCC or the start date of the grantee-subcontractor fiscal agreement.
- Be registered with the California Secretary of State's Office, if applicable;
- Have a valid business license, Employer Identification Number (EIN), and/or Taxpayer ID (if sole proprietorship);
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable; and
- Have a physical address.

In the table below, provide the name of the Grantee and list all contracted parties.

(Page 2 of 2)

Grantee Name:

Name of Contracted Party	Address	Email / Phone	Meets All Requirements
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

Grantees are required to update this list and submit it to the BSCC any time a new third-party contract is executed after the initial assurance date. Grantees shall retain (on-site) applicable source documentation for each contracted party that verifies compliance with the requirements listed in the CESF RFP. These records will be subject to the records and retention language found in Appendices A and C of the Standard Agreement.

Unless prior approval is obtained, the BSCC prohibits disbursement or reimbursement to any NGO that does not meet the requirements listed above and for which the BSCC does not have a signed grantee assurance on file.

A signature below is an assurance that all requirements listed above have been met.

AUTHORIZED SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER	TITLE		TELEPHONE
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement. The authorized signatory may sign with a digital signature <u>OR</u> a wet blue ink signature.) x			DATE

Appendix D: CESF Local Advisory Committee Membership Roster

At a minimum the CESF Local Advisory Committee should include representatives from non-governmental community-based organizations, Tribes, and cities within the county that are impacted by the proposal (Page 5). Please list the members of the CESF Local Advisory Committee that are responsible for the development, implementation, and oversight of the proposed project in the below table. Include a name, title, organization, email address and signature (e-signatures are acceptable). This document shall be considered public record, do not include confidential information.

*	Name	Title	Business Email Address	Signature
		Organization		
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

**If needed, add additional rows to reflect the full CESF Local Advisory Committee*

Appendix E: Project Work Plan

This Project Work Plan identifies measurable goals and objectives, activities and services, the responsible parties and a timeline. Completed plans should (1) identify the project's **top goals and objectives** (minimum of two); (2) identify how the top goals will be achieved in terms of the activities, responsible staff/partners, and start and end dates; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant.

(1) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1.			
2.			
3.			

(2) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1.			
2.			
3.			

(3) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1. 2. 3.			

(4) Goal:			
Objectives (A., B., etc.)	A. B. C.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
1. 2. 3.			

Appendix F: Glossary of Terms

Community-based Organization

A community-based organization (CBO) is a nongovernmental organization that provides services to a community consisting of individuals, groups, or other organizations that constitute the local or community service population. In this Request for Applications, CBOs and nonprofit organizations are referred to as Non-Governmental Organizations (NGOs).

Evidence-Informed Principles

During the past two decades, there has been renewed interest in examining correctional research. These efforts have been led by researchers such as Gendreau, Andrews, Cullen, Lipsey and others³. Much evidence has been generated, leading to the conclusion that many rehabilitation programs have, in fact, produced significant reductions in recidivism. The next critical issue became the identification of those characteristics most commonly associated with effective programs. Through the work of numerous scholars (Andrews et al., 1990⁴; Cullen and Gendreau, 2000⁵; Lipsey 1999⁶, several “principles of effective intervention” have been identified. These principles can be briefly categorized as the following:

- Assess Actuarial Risk/Needs
- Enhance Intrinsic Motivation
- Target Interventions
 - Risk Principle
 - Need Principle
 - Responsivity Principle
 - Dosage
 - Treatment Principle
- Skill Train with Directed Practice
- Increase Positive Reinforcement
- Engage Ongoing Support in Natural Communities
- Measure Relevant Processes/Practices
- Provide Measurement Feedback

Goal versus Objective

Goals and objectives are terms in common use, sometimes used interchangeably because both refer to the intended results of program activities. Goals are longer-term than objectives, more broadly stated and govern the specific objectives to which program activities are directed. In proposals, goals are defined by broad statements of what the

³ For a thorough review of this research, see Cullen, F.T. and B.K. Applegate. 1998. Offender rehabilitation: Effective correctional intervention. Brookfield, Vt.: Ashgate Dartmouth.

⁴ Andrews, D.A., I. Zinger, R.D. Hoge, J. Bonta, P. Gendreau and F.T. Cullen. 1990. Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology* 28(3):369-404

⁵ Cullen, F.T. and P. Gendreau. 2000. Assessing correctional rehabilitation: Policy, practice, and prospects. In *Criminal justice 2000: Volume 3 – Policies, processes, and decisions of the criminal justice system*, ed. J. Horney, 109-175. Washington, D.C.: U.S. Department of Justice, National Institute of Justice.

⁶ Lipsey, M.W. 1999. Can intervention rehabilitate serious delinquents? *The Annals of the American Academy of Political and Social Science*, 564(2):142-166.

program intends to accomplish, representing the long-term intended outcome of the program⁷.

Examples of goal statements:

- To reduce the number of serious and chronic juvenile offenders
- To divert youth who commit nonviolent offenses from state correctional institutions
- To restore the losses suffered by the victims of crimes

Objectives are defined by statements of specific, measurable aims of program activities⁸. Objectives detail the tasks that must be completed to achieve goals. Descriptions of objectives in the proposals should include three elements:

- 1) Direction – the expected change or accomplishment (e.g., improve, maintain)
- 2) Timeframe – when the objective will be achieved
- 3) Target Population– who is affected by the objective

Examples of program objectives:

- By the end of the program, drug-addicted juveniles will recognize the long-term consequences of drug use.
- To place eligible youth in an intensive supervision program within two weeks of adjudication to ensure offender accountability and community safety.
- To ensure that offenders carry out all the terms of the mediation agreements that they have worked out with their victims by program completion

Re-entry

Release from a custodial setting (e.g. jail, prison, etc.) back into the community

RFA

Request for Applications

⁷ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). Juvenile Justice Program Evaluation: An overview (Second Edition). Retrieved from www.jrsa.org/pubs/juv-justice/program-evaluation.pdf. See also New York State Division of Criminal Justice Services. A Guide to Developing Goals and Objectives for Your Program. Retrieved from <http://www.criminaljustice.ny.gov/ofpa/goalwrite.htm>.

⁸ National Center for Justice Planning. Overview of Strategic Planning. Where Do We Want to Be? Goals and Objectives. Retrieved from <http://ncjp.org/strategic-planning/overview/where-do-we-want-be/goals-objectives>.

Appendix G: Sample Grant Agreement

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

SCO ID: 5227-BSCCXXX20

STANDARD AGREEMENT

STD 213 (Rev 03/2019)

AGREEMENT NUMBER

BSCC XXX-20

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTOR NAME

GRANTEE NAME

2. The term of this Agreement is:

START DATE

MARCH 31, 2021

THROUGH END DATE

JANUARY 31, 2022

3. The maximum amount of this Agreement is:

\$XXX,XXX

4. The parties agree to comply with the terms and conditions of the following exhibits, attachments, and appendices which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	3
Exhibit B	Budget Detail and Payment Provisions	2
Exhibit C	General Terms and Conditions (04/2017)	3
Exhibit D	Special Terms and Conditions	3
Exhibit E	Coronavirus Emergency Supplemental Funding (CESF) Federal Conditions	13
Attachment 1	2020 CESF Request for Applications	*
Attachment 2	2020 CESF Grant Application	XX
Attachment 3	2020 Coronavirus Emergency Supplemental Funding Program Solicitation	*

Items shown with an asterisk (), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at: [2020 BJA CESF Program Solicitation](#)

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

GRANTEE NAME

CONTRACTOR BUSINESS ADDRESS

XXX

CITY

XXX

STATE

XX

ZIP

XXX

PRINTED NAME OF PERSON SIGNING

XXX

TITLE

XXX

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTING AGENCY ADDRESS

2590 Venture Oaks Way, Suite 200

CITY

Sacramento

STATE

CA

ZIP

95833

PRINTED NAME OF PERSON SIGNING

RICARDO GOODRIDGE

TITLE

Deputy Director

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL: EXEMPT PER SCM, VOLUME 1, CH. 4.06

EXHIBIT A: SCOPE OF WORK

1. GRANT AGREEMENT – CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM (CESF)

This Grant Agreement is between the State of California Board of State and Community Corrections, hereafter referred to as BSCC and **Grantee Name** hereafter referred to as Grantee or Contractor.

2. PROJECT SUMMARY AND ADMINISTRATION

A. Project summary here

B. Grantee agrees to administer the project in accordance with Attachment 1: 2020 CESF Request for Applications (incorporated by reference), Attachment 2: 2020 CESF Grant Application, and Attachment 3: 2020 Coronavirus Emergency Supplemental Funding Program Solicitation.

3. PROJECT OFFICIALS

A. The BSCC's Executive Director or designee shall be the BSCC's representative for administration of the Grant Agreement and shall have authority to make determinations relating to any controversies that may arise under or regarding the interpretation, performance, or payment for work performed under this Grant Agreement.

B. The Grantee project officials shall be those identified as follows:

Authorized Officer with legal authority to sign:

Name:
Title:
Phone:

Designated Financial Officer authorized to receive warrants:

Name:
Title:
Phone:
Email:

Project Director authorized to administer the project:

Name:
Title:
Phone:
Email:

C. Either party may change its project representatives upon written notice to the other party.

D. By signing this Grant Agreement, the Authorized Officer listed above warrants that he or she has full legal authority to bind the entity for which he or she signs.

4. DATA COLLECTION

Grantees will be required to comply with all data collection and reporting requirements as described in Attachment 1: 2020 Coronavirus Emergency Supplemental Funding Program Solicitation.

5. REPORTING REQUIREMENTS

- A. Grantee will submit semi-annual progress reports in a format prescribed by the BSCC. These reports, which will describe progress made on program objectives and include required data, shall be submitted according to the following schedule:

Semi-Annual Progress Report Periods

1. March 31, 2021 to June 30, 2021
2. July 1, 2021 to December 31, 2021
3. January 1, 2022 to January 31, 2022

Due no later than:

- July 15, 2021
January 15, 2022
February 15, 2022

6. PROJECT RECORDS

- A. The Grantee shall establish an official file for the project that contains adequate documentation of all actions taken with respect to the project, including copies of this Grant Agreement, financial records, and required reports.
- B. The Grantee shall establish separate accounting records and maintain documents and other evidence sufficient to properly reflect the amount, receipt, and disposition of all project funds, including grant funds, any matching funds by the Grantee, and the total cost of the project. Source documentation includes copies of all awards, applications, approved modifications, financial records, and narrative reports.
- C. Personnel and payroll records shall include the time and attendance reports for all individuals reimbursed under the grant, whether they are employed full-time or part-time. Time and effort reports are required for consultants (subcontractors).
- D. The grantee shall maintain documentation of donated goods and/or services, including the basis for valuation.
- E. Grantee agrees to protect records adequately from fire or other damage. When records are stored away from the Grantee's principal office, a written index of the location of records stored must be on hand and ready access must be assured.
- F. All Grantee records relevant to the project must be preserved a minimum of three (3) years after closeout of the grant project and shall be subject at all reasonable times to inspection, examination, monitoring, copying, excerpting, transcribing, and auditing by the BSCC or designees. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until the completion of the action and resolution of all issues which arise from it or until the end of the regular three-year period, whichever is later.

7. CONFLICT OF INTEREST

Each applicant should consider state and local conflict of interest laws when selecting members of the CESF Local Advisory Committee. Applicants are advised to check with local counsel about potential conflicts.

8. AUDIT

Grantee must submit an audit of expenditures within 120 days following the end of the grant period. Grantees may choose either a program-specific audit or a single federal audit. Federal guidelines allow grantees receiving \$750,000 or more in federal funds in a fiscal year to use their federal justice assistance grant funds to pay for the cost of the audit. Grantees falling below the \$750,000 threshold must use non-federal funds (i.e., match funds) to pay for audit costs. For purposes of this grant award, please check one of the boxes below to indicate the grantee's choice for meeting the audit requirement.

- ☐ In conformance with Federal Office of Management and Budget (OMB) CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and the California State Controller’s Accounting Standards and Procedures, Chapter 23, Grant Accounting Index, the identified grant will be included in the City/County Single Federal Audit Report, which will be submitted to the BSCC within the required timeframe of 120 days from the end of the grant period. NOTE: Should an extension be needed, please provide in advance of the deadline a written justification that indicates the reason(s) for the extension and the timeframe needed.

OR

- ☐ In conformance with Federal Office of Management and Budget (OMB) CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and the California State Controller’s Accounting Standards and Procedures Chapter 23, Grant Accounting Index, the grantee will provide a Program-Specific Final Audit Report to the BSCC within the required timeframe of 120 days from the end of the grant period.

OR

- ☐ In conformance with Federal Office of Management and Budget (OMB) CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the non-governmental entity grantee **does not expend \$750,000 or more** in total federal awards during the fiscal year and is therefore, exempt from Federal audit requirements for this grant contract period. However, the entity understands that it must keep and maintain the grant records and make them available for review or audit by appropriate officials of the Federal agency, pass-through agency (i.e., the Board of State and Community Corrections) and Governmental Accountability Office.

9. DATA UNIVERSAL NUMBERS SYSTEM (DUNS)

The Contractor/grantee (entity entering into contract with the BSCC) must maintain active registration of their Data Universal Numbers System (DUNS) number, used for this Grant Agreement, throughout the term of the contract. An active DUNS number is also required to remain in compliance with the Federal Funding Accountability and Transparency Act (FFATA), a reporting tool for Federal prime awardees (i.e. prime contractors and prime grants recipients) use to capture and report subaward and executive compensation.

EXHIBIT B: BUDGET AND PAYMENT DETAILS

1. STATEMENTS OF EXPENDITURES AND PAYMENT

- A. The Grantee shall be paid in one lump sum by submitting an invoice (Form 201) to the BSCC. Any interest earned on the account must be reported to the BSCC and may only be used for allowable expenses during the grant period. Grantee shall only use grant funds for allowable costs (see Exhibit B, "Project Costs") and shall provide statements of expenditures and supporting documentation to the BSCC upon request and on a quarterly basis as set forth in the schedule below.

Quarterly Invoicing Periods:

1. March 31, 2021 to June 30, 2021
2. July 1, 2021 to September 30, 2021
3. October 1, 2021 to December 31, 2021
4. January 1, 2022 to January 31, 2022

Due no later than:

- August 15, 2021
- November 15, 2021
- February 15, 2022
- March 15, 2022

- B. All grant project expenditures must be incurred by the end of the grant project cycle, January 31, 2022, and included on the final statement of expenditures due March 15, 2022. Project costs incurred after January 31, 2022 will not be reimbursed/eligible for contribution.
- C. A statement of expenditures is due to the BSCC even if grant funds are not expended during the reporting period. Supporting documentation must be submitted for expenditures upon BSCC's request. All supporting documentation must be maintained by the grantee on site and be readily available for review during BSCC site visits.
- D. Any unspent funds remaining at the end of the agreement term, must be returned to the BSCC within 30 days of the end of the grant agreement.

2. GRANT AMOUNT AND LIMITATION

- A. In no event shall the BSCC be obligated to pay any amount in excess of the grant award. Grantee waives any and all claims against the BSCC and the State of California and the Federal Government on account of project costs that may exceed the sum of the grant award.
- B. Under no circumstance will a budget item change be authorized that would cause the project to exceed the amount of the grant award identified in this Grant Agreement.

3. BUDGET CONTINGENCY CLAUSE

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent year covered under this Grant Agreement does not appropriate funds for the purposes of this program, this Grant Agreement shall be of no further force and effect. In this event, the BSCC shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Agreement and Grantee shall not be obligated to perform any provisions of this Grant Agreement.
- B. This Grant Agreement is valid and enforceable only if sufficient funds are made available by the United States Congress and California Legislature. Grantee agrees that the BSCC's obligation to pay any sum to the Grantee under any provision of this agreement is contingent upon the availability of sufficient funds.

4. PROJECT COSTS

- A. Grantee is responsible for ensuring that actual expenditures are for eligible project costs. "Eligible" and "ineligible" project costs are set forth in the most current version of the BSCC Grant Administration Guide (currently the BSCC Grant Administration Guide July 2020)

including any updated version that may be posted during the term of the grant agreement, which can be found under Quick Links here:

http://www.bscc.ca.gov/s_correctionsplanningandprograms.php

The provisions of the BSCC Grant Administration Guide are incorporated by reference into this agreement and Grantee shall be responsible for adhering to the requirements set forth therein. To the extent any of the provisions of the BSCC Grant Administration Guide and this agreement conflict, the language in this agreement shall prevail.

- B. Grantee shall, upon demand, remit to the BSCC any grant funds not expended for eligible project costs or an amount equal to any grant funds expended by the Grantee in violation of the terms, provisions, conditions or commitments of this Grant Agreement.
- C. Grantee is responsible for ensuring that statements of expenditures submitted to the BSCC claim actual expenditures for eligible project costs.
- D. Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) non-state/state grant funds that have been appropriated for the same purpose. Potential supplanting will be the subject of grant monitoring. Violations can result in a range of penalties (e.g., recoupment of monies provided under this grant, suspension of future program funding through BSCC grants, and civil/criminal penalties).

5. PROMPT PAYMENT CLAUSE

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

6. PROJECT BUDGET

LINE ITEM	GRANT FUNDS
1. Salaries and Benefits	\$0
2. Services and Supplies	\$0
3. Professional Services or Public Agency Subcontracts	\$0
4. Non-Governmental Organization (NGO) Subcontracts	\$0
5. Equipment/Fixed Assets	\$0
6. Other (Travel, Training, etc.)	\$0
7. Indirect Costs	\$0
TOTAL	\$0

EXHIBIT C: GENERAL TERMS AND CONDITIONS (GTC 04/2017)

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT:** This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT:** Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
5. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
6. **DISPUTES:** Contractor shall continue with the responsibilities under this Agreement during any dispute.
7. **TERMINATION FOR CAUSE:** The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.
8. **INDEPENDENT CONTRACTOR:** Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.
9. **RECYCLING CERTIFICATION:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).
10. **NON-DISCRIMINATION CLAUSE:** During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual

orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 (<http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>) are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

A. The Government Code Chapter on Antitrust claims contains the following definitions:

- 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
- 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

B. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

- C. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.
- D. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

- A. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
- B. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

- A. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
- B. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER: If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

1. GRANTEE'S GENERAL RESPONSIBILITY

Grantee agrees to comply with all terms and conditions of this Grant Agreement. Review and approval by the BSCC is solely for the purpose of proper administration of grant funds, and shall not be deemed to relieve or restrict the Grantee's responsibility.

2. GRANTEE ASSURANCES AND COMMITMENTS

A. Compliance with Laws and Regulations

This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California. Grantee shall at all times comply with all applicable state laws, rules and regulations, and all applicable local ordinances

B. Compliance with Federal Laws and Regulations

The Grantee hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including the Federal Award Conditions, which are included in this Grant Agreement as Exhibit E.

C. Permits and Licenses

Grantee agrees to procure all permits and licenses necessary to complete the project, pay all charges and fees, and give all notices necessary or incidental to the due and lawful proceeding of the project work.

3. POTENTIAL SUBCONTRACTORS

A. In accordance with the provisions of this Grant Agreement, the Grantee may subcontract with providers for services needed to implement and/or support program activities. Grantee agrees that in the event of any inconsistency between this Grant Agreement and Grantee's agreement with a subcontractor, the language of this Grant Agreement will prevail.

B. Nothing contained in this Grant Agreement, or otherwise, shall create any contractual relation between the BSCC and any subcontractors, and no subcontract shall relieve the Grantee of its responsibilities and obligations hereunder. The Grantee agrees to be as fully responsible to the BSCC for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee. The Grantee's obligation to pay its subcontractors is an independent obligation from the BSCC's obligation to make payments to the Grantee. As a result, the BSCC shall have no obligation to pay or to enforce the payment of any monies to any subcontractor.

C. Grantee shall ensure that all subcontractors comply with all requirements of this Grant Agreement.

D. Grantee assures that for any subcontract awarded by the Grantee, such as insurance and fidelity bonds, as is customary and appropriate, will be obtained.

E. Grantee agrees to place appropriate language in all subcontracts for work on the project requiring the Grantee's subcontractors to:

1) Books and Records

Maintain adequate fiscal and project books, records, documents, and other evidence pertinent to the subcontractor's work on the project in accordance with generally accepted accounting principles. Adequate supporting documentation shall be maintained in such detail so as to permit tracing transactions from the invoices, to the accounting records, to

the supporting documentation. These records shall be maintained for a minimum of three (3) years after the acceptance of the project's final audit of expenditures under the Grant Agreement, and shall be subject to examination and/or audit by the BSCC or designees, state government auditors or designees.

2) Access to Books and Records

Make such books, records, supporting documentations, and other evidence available to the BSCC or designee, the Department of General Services, the Department of Finance, the California State Auditor and their designated representatives during the course of the project and for a minimum of three (3) years after acceptance of the project's final audit of expenditures. The Subcontractor shall provide suitable facilities for access, monitoring, inspection, and copying of books and records related to the grant-funded project.

4. PROJECT ACCESS

Grantee shall ensure that the BSCC, or any authorized representative, will have suitable access to project activities, sites, staff and documents at all reasonable times during the grant period including those maintained by subcontractors. Access to program records will be made available by both the grantee and the subcontractors for a period of 3 years following the end of the project period.

5. ACCOUNTING AND AUDIT REQUIREMENTS

- A. All funds received by the Grantee shall be deposited into separate fund accounts which identify the funds and clearly show the manner of their disposition. Grantee agrees that accounting procedures for grant funds received pursuant to this Grant Agreement shall be in accordance with generally accepted government accounting principles and practices, and adequate supporting documentation shall be maintained in such detail as to provide an audit trail. Supporting documentation shall permit the tracing of transactions from such documents to relevant accounting records, financial reports and invoices.
- B. Federal Audit Requirement: Grantee is required to complete an audit annually for each fiscal year/audit period, or fraction thereof, for the entire three-year grant cycle. See Exhibit A: Scope of Work, Section 7. Audit, for federal audit requirements.
- C. The BSCC reserves the right to call for a program or financial audit at any time between the execution of this Grant Agreement and three years following the end of the grant period. At any time, the BSCC may disallow all or part of the cost of the activity or action determined to not be in compliance with the terms and conditions of this Grant Agreement or take other remedies legally available.

6. DEBARMENT, FRAUD, THEFT OR EMBEZZLEMENT

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to grantees that have been:

- 1) debarred by any federal, state, or local government entities during the period of debarment; or
- 2) convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

All Grantees must have on file with the BSCC a completed and signed Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement.

7. MODIFICATIONS

No change or modification in the project will be permitted without prior written approval from the BSCC. Changes may include modification to project scope, changes to performance measures, compliance with collection of data elements, and other significant changes in the budget or program components contained in the 2020 CESF Request for Applications. Changes shall not be implemented by the project until authorized by the BSCC.

8. TERMINATION

- A. This Grant Agreement may be terminated by the BSCC at any time after grant award and prior to completion of project upon action or inaction by the Grantee that constitutes a material and substantial breach of this Grant Agreement. Such action or inaction includes, but is not limited to:
 - 1) substantial alteration of the scope of the grant project without prior written approval of the BSCC;
 - 2) refusal or inability to complete the grant project in a manner consistent with Attachment 1: 2020 CESF Request for Applications, Attachment 2: 2020 CESF Grant Application, Attachment 3: 2020 Coronavirus Emergency Supplemental Funding Program Solicitation; and
 - 3) failure to meet prescribed assurances, commitments, recording, accounting, auditing, and reporting requirements of the Grant Agreement.
- B. Prior to terminating the Grant Agreement under this provision, the BSCC shall provide the Grantee at least 30 calendar days written notice stating the reasons for termination and effective date thereof. The Grantee may appeal the termination decision in accordance with the instructions listed in Exhibit D: Special Terms and Conditions, Number 9. Settlement of Disputes.

9. SETTLEMENT OF DISPUTES

- A. The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, the Grantee shall submit to the BSCC Corrections Planning and Programs Division Deputy Director a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to, or involving this Grant Agreement. Grantee's written demand shall be fully supported by factual information. The BSCC Corrections Planning and Programs Division Deputy Director shall have 30 days after receipt of Grantee's written demand invoking this Section "Disputes" to render a written decision. If a written decision is not rendered within 30 days after receipt of the Grantee's demand, it shall be deemed a decision adverse to the Grantee's contention. If the Grantee is not satisfied with the decision of the BSCC Corrections Planning and Programs Division Deputy Director, the Grantee may appeal the decision, in writing, within 15 days of its issuance (or the expiration of the 30 day period in the event no decision is rendered), to the BSCC Executive Director, who shall have 45 days to render a final decision. If the Grantee does not appeal the decision of the BSCC Corrections Planning and Programs Division Deputy Director, the decision shall be conclusive and binding regarding the dispute and the Contractor shall be barred from

commencing an action in court, or with the Victims Compensation Government Claims Board, for failure to exhaust Grantee's administrative remedies.

- B. Pending the final resolution of any dispute arising under, related to or involving this Grant Agreement, Grantee agrees to diligently proceed with the performance of this Grant Agreement, including the providing of services in accordance with the Grant Agreement. Grantee's failure to diligently proceed in accordance with the State's instructions regarding this Grant Agreement shall be considered a material breach of this Grant Agreement.
- C. Any final decision of the State shall be expressly identified as such, shall be in writing, and shall be signed by the Executive Director, if an appeal was made. If the Executive Director fails to render a final decision within 45 days after receipt of the Grantee's appeal for a final decision, it shall be deemed a final decision adverse to the Grantee's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless the Grantee commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.
- D. The dates of decision and appeal in this section may be modified by mutual consent, as applicable, excepting the time to commence an action in a court of competent jurisdiction.

10. WAIVER

The parties hereto may waive any of their rights under this Grant Agreement unless such waiver is contrary to law, provided that any such waiver shall be in writing and signed by the party making such waiver.

EXHIBIT E: CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (<https://ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm>), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for [purposes of this condition is available at https://www.ojp.gov/training/fmts.htm](https://www.ojp.gov/training/fmts.htm). All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), [currently accessible at https://www.sam.gov/](https://www.sam.gov/). This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the [OJP web site at https://ojp.gov/funding/Explore/SAM.htm](https://ojp.gov/funding/Explore/SAM.htm) (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both—

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify [website \(https://www.e-verify.gov/\)](https://www.e-verify.gov/) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier)

may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R.

200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high- risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28

C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28

C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28

C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from

reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41

U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ.

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the

applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2

C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non- governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.ojp.gov/topics/articles/body-armor-safety-initiative>.

45. Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

46. Methods of Administration" - monitoring compliance with civil rights laws and nondiscrimination provisions

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with applicable federal civil rights laws and nondiscrimination provisions. Within 90 days of the date of award acceptance, the recipient must submit to OJP's Office for Civil Rights (at CivilRightsMOA@usdoj.gov) written Methods of Administration ("MOA") for subrecipient monitoring with respect to civil rights requirements. In addition, upon request by OJP (or by another authorized federal agency), the recipient must make associated documentation available for review.

The details of the recipient's obligations related to Methods of Administration are posted on the OJP web site at <https://ojp.gov/funding/Explore/StateMethodsAdmin-FY2017update.htm> (Award condition: "Methods of Administration" - Requirements applicable to States (FY 2017 Update)), and are incorporated by reference here.

Appendix H: Governing Board Resolution

Before grant funds can be reimbursed, a grantee must either (1) submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement or (2) provide sufficient documentation indicating that the prospective grantee has been vested with plenary authority to execute grant agreements (e.g. County Board of Supervisors delegating such authority to an Agency head).

Below is assurance language that, at a minimum, must be included in the resolution submitted to the Board of State and Community Corrections.

WHEREAS the ***(insert name of Local Government)*** desires to participate in the Coronavirus Emergency Supplemental Funding (CESF) Program funded through the U.S. Department of Justice, Bureau of Justice Assistance and administered by the Board of State and Community Corrections (hereafter referred to as the BSCC).

NOW, THEREFORE, BE IT RESOLVED that the ***(insert title of designated official)*** be authorized on behalf of the ***(insert name of Governing Board)*** to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the ***(insert name of Local Government)*** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

Passed, approved, and adopted by the ***(insert name of Governing Board)*** in a meeting thereof held on ***(insert date)*** by the following:

Ayes:

Notes:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

Appendix I: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

(Page 1 of 2)

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

By checking the following boxes and signing below, applicant affirms that:

- ☐ I/We are not currently debarred by any federal, state, or local entity from applying for or receiving federal, state, or local grant funds.
- ☐ I/We have not been convicted of any crime involving theft, fraud, or embezzlement of federal, state, or local grant funds within the last three years. We will notify the BSCC should such debarment or conviction occur during the term of the Grant contract.
- ☐ I/We will hold subgrantees and subcontractors to these same requirements.

A grantee may make a request in writing to the Executive Director of the BSCC for an exception to the debarment policy. Any determination made by the Executive Director shall be made in writing.

(Page 2 of 2)

AUTHORIZED SIGNATURE			
(This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
AUTHORIZED OFFICER SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement. The authorized signatory may sign with a digital signature <u>OR</u> a wet blue ink signature.) X			DATE

Appendix J: Sample Comprehensive Visit Monitoring Tool

Corrections Planning and Grant Programs Division COMPREHENSIVE MONITORING VISIT (CMV) TOOL

Instructions to Grantees

- Please complete this entire document prior to the Comprehensive Monitoring Visit.
- Refer to the CMV Tool User Guide for Grantees for instructions.
- During the visit, the Field Representative will review your responses with you.
- The completed CMV Tool along with the day(s) agenda should be returned to BSCC at least one week prior to the scheduled visit.

Grantee: Yes <input type="checkbox"/> No <input type="checkbox"/>	Award Year: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>
Grant Program:	Federal Funds: <input type="checkbox"/> State Funds: <input type="checkbox"/>
Contract Number:	Grant Amount:
Project Title:	
Project Director:	Financial Officer:
Project Director Phone:	Financial Officer Phone:
Project Director E-Mail:	Financial Officer E-mail:
Field Representative:	
Date of Visit:	Agenda Included: Yes <input type="checkbox"/> No <input type="checkbox"/>
Name and Title of Individual Completing the Form:	
Name:	Title:

Persons Interviewed During the Visit:

Name	Title	Agency

Project Sites Visited (include initial meeting site):

Name of Agency or Organization	Address

Brief Project Summary:

SAMPLE

I. ADMINISTRATIVE REVIEW

1. Executed Agreement

Does the Grantee have a copy of the fully executed Standard Agreement in the official file (e-file is acceptable)? Yes ☐ No ☐

2. BSCC Grant Administration Guide

a. Does the Grantee have a copy of the BSCC Grant Administration Guide readily available to project staff (e-file is acceptable)? Yes ☐ No ☐

b. Do staff know how to use the Guide for the project? Yes ☐ No ☐

3. Organizational Chart

Does the Grantee have a current organizational chart for the department/unit/section responsible for programmatic oversight of the grant? Yes ☐ No ☐

4. Duty Statements

a. Does the Grantee maintain duty statements for grant-funded staff? *Note: Standard job classifications usually are not acceptable, unless the position was created specifically for the grant.* Yes ☐ No ☐

b. If yes, does it list specific activities related to the grant? Yes ☐ No ☐

5. Timesheets

a. Does the Grantee maintain timesheets on all staff charged to the grant (including those claimed as match)? Yes ☐ No ☐

Note: Estimates and/or percentages are not acceptable.

b. Does the Grantee maintain functional timesheets or conducts time studies for split-funded positions (including those claimed as match)? Yes ☐ No ☐

Note: Estimates and/or percentages are not acceptable.

6. Staff Positions

a. Are all authorized grant positions filled and performing grant-related duties?

Yes ☐ No ☐

b. If no, list all unfilled positions and explanations for vacancies.

7. Anticipated Changes

a. Are there any anticipated changes to staff or the project? Yes ☐ No ☐

b. If yes, explain the changes

8. Subcontracts

- a. Does this grant provide for subcontracted services? Yes ☐ No ☐
- b. If yes to 8a, list subcontracts awarded.
- c. If yes to 8a, are copies of the subcontract awards contained within the official project file? Yes ☐ No ☐
- d. If yes to 8a, do subcontracts contain the required language from the BSCC contract (e.g., access to program and fiscal records, access to facility, access to program participants, Non-Discrimination clause, Civil Rights compliance)? Yes ☐ No ☐
- e. If yes to 8a, do subcontracts appear to be in compliance with conflict of interest laws that prohibit individuals or organizations that participated on the Executive Steering Committee for this grant? Yes ☐ No ☐

9. Non-Governmental Organization (NGO) Assurances

Does the Grantee have assurance documentation for each NGO listed on Appendix B within the Grant Agreement? Yes ☐ No ☐

10. Budget Modifications

- a. Are copies of project budget modifications maintained in the official file? Yes ☐ No ☐
- b. Were there any substantial modifications made that were not approved by the BSCC? Yes ☐ No ☐
- c. If yes, explain.

FOR BSCC USE ONLY: Field Representative Comments for Administrative Review Section

II. CIVIL RIGHTS REVIEW

For State Grants Only:

1. Non-Discrimination for Participants

- a. Does the Grantee ensure the services they provide are not denied to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status? Yes ☐ No ☐
- b. If no, explain.

2. Non-Discrimination for Employees

- a. Does the Grantee ensure that employees and applicants for employment are never unlawfully discriminated against because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status? Yes ☐ No ☐
- b. If no, explain.

For Federal Grants Only:

1. Equal Employment Opportunity Plan

- a. If the Grantee is required to prepare and submit an Equal Employment Opportunity (EEO) Plan online to the Office for Civil Rights (OCR), have they done so within the last 24 months? Yes ☐ No ☐
- b. If yes to 1a, on what date did the Grantee submit their EEO Plan to the OCR?

*A Grantee is required to prepare and submit an EEO Plan online to the Office for Civil Rights at <https://ojp.gov/about/ocr/eeop.htm>, if it is a state or local government agency or a private business, has 50 or more employees, **and** has received a subaward of \$25,000 or more.

*A Grantee is **exempt** from preparing and submitting an EEO Plan if it is a nonprofit/community-based organization, an Indian tribe, medical/educational institution, a state or local government agency, or a private business that has less than 50 employees or has received a subaward of \$25,000 or less.

*If the Grantee is unsure as to whether they are required to prepare an EEO Plan, please refer to <https://ojp.gov/about/ocr/eeop.htm>.

2. EEO Plan Certification

- a. Has the Grantee been able to produce a current (within the last 12 months) Certification Form? Yes ☐ No ☐
- b. If yes to 2a, on what date did the Grantee complete their Certification Form online to the OCR?

*All Grantees are required to prepare and submit a Certification Form online to the Office for Civil Rights at <https://ojp.gov/about/ocr/eeop.htm>. By submitting the Certification Form, the Grantee either acknowledges its obligation to develop and submit an EEO Plan to the Office for Civil Rights, OR the Grantee declares their exemption from the EEO Plan submission requirement.

*For questions about preparing and submitting the Certification Form, please refer to <https://ojp.gov/about/ocr/eeop.htm>.

3. Non-Discrimination

- a. Is the Grantee able to produce a current EEO Policy, job advertisement, or blank employment application that states it does not discriminate in employment practices based on all current protected classes* listed below? Yes ☐ No ☐
- b. Is the Grantee able to produce a current Anti-Discrimination Policy Statement, brochure or posting showing that it does not discriminate in the delivery of services or benefits based on all current protected classes* listed below? Yes ☐ No ☐
- c. Is the Grantee able to produce a written policy or procedure that notifies employees, program participants, and beneficiaries on how to file complaints and grievances alleging discrimination based on all current protected classes* listed below? Yes ☐ No ☐

If yes, to 3c, has the Grantee adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination based on all current protected classes* listed below? Yes ☐ No ☐

- d. Does the Grantee have a designated employee to coordinate compliance with prohibiting discrimination in employment practices and in the delivery of services based on all current protected classes* listed below? Yes ☐ No ☐

If yes to 3d, enter name, title and contact information for the designated employee.

- e. Has the Grantee submitted to the OCR any adverse findings of discrimination against the Grantee, issued by a federal or state court or a federal or state administrative agency (i.e., Equal Employment Opportunity Commission, California Department of Fair Employment and Housing, etc.)? Yes ☐ No ☐

*Current Protected Classes:

Ancestry, age, color, disability (physical and mental, includes HIV and AIDS), genetic information, gender identity, gender expression, marital status, medical condition (genetic characteristics, cancer or a record or history of cancer), military or veteran status, national origin, race, religion (includes religious dress and grooming), sex/gender (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), sexual orientation, or request for FMLA.

4. Limited English Proficiency (LEP)

Is the Grantee able to produce a policy or procedure on how it provides meaningful access to its programs, services and activities to persons who have limited English proficiency (i.e., written language/oral interpretation services, bilingual staff, telephone interpreter lines, community volunteers, etc.)?

Explain the project's process.

5. Training

- a. Did the Grantee review the online training videos administered by the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights located at <https://www.ojp.gov/program/civil-rights/video-training-grantees/overview>, before or during BSCC compliance assessment site visit/desk review? Yes ☐ No ☐
- b. Does the Grantee train its employees on the requirements of applicable federal civil rights laws? Yes ☐ No ☐

*If the Grantee has questions about compliance with civil rights obligations and nondiscrimination provisions, please refer to <https://ojp.gov/about/ocr/eeop.htm>.

6. Faith-Based or Religious Organization

Only Answer if Grantee is a faith-based organization:

- a. Does the Grantee provide federally funded services to eligible beneficiaries regardless of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice? Yes ☐ No ☐
- b. Does the Grantee maintain its religious activities separate from its federally funded services or benefits? Yes ☐ No ☐
- c. Does the Grantee ensure that participation in its religious activities is voluntary for program participants in its federally funded program? Yes ☐ No ☐
- d. Does the Grantee provide appropriate notice to program beneficiaries or prospective beneficiaries that the Grantee does not discriminate on the basis of religion in the delivery of services or benefits? Yes ☐ No ☐
- e. Does the Grantee notify those program beneficiaries who object to the "religious character" of the Grantee that they will make a reasonable effort to locate, and

notate its records of, an alternate organization that offers comparable services and benefits? Yes ☐ No ☐

FOR BSCC USE ONLY: Field Representative Comments for Civil Rights Review Section

III. FISCAL REVIEW

1. Budget File

Does the Grantee maintain an official budget file for the project? Yes ☐ No ☐

2. Fiscal Policies and Procedures

a. Does the Grantee maintain written procedures for the fiscal policies related to the grant? Yes ☐ No ☐

b. If yes, are the fiscal policies accessible by grants fiscal staff? Yes ☐ No ☐

c. Can the Grantee explain its agency's claims, payments, and reimbursement/disbursement processes as they relate to this grant (i.e., agency checks and balances)? Yes ☐ No ☐

3. Invoices

a. Are BSCC invoices (BSCC Form 201) current and is spending on track? Yes ☐ No ☐

b. Are copies of the BSCC invoices for reimbursement/disbursement contained within the official file? Yes ☐ No ☐

c. Do the fiscal/accounting records (to be reviewed during the visit) contain adequate supporting documentation for all claims on invoices, including match? Yes ☐ No ☐

d. Can salaries and benefits be easily tied back to reimbursement/disbursement BSCC invoices? Yes ☐ No ☐

e. Does the Grantee maintain supporting documentation or a calculation methodology for indirect costs or overhead claimed on BSCC invoices (e.g., an approved Indirect Cost Rate Proposal)? Yes ☐ No ☐

f. Do expenditures appear to meet contract eligibility, as defined in the BSCC Grant Administration Guide? Yes ☐ No ☐

4. Tracking

- a. Are BSCC contract funds deposited into separate fund accounts or coded specifically to distinguish grant funds from other fund sources? Yes ☐ No ☐
- b. Does the Grantee maintain a tracking system for purchases, including receipts and disbursements, related to the grant program? Yes ☐ No ☐
- c. Are tracking reports regularly reviewed by management and/or program staff? Yes ☐ No ☐
- d. Can the Grantee provide general ledgers documenting the entries for receipts and disbursements? Yes ☐ No ☐

5. Equipment/Fixed Assets

- a. Has the Grantee purchased or leased equipment/fixed assets with grant funds? Yes ☐ No ☐
- b. If yes to 5a, are the equipment/fixed assets listed in the budget or in a Budget Modification? Yes ☐ No ☐
- c. If yes to 5a, did the Grantee receive prior approval from BSCC for purchases of equipment and/or fixed assets that were more than \$3,500 per item? Yes ☐ No ☐
- d. If yes to 5a, does the Grantee maintain an inventory list of equipment/fixed assets purchased with grant funds? Yes ☐ No ☐
- e. If yes to 5a, does the Grantee maintain proof of receipt of equipment/fixed assets? Yes ☐ No ☐

6. Supplanting

- Can the Grantee verify that expenditures submitted for grant reimbursement (including salaries and benefits) are not also claimed/reimbursed under another separate agreement or funding stream (supplanting)? Yes ☐ No ☐

7. Match

- a. Is the Grantee in compliance with the match requirement? Yes ☐ No ☐
- b. If no, is there a plan to meet the contractually obligated match percentage/amount? Yes ☐ No ☐

8. Project Income

- a. Does the Grantee generate income from grant funds (e.g., fundraisers, registration fees, interest earned on grant advances, etc.)? Yes ☐ No ☐

- b. If yes, does the Grantee report that income with an explanation for how the income will be used on BSCC invoice? Yes ☐ No ☐

9. Subcontracts

- a. Does the Grantee require subcontract agencies to submit source documentation with their billing invoice? Yes ☐ No ☐
- b. If yes, what type of documentation detail does the Grantee require subcontractors to submit? See the table below and check all that apply to the grant project.

Subcontractor Supporting Documentation	(check all that apply)	
	Grant	Match
List of positions funded:	<input type="checkbox"/>	<input type="checkbox"/>
Documentation of staff hours (e.g. timesheets, time tracking report, etc.):	<input type="checkbox"/>	<input type="checkbox"/>
List of services delivered with dates, times and locations:	<input type="checkbox"/>	<input type="checkbox"/>
Participant sign-in sheets:	<input type="checkbox"/>	<input type="checkbox"/>
Receipts for purchases (e.g. supplies, equipment, travel, etc.):	<input type="checkbox"/>	<input type="checkbox"/>
Lease agreements:	<input type="checkbox"/>	<input type="checkbox"/>
Participant support and incentive logs:	<input type="checkbox"/>	<input type="checkbox"/>
Mileage logs:	<input type="checkbox"/>	<input type="checkbox"/>
Other (describe below):	<input type="checkbox"/>	<input type="checkbox"/>

- c. Is the source documentation sufficient to justify charges? Yes ☐ No ☐
- d. Does the Grantee conduct desk audits of subcontract agencies? Yes ☐ No ☐

If yes, describe the process.

- e. Does the Grantee conduct site visits to subcontract agencies? Yes ☐ No ☐

If yes, describe the process.

10. Audits

- a. What type of audit report will the Grantee submit? Check only one report type.
- ☐ Single City/County Audit Report
 - ☐ Program Specific Audit
 - ☐ Other:
 - ☐ N/A

- b. Does the Grantee have audit reports covering the agency's internal control structure within the last two years? Yes ☐ No ☐

FOR BSCC USE ONLY: Field Representative Comments for Fiscal Review Section

IV. PROGRAM REVIEW

Note: Some of the information collected in this section will be used to foster discussion and assist with technical assistance, not necessarily to determine project compliance.

1. Governing Body

- a. Does the grant require formation of some type of governing body (steering committee, coordinating council, etc.) to guide grant activities? Yes ☐ No ☐
- b. If yes to 1a, has this body been formed and is it meeting as required? Yes ☐ No ☐
- c. If yes to 1a, are all the required members participating? Yes ☐ No ☐

2. Evidence-Based Interventions

- a. Has the Grantee implemented an intervention(s) or strategy(ies) that they identify as evidence-based or as a promising practice? Yes ☐ No ☐
- b. If yes to 2a, list what source was used to determine the intervention(s) or strategy(ies) was evidence-based or a promising practice.
- c. Does the Grantee have a quality assurance or fidelity monitoring process in place to ensure that evidence-based or promising practice interventions are implemented as intended? Yes ☐ No ☐

3. Assessment Tools

- a. Is the Grantee providing direct services as part of their project? Yes ☐ No ☐
- b. If yes to 3a, are participants assessed for risk, need, and/or responsivity? Yes ☐ No ☐
- c. If yes to 3b, which assessment tool(s) is being used (e.g., housing, mental health, substance use disorder, etc.)? Check all that apply.

Type of Assessment	Yes	No	Identify Tool(s)
Risk	<input type="checkbox"/>	<input type="checkbox"/>	

Need	<input type="checkbox"/>	<input type="checkbox"/>	
Responsivity	<input type="checkbox"/>	<input type="checkbox"/>	
Other: <i>Mental Health, SUD, Housing, etc.</i>	<input type="checkbox"/>	<input type="checkbox"/>	

d. How is the information from the assessment used?

4. Staff Training

a. Do all project staff receive an orientation and/or training pertinent to the grant project? Yes ☐ No ☐

b. Are there opportunities for ongoing training for staff affiliated with the grant project? Yes ☐ No ☐

5. Policies & Procedures

a. Did the Grantee develop a written Program Manual, or policies and procedures that are specific to the grant project? Yes ☐ No ☐

b. If yes, are the above documents accessible to all staff? Yes ☐ No ☐

6. Case Management/Tracking

a. Does the Grantee maintain an automated or web-based case management and/or data collection system to track clients served by the grant? Yes ☐ No ☐

b. If no, explain how are services and/or clients are tracked?

7. Source Documentation

Does the Grantee maintain appropriate source documentation (e.g., intake forms, completed assessment tools, case plans, case notes, sign-in sheets, etc.) to verify clients are being served? Yes ☐ No ☐

8. Progress Reports

a. Are Progress Reports current? Yes ☐ No ☐

b. Do project records contain sufficient detail to support information reported within the project's Progress Reports? Yes ☐ No ☐

9. Problems

a. Has the Grantee experienced operational or service delivery challenges? Yes ☐ No ☐

b. If yes, provide a brief detail of those challenges and how the project is attempting to remedy the situation.

10. Sustainability

- a. Will the Grantee continue service delivery after grant funds expire?
Yes ☐ No ☐
- b. If yes, provide a brief description of the sustainability plan, including potential funding sources to be used toward the project.

FOR BSCC USE ONLY: Field Representative Comments for Program Review Section
Other Requirements Reviewed

Per the site visit review, programmatic requirements specific to this grant program are being met. Yes ☐ No ☐

V. DATA COLLECTION AND EVALUATION
1. Evaluator

Does the Grantee subcontract for its data collection and evaluation services?
Yes ☐ No ☐

2. Evaluation Plan

Is the Grantee on track with the activities and milestones described in its Local Evaluation Plan?
Yes ☐ No ☐

3. Preliminary Evidence

- a. Do data collection efforts show any preliminary evidence that could impact the project (positively or negatively)? Yes ☐ No ☐
- b. If yes to 3a, provide a brief analysis.
- c. Has the Grantee used this information to make improvements or changes to the project? Yes ☐ No ☐
- d. If yes to 3c, provide a brief description of how the project was changed.

FOR BSCC USE ONLY: Field Representative Comments for Data Collection and Evaluation Review Section

VI. FOR BSCC USE ONLY: Monitoring Summary - Field Representative Comments

1. Outcome of Comprehensive Monitoring Visit

- a. Does the project generally meet BSCC grant requirements? Yes ☐ No ☐
- b. If no to 1a, will a Compliance Improvement Plan be submitted? Yes ☐ No ☐
- c. If yes for 1b, describe the issues identified for the Compliance Improvement Plan.

2. Technical Assistance

- a. Does the Grantee have any technical assistance needs? Yes ☐ No ☐
- b. If yes, provide a summary of technical assistance requested.

SAMPLE

Agenda Item F

MEETING DATE: April 8, 2021**AGENDA ITEM:** F**TO:** BSCC Chair and Members**FROM:** Helene Zentner, Field Representative, helene.zentner@bscc.ca.gov**SUBJECT:** Proposition 64 Public Health and Safety Grant Program Cohort 2
Funding Recommendations: **Requesting Approval**

Summary

This agenda item requests Board approval of the Proposition 64 Public Health and Safety (Prop 64 PH&S) Grant Program Cohort 2 awards as recommended by the Scoring Panel (Attachment F-1). The Prop 64 PH&S Grant Program is funded by a portion of tax revenue generated from the cultivation and retail sale of legal adult-use cannabis or cannabis products.

The Prop 64 PH&S Grant Program Cohort 2 Request for Proposals (RFP) was released after the enactment of Assembly Bill 1872 (Chapter 93, Statutes of 2020), which amended the Revenue and Taxation Code (Attachment F-2) to broaden the applicant eligibility criteria for Prop 64 PH&S funds.

Twenty-nine proposals totaling just over \$27 million were received for Cohort 2, in which \$51,788,690 was available for the competitive grant process. If the proposed list of grantees is approved, the three-year grant period would begin May 1, 2021 and end April 30, 2024. Proposals recommended for funding include five counties, 17 cities, and one city/county. The list of proposals recommended for funding is provided in Attachment F-3. Corresponding proposal summaries are provided in Attachment F-4. Successful proposals range from substance-use prevention and intervention programs that target youth at the highest risk of cannabis use, to programs that mitigate public health and safety risks, as well as environmental damage due to illegal growing operations.

Background

The Prop 64 PH&S Grant Program was established In November 2016 as part of a voter-approved initiative, the *Control, Regulate and Tax Adult Use of Marijuana Act* (AUMA). This initiative legalized the recreational use of cannabis in California for people age 21 and older. As part of the initiative, a portion of tax revenue generated from the cultivation and retail sale of cannabis or cannabis products goes toward implementing AUMA within the State and provides funds for a variety of grant programs to assist in mitigating impacts due to the legalization of recreational cannabis. The Revenue and Taxation Code (Attachment F-2) directs the Board of State and Community Corrections to make [...] *grants to local governments to assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act.* (Rev. & Tax. Code, § 34019, subd. (f)(3)(C).).

The initial Prop 64 PH&S Grant RFP process began in September 2019 with an Executive Steering Committee chaired by Board Chair Linda Penner. The original RFP was released in

early 2020 with Revenue and Taxation Code eligibility criteria (refer to Attachment F-2) that limited the number of jurisdictions that could apply to only those that allowed outdoor and indoor cultivation and specific retail criteria. This resulted in only 10 local governments submitting applications, which were awarded \$9.9 million by the Board on September 10, 2020. This left, at the time, \$14.7 million in tax revenue available for future funding.

Assembly Bill 1872, enacted shortly after the September Board meeting, amended the Revenue and Taxation Code and broadened the applicant eligibility criteria to allow local governments to apply for Prop 64 PH&S funding opportunities so long as either indoor or outdoor cannabis cultivation is allowed within the jurisdiction. To expedite another round of Prop 64 PH&S Grant funding, in November 2020, the Board approved the re-release of the initial RFP with the updated Revenue and Taxation Code applicant eligibility language as well as non-substantive changes (e.g., dates and available funding). For Cohort 2 the tax revenue fund had grown to \$51.7 million. The Prop 64 PH&S Grant Program Cohort 2 RFP, provided as Attachment F-5, was then released and a Bidders' Conference was held via webinar on December 10, 2020, with applications due January 29, 2021.

The BSCC received 29 proposals requesting a total of \$27,281,080. After a review for technical compliance, it was determined that three of the applications did not meet the criteria to move forward in the scoring process. In addition, the City of Fullerton withdrew its application for funding due to new ordinances enacted that subsequently made the city ineligible for Prop 64 PH&S Grant Program funds.

Of the 25 proposals eligible to move forward in the rating process: 15 proposals were submitted within the Large County funding category; four proposals were submitted within the Medium County funding category; and six proposals were submitted within the Small County funding category.

On February 17, 2021, BSCC research staff trained the Scoring Panel on how to read and rate the proposals based on the criteria established in the RFP for Cohort 2. Once all scores were submitted by the raters, BSCC research staff made final the ranked list and funding allocations by county-size category. This list is provided as Attachment F-3.

Recommendation/Action Needed

On behalf of the Prop 64 PH&S Scoring Panel, staff recommends the Board:

- Fully fund the 23 Proposition 64 Cohort 2 proposals (Attachment F-3) totaling \$21,271,544 for grant projects that will assist in mitigating local impacts due to the legalization of recreational cannabis in California.

Attachments

F-1: Prop 64 PH&S Grant Program Cohort 2 Scoring Panel Membership

F-2: Revenue and Taxation Code Section 34019 (Strike-out & Underline Version)

F-3: List of Prop 64 PH&S Grant Program Cohort 2 Proposals Recommended for Funding

F-4: Prop 64 PH&S Grant Program Cohort 2 Proposal Summaries

F-5: Prop 64 PH&S Grant Program Cohort 2 Request for Proposals (RFP)

Attachment F-1

Proposition 64 Public Health & Safety (Prop 64 PH&S) Grant Program
Scoring Panel Membership Roster

	Name	Title	Organization /Agency
1	Gordon Baranco Chair	BSCC Board Member	Board of State and Community Corrections
2	Hollie Hall	Consultant, PhD.	Watershed Resource Specialist Humboldt, Trinity, and Mendocino Counties
3	Tanja Heitman	Chief Probation Officer	Santa Barbara County
4	Jon Heredia	Chief Legal Officer	Mirage Medicinal San Francisco City/County
5	Amy Irani	Director	Environmental Health Nevada County
6	Shannan Moon	Sheriff	Nevada County
7	Dave Neilsen	Retired, Deputy Director	CA Department Alcohol & Drug Programs
8	Miamah Reed	Youth Support Services Specialist	Sacramento City Unified School District
9	Michael Salvador	Police Chief	City of Atwater

Attachment F-2

REVENUE AND TAXATION CODE - RTC

DIVISION 2. OTHER TAXES [6001 - 60709]

(Heading of Division 2 amended by Stats. 1968, Ch. 279.)

PART 14.5. Cannabis Tax [34010 - 34021.5]

(Heading of Part 14.5 amended by Stats. 2017, Ch. 27, Sec. 161.)

34019.

SEC. 4.

Section 34019 of the Revenue and Taxation Code is amended to read:

34019.

(a) Beginning with the 2017–18 fiscal year, the Department of Finance shall estimate revenues to be received pursuant to Sections 34011 and 34012 and provide those estimates to the Controller no later than June 15 of each year. The Controller shall use these estimates when disbursing funds pursuant to this section. Before any funds are disbursed pursuant to subdivisions (b), (c), (d), and (e) of this section, the Controller shall disburse from the Tax Fund to the appropriate account, without regard to fiscal year, the following:

(1) Reasonable costs incurred by the board for administering and collecting the taxes imposed by this part; provided, however, such costs shall not exceed 4 percent of tax revenues received.

(2) Reasonable costs incurred by the bureau, the Department of Consumer Affairs, the Department of Food and Agriculture, and the State Department of Public Health for implementing, administering, and enforcing Division 10 (commencing with Section 26000) of the Business and Professions Code to the extent those costs are not reimbursed pursuant to Section 26180 of the Business and Professions Code. This paragraph shall remain operative through the 2022–23 fiscal year.

(3) Reasonable costs incurred by the Department of Fish and Wildlife, the State Water Resources Control Board, and the Department of Pesticide Regulation for carrying out their respective duties under Division 10 (commencing with Section 26000) of the Business and Professions Code to the extent those costs are not otherwise reimbursed.

(4) Reasonable costs incurred by the Controller for performing duties imposed by the Control, Regulate and Tax Adult Use of Marijuana Act, including the audit required by Section 34020.

(5) Reasonable costs incurred by the Department of Finance for conducting the performance audit pursuant to Section 26191 of the Business and Professions Code.

(6) Reasonable costs incurred by the Legislative Analyst's Office for performing duties imposed by Section 34017.

(7) Sufficient funds to reimburse the Division of Labor Standards Enforcement and the Division of Occupational Safety and Health within the Department of Industrial Relations and the Employment Development Department for the costs of applying and enforcing

state labor laws to licensees under Division 10 (commencing with Section 26000) of the Business and Professions Code.

(b) The Controller shall next disburse the sum of ten million dollars (\$10,000,000) to a public university or universities in California annually beginning with the 2018–19 fiscal year until the 2028–29 fiscal year to research and evaluate the implementation and effect of the Control, Regulate and Tax Adult Use of Marijuana Act, and shall, if appropriate, make recommendations to the Legislature and Governor regarding possible amendments to the Control, Regulate and Tax Adult Use of Marijuana Act. The recipients of these funds shall publish reports on their findings at a minimum of every two years and shall make the reports available to the public. The bureau shall select the universities to be funded. The research funded pursuant to this subdivision shall include but not necessarily be limited to:

(1) Impacts on public health, including health costs associated with cannabis use, as well as whether cannabis use is associated with an increase or decrease in use of alcohol or other drugs.

(2) The impact of treatment for maladaptive cannabis use and the effectiveness of different treatment programs.

(3) Public safety issues related to cannabis use, including studying the effectiveness of the packaging and labeling requirements and advertising and marketing restrictions contained in the act at preventing underage access to and use of cannabis and cannabis products, and studying the health-related effects among users of varying potency levels of cannabis and cannabis products.

(4) Cannabis use rates, maladaptive use rates for adults and youth, and diagnosis rates of cannabis-related substance use disorders.

(5) Cannabis market prices, illicit market prices, tax structures and rates, including an evaluation of how to best tax cannabis based on potency, and the structure and function of licensed cannabis businesses.

(6) Whether additional protections are needed to prevent unlawful monopolies or anti-competitive behavior from occurring in the adult-use cannabis industry and, if so, recommendations as to the most effective measures for preventing such behavior.

(7) The economic impacts in the private and public sectors, including, but not necessarily limited to, job creation, workplace safety, revenues, taxes generated for state and local budgets, and criminal justice impacts, including, but not necessarily limited to, impacts on law enforcement and public resources, short and long term consequences of involvement in the criminal justice system, and state and local government agency administrative costs and revenue.

(8) Whether the regulatory agencies tasked with implementing and enforcing the Control, Regulate and Tax Adult Use of Marijuana Act are doing so consistent with the purposes of the act, and whether different agencies might do so more effectively.

(9) Environmental issues related to cannabis production and the criminal prohibition of cannabis production.

(10) The geographic location, structure, and function of licensed cannabis businesses, and demographic data, including race, ethnicity, and gender, of license holders.

(11) The outcomes achieved by the changes in criminal penalties made under the Control, Regulate and Tax Adult Use of Marijuana Act for cannabis-related offenses, and the outcomes of the juvenile justice system, in particular, probation-based treatments and the frequency of up-charging illegal possession of cannabis or cannabis products to a more serious offense.

(c) The Controller shall next disburse the sum of three million dollars (\$3,000,000) annually to the Department of the California Highway Patrol beginning with the 2018–19 fiscal year until the 2022–23 fiscal year to establish and adopt protocols to determine whether a driver is operating a vehicle while impaired, including impairment by the use of cannabis or cannabis products, and to establish and adopt protocols setting forth best practices to assist law enforcement agencies. The department may hire personnel to establish the protocols specified in this subdivision. In addition, the department may make grants to public and private research institutions for the purpose of developing technology for determining when a driver is operating a vehicle while impaired, including impairment by the use of cannabis or cannabis products.

(d) The Controller shall next disburse the sum of ten million dollars (\$10,000,000) beginning with the 2018–19 fiscal year and increasing ten million dollars (\$10,000,000) each fiscal year thereafter until the 2022–23 fiscal year, at which time the disbursement shall be fifty million dollars (\$50,000,000) each year thereafter, to the Governor's Office of Business and Economic Development, in consultation with the Labor and Workforce Development Agency and the State Department of Social Services, to administer a community reinvestments grants program to local health departments and at least 50 percent to qualified community-based nonprofit organizations to support job placement, mental health treatment, substance use disorder treatment, system navigation services, legal services to address barriers to reentry, and linkages to medical care for communities disproportionately affected by past federal and state drug policies. The office shall solicit input from community-based job skills, job placement, and legal service providers with relevant expertise as to the administration of the grants program. In addition, the office shall periodically evaluate the programs it is funding to determine the effectiveness of the programs, shall not spend more than 4 percent for administrative costs related to implementation, evaluation, and oversight of the programs, and shall award grants annually, beginning no later than January 1, 2020.

(e) The Controller shall next disburse the sum of two million dollars (\$2,000,000) annually to the University of California San Diego Center for Medicinal Cannabis Research to further the objectives of the center, including the enhanced understanding of the efficacy and adverse effects of cannabis as a pharmacological agent.

(f) By July 15 of each fiscal year beginning in the 2018–19 fiscal year, the Controller shall, after disbursing funds pursuant to subdivisions (a), (b), (c), (d), and (e), disburse funds deposited in the Tax Fund during the prior fiscal year into sub-trust accounts, which are hereby created, as follows:

(1) Sixty percent shall be deposited in the Youth Education, Prevention, Early Intervention and Treatment Account, and disbursed by the Controller to the State Department of

Health Care Services for programs for youth that are designed to educate about and to prevent substance use disorders and to prevent harm from substance use. The State Department of Health Care Services shall enter into interagency agreements with the State Department of Public Health and the State Department of Education to implement and administer these programs. The programs shall emphasize accurate education, effective prevention, early intervention, school retention, and timely treatment services for youth, their families and caregivers. The programs may include, but are not limited to, the following components:

(A) Prevention and early intervention services including outreach, risk survey and education to youth, families, caregivers, schools, primary care health providers, behavioral health and substance use disorder service providers, community and faith-based organizations, fostercare providers, juvenile and family courts, and others to recognize and reduce risks related to substance use, and the early signs of problematic use and of substance use disorders.

(B) Grants to schools to develop and support student assistance programs, or other similar programs, designed to prevent and reduce substance use, and improve school retention and performance, by supporting students who are at risk of dropping out of school and promoting alternatives to suspension or expulsion that focus on school retention, remediation, and professional care. Schools with higher than average dropout rates should be prioritized for grants.

(C) Grants to programs for outreach, education, and treatment for homeless youth and out-of-school youth with substance use disorders.

(D) Access and linkage to care provided by county behavioral health programs for youth, and their families and caregivers, who have a substance use disorder or who are at risk for developing a substance use disorder.

(E) Youth-focused substance use disorder treatment programs that are culturally and gender competent, trauma-informed, evidence-based and provide a continuum of care that includes screening and assessment (substance use disorder as well as mental health), early intervention, active treatment, family involvement, case management, overdose prevention, prevention of communicable diseases related to substance use, relapse management for substance use and other cooccurring behavioral health disorders, vocational services, literacy services, parenting classes, family therapy and counseling services, medication-assisted treatments, psychiatric medication and psychotherapy. When indicated, referrals must be made to other providers.

(F) To the extent permitted by law and where indicated, interventions shall utilize a two-generation approach to addressing substance use disorders with the capacity to treat youth and adults together. This would include supporting the development of family-based interventions that address substance use disorders and related problems within the context of families, including parents, foster parents, caregivers and all their children.

(G) Programs to assist individuals, as well as families and friends of drug using young people, to reduce the stigma associated with substance use including being diagnosed with a substance use disorder or seeking substance use disorder services. This includes

peer-run outreach and education to reduce stigma, anti-stigma campaigns, and community recovery networks.

(H) Workforce training and wage structures that increase the hiring pool of behavioral health staff with substance use disorder prevention and treatment expertise. Provide ongoing education and coaching that increases substance use treatment providers' core competencies and trains providers on promising and evidenced-based practices.

(I) Construction of community-based youth treatment facilities.

(J) The departments may contract with each county behavioral health program for the provision of services.

(K) Funds shall be allocated to counties based on demonstrated need, including the number of youth in the county, the prevalence of substance use disorders among adults, and confirmed through statistical data, validated assessments, or submitted reports prepared by the applicable county to demonstrate and validate need.

(L) The departments shall periodically evaluate the programs they are funding to determine the effectiveness of the programs.

(M) The departments may use up to 4 percent of the moneys allocated to the Youth Education, Prevention, Early Intervention and Treatment Account for administrative costs related to implementation, evaluation, and oversight of the programs.

(N) If the Department of Finance ever determines that funding pursuant to cannabis taxation exceeds demand for youth prevention and treatment services in the state, the departments shall provide a plan to the Department of Finance to provide treatment services to adults as well as youth using these funds.

(O) The departments shall solicit input from volunteer health organizations, physicians who treat addiction, treatment researchers, family therapy and counseling providers, and professional education associations with relevant expertise as to the administration of any grants made pursuant to this paragraph.

(2) Twenty percent shall be deposited in the Environmental Restoration and Protection Account, and disbursed by the Controller as follows:

(A) To the Department of Fish and Wildlife and the Department of Parks and Recreation for the cleanup, remediation, and restoration of environmental damage in watersheds affected by cannabis cultivation and related activities including, but not limited to, damage that occurred prior to enactment of this part, and to support local partnerships for this purpose. The Department of Fish and Wildlife and the Department of Parks and Recreation may distribute a portion of the funds they receive from the Environmental Restoration and Protection Account through grants for purposes specified in this paragraph.

(B) To the Department of Fish and Wildlife and the Department of Parks and Recreation for the stewardship and operation of state-owned wildlife habitat areas and state park units in a manner that discourages and prevents the illegal cultivation, production, sale, and use of cannabis and cannabis products on public lands, and to facilitate the

investigation, enforcement, and prosecution of illegal cultivation, production, sale, and use of cannabis or cannabis products on public lands.

(C) To the Department of Fish and Wildlife to assist in funding the watershed enforcement program and multiagency taskforce established pursuant to subdivisions (b) and (c) of Section 12029 of the Fish and Game Code to facilitate the investigation, enforcement, and prosecution of these offenses and to ensure the reduction of adverse impacts of cannabis cultivation, production, sale, and use on fish and wildlife habitats throughout the state.

(D) For purposes of this paragraph, the Secretary of the Natural Resources Agency shall determine the allocation of revenues between the departments. During the first five years of implementation, first consideration should be given to funding purposes specified in subparagraph (A).

(E) Funds allocated pursuant to this paragraph shall be used to increase and enhance activities described in subparagraphs (A), (B), and (C), and not replace allocation of other funding for these purposes. Accordingly, annual General Fund appropriations to the Department of Fish and Wildlife and the Department of Parks and Recreation shall not be reduced below the levels provided in the Budget Act of 2014 (Chapter 25 of the Statutes of 2014).

(3) Twenty percent shall be deposited into the State and Local Government Law Enforcement Account and disbursed by the Controller as follows:

(A) To the Department of the California Highway Patrol for conducting training programs for detecting, testing and enforcing laws against driving under the influence of alcohol and other drugs, including driving under the influence of cannabis. The department may hire personnel to conduct the training programs specified in this subparagraph.

(B) To the Department of the California Highway Patrol to fund internal California Highway Patrol programs and grants to qualified nonprofit organizations and local governments for education, prevention, and enforcement of laws related to driving under the influence of alcohol and other drugs, including cannabis; programs that help enforce traffic laws, educate the public in traffic safety, provide varied and effective means of reducing fatalities, injuries, and economic losses from collisions; and for the purchase of equipment related to enforcement of laws related to driving under the influence of alcohol and other drugs, including cannabis.

(C) To the Board of State and Community Corrections for making grants to local governments to assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act. The board shall not make any grants to local governments ~~which have banned the cultivation, including personal cultivation under paragraph (3) of subdivision (b) of Section 11362.2 of the Health and Safety Code, or~~ *that ban both indoor and outdoor commercial cannabis cultivation, or ban* retail sale of cannabis or cannabis products pursuant to Section 26200 of the Business and Professions Code or as otherwise provided by law.

(D) For purposes of this paragraph, the Department of Finance shall determine the allocation of revenues between the agencies; provided, however, beginning in the 2022–

23 fiscal year the amount allocated pursuant to subparagraph (A) shall not be less than ten million dollars (\$10,000,000) annually and the amount allocated pursuant to subparagraph (B) shall not be less than forty million dollars (\$40,000,000) annually. In determining the amount to be allocated before the 2022–23 fiscal year pursuant to this paragraph, the Department of Finance shall give initial priority to subparagraph (A).

(g) Funds allocated pursuant to subdivision (f) shall be used to increase the funding of programs and purposes identified and shall not be used to replace allocation of other funding for these purposes.

(h) Effective July 1, 2028, the Legislature may amend this section by majority vote to further the purposes of the Control, Regulate and Tax Adult Use of Marijuana Act, including allocating funds to programs other than those specified in subdivisions (d) and (f). Any revisions pursuant to this subdivision shall not result in a reduction of funds to accounts established pursuant to subdivisions (d) and (f) in any subsequent year from the amount allocated to each account in the 2027–28 fiscal year. Prior to July 1, 2028, the Legislature may not change the allocations to programs specified in subdivisions (d) and (f).

SEC. 5.

The Legislature finds and declares that this act furthers the purposes and intent of the Control, Regulate and Tax Adult Use of Marijuana Act, enacted as Proposition 64 of 2016.

SEC. 6.

This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

Attachment F-3

**PROPOSITION 64 PUBLIC HEALTH & SAFETY GRANT PROGRAM
COHORT 2 PROPOSALS RECOMMENDED FOR FUNDING**

**Proposals in Rank Order by County-Size Category
Total Available Funding: \$51,788,690**

Large County Request Category Proposals in Rank Order for Funding
Available Category Funding: \$10,357,738

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	City of Sacramento	\$999,555	\$999,555
2	City of Port Hueneme	\$998,126	\$998,126
3	City of Fresno with City of Mendota	\$1,958,057	\$1,958,057
4	City of San Diego	\$999,960	\$999,960
5	City of La Mesa	\$1,000,000	\$1,000,000
6	City of Oakland	\$997,694	\$997,694
7	City of Berkeley	\$1,000,000	\$1,000,000
8	City of Chula Vista	\$1,000,000	\$1,000,000
9	City of Pomona	\$1,000,000	\$1,000,000
10	City of Firebaugh	\$298,881	\$298,881
11	City of Encinitas*	\$275,702	\$105,465*

Medium County Request Category Proposals in Rank Order for Funding
Available Category Funding: \$10,357,738

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	Santa Barbara County	\$959,859	\$959,859
2	City of Merced	\$885,546	\$885,546
3	City of Woodlake	\$600,368	\$600,368

Small County Request Category Proposals in Rank Order for Funding
Available Category Funding: \$10,357,738

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	Nevada County	\$1,000,000	\$1,000,000
2	Inyo County	\$779,537	\$779,537
3	City of Nevada City	\$1,000,000	\$1,000,000
4	Mono County	\$814,798	\$814,798
5	Mendocino County	\$866,484	\$866,484
6	City of Mt. Shasta	\$836,977	\$836,977

Highest Rated Category Proposals Regardless of County Size
Available Category Funding: \$20,715,476

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	City of Encinitas*	\$170,237*	\$170,237
2	City of Palm Springs	\$1,000,000	\$1,000,000
3	City of Los Angeles	\$1,000,000	\$1,000,000
4	City and County of San Francisco	\$1,000,000	\$1,000,000

Attachment F-4

PROPOSITION 64 PUBLIC HEALTH & SAFELY GRANT PROGRAM
Cohort 2 Project Summaries (in alphabetical order)

City of Berkeley - \$1,000,000

Lead Public Agency: City of Berkeley

The City of Berkeley's Youth Together project consists of an awareness campaign focusing on: promoting healthy behaviors; prevention/intervention activities addressing substance abuse; delinquency and dropping out of school; and gang/gun violence. Programming will focus on working with at-risk youth under the age of 21 years and will be rooted in the Cultural Awareness/Cultural Response Approach, the Positive Youth Development Approach, and the Trauma-Informed Approach. Grant funds will also assist the city in developing youth-led, culturally competent cannabis education awareness campaigns. A collaboration of stakeholders (such as caregivers, community members, healthcare, law enforcement, etc.) will convene to help inform, monitor, and advise the project activities and the development of programs and partnerships which will provide the needed supports and services for youth who are involved in gang violence, have a history of incarceration, or have justice-involvement.

City of Chula Vista - \$1,000,000

Lead Public Agency: Chula Vista Police Department

The City of Chula Vista's Youth Mitigation and Cannabis Awareness project is aimed at youth education, youth prevention, and community education regarding cannabis use. The Chula Vista Police Department will work with a local non-governmental organization to assist with educating youth and community about cannabis. In addition, the project will focus on the legal and illegal cannabis industry. By combatting the illegal cannabis entities in the city, the project can keep the illegal cannabis industry from supplying the youth in the community with cannabis products. Along with combating the illegal operators, the project will also devote time to working with legal operators to ensure they are complying with city regulations and laws. By establishing partnerships with the its legal operators, the city can ensure those operators are focused on responsible business practices which should ensure their success going forward. With these goals in place, the city believes it can ensure a safer community and cannabis industry going forward.

City of Encinitas - \$275,702

Lead Public Agency: City of Encinitas

The City of Encinitas' Youth Development, Prevention, and Intervention Project will utilize evidence-based programming to teach youth under the age of 18 skills and relevant information in cannabis prevention. Programming will be executed through the Boys & Girls Clubs of San Dieguito and will draw on health and wellness education and drug refusal skill-building to facilitate healthy choices and behavior. Two evidence-based programs will be used: Healthy Habits and SMART Moves. These programs will be implemented in two Boys & Girls Clubs of San Dieguito Clubhouses within the City of

Encinitas, both areas having a majority of youth who are at-risk, low income, and within the immigrant population.

City of Firebaugh - \$298,881

Lead Public Agency: City of Firebaugh Police Department

The City of Firebaugh's Youth Outreach Project, Crime Prevention, and Marijuana Education will support a full-time Police Grant Officer to provide education to teens on the dangers and risks of cannabis use. Athletic sports are one of the primary ways that the Firebaugh Police Department will be able to engage local youth. The Grant Officer will build relationships with youth through engagement in outdoor activities, sports, education, and leadership development. The Officer will also conduct student and parent educational presentations at school events regarding the short- and long-term impacts of cannabis use. The project goals are to prevent local youth from using cannabis and to have a well-informed community on the dangers and risks of cannabis use.

City of Fresno - \$1,958,057

Lead Public Agency: City of Fresno Police Department

The City of Fresno in collaboration with the City of Mendota, and in partnership with the Fresno Economic Opportunities Commission (FEOC) and the Boys & Girls Club of Fresno County, will provide services to local youth and young adolescents on the impacts of the legalization of cannabis. The FEOC will provide job trainings/internships and conduct outreach in the City of Mendota. The Boys & Girls Club will provide a range of curriculums focusing on drug and gang prevention, personal choices/development, and academic support. Public Health will provide mental health and substance abuse services to the youth who reside in the City of Fresno and the rural community of the City of Mendota. Both cities will provide Community Services Officers to help build trust in their communities, conduct community outreach and education events, and act as liaisons between cannabis retailers and City Council.

City of La Mesa - \$1,000,000

Lead Public Agency: City of La Mesa

The City of La Mesa's Proposition 64 Public Health & Safety Grant project will be implemented to minimize the impact of the presence of cannabis and cannabis-related businesses on the city's youth and overall crime rates. Grant funds will be used to proactively address youth prevention and intervention, public health, and public safety through a partnership between the La Mesa Police Department, Code Enforcement, and Mending Matters (a school-based mental health organization). Efforts include: a Mending Matters clinician to provide evidence-based substance use education and intervention to High School students; a Code Enforcement Officer to ensure cannabis-related businesses are operating in compliance; a Police Officer to implement evidence-based outreach and education at Middle Schools, conduct parent/community education,

oversee social media messaging, and assist the Code Enforcement Officer with compliance issues; and procuring monitoring equipment for the Communication Center.

City of Los Angeles - \$1,000,000

Lead Public Agency: City of Los Angeles Department of Cannabis Regulation

The City of Los Angeles' Cannabis Progressive Enforcement and Public Information Campaign project will implement a media campaign intended to educate minors about the dangers of consuming cannabis and the general public of the risks associated with products sold and distributed by unauthorized/unlicensed operators. Additionally, grant funds will be used to support Los Angeles Police Department positions that will coordinate the City's progressive cannabis enforcement strategy and collect enforcement data. This data, along with fostering more efficient enforcement actions and outcomes, will be utilized in partnership with a university or other public research institute to conduct a robust analysis of cannabis enforcement-related activities within the City of Los Angeles and study racial disparities with the goal of identifying, assessing, and eliminating any disparities that may exist within the City's existing enforcement efforts.

City of Merced - \$885,546

Lead Public Agency: City of Merced

The City of Merced's Youth Mentorship Pilot project is a 3-year program that creates a collaboration between the City of Merced and Merced County, to serve at-risk youth through a three-month cannabis intervention program. Participants, ages 12-18, who either are referred to Probation or who violate their probation for cannabis will be potential candidates. There will be ten participants in the program at a time, allowing the program to intentionally serve up to 40 individuals each year. At the conclusion of the 3-month program, additional participation activities including youth mentorship and recreational activities, job training, and drug intervention, education, and treatment programs will be offered for the length of the 3-year pilot program for all participants. Project activities support the goals of engaging youth in their community, creating a community where youth feel adults care about them, reducing the number of youth using cannabis, and creating stronger peer groups oriented around healthy behaviors and decision making.

City of Mt. Shasta - \$836,977

Lead Public Agency: Mt. Shasta Police Department

The City of Mt. Shasta's Community Enhancement Program is a multi-pronged approach to address the impacts of cannabis legalization on young people, the community, and public health and safety. The Mt. Shasta Police Department in partnership with the Boys & Girls Club of Greater Shasta will implement youth-focused education programs that focus on mentorship, diversion, career skills, and drug education. In addition, much-needed code and law enforcement personnel resources will be expanded. This project supports the evolution of cannabis into a positive economic driver while diminishing criminal behavior.

The City of Nevada City - \$1,000,000

Lead Public Agency: City of Nevada City

The Nevada City Cannabis Health, Safety, and Compliance Project is a multi-stakeholder approach to provide effective and comprehensive mitigation to combat the potential impacts of cannabis on its residents, the community, and most importantly its youth, with a strong emphasis for schools. The project will hire a full-time School Resource Officer whose primary focus will be anti-cannabis outreach and education for youth. This Officer will focus on middle school students and engage them in cannabis-focused outreach and education as well as educational programs for teachers and parents. Additionally, the project includes procurement of surveillance cameras, computers, and safety equipment for public safety personnel. These items will assist individuals in their duties and assignments pertaining to cannabis business inspections and other cannabis-related contacts (volatile businesses or non-volatile). The project will also obtain a tracking, budgeting, and permitting system that will assist the city in organizing and maintaining files on cannabis related businesses.

The City of Oakland - \$997,694

Lead Public Agency: City of Oakland

The City of Oakland's Cannabis Awareness and Safety Project is a partnership of Oakland's Special Activity Permits Division (Cannabis Equity Program), the Oakland Police Department (OPD), the Oakland Unified School District (OUSD), the Public Health Institute, and East Oakland Youth Development Center (EOYDC). The project consists of three components: (1) a campaign to educate youth about cannabis with a goal of decreasing youth usage rate; (2) a campaign to inform consumers 21 years of age and over about safe cannabis use by encouraging these individuals to support equity-owned cannabis businesses in the regulated market; and (3) a series of security workshops for cannabis businesses.

The City of Palm Springs - \$1,000,000

Lead Public Agency: City of Palm Springs

The City of Palm Springs' Cannabis Education Center/SMART Move 4 Healthy Lifestyle project will focus on middle school and high school students to ensure the safe, healthy development of at-risk youth. Creating this Center will address the need to reduce cannabis use among youth, prevention, and diversion. The Center will provide education and resources as well as serve as a safe place for the youth of Palm Springs. The center will further serve as a venue for speakers, summits, and classes related to youth substance abuse education and prevention. The project will also target youth development/youth prevention and intervention by implementing a city-wide youth substance use and intervention effort through the Boys & Girls Club of Palm Springs.

The City of Pomona - \$1,000,000
Lead Public Agency: City of Pomona

The City of Pomona's Commercial Cannabis Public Health, Safety, and Youth Development project will specifically focus on addressing the impacts from its emerging Commercial Cannabis Permit Program. The grant program has three priorities. First, fund the creation of the first-of-its-kind public health coordinator position who will take a social determinants of public health model towards the impact of cannabis on the Pomona community. This individual will actively work towards improving the Commercial Cannabis Program and serve as the liaison between City and community stakeholders. Second, fund Community Services for after-school programs for Pomona's youth, specifically in its most vulnerable census tracts and adjacent to legal cannabis operators. Third, fund the increased capacity of Code Enforcement and Police to proactively enforce both illegal and legal cannabis operators citywide.

The City of Port Hueneme - \$998,126
Lead Public Agency: Port Hueneme Police Department

The City of Port Hueneme's Cannabis Enforcement and Teen Intervention Project is a multi-partner program that will offer intervention/prevention programs using effective strategies for youth ages 11-18 who have been cited or suspended from school for cannabis intoxication/possession and referred by police or school police resource officers. Through an expansion of the Boys & Girls Club of Oxnard and Port Hueneme's Brent's Club Program, youth will be referred to an 8-week, twice weekly program designed to hone youth decision-making and critical-thinking skills to ensure healthy choices and avoid and/or resist drugs, alcohol, tobacco, and premature sexual activity. The project will also provide strategic regulation and enforcement through the Port Hueneme Police Department's dispensary inspections, software audits, minor decoy operations, and Responsible Cannabis Server training courses.

The City of Sacramento - \$999,555
Lead Public Agency: Office of the City Manager

The City of Sacramento's #SacYouthWorks: Futures project (#Futures) will support youth in creating pathways to healthy futures and college/career success. The project builds on two successful local initiatives and integrates underage cannabis and substance use prevention education with work-based learning to respond to the youth and community needs emerging due to the legalization of adult use cannabis. #Futures will engage youth 14-19 years old in a 40-hour program (10 hours dedicated specifically to prevention education) with up to 10 hours of work-readiness training and a minimum of 20 hours committed to applied-service/work supporting city-wide prevention efforts or community needs. #Futures build on the strengths of the city's community-based organizations (CBOs) in connecting and responding to the needs of the most vulnerable youth. The project will create a network of CBOs that will guide small cohorts of youth through experiences and build capacity of community prevention efforts.

The City of San Diego - \$999,960

Lead Public Agency: City of San Diego Police Department

The City of San Diego's Youth Marijuana Use Prevention and Intervention project will dedicate grant funding to youth residing in two of the most economically disadvantaged and ethnically diverse neighborhoods in the city: City Heights and Southeastern. The grant will fund 1.5 full-time equivalent police officer positions to assist STAR/PAL (the partnering community-based organization) in implementing an evidence-based middle school mentoring curriculum, *Mentoring Youth for Tomorrow*, both at STAR/PAL and on school campuses. The curriculum includes leadership training, crime prevention, and substance abuse education. The positions will also allow the expansion of programming (*Life Skills* and *We Can*) to high school youth already involved with the juvenile justice system as well as educating parents and other adults in the community about the risks of youth cannabis use.

The City of Woodlake - \$600,368

Lead Public Agency: City of Woodlake

The City of Woodlake's Youth Development Program will partner with the Boys & Girls Club (BCC) in coordination with the Woodlake Unified School District. The BCC will be open daily for at least 4 hours per day and will operate out of Woodlake's Community Center. The BCC will provide a mix of "high yield activities" and curriculum-based programs for youth ages 12-18. All BCC programs will focus on three priority outcomes: 1) academic success – graduate from high school ready for college or trade school; 2) good character and citizenship – be an engaged citizen involved in the community and model strong character; and 3) healthy lifestyles – adopt a healthy diet, practice healthy lifestyle choices and make a lifelong commitment to fitness. These outcomes will be achieved through a variety of mentoring-based programs, service-based programs, and curriculum focused on substance abuse prevention as well as teaching leadership skills.

The City and County of San Francisco - \$1,000,000

Lead Public Agency: Office of the City Administrator

The City and County of San Francisco's (CCSF) Public Health and Safety Grant Program, through the Office of the City Administrator will assist with law enforcement efforts and other projects to address public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA). Grant funds will address: 1) Youth Development/Youth Prevention and Intervention; 2) Public Health; and 3) Public Safety. CCSF will partner with an organization to facilitate an outreach and educational campaign to mitigate youth substance use and addiction, and promote healthy behaviors. CCSF will create cross-departmental collaboration by leveraging grant funds to conduct additional inspections and enforcement of cannabis businesses, and abatement activities. CCSF will also leverage funds to conduct law and code enforcement activities. The grant will help pay for City partner services to mitigate the impacts of non-compliance.

The County of Inyo - \$779,537

Lead Public Agency: Inyo County Probation Department

Inyo County's Healing Through Outdoor Activities, Prevention, and Engagement project will partner the County Health and Human Services (HHS) Department and the Probation Department to build upon existing, successful youth prevention programs such as the outdoor adventure program, which will now include a peer leadership component and a peer mentoring program. Additionally, the project will provide area youth with other types of activities like art, music, farm-to-table, after-school enrichment, leadership, and life skills. The project aims to reduce the risk factors and raise the protective factors for underserved youth through evidence-based/promising programs that prevent substance use disorders in school-aged youth (elementary through high school) referred by school counselors/staff, HHS Behavioral Health, and other county programs.

The County of Mendocino - \$866,484

Lead Public Agency: Mendocino County Probation Department

The Mendocino County's Restorative Justice Youth Court project is a public/private partnership between Mendocino County Probation and the Arbor-Drug Free Communities Coalition, a Division of Redwood Community Services, Inc. Using youth-driven, restorative approaches based on Youth Court, the project will work with high-risk youth and young adults to advocate for restorative practices in schools, with law enforcement, and community-based organizations, providing trauma-informed alternatives to juvenile justice and suspension systems. Youth will participate in peer-with-peer support and mentorship activities to increase protective factors and independent living skills. To ensure equity of access to the project across the rugged rural areas of the county, services will be provided through a varied model of in person and virtual activities.

The County of Mono - \$814,798

Lead Public Agency: Mono County Probation Department

The Mono County's Mammoth Lakes After School Program (MLAP) targets the need for youth cannabis and substance use prevention and intervention programs. The grant will provide trauma informed education about the health impacts of youth cannabis use for 12 to 21-year old individuals, including their caregivers and schools. The project will create a safe environment for after-school activities such as academics, recreation, and program intervention, and will provide an objective evaluation of its programs on the reduction of youth referrals for cannabis use. Mono Probation will partner with the Mammoth School District to provide the location of the MLAP. Mono Probation will contract with a social worker for individual and family counseling and conduct intake assessments for all participating youth. Grant funding will be used for prevention and intervention program material, overtime salary for teachers and coaches providing direct assistance, mentor stipends, recreational equipment, and enrichment activities.

The County of Nevada- \$1,000,000

Lead Public Agency: Nevada County Superintendent of Schools Office

Nevada County's Local Impact of Prop 64 project partners the Superintendent of Schools, the Nevada Joint Union High School District, the Grass Valley City School District, the Nevada County Public Health, and the Nevada County Office of Education (Tobacco Use Prevention Education Program) to implement a peer-based Restorative Justice Program within the above school districts. The project includes establishing a peer-based Alternative to Suspension Program, an Alcohol and Drug Safety Skills Training (to be attended by students and their parents), a Youth Advocate Training program, and school/community educational trainings. The project will develop and implement a substance abuse intervention program. The goal of the project is to create a non-punitive collaboration of administrators, substance use counselors, and Youth Advocates who support students and provide intervention, support, and resources to keep youth in school.

The County of Santa Barbara- \$959,859

Lead Public Agency: Santa Barbara County Department of Behavioral Wellness

Santa Barbara County's Healthy Student Initiative (HSI) project will use a three-pronged approach to combat youth cannabis use. The Behavioral Wellness Department's Alcohol and Drug Program (ADP) will hire three Alcohol and Drug Services Specialists to assist with the development of Student Assistance Programs and peer leaders to provide prevention and early intervention in schools (virtual and in-person) with direct linkages to higher levels of care, as needed. ADP will also partner with the county Public Health Department for youth-driven social media campaigns to increase the perception of harm around cannabis use. In addition, ADP will partner with the Sheriff's Office to collaborate with School Resource Officers (SROs) when students face disciplinary action. HSI staff will facilitate educational opportunities about cannabis use to youth, parents, school staff, SROs, and community members.

Attachment F-5



Proposition 64 Public Health and Safety Grant Program

REQUEST FOR PROPOSALS COHORT 2

Eligible Applicants:
California Counties
California Cities

Grant Period: May 1, 2021 to April 30, 2024

RFP Released: November 20, 2020

Letters of Intent Due: December 18, 2020

Proposals Due: January 29, 2021



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CONFIDENTIALITY NOTICE

All documents submitted as a part of the Proposition 64 Public Health and Safety Grant Program proposal are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, §§ 6250 et seq.)

PART I: GRANT INFORMATION

Grant Program Background

In November of 2016, voters approved Proposition 64, the *Control, Regulate and Tax Adult Use of Marijuana Act* (AUMA). AUMA legalized the recreational use of marijuana in California for individuals 21 years of age and older. Proposition 64, in pertinent part, provides that a portion of the tax revenue from the cultivation and retail sale of cannabis or cannabis products will be appropriated:

To the Board of State and Community Corrections for making grants to local governments to assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act. The board shall not make any grants to local governments that ban both indoor and outdoor commercial cannabis cultivation, or ban retail sale of cannabis or cannabis products pursuant to Section 26200 of the Business and Professions Code or as otherwise provided by law.

Total funding available for this Cohort 2 Request for Proposals (RFP) is \$51,788,690. The total available grant funds in this RFP is contingent on timely deposits made available to the BSCC through the Proposition 64 Initiative (the Control, Regulate and Tax Adult Use of Marijuana Act) via the State and Local Government Law Enforcement Account in fiscal year 2020-21. Successful applicants will be funded for a three-year grant project cycle commencing on May 1, 2021 and ending on April 30, 2024.

Contact Information

This Request for Proposal (RFP) provides the information necessary to prepare a proposal to the BSCC for grant funds available through the Prop 64 PH&S Grant Program.

The BSCC staff cannot assist the applicant or its partners with the actual preparation of the proposal. Any technical questions concerning the RFP, the proposal process, or programmatic issues must be submitted by email to:
Prop64_Grant2@bscc.ca.gov.

The BSCC will accept and respond to questions about this RFP until January 29, 2021. Frequently asked questions and answers (FAQs) concerning the BSCC's RFP process and the Prop 64 solicitation will be posted on the BSCC website and updated periodically through January 29, 2021.

Bidders' Conference

Prospective applicants are invited – but not required – to attend a Bidders' Conference. The purpose of a Bidders' Conference is to answer technical questions from prospective bidders (applicants) and provide clarity on RFP instructions. There is no preference given to applicants who attend the Bidders' Conference. Details for the Bidders' Conference are listed below:

Proposition 64 Public Health and Safety Grant Program Cohort 2 Bidders' Conference

Thursday, December 10, 2020

1:00 p.m.

Via Zoom:

<https://us02web.zoom.us/j/81553919615?pwd=TW85d0hQRytzd0FhdjhJTHBBekJSUT09>

Meeting ID: 815 5391 9615

Passcode: 241480

We request that applicants who plan to attend the Bidders' Conference, RSVP by email with their name, title, and name of their agency/organization.

EMAIL RSVP to: Prop64_Grant2@bscc.ca.gov.

(Subject line: Prop 64 PH&S Grant Program Bidders' Conference)

Please note: The Prop 64 PH&S Grant Program Bidders' Conference will be recorded and posted to the BSCC website for future reference.

Lead Public Agency

All Prop 64 PH&S local government grantees are required to designate a Lead Public Agency (LPA) to serve as the coordinator for all grant activities. LPA means a governmental agency with local authority of or within that county or city. The applicant may choose to fill the role of LPA itself or it may designate a department, agency, or office under its jurisdiction to serve as the LPA. The role of the LPA is to coordinate with local government agencies and non-governmental organizations (if applicable) to ensure successful implementation of the grant program. The LPA is responsible for data collection and management, overseeing evaluative activities, and will serve as the primary point of contact with the BSCC.

Letter of Intent

Applicants interested in applying for the Prop 64 Cohort 2 PH&S Grant Program are asked, but are not required, to submit a non-binding Letter of Intent. These letters will aid the BSCC in planning for the proposal review process.

There is no formal template for the letter, but it should include the following information:

- Name of the Applicant (city, county, or city and county),
- Name of the lead public agency (LPA),
- A brief statement indicating the county or city's intent to submit a proposal, and
- Name of a contact person.

Failure to submit a Letter of Intent is not grounds for disqualification. Similarly, prospective applicants that submit a Letter of Intent and decide later not to apply will not be penalized.

Please submit your non-binding Letter of Intent by December 18, 2020 via email or U.S. mail, using one of the following submission options:

Email Responses: Prop64_Grant2@bscc.ca.gov
(Subject line: Prop 64 Grant Letter of Intent)

U.S. Mail Responses: Board of State and Community Corrections
Corrections Planning and Grant Programs Division
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833
Attn: Prop 64 Grant Letter of Intent

Proposal Due Date and Submission Instructions

The Proposition 64 Public Health and Safety Grant Program Proposal Package is provided at the end of this document and is provided in a fillable format. Using the Tab key will allow the applicant access to those areas requiring information. Applicants must submit one (1) electronic copy of the original signed proposal (e-signatures will be accepted) to the BSCC by **5:00 p.m. on January 29, 2021**.

A complete proposal package includes a scanned copy of the signed proposal and all required attachments as described on the Proposal Checklist (page 71).

Email the proposal package in a single email to: Prop64_Grant2@bscc.ca.gov.

If the BSCC does not receive an email containing the complete proposal package by 5:00 p.m. (PST) on January 29, 2021, the proposal will not be considered.

Eligibility for Funding

Eligible applicants must be local governments that have not banned both indoor and outdoor commercial cannabis cultivation, or retail sale of marijuana or marijuana products.

Local governments awarded Proposition 64 PH&S Grant funds in the previous RFP are ineligible to apply to this current solicitation.

For purposes of this RFP, the following definitions apply:

“Local governments” means cities, counties, and cities and counties in the State of California.

“Ban the cultivation” means

Regulations, ordinances, or amendments to local government charters that prohibit both the:

- indoor commercial cannabis cultivation (including mixed light cultivation), and
 - outdoor commercial cannabis cultivation,
- within the local government’s jurisdiction/authority that is not otherwise preempted by state law.

NOTE: Cultivation of cannabis is not banned by a local government if the local government restricts cultivation activities to specific locations pursuant to local zoning ordinances or if the local government requires licensure for specific commercial cannabis cultivation activities provided that such restrictions do not result in the prohibition of all indoor commercial cultivation, and outdoor commercial cannabis cultivation, activities within the local government’s jurisdiction/authority (see Appendix A).

“Ban retail sale” means

- Regulations, ordinances, or amendments to local government charters that prohibit the local establishment or local operation of any or all businesses licensed under Division 10 (commencing with Section 26000) of the Business and Professions Code.
- Businesses must be allowed to have a physical presence (i.e., brick and mortar location) within the local government’s jurisdiction/authority.

NOTE: Retail sale of cannabis is not banned by a local government if the local government restricts the retail sale of cannabis to specific locations pursuant to local zoning ordinances, or if the local government requires licensure for specific retail sales activities provided that such restrictions do not result in the prohibition of all retail sales in the local government’s jurisdiction/authority (see Appendix A).

Cannabis delivery services operating within the jurisdiction of a local government without a physical retail presence (i.e., brick and mortar location(s)) within that jurisdiction does not make the local government eligible for Prop 64 funding.

Local governments in California must meet the above eligibility criteria by January 29, 2021 to be considered for funding under this Prop 64 PH&S Cohort 2 Grant Program RFP and must maintain eligibility for the duration of the grant period.

Applicants are required to submit a Letter of Eligibility (as part of the RFP submittal process), detailing how the city, county, or city and county meets the above criteria, including the dates the regulations, ordinances, or amendments to local government charters became enacted/effective (see Appendix B). Jurisdictions *in the process* of legalizing the cultivation or retail sale of marijuana or marijuana products will be ineligible for current funding under this Prop 64 PH&S Cohort 2 Grant Program RFP.

Additionally, if a grant award is made to a city, county, or city and county (eligible at the time of award) but becomes ineligible post-award, the contract with the Grantee will be terminated and any remaining funds will cease to be disbursed for the rest of the contract term.

Grant Program Description

The purpose of this grant program is to fund projects that assist with law enforcement efforts, fire protection efforts, or other local projects addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA).

Eligibility to Apply

Eligible applicants for Prop 64 PH&S Grant Program awards are:

- California Counties – Applications must be submitted by the Board of Supervisors or the Chief County Administrative Officer;
- California Cities – Applications must be submitted by the City Council or the Administrative Office of the City;
- California City and County – Application must be submitted by the Board of Supervisors, the Chief Administrative Officer, or City Council;

In addition, counties and cities previously awarded Proposition 64 PH&S Grant monies are not eligible for Cohort 2 funding.

Eligible applicants **may not** submit more than one (1) proposal for funding consideration.

However, two (2) or more cities, two (2) or more counties, or a combination of two (2) or more cities and/or counties, may collaborate to submit a collaborative proposal. The jurisdictions comprising the collaborative application are not required to be contiguous. Each city or county involved in a collaborative proposal **may not** apply for an individual proposal nor be part of another collaborative proposal. All applications submitted under a collaborative basis must meet the following criteria:

1. One city or county **must** be clearly designated as the lead applicant, that city or county must submit the application, and that city or county is responsible for all aspects of grant administration and management.

2. Every city or county involved in the collaborative proposal **must** be eligible for funding per the eligibility criteria identified on page 3 of this RFP.
3. Every city or county involved in the collaborative proposal **must** submit a resolution from its City Council or Board of Supervisors indicating support of the collaborative effort and identifying its role(s) and responsibility(ies) relative to the grant.

Eligible Activities

Applicants must propose activities/strategies that fall within the four (4) Project Purpose Areas (PPAs) defined below. Applicants may either implement new activities, strategies, or programs, *OR* expand existing activities, strategies, or programs (without the supplantation of funds – see Supplanting definition on page 12).

All project components and activities must link to the intent of the Prop 64 PH&S Initiative - local impacts due to the legalization of cannabis in California.

All applicants **must** address PPA 1 (Youth Development/Youth Prevention and Intervention) and are required to budget a minimum of ten percent (10%) of requested grant funds for this area. However, should a jurisdiction determine a greater need for PPA 1, applicants may budget up to the full requested grant (i.e., 100% requested in grant funds) for this area.

For the purposes of this RFP, youth are defined as under the age of 21 (i.e., individuals not of legal age to use and purchase cannabis products).

In addition to PPA 1 (Youth Development/Youth Prevention and Intervention), applicants may also identify and address one (1) or more of the other PPAs listed below as it relates to the local impact of legalizing cannabis. Project activities, strategies, and programmatic efforts may overlap within the listed PPAs. Each identified PPA activity, strategy, and programmatic effort does not have to relate to another identified PPA need(s). All project activities, strategies, and programmatic efforts must be associated with the implementation of AUMA (i.e., local impacts due to the legalization of cannabis in California).

Prop 64 PH&S Grant Program Project Purpose Areas (PPAs)

PPA 1: Youth Development/Youth Prevention and Intervention

This PPA is a mandatory component for the local Prop 64 PH&S Grant Project.

- Youth development programs should be designed to improve the lives of children and adolescents by meeting their basic physical, developmental, and social needs and by helping them to build the competencies needed to become successful adults.
- Youth Prevention and Intervention programs should address preventing youth substance use and addiction and/or intervening to promote healthy behaviors and environments while minimizing illness, injury, and other harms associated with substance use. Approaches may include preventing exposure, preventing youth

from progressing from substance use to misuse, and preventing the onset of addiction, overdose, and other harms associated with misuse.

Youth development/youth prevention and intervention programs should be trauma-informed, culturally relevant, developmentally appropriate, community-driven, and promising / evidence-based (refer to Appendix A and Appendix C). These programs are intentional, prosocial approaches that engage youth within their communities, schools, organizations, peer groups, and families in a manner that is productive and constructive; recognizes, utilizes, and enhances young people's strengths; and promotes positive outcomes for young people by providing opportunities, fostering positive relationships, and furnishing the support needed to build on their strengths. Programs for youth should increase the individual's protective factors (e.g., positive family support; caring adults; positive peer groups; strong sense of self/self-esteem, and engagement in school and community activities).

Activities that may be funded include but are not limited to: peer mentoring or community-based mentoring; job training/apprenticeships; substance use education; substance use treatment; prosocial activities; juvenile record expungement; and youth outreach programs.

PPA 2: Public Health

Public health refers to activities for protecting the safety and improving the health of communities through education, policy/infrastructure making, and research for the safety of the community.

Activities that may be funded include but are not limited to: public health training and education; public information and outreach; inspection and enforcement of cannabis businesses; behavioral and mental health treatment; cannabis product safety; testing/safety equipment; pesticide impact efforts; drinking and waste water system updates; air quality efforts; and other environmental-system updates.

PPA 3: Public Safety

Public Safety refers to the welfare and protection of the general public, including but not limited to the prevention and protection of the public from dangers affecting safety such as crimes, disasters, or impacts due to the legalization of cannabis.

Activities that may be funded include but are not limited to: public information and outreach; training efforts; law enforcement; code enforcement; community planning or development efforts; cannabis delivery compliance, protective safety equipment; update to technology systems (track & trace); transportation impacts, water storage issues; fire protection; fuel mitigation and/or fuel reduction; and wildland/urban interface planning and implementation.

PPA 4: Environmental Impacts

Environmental impact refers to the prevention of human injury, and promoting well-being by identifying and evaluating environmental resources and hazardous agents by limiting exposures to hazardous physical, chemical, and biological agents in air, water, soil, food, and other environmental media or settings that may adversely affect human health.

Activities that may be funded include but are not limited to: technology/software; odor abatement; nuisance abatement; forest management; hazardous clean-up; sediment testing; water systems and storage; cultivation code enforcement; aquatic protections; fire protections; and pesticide impacts.

General BSCC Grant Requirements

Grant Agreement

Applicants approved for funding by the BSCC are required to enter into a Grant Agreement with the BSCC. Grantees must agree to comply with all terms and conditions of the Grant Agreement. See Appendix D for a sample contract (State of California: Contract and General Terms and Conditions).

The Grant Agreement start date is expected to be May 1, 2021. Grant Agreements are considered fully executed only after they are signed by both the Grantee and the BSCC. Work, services, and encumbrances should not begin prior to the Grant Agreement start date. If a grantee chooses to incur costs for reimbursement, any work, services, and encumbrances which occur after the start date but prior to grant agreement execution may not be reimbursed. Grantees are responsible for maintaining their Grant Agreement, all invoices, records, and relevant documentation for at least three (3) years after the final payment under the contract.

Governing Board Resolution

Local governmental applicants must submit a resolution from their governing board addressing specified requirements as included in the sample Governing Board Resolution, which can be found in Appendix E. A signed resolution is not required at the time of proposal submission; however, grant recipients must have a resolution on file for the Prop 64 PH&S Grant before a fully executed grant agreement can be completed.

Funding Awards

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. The State Controller's Office (SCO) will issue the warrant (check) to the individual designated on the application form as the Financial Officer for the grant. Grantees must submit invoices to the BSCC on a quarterly basis through the online process no later than 45 days following the end of each quarter. Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct a desk review process which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period and on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

Audit Requirements

Grantees are required to provide the BSCC with a financial audit no later than the end of the contract term (October 31, 2024). The financial audit shall be performed by a Certified Public Accountant or a participating county or city auditor that is organizationally independent from the participating county or city's project financial management functions. Expenses for this final audit may be reimbursed for actual costs up to \$25,000.

In addition, the BSCC reserves the right to call for a program or financial audit at any time between the execution of the grant agreement and three (3) years following the end of the grant period.

The Department of General Services, the Bureau of State Audits, Department of Finance, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this grant.

Quarterly Progress Reports

Grant award recipients are required to submit quarterly progress reports (QPRs) to the BSCC. QPRs are a critical element in BSCC's monitoring and oversight process. Grantees who are unable to demonstrate that they are making sufficient progress toward project goals and objectives and show that funds are being spent in accordance with the Grant Agreement could be subject to the withholding of funds. Once grants are awarded, the BSCC will work with grantees to create custom QPRs.

Grantee Orientation Process

Following the start of the grant period, BSCC staff will conduct a Grantee Orientation (at a date to be determined later). The purpose of this mandatory training is to review the program requirements, invoicing and modification processes, data collection and reporting requirements, evaluation requirements, as well as other grant management and monitoring activities. Typically, the Project Director, Financial Officer, and Day-to-Day Contact must attend. If an in-person training is scheduled, Grant recipients may use Prop 64 PH&S Grant funds for travel-related expenditures such as airfare, mileage, meals, lodging, and other per diem costs. Applicants should include potential travel costs in the budget section of the proposal under the "Other" category for this event.

Travel

Travel is usually warranted when personal contact by project staff is the most appropriate method of conducting project-related business. Travel to and from training conferences may also be allowed. The most economical method of transportation, in terms of direct expenses to the project and the employee's time away from the project, must be used. Projects are required to include sufficient per diem and travel allocations for project-related personnel, as outlined in the Grant Agreement, to attend any mandated BSCC training conferences or workshops outlined in the terms of the program.

Units of Government

Units of government may follow either their own written travel and per diem policy or the State's policy. Units of government that plan to use cars from a state, county, city, district carpool, or garage may budget either the mileage rate established by the carpool or garage, or the state mileage rate, not to exceed the loaning agency rate.

Non-Governmental Organizations (NGOs)

An NGO receiving BSCC funds must use the California State travel and per diem policy, unless the grantee's written travel policy is more restrictive than the State's, in which case it must be used. Reimbursement is allowed for the cost of commercial carrier fares, parking, bridge, and road tolls, as well as necessary taxi, bus, and streetcar fares. This policy applies equally to NGOs that receive grant funds directly from the BSCC and those that receive grant funds indirectly through a subcontract with another NGO that received a BSCC grant award.

Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Grantees must receive written BSCC approval prior to incurring expenses for out-of-state travel. Even if previously authorized in the Grant Award, grantees must submit to the BSCC a separate formal request (on grantee letterhead) for approval. Out-of-state travel requests must include a detailed justification and budget information.

In addition, California prohibits travel, except under specified circumstances, to states that have been found by the California Attorney General to have discriminatory laws. The BSCC will not reimburse for travel to these states unless the travel meets a specific exception under Government Code section 11139.8, subdivision (c). For additional information, please see: <https://oag.ca.gov/ab1887>.

Debarment, Fraud, Theft, or Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the BSCC will not enter into contracts or provide disbursements or reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three (3) years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the grant contract.

The BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

All applicants must complete Appendix F certifying they are in compliance with the BSCC's policies on debarment, fraud, theft, and embezzlement.

Compliance Monitoring Visits

BSCC staff will conduct periodic monitoring of each project to assess whether the project is in compliance with grant requirements and making progress toward grant objectives. As needed, monitoring visits may also occur to provide technical assistance on fiscal, programmatic, evaluative, and administrative requirements. For your reference, a sample monitoring visit checklist is contained in Appendix G.

Project Funding Information

Grant Period

Successful proposals will be funded for a three-year grant project cycle commencing on May 1, 2021 and ending on April 30, 2024.

However, additional time (May 1, 2021 through October 31, 2024) is included in the term of the contract for the sole purposes of:

- 1) Finalizing and submitting a required Local Evaluation Report, and
- 2) Finalizing and submitting a required financial audit.

Funding Amount

A total of \$51,788,690 in state funding is available for local projects through this RFP, contingent on timely deposits to the BSCC through the Proposition 64 Initiative (the Control, Regulate and Tax Adult Use of Marijuana Act) via the State and Local Government Law Enforcement Account. The maximum amount for which any eligible single applicant may apply is \$1 million. Eligible collaborative applicants may submit one (1) proposal for a maximum of \$2 million, regardless of the number of local government partners collaborating on the application.

Applicants are encouraged to request only the amount of funds needed to support their proposal and the amount that can be justified with supporting documentation/information. All applicants must build their proposal, objectives, activities, timelines, and budget information for all three (3) years of the grant cycle. For example, if a single applicant is requesting the maximum award amount of \$1,000,000, the budget detail must clearly illustrate how that \$1,000,000 will be allocated across the entire three (3) years (see Budget Section for instructions).

All project components and activities must link to the intent of the Prop 64 PH&S Initiative - local impacts due to the legalization of cannabis in California.

Funding Distribution and Funding Thresholds

The total available funding of \$51,788,690 will be awarded within four categories and applicants will only compete with other applicants within that category. Recognizing that different sized jurisdictions have different capacities, resources, and needs, these categories were established so a percentage of the overall available funding will be set aside for small, medium, and large counties (and cities within those counties). The categories and amounts available for each are as follows:

1. Small counties, and all cities within those counties, will compete for 20 percent (20%) of the total Prop 64 PH&S grant funds, which equates to \$10,357,738.
2. Medium counties, and all cities within those counties, will compete for 20 percent (20%) of the total Prop 64 PH&S grant funds which equates to \$10,357,738.
3. Large counties, and all cities within those counties, will compete for 20 percent (20%) of the total Prop 64 PH&S grant funds which equates to \$10,357,738.

The categorization of counties as small, medium, or large is based on county population figures published by the California Department of Finance (see Appendix H). Cities will be categorized based on the county they are located.

The remaining 40 percent (40%) of the total Prop 64 PH&S grant funds will be used to fund the overall highest-rated proposals not funded through the small, medium, and large county set-aside categories.

4. The highest rated proposals that did not receive an award under the above categories will compete for the remaining 40 percent (40%), or \$20,715,476, regardless of county size category.

Funds in the small, medium, and large categories will be awarded first. Should there be a proposal that is only partially funded through a county-size category due to not having sufficient funds for a full proposal request, those proposals will be fully funded first using funds within the 40 percent (40%) category.

If there are not sufficient qualified applicants in any set-aside county-size category to exhaust all funds, those funds will be used to augment the 40 percent (40%) highest-rated category.

Minimum Score

Applicants must receive at least **50%** of the total points available to be considered for funding (i.e., qualified applicants). See Rating Factors, page 16.

Match Requirement

The Prop 64 PH&S Grant Program does not require matching and/or leveraged funds.

Supplanting

Supplanting is the deliberate reduction in the amount of federal, state, or local funds being appropriated to an existing program or activity because grant funds have been awarded for the same purposes.

Supplanting is strictly prohibited for all BSCC grants. BSCC grant funds shall be used to support new program activities or to augment existing funds which expand current program activities. BSCC grant funds shall not be used to replace existing funds.

It is the responsibility of the Grantee to ensure that supplanting does not occur. The Grantee must keep clear and detailed financial records to show that grant funds are used only for allowable costs and activities.

Project Evaluation Requirements

In addition to quarterly progress reports (QPRs), projects selected for funding will be required to submit to the BSCC: (1) a Local Evaluation Plan and (2) a Local Evaluation Report.

Local Evaluation Plan - The purpose of the Local Evaluation Plan (LEP) is to ensure that projects funded by the BSCC can be evaluated. Applicants will be expected to include a detailed description of how they plan to assess the effectiveness of the proposed program in relation to each of its goals and objectives identified in the proposal. The LEP should describe the evaluation design or model that will be used to evaluate the effectiveness of the project component(s), with the project goals and the objectives clearly stated. Applicants should include criteria for both process and outcome evaluations. Once submitted, any modifications to the LEP must be approved in advance by the BSCC. More detailed instructions on the LEP will be made available to successful applicants. See Appendix I for a sample of evaluation components.

Local Evaluation Report - Following project completion, grantees are required to complete a final Local Evaluation Report (LER) which must be in a format prescribed by the BSCC. The purpose of the final LER is to determine whether the overall project was effective in meeting the goals laid out in the LEP. To do this, the grantee must assess and document the effectiveness of the activities that were implemented. These activities should have been identified in the previously submitted LEP. More detailed instructions on the LER will be made available to successful applicants.

Applicants are strongly encouraged to identify research partners early on and include them in the development of the proposal, to better ensure that the goals and objectives listed in the proposal are realistic and measurable. Applicants are also strongly encouraged (but not required) to use outside evaluators to ensure objective and impartial evaluations. Specifically, applicants are encouraged to partner with state universities or community colleges for evaluations. Evaluation planning, oversight, and reporting activities may be funded by the Prop 64 PH&S Grant Program monies and should be identified within the applicant's proposed budget.

BSCC Executive Steering Committee Process

Prop 64 PH&S Grant Program Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees (ESCs) and Advisory Groups to inform decision-making related to the Board's programs. These committees are composed of subject matter experts and stakeholders representing both the public and private sectors. The BSCC makes every attempt to include diverse representation on its ESCs and Advisory Groups - in breadth of experience, geography, and demographics. ESCs are convened and approved by the BSCC Board, as the need arises, to carry out specified tasks including the development of RFPs for grant funds. The Board then approves, rejects, or revises those recommendations. Members of ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

The Prop 64 PH&S Grant Program ESC included subject matter experts on education, public health and safety, environmental impacts, law enforcement, fire protection, cannabis licensing and cultivation, substance use, mental health, and the criminal and juvenile justice systems. A list of ESC members can be found in Appendix J.

Prop 64 PH&S Grant Program Scoring Panel

The BSCC will be using a Scoring Panel process to complete the reading and rating of proposals, and to develop scoring recommendations for the BSCC Board.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party who participated on the above referenced Prop 64 PH&S Grant Program Scoring Panel from receiving funds from the grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Prop 64 PH&S Grant Program Scoring Panel membership roster and ensuring that no grant dollars are passed through to any entity represented by any member of the Scoring Panel. Scoring Panel membership will be posted to the BSCC website no later than January 2021.

Overview of the RFP Process

Confirmation of Receipt of Proposal

Upon submission of a proposal, applicants will receive a confirmation response from the BSCC stating the proposal has been received.

Disqualification – **PLEASE READ THOROUGHLY**

“Disqualification” means the proposal will not move forward to the Scoring Panel for the Proposal Rating Process and, therefore, will NOT be considered for funding under this grant.

The following will result in a **disqualification**:

- The applicant is not a county or a city in California.
- The applicant is currently receiving a Prop 64 PH&S Grant award.
- The applicant does not meet the eligibility criteria for the Prop 64 PH&S Grant funding (see Eligibility for Funding, page 3).
- The funding request for a single application is more than \$1 million.
- The funding request for a collaborative application is more than \$2 million.
- An electronic version of the complete proposal package is not received by 5:00 p.m. on Friday, January 29, 2021.
- The complete proposal package was not submitted using the BSCC Prop 64 PH&S Grant Program proposal template as provided at the end of this document including the narrative section formatting requirements set within the template:
 - Arial 12-point font
 - One-inch margins on all four sides
 - 1.5-line spacing
- The complete proposal package does not contain all required sections and attachments (e-signatures will be accepted in place of originals):
 - Coversheet - accurately completed
 - Prop 64 PH&S Grant Program Checklist - completed and signed in blue ink
 - Applicant Information Form - completed and signed in blue ink
 - Proposal Abstract
 - Proposal Narrative (Project Need, Project Description, & Project Evaluation)
 - Project Work Plan
 - Budget Table & Narrative
 - Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement (Appendix F) – completed and signed
 - Criteria for Non-Governmental Organizations Receiving Prop 64 PH&S Grant Funds (Appendix K) – completed and signed
 - Letter of Eligibility
 - Letter(s) of Commitment
- The Proposal Abstract exceeds the maximum limit of one (1) numbered page.
- The Proposal Narrative Section (Project Need, Project Description, & Project Evaluation) exceeds the maximum limit of eight (8) numbered pages.
- The Proposal Narrative Section contains footnotes, tables, graphs, charts, graphics and/or website links. (Note: two (2) additional pages are allowed for the above. See page 21 for instructions.)
- The Project Workplan is not on the template provided.

- The Project Workplan exceeds the maximum limit of two (2) numbered pages.
- The Budget Table exceeds the maximum limit of one (1) numbered page.
- The Budget Narrative exceeds the maximum limit of four (4) numbered pages.

Rating Process

Unless disqualified, proposals will advance to the Proposal Rating Process. The Prop 64 PH&S Grant Program Scoring Panel members will read and rate each proposal in accordance with the prescribed rating factors listed in the table below.

The Scoring Panel members will base their scores on how well an applicant addresses the items listed under each rating factor within the Proposal Narrative and Budget. Scoring Panel ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the funding recommendations. It is anticipated the BSCC Board will act on the recommendations at its meeting on April 8, 2021. Applicants and partners are not to contact members of the Scoring Panel nor the BSCC Board to discuss proposals.

Rating Factors

The Rating Factors to be used and the maximum points assigned to each factor are shown in the table below. Applicants are asked to address each of these factors as a part of their proposal. The ESC assigned a percent value to each of the Rating Factors, correlating to its importance (see Percent of Total Value column).

Prop 64 PH&S Grant Program Rating Factors and Point Values

	Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
1	Project Need	0 - 5	25%	50
2	Project Description	0 - 5	50%	100
3	Project Evaluation	0 - 5	15%	30
4	Project Budget	0 - 5	10%	20
Maximum Rating Factor Score:			100%	200

Raters will score an applicant's response in each of the Rating Factor categories on a scale of 0-5, according to the Sample Scoring Rubric shown below. Each rating factor score is then weighted according to the "Percent of Total Value" column (determined by the ESC) associated with each Rating Factor to arrive at the final Weighted Score for each Rating Factor and then added together for a final overall proposal score.

Threshold/Minimum Score

A proposal must meet a threshold of **50%**, or minimum score of **100** total points to be considered for funding. Total points equal the weighted score plus preference points.

Scoring Rubric for 0-5 Point Range

Not Responsive 0	Poor 1	Fair 2	Satisfactory 3	Good 4	Excellent 5
The response fails to address the criteria.	The response addresses the criteria in a very inadequate way.	The response addresses the criteria in a non-specific or unsatisfactory way.	The response addresses the criteria in an adequate way.	The response addresses the criteria in a substantial way.	The response addresses the criteria in an outstanding way.

PART II: PROPOSAL INSTRUCTIONS AND RATING FACTORS

The following section contains pertinent information on how to complete the Request for Proposal package for the Prop 64 PH&S Cohort 2 Grant Program. Submittal instructions are contained in Part I, page 3.

- Proposal Abstract
- Proposal Narrative Sections
 1. Project Need
 2. Project Description
 3. Project Evaluation
- Project Workplan
- Project Budget Table and Budget Narrative
- Additional Request for Proposals Information, if applicable
- Required Request for Proposals Attachments
 1. Letter(s) of Commitment
 2. Letter of Eligibility
 3. Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement
 4. Criteria for Non-Governmental Organizations Receiving Prop 64 PH&S Grant Funds

***** THE REQUEST FOR PROPOSAL PACKAGE CAN BE FOUND AT THE END OF THIS ENTIRE DOCUMENT. THE PROPOSAL TEMPLATE IS PROVIDED IN A FILLABLE FORMAT. USING THE TAB KEY WILL ALLOW THE APPLICANT ACCESS TO THOSE AREAS REQUIRING INFORMATION. *****

Proposal Abstract

Instructions: The Proposal Abstract should provide a brief summary of the proposed project. The Proposal Abstract must be submitted using the BSCC Prop 64 PH&S Cohort 2 Grant Program proposal template (a locked, fillable form) provided at the end of this document (Arial 12-point font with one-inch margins on all four sides and at 1.5-line spaced) and cannot exceed **one (1) numbered page** in length. This section will not be included in the rating of the Proposal.

Proposal Narrative

The Proposal Narrative should address the Project Need, Project Description, and Project Evaluation, using each of the section headers exactly as provided in the proposal template (a locked, fillable form). The Proposal Narrative must be submitted using the BSCC Prop 64 PH&S Grant Program proposal template provided at the end of this document (Arial 12-point font with one-inch margins on all four sides and at 1.5-line spaced) and cannot exceed **eight (8) numbered pages** in length.

Footnotes are not allowable within the Proposal Narrative section. Sources cited must be included within Proposal Narrative or may be referenced within the Additional RFP Information attachment.

It is up to the applicant to determine how best to use the 8-page limit in addressing each RFP section. If these narrative sections total more than eight (8) pages in length, the application will be disqualified (see page 14).

Do not include any of the following within your narrative:

- Footnotes
- Tables;
- Graphs;
- Charts;
- Graphics; or
- Website links.

The 8-page limitation for these sections does not include the following mandatory items:

- The Cover Sheet;
- The Proposal Checklist;
- The Applicant Information Form;
- The Project Abstract;
- The Project Work Plan;
- The Budget Table and Budget Narrative; nor
- Other required attachments (see Proposal Checklist).

Within each narrative section, address the following bulleted items in a cohesive, comprehensive, and concise narrative format.

Rating Criteria for Project Need

Percent of Total Value: 25%

Address the rating factor for Project Need in narrative form as defined below. The response will be evaluated with a single rating based on a scale of 0-5.

Project Need: The applicant articulated a need that is pertinent to the intent of the grant program. The elements that are to comprise the Project Need are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed (when applicable), it is the quality of the response to each that is to be evaluated.

1.1	Describe the need(s) related to the impact of the passage of Proposition 64.
1.2a	Demonstrate how the need(s) is related to Project Purpose Area (PPA) 1 - Youth Development/Youth Prevention and Intervention.
1.2b	Demonstrate how the need(s) is related to other PPA(s) selected (if applicable).
1.3	Describe why the need(s) described above is not met with existing resources.
1.4	Provide relevant qualitative and/or quantitative data with citations in support of the need(s).
1.5	Describe the process that was used to determine the need(s), including soliciting input from key stakeholders (e.g., community, public, private).

Rating Criteria for Project Description

Percent of Total Value: 50%

Address the rating factor for Project Description in narrative form as defined below. The response will be evaluated with a single rating based on a scale of 0-5.

Project Description: The applicant provided a description of the project that is related to the identified need and the intent of the grant program. The elements that are to comprise the Project Description are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that is to be evaluated.

2.1	<p>Describe the proposed project that will address the need(s) discussed in the Project Needs section. The description should:</p> <ul style="list-style-type: none"> • Describe the components of the proposed project linked to the mandatory PPA 1 – Youth Development/Youth Prevention and Intervention. • Describe the components of the proposed project linked to other PPAs selected (if applicable). • Describe the target area and/or population which will be the focus of the project, including how and why it was selected. • If applicable, provide an estimate of how many individuals will be served and the process for determining which services/activities an individual/group will receive.
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Project Description: The applicant provided a description of the project that is related to the identified need and the intent of the grant program. The elements that are to comprise the Project Description are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that is to be evaluated.	
2.2	Provide rationale to support the selection of the proposed project which includes relevant evidence or research supporting its use to address the need as described in the Project Need section (include citations if appropriate).
2.3	Describe the extent to which the proposed project will utilize existing resources or projects.
2.4	Describe the experience, staffing, and/or partnerships your organization will use to implement the proposed project [include partners' Letter(s) of Commitment, if applicable]. If partners are to be selected after the grant is awarded, then specify the process and criteria for selecting those partners.
2.5	Provide a Project Work Plan (Appendix L- Sample) that: <ul style="list-style-type: none"> Identifies the project's goals and measurable objectives (see Appendix A for definitions) that address PPA 1 and other selected PPAs (if applicable) that are related to the need and intent of the grant. Identifies how the goals will be achieved in terms of the activities, responsible staff/partners, and start and end dates. Is appropriate to the proposed project.

Rating Criteria for Project Evaluation

Percent of Total Value: 15%

Address the rating factor for Project Evaluation in narrative form as defined below. The response will be evaluated with a single rating based on a scale of 0-5.

Project Evaluation: The applicant described how it will evaluate the effectiveness of the proposed project. The elements that are to comprise the Project Evaluation are listed below. Addressing each element does not in itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that is to be evaluated.	
3.1	Describe a plan to determine the staff and/or entity that will conduct the project evaluation and how evaluation activities will be incorporated in the various phases of the project (e.g., implementation, service delivery period).
3.2	Identify process and outcome measures that are quantifiable and in line with the intent of the grant.
3.3	Describe a reasonable plan for monitoring the project to ensure that the project components are implemented as intended.
3.4	Describe a preliminary plan for how to collect and evaluate baseline and outcome data related to the outcome measures. Provide for data sharing agreements, if necessary.
3.5	Describe a research design or methodology that will allow for an assessment of whether the strategy that was implemented achieved the intended outcomes.

Proposal Budget

Rating Criteria for Project Budget

Percent of Total Value: 10%

Address the rating factor for Project Budget in narrative form as defined below. The response will be evaluated with a single rating based on a scale of 0-5.

Project Budget: The applicant provided budget information for the proposed project. The elements that are to comprise the Project Budget are listed below. Addressing each element does not itself merit a high rating; rather, although each element is to be addressed, it is the quality of the response to each that is to be evaluated.

4.1	Provide a complete Budget Table that is appropriate for the proposed project.
4.2	Provide budget narrative that relates the expenses to the proposed project and is inclusive of all project components and the selected PPA(s).

As part of the application process, applicants are required to submit the RFP Budget Table and Narrative using the BSCC Prop 64 PH&S Grant Program proposal template provided at the end of this document (Arial 12-point font with one-inch margins on all four sides and at 1.5-line spaced).

- The Budget Table cannot exceed **one (1) numbered page** in length.
- The Budget Narrative cannot exceed **four (4) numbered pages** in length.

The Budget sections must be filled out completely and accurately. Applicants are solely responsible for the accuracy and completeness of the information entered in the Budget Section. All project costs must be directly related to the objectives and activities of the project demonstrating how the funds will be used to address the local need(s) due to the impact of legalizing cannabis in California. The Budget Table must cover the entire 3-year grant period.

For additional guidance related to grant budgets, refer to the *July 2020 BSCC Grant Administration Guide*, found under Quick Links on the Corrections Planning and Grant Programs home page: http://www.bscc.ca.gov/s_correctionsplanningandprograms/

Additional RFP Information

Applicants may include a maximum of two (2) additional numbered pages to the Proposal Package. Identify these pages with the header: Additional RFP Information. These pages must have a one-inch margin on all four sides and may **only** include endnotes, tables, charts, graphs and/or graphics, must be cited/referenced within the Proposal Narrative, must directly support the Proposal Narrative, and be legible. If more than two (2) pages are submitted, only the first two (2) will go forward to the raters.

RFP Mandatory Documents

Letter(s) of Commitment

Applicants must include at least one (1) Letter of Commitment as part of the application package. A Letter(s) of Commitment should express, not only support for the proposed project, but also the author's specific commitment toward ensuring the overall success of the project. There is no required format for the Letter(s) of Commitment; however, each letter must:

- ✓ be on the collaborating partner organization's letterhead
- ✓ detail the roles and responsibilities of the partnering agency within the Prop 64 PH&S Grant Program.

Letter of Eligibility

Applicants must provide a Letter of Eligibility detailing how the county or city meets the eligibility criteria (page 3). There is no required format for the Letter of Eligibility; however, a sample is provided (see Appendix B) and the letter must:

- ✓ Be on the county or city letterhead
- ✓ Include the titles of the regulations, ordinances, or amendments to local government charters
- ✓ Include the dates the regulations, ordinances, or amendments to local government charters became enacted/effective

Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

Please see Appendix F

Criteria for Non-Governmental Organizations Receiving Prop 64 PH&S Grant Funds

Please see Appendix K.

APPENDICES

APPENDIX A

Glossary of Terms – Prop 64 PH&S Grant Cohort 2

DEFINITIONS FOR THE PURPOSES OF THE PROPOSITION 64 PUBLIC HEALTH AND SAFETY GRANT COHORT 2

Ban

Ban is to prohibit, forbid, or bar by a local government.

For the purposes of this RFP, if *both* cultivation activities below are true, the local government is ineligible for Prop 64 PH&S funding:

Ban Cultivation

- ✓ All indoor commercial cultivation (including mixed light cultivation)
- ✓ All outdoor commercial cultivation

NOTE: Cultivation of cannabis is not considered banned by a local government if the local government restricts cultivation activities to specific locations pursuant to local zoning ordinances or if the local government requires licensure for specific commercial cultivation activities provided that such restrictions do not result in the prohibition of all indoor commercial cannabis cultivation, and all outdoor commercial cannabis cultivation, within the local government's jurisdiction/authority.

For the purposes of this RFP, if *either* of the retail sale activities below are true, the local government is ineligible for Prop 64 PH&S funding:

Ban Retail Sale

- ✓ Prohibiting establishment of business licensed under Division 10 of the Business and Professions Code
- ✓ Prohibiting operation of businesses licensed under Division 10 of the Business and Professions Code

NOTE: Retail sale of cannabis is not considered banned by a local government if the local government restricts the retail sale of cannabis to specific locations pursuant to local zoning ordinances, or if the local government requires licensure for specific retail sales activities provided that such restrictions do not result in the prohibition of all retail sales in the local government's jurisdiction/authority.

Community-based Organization

A community-based organization (CBO) is a nongovernmental organization that provides services to a community consisting of individuals, groups, or other organizations that constitute the local or community service population. In the context of the Prop 64 PH&S Grant Program, a CBO is generally considered to be a non-government, non-law enforcement organization that provides services individuals that are at risk of involvement or already involved with the justice system. In this RFP, CBOs and nonprofit organizations are referred to as NGOs or Non-Governmental Organizations.

Community-Driven

Community-driven practices are programs and strategies that are derived from the traditional practices of a particular racial, ethnic, or cultural community and have been determined effective by the community.

Cultural Relevance

Cultural relevance acknowledges the influence of the youth's identity characteristics on the youth's experience of the world and incorporates perspectives into the program's environment. These identity characteristics include racial/ethnic, gender, class, religion, educational, sexual orientation, gender identity, family heritage, disability, and any other identity the youth communicates as important.

Every grantee and sub-grantee/sub-recipient that receives Prop 64 PH&S Grant funds should utilize programs, practices, and approaches that embed cultural relevancy.

Developmentally Appropriate

A service or intervention may be considered developmentally appropriate if it is based on a child's level of need, or developmental stage, rather than the child's chronological age.

Evidence-based / Promising Practices

Evidence-based practices are programs and strategies that have been found effective at improving positive or preventing negative health outcomes, using rigorous scientific research methods. Programs and strategies may be evidence-based across all populations, or only for particular cultures and identities.

Promising practices are programs and strategies that have shown some positive results and potential for improving desired health outcomes. They may have evidence from use in real-world settings, a strong theoretical framework, and/or expert opinion, but have not been fully replicated in scientific studies. Depending on the level of scientific evidence, these are sometimes referred to as "evidence-informed," "research-supported," or "emerging" practices.

Applicants may find it helpful to review the information on evidence-based practices in Appendix C of this RFP as well as in the Substance Abuse and Mental Health Services Administration's (SAMHSA) Guide to Evidence-Based Practices available at:

<https://www.samhsa.gov/ebp-resource-center>.

Financial Audit

A financial audit provides assurances that an organization's financial statements are free of material misstatement based upon the application of generally accepted accounting principles.

Mixed Light Cultivation

Mixed light cultivation occurs within a greenhouse, hoop-house, glasshouse, conservatory, hothouse, or other similar structure and uses a combination of natural and supplemental artificial lighting.

Service Need Determination

In considering whether to provide diversion services to potential program participants, service providers receiving funding under this grant must use an approach that is trauma-

informed, culturally relevant and developmentally appropriate. Approaches could include, but are not limited to, surveys or interviews. Applicants must thoroughly explain and justify their proposed approach for deciding which youth will be selected or chosen for program participation. Every applicant must identify some methodology for determining whether a potential program participant would benefit from services and how youth will be matched with specific services that provide those benefits.

Trauma

Trauma is an experience that causes intense physical and psychological stress reactions. It can refer to a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual's physical, social, emotional, cognitive, or spiritual well-being.

Trauma-Informed

A Trauma-Informed approach is one in which all parties involved recognize and respond appropriately to the impact of traumatic stress designed to the youth's individual needs and ensure the physical and psychological safety of all youth, family members, and staff. Trauma-informed care is an organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma. Trauma-informed care also emphasizes raising awareness and providing resources about trauma and the impact of trauma on youth, family members and staff.

Youth

Youth is defined as under the age of 21 (i.e., individuals not of legal age to use and purchase cannabis products).

EVALUATIVE TERMS

Local Evaluation Plan and Local Evaluation Report¹

The purpose of the Local Evaluation Plan and the Local Evaluation Report is to identify whether the program achieved its goals and objectives. Outcome measures are designed to answer the question: "What results did the program produce?" Examples of outcome measures could include:

- Results of pre/post surveys (e.g., improvements in the number of high school graduates or reductions in law enforcement contacts).
- Implementation of programs aimed at increasing the number of youth enrolled in mentoring programs.
- Changes in policies that improve access to alcohol and substance use prevention services for youth.

¹Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 7. Retrieved from <http://www.jrsa.org/pubs/juv-justice/program-evaluation.pdf>.

Goal versus Objective

Goals and objectives are necessary components of the Local Evaluation Plan and the Project Work Plan. These common terms are sometimes used interchangeably because both refer to the intended results of program activities. Goals are longer-term than objectives, more broadly stated and govern the specific objectives to which program activities are directed.

In proposals, goals are defined by broad statements of what the program intends to accomplish, representing the long-term intended outcome of the program².

Examples of goal statements³:

- To reduce the number of youths who commit serious offenses.
- To reduce the number of youths who exhibit a pattern of chronic offending.
- To divert youth who commit nonviolent offenses from state juvenile correctional institutions.
- To restore the losses suffered by the victims of crimes.
- To make improvements in academic behavior and/or achievement.
- To reduce rates of youth substance use in the target area.

Objectives are statements of specific, measurable aims of program activities. Objectives detail the tasks that must be completed to achieve goals. Descriptions of objectives in the proposals should include three elements:⁴

- 1) Direction – the expected change or accomplishment (e.g., improve, maintain);
- 2) Timeframe – when the objective will be achieved; and
- 3) Target Population – who is affected by the objective.

Examples of program objectives:⁵

- By the end of the program, drug-addicted youth will recognize the long-term consequences of drug use.
- To place eligible youth in an intensive supervision program within two weeks of adjudication to ensure their accountability and the community's safety.
- To ensure the youth in this program carry out all the terms of the mediation agreements they have worked out with their victims by program completion.
- To improve the self-discipline and study habits of youth enrolled.

² Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)*. Retrieved from <http://www.jrsa.org/pubs/juv-justice/program-evaluation.pdf>. See also New York State Division of Criminal Justice Services. *A Guide to Developing Goals and Objectives for Your Program*. Retrieved from <http://www.criminaljustice.ny.gov/ofpa/goalwrite.htm>.

³ *Id.* at p. 4.

⁴ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 5. Retrieved from <http://www.jrsa.org/pubs/juv-justice/program-evaluation.pdf>.

⁵ *Id.*

Principles of Effective Intervention

During the past two decades, there has been renewed interest in examining correctional research. These efforts have been led by researchers such as Gendreau, Andrews, Cullen, Lipsey and others.⁶ Much evidence has been generated, leading to the conclusion that many rehabilitation programs have, in fact, produced significant reductions in recidivism. The next critical issue became the identification of those characteristics most commonly associated with effective programs. Through the work of numerous scholars (Andrews et al., 1990⁷; Cullen and Gendreau, 2000⁸; Lipsey 1999⁹), several “principles of effective intervention” have been identified. These principles can be briefly categorized as the following:

- Assess Risk/Needs
- Enhance Intrinsic Motivation
- Target Interventions
 - Risk Principle
 - Needs Principle
 - Responsivity Principle
 - Dosage
 - Treatment Principle
- Skill Train with Directed Practice
- Increase Positive Reinforcement
- Engage Ongoing Support in Natural Communities
- Measure Relevant Processes/Practices
- Provide Measurement Feedback

TERMS DEFINED BY THE PROPOSITION 64 INITIATIVE

Cannabis means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

Cannabis accessories means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis or cannabis products into the human body. (Health & Saf. Code, § 11018.2.)

⁶ For a thorough review of this research, see Cullen, F.T. and B.K. Applegate. 1998. Offender rehabilitation: Effective correctional intervention. Brookfield, Vt.: Ashgate Dartmouth.

⁷ Andrews, D.A., I. Zinger, R.D. Hoge, J. Bonta, P. Gendreau and F.T. Cullen. 1990. Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology* 28(3):369-404.

⁸ Cullen, F.T. and P. Gendreau. 2000. Assessing correctional rehabilitation: Policy, practice, and prospects. In *Criminal justice 2000: Volume 3 – Policies, processes, and decisions of the criminal justice system*, ed. J. Horney, 109-175. Washington, D.C.: U.S. Department of Justice, National Institute of Justice.

⁹ Lipsey, M.W. 1999. Can intervention rehabilitate serious delinquents? *The Annals of the American Academy of Political and Social Science*, 564(2):142-166.

Cannabis products means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients. (Health & Saf. Code, § 11018.1.)

Commercial marijuana activity includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana and marijuana products as provided for in this division.

Cultivation means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

Delivery means the commercial transfer of marijuana or marijuana products to a customer. Delivery also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under this division, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.

Distribution means the procurement, sale, and transport of marijuana and marijuana products between entities licensed pursuant to this division.

License means a state license issued under Section 26001 of the Business and Professions Code.

Licensee means any person or entity holding a license under Section 26001 of the Business and Professions Code.

Licensing authority means the state agency responsible for the issuance, renewal, or reinstatement of the license, or the state agency authorized to take disciplinary action against the licensee.

Local government (jurisdiction) means a city, county, or city and county.

Manufacture means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

Manufacturer means a person that conducts the production, preparation, propagation, or compounding of marijuana or marijuana products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages marijuana or marijuana products or labels or re-labels its container, that holds a state license pursuant to this division.

Marijuana has the same meaning as Cannabis (see above).

Nursery means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of marijuana.

Operation means any act for which licensure is required under the provisions of this division, or any commercial transfer of marijuana or marijuana products.

Package means any container or receptacle used for holding marijuana or marijuana products.

Purchaser means the customer who is engaged in a transaction with a licensee for purposes of obtaining marijuana or marijuana products.

Sell, sale, and to sell includes any transaction whereby, for any consideration, title to marijuana is transferred from one person to another, and includes the delivery of marijuana or marijuana products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of marijuana or marijuana products by a licensee to the licensee from whom such marijuana or marijuana product was purchased.

APPENDIX B

SAMPLE: Letter of Eligibility

Before grants can be awarded funds and receive an executed contract under the Proposition 64 Public Health and Safety Grant Program, the applying local jurisdiction (and all jurisdictions within a collaborative proposal) must assure they do not ban the following activities. Below is sample assurance language that, at a minimum, must be included in the Letter of Eligibility submitted to the Board of State and Community Corrections.

As an applicant, our jurisdiction(s) does not ban (i.e., prohibit, forbid, or bar):

- ☐ All indoor commercial cannabis cultivation (including mixed light cultivation)
Regulation(s), ordinance(s), and or amendment(s) to our local government charter(s) that ensure the above are true- *<provide information including enacted/effective date(s)>*.
- ☐ All outdoor commercial cannabis cultivation
Regulation(s), ordinance(s), and or amendment(s) to our local government charter(s) that ensure the above are true- *<provide information including enacted/effective date(s)>*.
- ☐ Establishment of business(es) licensed under Division 10 of the Business and Professions Code
Regulation(s), ordinance(s), and or amendment(s) to our local government charter(s) that ensure the above are true- *<provide information including enacted/effective date(s)>*.
- ☐ Operation of businesses licensed under Division 10 of the Business and Professions Code
Regulation(s), ordinance(s), and or amendment(s) to our local government charter(s) that ensure the above are true- *<provide information including enacted/effective date(s)>*.

Documentation detailed above will be provided to the BSCC upon request.

AUTHORIZED SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement.)		
NAME OF AUTHORIZED OFFICER	TITLE	
STREET ADDRESS		
CITY	STATE	ZIP CODE
TELEPHONE NUMBER	EMAIL ADDRESS	
AUTHORIZED OFFICER SIGNATURE (Blue Ink Only or E-signature) X		DATE

APPENDIX C

Evidence-Based Resources

The websites provided below may be useful to applicants in the proposal development process. This list is not exhaustive, and it is offered as a suggested starting point for applicants to use in researching evidence-based programs, practices, and strategies.

Blueprints for Violence Prevention

<http://www.colorado.edu/cspv/blueprints/index.html>

Board of State and Community Corrections

http://www.bscc.ca.gov/s_web-basedresourcesonevidence-basedpractices/

California Institute of Behavioral Health Solutions

<http://www.cibhs.org/evidence-based-practices-0>

Coalition for Evidence-Based Policy

<http://evidencebasedprograms.org/>

CrimeSolutions.gov

<http://www.crimesolutions.gov/>

Evaluating Drug Control and System Improvement Projects

Guidelines for Project Supported by the Bureau of Justice Assistance

<https://www.bja.gov/evaluation/guide/documents/nijguide.html>

Justice Research and Statistic Association

<http://www.jrsa.org/>

National Child Traumatic Stress Network

<https://www.NCTSN.Org>

National Criminal Justice Reference Service (NCJRS)

“Preventing and Reducing Youth Crime and Violence: Using Evidence-Based Practice.” A report prepared by Peter Greenwood, Ph.D., for the California Governor’s Office of Gang and Youth Violence Policy, 2010.

<https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=255934>

National Institute of Corrections

<http://nicic.gov/Library/>

National Reentry Resource Center

<http://nationalreentryresourcecenter.org/>

Office of Justice Programs – Crime Solutions.gov

<http://www.CrimeSolutions.gov>

Office of Juvenile Justice and Delinquency Prevention Model Program Guide

<http://www.ojjdp.gov/mpg/>

Promising Practices Network

<http://www.promisingpractices.net/>

Reducing Recidivism to Increase Public Safety: A Cooperative Effort by Courts and Probation Hon, J. Richard Couzens, Placer County Superior Court (Ret.)

<http://www.courts.ca.gov/documents/EVIDENCE-BASED-PRACTICES-Summary-6-27-11.pdf>

Substance Abuse and Mental Health Services Administration

<https://www.samhsa.gov/ebp-resource-center>

The National Documentation Centre on Drug Use

<http://www.drugsandalcohol.ie/3820//>

Washington State Institute for Public Policy

<http://www.wsipp.wa.gov/>

APPENDIX D

SAMPLE: Grant Agreement

STANDARD AGREEMENT

STD 213 (Rev 03/2019)

AGREEMENT NUMBER

BSCC XXX-21

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTOR NAME

GRANTEE NAME

2. The term of this Agreement is:

START DATE

MAY 1, 2021

THROUGH END DATE

OCTOBER 31, 2024

3. The maximum amount of this Agreement is:

\$000,000.00

4. The parties agree to comply with the terms and conditions of the following exhibits, attachments, and appendices which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	3
Exhibit B	Budget Detail and Payment Provisions	4
Exhibit C	General Terms and Conditions (04/2017)	4
Exhibit D	Special Terms and Conditions	5
Attachment 1*	Proposition 64 Public Health & Safety (Prop 64 PH&S) Grant Request for Proposals, Cohort 2	*xx
Attachment 2	Prop 64 PH&S Grant Proposal	xx
Appendix A	Prop 64 PH&S Scoring Panel	1
Appendix B	Criteria for Non-Governmental Organizations Receiving BSCC Program Funds	2

* This item is hereby incorporated by reference and can be viewed at: xxxxxxxxx

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

GRANTEE NAME

CONTRACTOR BUSINESS ADDRESS

CITY

STATE

ZIP

PRINTED NAME OF PERSON SIGNING

TITLE

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTING AGENCY ADDRESS

2590 Venture Oaks Way, Suite 200

CITY

Sacramento

STATE

CA

ZIP

95833

PRINTED NAME OF PERSON SIGNING

RICARDO GOODRIDGE

TITLE

Deputy Director

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

EXHIBIT A: SCOPE OF WORK**1. GRANT AGREEMENT – PROPOSITION 64 PUBLIC HEALTH AND SAFETY GRANT**

This Grant Agreement is between the State of California, Board of State and Community Corrections (hereafter referred to as BSCC) and _____ (hereafter referred to as the Grantee).

2. PROJECT SUMMARY AND ADMINISTRATION

- A. The Fiscal Years 2019-20 and 2020-21 State Budget includes funding in the amount of \$51,788,690 million for local assistance grants for the Proposition 64 Public Health and Safety (Prop 64 PH&S) Cohort 2 Grant Program, to be administered by the Board of State and Community Corrections (BSCC).

The purpose of this grant program is to fund projects that assist with law enforcement efforts, fire protection efforts, or other local projects addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA).

- B. Grantee agrees to administer the project in accordance with Attachment 1: Prop 64 PH&S Grant Program Request for Proposals Cohort 2 (incorporated by reference) and Attachment 2: Grant Proposal, which are attached and hereto and made part of this agreement.

3. PROJECT OFFICIALS

- A. The BSCC's Executive Director or designee shall be the BSCC's representative for administration of the Grant Agreement and shall have authority to make determinations relating to any controversies that may arise under or regarding the interpretation, performance, or payment for work performed under this Grant Agreement.
- B. The Grantee's project officials shall be those identified as follows:

Authorized Officer with legal authority to sign:

Name:
Title:
Address:
Phone:

Designated Financial Officer authorized to receive warrants:

Name:
Title:
Address:
Phone:
Email:

Project Director authorized to administer the project:

Name:
Title:
Address:
Phone:
Email:

EXHIBIT A: SCOPE OF WORK

- C. Either party may change its project representatives upon written notice to the other party.
- D. By signing this Grant Agreement, the Authorized Officer listed above warrants that he or she has full legal authority to bind the entity for which he or she signs.

4. DATA COLLECTION

Grantees will be required to comply with all data collection and reporting requirements as described in Attachment 1: Prop 64 PH&S Grant Program Request for Proposals Cohort 2 and Attachment 2: Grant Proposal.

5. REPORTING REQUIREMENTS

- A. Grantee will submit quarterly progress reports in a format prescribed by the BSCC. These reports, which will describe progress made on program objectives and include required data, shall be submitted according to the following schedule:

Quarterly Progress Report Periods**Due no later than:**

1. May 1, 2021 to June 30, 2021	August 15, 2021
2. July 1, 2021 to September 30, 2021	November 15, 2021
3. October 1, 2021 to December 31, 2021	February 15, 2022
4. January 1, 2022 to March 31, 2022	May 15, 2022
5. April 1, 2022 to June 30, 2022	August 15, 2022
6. July 1, 2022 to September 30, 2022	November 15, 2022
7. October 1, 2022 to December 31, 2022	February 15, 2023
8. January 1, 2023 to March 31, 2023	May 15, 2023
9. April 1, 2023 to June 30, 2023	August 15, 2023
10. July 1, 2023 to September 30, 2023	November 15, 2023
11. October 1, 2023 to December 31, 2023	February 15, 2024
12. January 1, 2024 to March 31, 2024	May 15, 2024
13. April 1, 2024 to April 30, 2024	June 15, 2024

Note: Project activity period ends April 30, 2024. The period of May 1, 2024 to October 31, 2024 is for completion of Final Local Evaluation Report and the financial audit only.

B. Evaluation Documents**Due no later than:**

1. Local Evaluation Plan	July 1, 2021
2. Final Local Evaluation Report	October 31, 2024

C. Other**Due no later than:**

Financial Audit	October 31, 2024
-----------------	------------------

6. PROJECT RECORDS

- A. The Grantee shall establish an official file for the project. The file shall contain adequate documentation of all actions taken with respect to the project, including copies of this Grant Agreement, approved program/budget modifications, financial records and required reports.

EXHIBIT A: SCOPE OF WORK

- B. The Grantee shall establish separate accounting records and maintain documents and other evidence sufficient to properly reflect the amount, receipt, and disposition of all project funds, including grant funds and any matching funds by the Grantee and the total cost of the project. Source documentation includes copies of all awards, applications, approved modifications, financial records and narrative reports.
- C. Personnel and payroll records shall include the time and attendance reports for all individuals reimbursed under the grant, whether they are employed full-time or part-time. Time and effort reports are also required for all subcontractors and consultants.
- D. The grantee shall maintain documentation of donated goods and/or services, including the basis for valuation.
- E. Grantee agrees to protect records adequately from fire or other damage. When records are stored away from the Grantee's principal office, a written index of the location of records stored must be on hand and ready access must be assured.
- F. All Grantee records relevant to the project must be preserved a minimum of three (3) years after closeout of the grant project and shall be subject at all reasonable times to inspection, examination, monitoring, copying, excerpting, transcribing, and auditing by the BSCC or designees. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until the completion of the action and resolution of all issues which arise from it or until the end of the regular three-year period, whichever is later.

7. CONFLICT OF INTEREST

- A. Existing law prohibits any grantee, subgrantee, partner or like party who participated on the Prop 64 PH&S Scoring Panel (See Contract Appendix A) from receiving funds from the Prop 64 PH&S Cohort 2 grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Prop 64 PH&S Scoring Panel membership roster (see Contract Appendix A) and ensuring that no grant dollars are passed through to any entity represented by the members of the Prop 64 PH&S Scoring Panel.
- B. In cases of an actual conflict of interest with a Scoring Panel member, the Board may revoke the grant award and legal consequences could exist for the parties involved, including, but not limited to, repayment of the grant award.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS**1. INVOICING AND PAYMENTS**

- A. The Grantee shall be paid in quarterly in arrears by submitting an invoice (Form 201) to the BSCC that outlines actual expenditures claimed for the invoicing period.

Quarterly Invoicing Periods:	Due no later than:
1. May 1, 2021 to June 30, 2021	August 15, 2021
2. July 1, 2021 to September 30, 2021	November 15, 2021
3. October 1, 2020 to December 31, 2020	February 15, 2021
4. January 1, 2021 to March 31, 2021	May 15, 2021
5. October 1, 2021 to December 31, 2021	February 15, 2022
6. January 1, 2022 to March 31, 2022	May 15, 2022
7. April 1, 2022 to June 30, 2022	August 15, 2022
8. July 1, 2022 to September 30, 2022	November 15, 2022
9. October 1, 2022 to December 31, 2022	February 15, 2023
10. January 1, 2023 to March 31, 2023	May 15, 2023
11. April 1, 2023 to June 30, 2023	August 15, 2023
12. July 1, 2023 to September 30, 2023	November 15, 2023
13. October 1, 2023 to December 31, 2023	February 15, 2024
14. January 1, 2024 to March 31, 2024	May 15, 2024
15. April 1, 2024 to April 30, 2024	June 15, 2024

Final Invoicing Periods*:	Due no later than:
16. May 1, 2024 to June 30, 2024	August 15, 2024
17. July 1, 2024 to October 31, 2024	December 15, 2024

**Note: Only expenditures associated with completion of the Final Local Evaluation Report and the financial audit may be included on these last two invoices.*

- B. All project expenditures (excluding costs associated with the completion of the Final Local Evaluation Report and the financial audit) must be incurred by the end of the grant project period, April 30, 2024, and included on the invoice due June 15, 2024. Project expenditures incurred after April 30, 2024 will not be reimbursed.
- C. The Final Local Evaluation Report is due to BSCC by October 31, 2024. Expenditures incurred solely for the completion of the Final Local Evaluation Report during the period of May 1, 2024 to October 31, 2024 must be submitted on the invoice due December 15, 2024. Supporting fiscal documentation will be required for all expenditures claimed during the Final Invoicing Periods and must be submitted with your final invoice due no later than December 15, 2024.
- D. The financial audit is due to BSCC by October 31, 2024. Expenditures incurred solely for the completion of the financial audit during the period of May 1, 2024 to October 31, 2024 must be submitted on the invoice due December 15, 2024. Supporting fiscal documentation will be required for all expenditures claimed during the Final Invoicing Periods and must be submitted with your final invoice due no later than December 15, 2024.
- E. Grantee shall submit an invoice to the BSCC each invoicing period, even if grant funds are not expended or requested during the invoicing period.
- F. Upon the BSCC's request, supporting documentation must be submitted for project expenditures. Grantees are required to maintain supporting documentation for all

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

expenditures on the project site for the life of the grant and make it readily available for review during BSCC site visits. See Exhibit A. Scope of Work, Item 6. Project Records.

2. GRANT AMOUNT AND LIMITATION

- A. In no event shall the BSCC be obligated to pay any amount in excess of the grant award. Grantee waives any and all claims against the BSCC, and the State of California on account of project costs that may exceed the sum of the grant award.
- B. Under no circumstance will a budget item change be authorized that would cause the project to exceed the amount of the grant award identified in this Grant Agreement.

3. BUDGET CONTINGENCY CLAUSE

- A. This grant agreement is valid and enforceable only if sufficient funds are made available through the Proposition 64 Initiative (the Control, Regulate and Tax Adult Use of Marijuana Act) via the State and Local Government Law Enforcement Account. On or before July 15th of each fiscal year, the State Controller shall deposit funds derived from Proposition 64 taxes into the State and Local Government Law Enforcement Account pursuant to amended Revenue and Taxation Code section 34019, subdivision (f)(3). The grantee agrees that the BSCC's obligation to pay any sum to the grantee under any provision of this agreement is contingent upon the availability of sufficient funding made available to the BSCC pursuant to amended Revenue and Taxation Code section 34019, subdivision (f)(3)(C).
- B. If Prop 64 PH&S funding is reduced or falls below estimates contained within the Prop 64 PH&S Request for Proposals Cohort 2, the BSCC shall have the option to either cancel this Grant Agreement with no liability occurring to the BSCC or offer an amendment to this agreement to the Grantee to reflect a reduced amount.
- C. If BSCC cancels the agreement pursuant to Paragraph 3(B) or Grantee does not agree to an amendment in accordance with the option provided by Paragraph 3(B), it is mutually agreed that the Grant Agreement shall have no further force and effect. In this event, the BSCC shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Agreement and Grantee shall not be obligated to perform any provisions of this Grant Agreement except that Grantee shall be required to maintain all project records required by Paragraph 6 of Exhibit A for a period of three (3) years following the termination of this agreement.

4. PROJECT COSTS

- A. Grantee is responsible for ensuring that actual expenditures are for eligible project costs. "Eligible" and "ineligible" project costs are set forth in the July 2020 BSCC Grant Administration Guide, which can be found under Quick Links here: http://www.bscc.ca.gov/s_correctionsplanningandprograms.php

The provisions of the BSCC Grant Administration Guide are incorporated by reference into this agreement and Grantee shall be responsible for adhering to the requirements set forth therein. To the extent any of the provisions of the BSCC Grant Administration Guide and this agreement conflict, the language in this agreement shall prevail.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

- B. Grantee is responsible for ensuring that invoices submitted to the BSCC claim actual expenditures for eligible project costs.
- C. Grantee shall, upon demand, remit to the BSCC any grant funds not expended for eligible project costs or an amount equal to any grant funds expended by the Grantee in violation of the terms, provisions, conditions or commitments of this Grant Agreement.
- D. Grant funds must be used to support new program activities or to augment existing funds that expand current program activities. Grant funds shall not replace (supplant) any federal, state and/or local funds that have been appropriated for the same purpose. Violations can result in recoupment of monies provided under this grantor suspension of future program funding through BSCC grants.

5. PROMPT PAYMENT CLAUSE

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

6. WITHHOLDING OF GRANT DISBURSEMENTS

- A. The BSCC may withhold all or any portion of the grant funds provided by this Grant Agreement in the event the Grantee has materially and substantially breached the terms and conditions of this Grant Agreement.
- B. At such time as the balance of state funds allocated to the Grantee reaches five percent (5%), the BSCC may withhold that amount as security, to be released to the Grantee upon compliance with all grant provisions, including:
 - 1) submittal and approval of the final invoice;
 - 2) submittal and approval of the final progress report; and
 - 3) submittal and approval of any additional required reports, including but not limited to the Final Local Evaluation Report and the financial audit.
- C. The BSCC will not reimburse Grantee for costs identified as ineligible for grant funding. If grant funds have been provided for costs subsequently deemed ineligible, the BSCC may either withhold an equal amount from future payments to the Grantee or require repayment of an equal amount to the State by the Grantee.
- D. In the event that grant funds are withheld from the Grantee, the BSCC's Executive Director or designee shall notify the Grantee of the reasons for withholding and advise the Grantee of the time within which the Grantee may remedy the failure or violation leading to the withholding.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS**7. PROJECT BUDGET**

PROPOSED BUDGET LINE ITEMS	GRANT FUNDS REQUESTED
1. Salaries and Benefits	\$
2. Services and Supplies	\$
3. Professional Services	\$
4. Non-Governmental Organizations (NGO) Contracts	\$
5. Indirect Costs / Administrative Overhead (may not exceed 10% of grant award)	\$
6. Equipment / Fixed Assets	\$
7. Data Collection / Enhancement	\$
8. Program Evaluation	\$
9. Sustainability Planning	\$
10. Other (include travel & training costs)	\$
11. Financial Audit	\$
TOTAL	\$

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT:** This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT:** Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, Department of Finance or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
5. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
6. **DISPUTES:** Contractor shall continue with the responsibilities under this Agreement during any dispute.
7. **TERMINATION FOR CAUSE:** The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.
8. **INDEPENDENT CONTRACTOR:** Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.
9. **RECYCLING CERTIFICATION:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).
10. **NON-DISCRIMINATION CLAUSE:** During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of race, religious

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

- 11. CERTIFICATION CLAUSES:** The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 (<http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>) are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.
- 12. TIMELINESS:** Time is of the essence in this Agreement.
- 13. COMPENSATION:** The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.
- 14. GOVERNING LAW:** This contract is governed by and shall be interpreted in accordance with the laws of the State of California.
- 15. ANTITRUST CLAIMS:** The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.
 - A. The Government Code Chapter on Antitrust claims contains the following definitions:
 - 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
 - 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.
 - B. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

- C. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.
- D. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

- A. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
- B. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

- A. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
- B. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

- 20. LOSS LEADER:** If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

SAMPLE

EXHIBIT D
SAMPLE - SPECIAL TERMS AND CONDITIONS

1. GRANTEE'S GENERAL RESPONSIBILITY

- A. Grantee agrees to comply with all terms and conditions of this Grant Agreement. Review and approval by the BSCC are solely for the purpose of proper administration of grant funds and shall not be deemed to relieve or restrict the Grantee's responsibility.
- B. Grantee is responsible for the performance of all project activities identified in Attachment 1: Prop 64 PH&S Request for Proposals Cohort 2 and Attachment 2: Grant Proposal/Application for Funding.
- C. Grantee shall immediately advise the BSCC of any significant problems or changes that arise during the course of the project.

2. GRANTEE ASSURANCES AND COMMITMENTS

- A. Compliance with Laws and Regulations
This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California. Grantee shall at all times comply with all applicable State laws, rules and regulations, and all applicable local ordinances.
- B. Fulfillment of Assurances and Declarations
Grantee shall fulfill all assurances, declarations, representations, and statements made by the Grantee in Attachment 1: Prop 64 PH&S Request for Proposal Cohort 2 and Attachment 2: Grant Proposal/Application for Funding, documents, amendments, approved modifications, and communications filed in support of its request for grant funds.
- C. Permits and Licenses
Grantee agrees to procure all permits and licenses necessary to complete the project, pay all charges and fees, and give all notices necessary or incidental to the due and lawful proceeding of the project work.

3. POTENTIAL SUBCONTRACTORS

- A. In accordance with the provisions of this Grant Agreement, the Grantee may subcontract for services needed to implement and/or support program activities. Grantee agrees that in the event of any inconsistency between this Grant Agreement and Grantee's agreement with a subcontractor, the language of this Grant Agreement will prevail.
- B. Nothing contained in this Grant Agreement or otherwise, shall create any contractual relation between the BSCC and any subcontractors, and no subcontract shall relieve the Grantee of his responsibilities and obligations hereunder. The Grantee agrees to be as fully responsible to the BSCC for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee. The Grantee's obligation to pay its subcontractors is an independent obligation from the BSCC's obligation to make payments to the Grantee. As a result, the BSCC shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.
- C. Grantee shall ensure that all subcontractors comply with the eligibility requirements stated in the Prop 64 PH&S RFP Cohort 2 and described in Contract Appendix B.
- D. Grantee assures that for any subcontract awarded by the Grantee, such insurance and fidelity bonds, as is customary and appropriate, will be obtained.
- E. Grantee agrees to place appropriate language in all subcontracts for work on the project requiring the Grantee's subcontractors to:

EXHIBIT D
SAMPLE - SPECIAL TERMS AND CONDITIONS

1) Books and Records

Maintain adequate fiscal and project books, records, documents, and other evidence pertinent to the subcontractor's work on the project in accordance with generally accepted accounting principles. Adequate supporting documentation shall be maintained in such detail so as to permit tracing transactions from the invoices, to the accounting records, to the supporting documentation. These records shall be maintained for a minimum of three (3) years after the acceptance of the final grant project audit under the Grant Agreement and shall be subject to examination and/or audit by the BSCC or designees, state government auditors or designees, or by federal government auditors or designees.

2) Access to Books and Records

Make such books, records, supporting documentations, and other evidence available to the BSCC or designee, the State Controller's Office, the Department of General Services, the Department of Finance, California State Auditor, and their designated representatives during the course of the project and for a minimum of three (3) years after acceptance of the final grant project audit. The Subcontractor shall provide suitable facilities for access, monitoring, inspection, and copying of books and records related to the grant-funded project.

4. PROJECT ACCESS

Grantee shall ensure that the BSCC, or any authorized representative, will have suitable access to project activities, sites, staff and documents at all reasonable times during the grant period including those maintained by subcontractors. Access to program records will be made available by both the grantee and the subcontractors for a period of three (3) years following the end of the grant period.

5. ACCOUNTING AND AUDIT REQUIREMENTS

- A. Grantee agrees that accounting procedures for grant funds received pursuant to this Grant Agreement shall be in accordance with generally accepted government accounting principles and practices, and adequate supporting documentation shall be maintained in such detail as to provide an audit trail. Supporting documentation shall permit the tracing of transactions from such documents to relevant accounting records, financial reports and invoices.
- B. Grantees are required to provide the BSCC with a financial audit within no later than the end of the contract term (October 31, 2023). The financial audit shall be performed by a Certified Public Accountant or a participating county or city auditor that is organizationally independent from the participating county or city's project financial management functions. Expenses for this final audit may be reimbursed for actual costs up to \$25,000.
- C. The BSCC reserves the right to call for a program or financial audit at any time between the execution of this Grant Agreement and three years following the end of the grant period. At any time, the BSCC may disallow all or part of the cost of the activity or action determined to not be in compliance with the terms and conditions of this Grant Agreement or take other remedies legally available.

6. MODIFICATIONS

No change or modification in the project will be permitted without prior written approval from the BSCC. Changes may include modification to project scope, changes to performance measures, compliance with collection of data elements, and other significant changes in the budget or

EXHIBIT D
SAMPLE - SPECIAL TERMS AND CONDITIONS

program components contained in the Application for Funding. Changes shall not be implemented by the project until authorized by the BSCC.

7. TERMINATION

- A. This Grant Agreement may be terminated by the BSCC at any time after grant award and prior to completion of project upon action or inaction by the Grantee that constitutes a material and substantial breach of this Grant Agreement. Such action or inaction includes but is not limited to:
- 2) substantial alteration of the scope of the grant project without prior written approval of the BSCC;
 - 3) refusal or inability to complete the grant project in a manner consistent with Attachment 1: Prop 64 PH&S Request for Proposal/Application for Funding, or approved modifications;
 - 4) failure to provide the required local match share of the total project costs; and
 - 5) failure to meet prescribed assurances, commitments, recording, accounting, auditing, and reporting requirements of the Grant Agreement.
- B. Prior to terminating the Grant Agreement under this provision, the BSCC shall provide the Grantee at least 30 calendar days written notice stating the reasons for termination and effective date thereof. The Grantee may appeal the termination decision in accordance with the instructions listed in Exhibit D: Special Terms and Conditions, Number 8. Settlement of Disputes.

8. SETTLEMENT OF DISPUTES

- A. The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, the Grantee shall submit to the BSCC Corrections Planning and Grant Programs Division Deputy Director a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to, or involving this Grant Agreement. Grantee's written demand shall be fully supported by factual information. The BSCC Corrections Planning and Grant Programs Division Deputy Director shall have 30 days after receipt of Grantee's written demand invoking this Section "Disputes" to render a written decision. If a written decision is not rendered within 30 days after receipt of the Grantee's demand, it shall be deemed a decision adverse to the Grantee's contention. If the Grantee is not satisfied with the decision of the BSCC Corrections Planning and Grant Programs Division Deputy Director, the Grantee may appeal the decision, in writing, within 15 days of its issuance (or the expiration of the 30-day period in the event no decision is rendered), to the BSCC Executive Director, who shall have 45 days to render a final decision. If the Grantee does not appeal the decision of the BSCC Corrections Planning and Grant Programs Division Deputy Director, the decision shall be conclusive and binding regarding the dispute and the Contractor shall be barred from commencing an action in court, or with the Victims Compensation Government Claims Board, for failure to exhaust Grantee's administrative remedies.
- B. Pending the final resolution of any dispute arising under, related to or involving this Grant Agreement, Grantee agrees to diligently proceed with the performance of this Grant Agreement, including the providing of services in accordance with the Grant Agreement. Grantee's failure to diligently proceed in accordance with the State's instructions regarding this Grant Agreement shall be considered a material breach of this Grant Agreement.

EXHIBIT D
SAMPLE - SPECIAL TERMS AND CONDITIONS

- C. Any final decision of the State shall be expressly identified as such, shall be in writing, and shall be signed by the Executive Director, if an appeal was made. If the Executive Director fails to render a final decision within 45 days after receipt of the Grantee's appeal for a final decision, it shall be deemed a final decision adverse to the Grantee's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless the Grantee commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.
- D. The dates of decision and appeal in this section may be modified by mutual consent, as applicable, excepting the time to commence an action in a court of competent jurisdiction.

9. UNION ACTIVITIES

For all agreements, except fixed price contracts of \$50,000 or less, the Grantee acknowledges that applicability of Government Code §§16654 through 16649 to this Grant Agreement and agrees to the following:

- A. No State funds received under the Grant Agreement will be used to assist, promote or deter union organizing.
- B. Grantee will not, for any business conducted under the Grant Agreement, use any State property to hold meetings with employees or supervisors, if the purpose of such meetings is to assist, promote or deter union organizing, unless the State property is equally available to the general public for holding meetings.
- C. If Grantee incurs costs or makes expenditures to assist, promote or deter union organizing, Grantee will maintain records sufficient to show that no reimbursement from State funds has been sought for these costs, and that Grantee shall provide those records to the Attorney General upon request.

10. WAIVER

The parties hereto may waive any of their rights under this Grant Agreement unless such waiver is contrary to law, provided that any such waiver shall be in writing and signed by the party making such waiver

APPENDIX E

SAMPLE: Governing Board Resolution

Before grant funds can be reimbursed, a grantee must either (1) submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement or (2) provide sufficient documentation indicating that the prospective grantee has been vested with plenary authority to execute grant agreements (e.g., a City Council or County Board of Supervisors delegating such authority to an Agency head).

Below is assurance language that, **at a minimum**, must be included in the resolution submitted to the Board of State and Community Corrections.

WHEREAS the ***(insert name of Local Government)*** desires to participate in the Proposition 64 Public Health and Safety Grant Program funded through the California State and Local Government Law Enforcement Account and administered by the Board of State and Community Corrections (hereafter referred to as the BSCC).

NOW, THEREFORE, BE IT RESOLVED that the ***(insert title of designated official)*** be authorized on behalf of the ***(insert name of Governing Board)*** to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the ***(insert name of Local Government)*** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

Passed, approved, and adopted by the ***(insert name of Governing Board)*** in a meeting thereof held on ***(insert date)*** by the following:

Ayes:

Notes:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

APPENDIX F

Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft, and Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the Board will not enter into contracts or provide reimbursement to applicants that have been:

1. debarred by any federal, state, or local government entities during the period of debarment; or
2. convicted of fraud, theft, or embezzlement of federal, state, or local government grant funds for a period of three years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal, state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the Grant contract.

BSCC also requires that all grant recipients include, as a condition of award to a subgrantee or subcontractor, a requirement that the subgrantee or subcontractor will provide the same assurances to the grant recipient. If a grant recipient wishes to consider a subgrantee or subcontractor that has been debarred or convicted, the grant recipient must submit a written request for exception to the BSCC along with supporting documentation.

By checking the following boxes and signing below, applicant affirms that:

- ☐ I/We are not currently debarred by any federal, state, or local entity from applying for or receiving federal, state, or local grant funds.
- ☐ I/We have not been convicted of any crime involving theft, fraud, or embezzlement of federal, state, or local grant funds within the last three years. We will notify the BSCC should such debarment or conviction occur during the term of the Grant contract.
- ☐ I/We will hold subgrantees and subcontractors to these same requirements.

A grantee may make a request in writing to the Executive Director of the BSCC for an exception to the debarment policy. Any determination made by the Executive Director shall be made in writing.

AUTHORIZED SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
AUTHORIZED OFFICER SIGNATURE ((Blue Ink Only or E-signature)) X			DATE

APPENDIX G
SAMPLE: BSCC Comprehensive Monitoring Visit Tool

Corrections Planning and Grant Programs Division
COMPREHENSIVE MONITORING VISIT (CMV) TOOL
SAMPLE

Grantee: **Award Year:** 1 ☐ 2 ☐ 3 ☐ 4 ☐
(as applicable)

Grant Program: **Federal Funds:** ☐ **State Funds:** ☐

Contract Number: **Grant Amount:**

Project Title:

Project Director: **Financial Officer:**

Project Director Phone: **Financial Officer Phone:**

Project Director E-Mail: **Financial Officer E-mail:**

Field Representative: **Date of Visit:**

Persons Interviewed During the Monitoring (Name, Title, Agency):

Project Sites Visited (Name, Address):

Project Summary:

I. ADMINISTRATIVE REVIEW

1. Executed Agreement

The Grantee has a copy of the fully executed Standard Agreement in the official file (e-file is acceptable). **Yes** ☐ **No** ☐

2. BSCC Grant Administration Guide

The Grantee has a copy of the BSCC Grant Administration Guide readily available, and staff know how to use it (e-file is acceptable). **Yes** ☐ **No** ☐

3. Organizational Chart

The Grantee has a current organizational chart for the department/unit/section responsible for programmatic oversight of the grant. **Yes** ☐ **No** ☐

4. Duty Statements

The Grantee maintains duty statements for grant-funded staff that list specific activities related to the grant. *Note: Standard job classifications usually are not acceptable, unless the position was created specifically for the grant.* **Yes** ☐ **No** ☐

5. Timesheets

5a. The Grantee maintains timesheets on all staff charged to the grant. Note: Estimates and/or percentages are not acceptable. **Yes** ☐ **No** ☐

5b. The Grantee maintains functional timesheets or conducts time studies for split-funded positions.

Note: Estimates and/or percentages are not acceptable. **Yes** ☐ **No** ☐ **N/A** ☐

6. Staff Positions

All authorized positions are filled and performing grant-related duties. **Yes** ☐ **No** ☐

If no, list all unfilled positions and explanations for vacancies in the Administrative Review Comments section.

7. Anticipated Changes

Are there any anticipated changes to staff or the project? **Yes** ☐ **No** ☐
If yes, explain in the Administrative Review Comments section.

8. Subcontracts

8a. Does this grant provide for subcontracted services? **Yes** ☐ **No** ☐

If yes, list subcontracts awarded in the Administrative Review Comments section.

8b. Copies of the subcontract awards are contained within the official project file.

Yes ☐ **No** ☐ **N/A** ☐

8c. Subcontracts contain the required language from the BSCC contract (e.g., access to program and fiscal records, access to facility, access to program participants, Non-Discrimination clause, Civil Rights compliance). **Yes** ☐ **No** ☐ **N/A** ☐

8d. Subcontracts appear to be following conflict of interest laws that prohibit individuals or organizations that participated on the Executive Steering Committee for this grant. **Yes** ☐ **No** ☐ **N/A** ☐

9. Budget Modifications

9a. Copies of project budget modifications are maintained in the official file.

Yes ☐ **No** ☐ **N/A** ☐

9b. Were there any substantial modifications made that were not approved by the BSCC? **Yes** ☐ **No** ☐

If yes, explain in the Administrative Review Comments section.

10. Fidelity Bond

The Grantee maintains a Fidelity Bond (applicable for non-governmental entities only).

Yes ☐ **No** ☐ **N/A** ☐

Field Representative Comments for Administrative Review Section:
Number comments to correspond to the Administrative Review items.

II. CIVIL RIGHTS REVIEW

(for all federal grants; as applicable to state-funded programs)

1. Equal Employment Opportunity Plan

1a. The Grantee has an Equal Employment Opportunity Plan (EEOP) on file for review.

Yes ☐ **No** ☐

1b. If yes, on what date did the Grantee prepare the EEOP?

2. EEOP Short Form

2a. If applicable: has the Grantee submitted an EEOP Short Form to the Office for Civil Rights (OCR), U.S. Department of Justice (DOJ) (i.e., 50 or more employees and \$750,000 or more in federal funds)?

Yes ☐ **No** ☐ **N/A** ☐

2b. If yes, on what date did the Grantee submit the EEOP Short Form?

3. Notification to Program Participants

How does the Grantee notify program participants and beneficiaries that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services (e.g., posters, inclusion in program brochures, program materials, etc.)? ***Explain in Civil Rights Review Comments section.***

4. Notification to Employees

How does the Grantee notify employees that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services (e.g., posters, dissemination of relevant orders or policies, recruitment materials, etc.)? ***Explain in Civil Rights Review Comments section.***

5. Complaints

There are written policies or procedures in place for notifying program beneficiaries how to file complaints alleging discrimination by the grantee with the BSCC or the OCR.

Yes ☐ No ☐ N/A ☐

6. Discrimination on the Basis of Disability

If the Grantee has 50 or more employees and receives DOJ funding of \$25,000 or more, has the grantee:

6a. Adopted grievance procedures (for both employees and program participants) that incorporate due process standards and provide for prompt and equitable resolution of complaints alleging a violation of the DOJ regulations which prohibit discrimination on the basis of a disability in employment practices and the delivery of services?

Yes ☐ No ☐ N/A ☐

6b. Designated a person to coordinate compliance with prohibitions against disability discrimination?

Yes ☐ No ☐ N/A ☐

6c. Notified participants, beneficiaries, employees, applicants, and others that the grantee does not discriminate on the basis of disability? Yes ☐ No ☐ N/A ☐

7. Discrimination on the Basis of Sex

If the Grantee operates an education program or activity, have they taken the following actions?

7a. Adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations which prohibit discrimination on the basis of sex? Yes ☐ No ☐ N/A ☐

7b. Designated a person to coordinate compliance with the prohibitions against sex discrimination? Yes ☐ No ☐ N/A ☐

7c. Notified applicants for admission and employment, employees, students, parents, and others that the grantee does not discriminate on the basis of sex in its educational programs or activities? Yes ☐ No ☐ N/A ☐

8. Findings

The Grantee has complied with the requirement to submit to the OCR any findings of discrimination against the grantee issued by a federal or state court, or federal or state administering agency, on the grounds of race, color, religion, national origin, or sex.

Yes ☐ No ☐ N/A ☐

9. Limited English Proficiency

What steps have been taken to provide meaningful access to its programs and activities to person who have limited English proficiency (LEP)? Include whether the grantee has developed a written policy on providing language access services to LEP persons.

10. Training

Training is conducted for the Grantee's employees on the requirements under federal civil rights laws.

Yes ☐ No ☐ N/A ☐

11. Religious Activities

If the grantee conducts religious activities as part of its program or services, do they:

11a. Provide services to everyone regardless of religion or religious belief?

Yes ☐ No ☐ N/A ☐

11b. Ensure it does not use federal funds to conduct inherently religious activities (such as prayer, religious instruction, or attempt to convert participants to another religion) and that such activities are kept separate in time or place from federally-funded activities?

Yes ☐ No ☐ N/A ☐

11c. Ensure participation in religious activities is voluntary for beneficiaries of federally-funded programs?

Yes ☐ No ☐ N/A ☐

Field Representative Comments for Civil Rights Review Section:

Number comments to correspond to the Civil Rights Review items.

III. FISCAL REVIEW**1. Budget File**

The Grantee maintains an official budget file for the project.

Yes ☐ No ☐

2. Fiscal Policies and Procedures

2a. The Grantee maintains written procedures for the fiscal policies related to the grant and they are accessible by grants management staff.

Yes ☐ No ☐

2b. The Grantee can explain its agency's claims, payments and reimbursement processes as they relate to this grant (i.e., agency checks and balances).

Yes ☐ No ☐

3. Invoices

3a. Financial invoices are current and spending is on track.

Yes ☐ No ☐

3b. Copies of the BSCC invoices for reimbursement are within the official file.

Yes ☐ No ☐

3c. The fiscal/accounting records reviewed during the visit contained adequate supporting documentation for all claims on invoices, including match.

Yes ☐ No ☐

3d. Salaries and benefits can be easily tied back to reimbursement invoices.

Yes ☐ No ☐

3e. The Grantee maintains supporting documentation or a calculation methodology for indirect costs or overhead claimed (e.g., an approved Indirect Cost Rate Proposal).

Yes ☐ No ☐ N/A ☐

3f. Expenditures appear to meet contract eligibility, as defined in the BSCC Grant Administration Guide.

Yes ☐ No ☐

4. Tracking

4a. BSCC contract funds are deposited into separate fund accounts or coded to distinguish grant funds from other fund sources.

Yes ☐ No ☐

4b. The Grantee maintains a tracking system for purchases, including receipts and disbursements, related to the grant program.

Yes ☐ No ☐

4c. Tracking reports are reviewed by management and/or program staff.

Yes ☐ No ☐

4d. The Grantee can provide general ledgers documenting the entries for receipts and disbursements.

Yes ☐ No ☐

5. Equipment/Fixed Assets

5a. Did the Grantee purchase or lease equipment/fixed assets with grant funds?

Yes ☐ No ☐

5b. The Grantee received prior approval from BSCC for purchases of equipment and/or fixed assets that were more than \$3,500 per item.

Yes ☐ No ☐ N/A ☐

5c. The equipment/fixed assets were listed in the budget or in a Budget Modification.

Yes ☐ No ☐ N/A ☐

5d. The Grantee maintains an inventory list of equipment/fixed assets purchased with grant funds.

Yes ☐ No ☐ N/A ☐

5e. The Grantee maintains proof of receipt of equipment/fixed assets.

Yes ☐ No ☐ N/A ☐

6. Supplanting

The Grantee can verify that expenditures submitted for grant reimbursement (including salaries and benefits) are not also claimed/reimbursed under another separate agreement or funding stream (supplanting). **Yes** ☐ **No** ☐

7. Match

7a. The Grantee is in compliance with the match requirement.

Yes ☐ **No** ☐ **N/A** ☐

7b. If the Grantee is currently under-matched, is there a plan to meet the contractually obligated match amount?

8. Project Income

Does the Grantee generate income from grant funds (e.g., fundraisers, registration fees, etc.?) **Yes** ☐ **No** ☐ **N/A** ☐

9. Subcontracts

9a. Does the Grantee require subcontract agencies to submit source documentation with their billing invoice? **Yes** ☐ **No** ☐ **N/A** ☐

9b. What type of documentation detail does the agency keep for subcontractor service delivery billing (to include list of positions funded, documented staff hours, list of services delivered, participant sign-in logs, time/duration of services, other invoice detail, etc.)?

Describe in the Fiscal Review Comments section.

9c. Is the source documentation sufficient to justify charges? **Yes** ☐ **No** ☐ **N/A** ☐

9d. Does the Grantee conduct desk audits of subcontract agencies?

Yes ☐ **No** ☐ **N/A** ☐

9e. Does the Grantee conduct site visits to subcontract agencies?

Yes ☐ **No** ☐ **N/A** ☐

10. Audits

10a. What type of audit report will the project submit?

Single City/County Audit Report ☐

Program Specific Audit ☐

Other ☐

10b. The Grantee has audit reports covering the agency's internal control structure within the last two years. **Yes** ☐ **No** ☐

Field Representative Comments for Fiscal Review Section:
Number comments to correspond to Fiscal Review items.

IV. PROGRAM REVIEW

Note: Some of the information collected in this section will be used to foster discussion and assist with technical assistance, not necessarily to determine compliance.

1. Governing Body

1a. Does the grant require formation of some type of governing body (steering committee, coordinating council, etc.) to guide grant activities?

Yes ☐ No ☐ N/A ☐

1b. If so, has this body been formed and is it meeting as required?

Yes ☐ No ☐ N/A ☐

1c. Are all required members participating?

Yes ☐ No ☐ N/A ☐

2. Evidence-Based Interventions

2a. List all interventions being used by the grantee.

List in the Program Review Comments section.

2b. Which interventions do the grantee identify as “evidence-based?” Why? Based on what information? **Explain in the Program Review Comments section.**

2c. Does the Grantee have a quality assurance or fidelity monitoring process in place to ensure that interventions are implemented as intended? Yes ☐ No ☐

3. Assessments

3a. If providing direct services, how are participants assessed for risk, need and responsiveness? **Explain in the Program Review Comments section.**

3b. How is that information used? **Explain in the Program Review Comments section.**

4. Staff Training

4a. Do all project staff receive an orientation and/or training pertinent to the grant project? Yes ☐ No ☐

4b. Are there opportunities for ongoing training for staff affiliated with the grant?

Yes ☐ No ☐

5. Policies & Procedures

5a. Did the Grantee develop a written Policies & Procedures Manual or Program Manual specific to the grant project? Yes ☐ No ☐

5b. Are they accessible to staff?

Yes ☐ No ☐

6. Case Management/Tracking

6a. Does the Grantee maintain an automated or web-based case management and/or data collection system to track participants served by the grant?

Yes ☐ No ☐ N/A ☐

6b. If not, how are services and/or participants tracked?

Explain in the Program Review Comments section.

7. Source Documentation

The Grantee maintains appropriate source documentation (e.g., case records, case files, sign-in sheets, etc.) for the participants served. Yes ☐ No ☐ N/A ☐

8. Progress Reports

8a. Progress Reports are current. Yes ☐ No ☐

8b. Program records reviewed at the site visit provided sufficient detail to support information reported in Progress Reports. Yes ☐ No ☐

If no, explain in the Program Review Comments section.

9. Problems

The Grantee has experienced operational or service delivery problems.

If yes, explain in the Program Review Comments section. Yes ☐ No ☐

10. Sustainability

Does the grantee have a sustainability plan to continue service delivery after grant funds expire? Yes ☐ No ☐

Describe in the Program Review Comments section.

11. Other Requirements Reviewed

Per this site visit review, programmatic requirements specific to this grant program are being met. Yes ☐ No ☐

Field Representative Comments for the Program Review Section:

Number comments to correspond to Program Review items.

V. DATA COLLECTION AND EVALUATION

1. Evaluator

Does the Grantee subcontract for its data collection and evaluation services?

Yes ☐ No ☐ N/A ☐

If yes, list name of organization and describe the relationship in the Data Collection and Evaluation Comments section.

2. Evaluation Plan

Is the Grantee on track with the activities and milestones described in its Evaluation Plan? Yes ☐ No ☐ N/A ☐

3. Preliminary Evidence

3a. Do the data collection efforts show any preliminary evidence that could impact the project? Yes ☐ No ☐ N/A ☐

3b. Has the Grantee used this information to make improvements or changes to the project? **Yes** ☐ **No** ☐ **N/A** ☐

Field Representative Comments for Data Collection and Evaluation Section:
Number comments to correspond to Data Collection and Evaluation Review items.

VI. MONITORING SUMMARY

1. Outcome of Visit

1a. Does the project generally meet BSCC grant requirements? **Yes** ☐ **No** ☐

1b. If no, will a Compliance Improvement Plan be submitted? **Yes** ☐ **No** ☐

1c. Describe here:

2. Technical Assistance

2a. Does the Grantee have any technical assistance needs? **Yes** ☐ **No** ☐

2b. Describe here:

APPENDIX H
County Population Index
Source: California Department of Finance, Population Estimates, January 1, 2019

Large Counties (750,000 and above)

Los Angeles	10,253,716
San Diego	3,351,786
Orange	3,222,498
Riverside	2,440,124
San Bernardino	2,192,203
Santa Clara	1,954,286
Alameda	1,669,301
Sacramento	1,546,174
Contra Costa	1,155,879
Fresno	1,018,241
Kern	916,464
San Francisco	883,869
Ventura	856,598
San Mateo	774,485
San Joaquin	770,385

Medium Counties (200,001-749,999)

Stanislaus	558,972
Sonoma	500,675
Tulare	479,112
Santa Barbara	454,593
Monterey	445,414
Solano	441,307
Placer	396,691
Merced	282,928
San Luis Obispo	280,393
Santa Cruz	274,871
Marin	262,879
Butte	226,466
Yolo	222,581

Small Counties (Under 200,000)

El Dorado	191,848	Calaveras	45,117
Imperial	190,266	Siskiyou	44,584
Shasta	178,773	Amador	38,294
Madera	159,536	Lassen	30,150
Kings	153,710	Glenn	29,132
Napa	140,779	Del Norte	27,401
Humboldt	135,333	Colusa	22,117
Nevada	98,904	Plumas	19,779
Sutter	97,490	Inyo	18,593
Mendocino	89,009	Mariposa	18,068
Yuba	77,916	Trinity	13,688
Lake	65,071	Mono	13,616
Tehama	64,387	Modoc	9,602
San Benito	62,296	Sierra	3,213
Tuolumne	54,590	Alpine	1,162

APPENDIX I

SAMPLE: Local Evaluation Plan Components

The Prop 64 PH&S Grant Program Local Evaluation Plan (LEP) should, at a minimum, address the following:

Project Description as it pertains to the mandatory Project Purpose Area (PPA) 1: Youth Development/Youth Prevention and Intervention-

- Describe the intervention(s)/services/activities to be used in the project
- Define the target population (for example: gender age, system-involvement history, criminogenic factors, etc.)
- Define the criteria for participant eligibility
- Estimate the number of participants receiving intervention(s) per project component
- Describe the process for determining which interventions(s) a participant will receive
- Describe a plan to document the services within the intervention(s) provided to each participant
- Describe a plan for tracking participants in terms of progress in the project (for example start dates, attendance logs, dropouts, successful completions, etc.)

Project Description as it relates to the other PPAs, as applicable. Depending on the project's scope, goals, and objectives, the below PPAs may include the same or similar bullets from PPA 1. Additional LEP requirements may be added once grantees have been awarded and all Prop 64 PH&S Grant Program project components have been determined-

- PPA 2 – Public Health
- PPA 3 – Public Safety
- PPA 4 – Environmental Impact

Project Evaluation Design-

- Define project goals
- Define project objectives
- Define variables and measures that will be used to demonstrate whether each goal, and their corresponding objectives, were achieved
- Indicate who will be conducting the outcome evaluation (i.e., external contractor/agency, internal team/individual, etc.)
- Identify all data sources
- Define criteria for determining-
 - Participant success/failure in the project (PPA 1)
 - Activity success/failure in the project (PPAs 2, 3, and/or 4, as applicable)
- Describe the research design that will be used to complete the evaluation
 - Identify and define all outcome measures
 - How will the results be used to determine whether your project was effective?
 - Include any comparisons made

Project Oversight-

- Describe the project-oversight structure and overall decision-making process for the project
 - Describe the research design for the process evaluation
 - Identify and define all process evaluation measures
 - Describe how the process measure data will be used to monitor the effectiveness of the project

APPENDIX J
Prop 64 PH&S Grant Executive Steering Committee

	Name	Title	Organization /Agency
1	Linda Penner Chair	BSCC Board Member	Board of State and Community Corrections
2	Steve Carney	Chief Deputy, Cannabis Licensing Office	Santa Cruz County Sheriff's Office
3	Manuel Escandon	Director, Student Intervention & Prevention Department	Office of the Fresno County Superintendent of Schools
4	Hollie Hall	Consultant, PhD.	Watershed Resource Specialist Humboldt, Trinity, and Mendocino Counties
5	Tanja Heitman	Chief Probation Officer	Santa Barbara County
6	Amy Irani	Director	Environmental Health Nevada County
7	Vicki Jones	Environmental Health Division Director	Merced County Public Health
8	Jon Lopey	Sheriff	Siskiyou County
9	Renee Menart	Communication & Policy Analyst	Center on Juvenile and Criminal Justice
10	Dave Neilsen	Retired, Deputy Director	CA Department Alcohol & Drug Programs
11	Royal Ramey	Co-Founder	The Forestry and Fire Recruitment Program
12	Sarah Ruby	Deputy Public Defender	Santa Clara County
13	Michael Salvador	Police Chief	City of Atwater
14	Sharyn Turner	Registered Nurse	Nevada County Superintendent of Schools
15	Scott Whitney	Police Chief	City of Oxnard

APPENDIX K

Criteria for Non-Governmental Organizations Receiving Proposition 64 Public Health and Safety Grant Funds

(Page 1 of 2)

The Proposition 64 Public Health and Safety (Prop 64 PH&S) Grant Program Request for Proposals (RFP) includes requirements that apply to non-governmental organizations that receive funds under this grant. All grantees are responsible for ensuring that any contracted third parties continually meet these requirements as a condition of receiving Prop 64 PH&S funds. The RFP describes these requirements as follows.

Any non-governmental organization that receives Prop 64 PH&S grant funds (as either subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six months prior to the effective date of its fiscal agreement with the BSCC or with the Prop 64 PH&S grantee. Non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six-month date are also eligible, provided all necessary agreements have been executed and filed with the California Secretary of State prior to the start date of the grant agreement with the BSCC or the start date of the grantee-subcontractor fiscal agreement.
- Be registered with the California Secretary of State's Office, if applicable;
- Have a valid business license, Employer Identification Number (EIN), and/or Taxpayer ID (if sole proprietorship);
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable; and
- Have a physical address.

(Page 2 of 2)

In the table below, provide the name of the Grantee and list all contracted parties.

Grantee:

Name of Contracted Party	Address	Email / Phone	Meets All Requirements
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

Grantees are required to update this list and submit it to the BSCC any time a new third-party contract is executed after the initial assurance date. Grantees shall retain (on-site) applicable source documentation for each contracted party that verifies compliance with the requirements listed in the Prop 64 PH&S Grant RFP. These records will be subject to the records and retention language found in Appendices A and C of the Standard Agreement.

Unless prior approval is obtained, the BSCC prohibits disbursement or reimbursement to any NGO that does not meet the requirements listed above and for which the BSCC does not have a signed grantee assurance on file.

A signature below is an assurance that all requirements listed above have been met.

AUTHORIZED SIGNATURE (This document must be signed by the person who is authorized to sign the Grant Agreement.)			
NAME OF AUTHORIZED OFFICER		TITLE	
STREET ADDRESS		CITY	STATE
			ZIP CODE
EMAIL ADDRESS			
SIGNATURE (Blue Ink Only or E-signature) x			DATE

APPENDIX L

SAMPLE: Prop 64 PH&S Grant Program Work Plan

Applicants must complete Project Work Plan. This Project Work Plan identifies measurable goals and objectives, activities and services, the responsible parties and a timeline. Completed plans should (1) identify the project's top goals and objectives (this must include at least one goal for the required youth development/youth prevention and intervention PPA); (2) identify how the top goals will be achieved in terms of the activities, responsible staff/partners, and start and end dates; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant. Applicants must use the Grant Work Plan provided within the Proposal Package at the end of this document. The form cannot exceed two (2) numbered pages and does not count toward the eight (8) numbered page limit for the Proposal Narrative. Proposal Work Plan document to be submitted is provided within the Proposal Package.

(1) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date
(2) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date
(3) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date
(4) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date

PROPOSITION 64 PUBLIC HEALTH & SAFETY GRANT PROGRAM COHORT 2

PROPOSAL PACKAGE* COVER SHEET

Submitted by (Name of eligible applicant):

DATE SUBMITTED TO THE BSCC:

**The Proposition 64 Public Health and Safety Grant Program Proposal Package is provided in a fillable format. Using the Tab key will allow the applicant access to those areas requiring information.*

PROPOSITION 64 PUBLIC HEALTH & SAFETY GRANT PROGRAM: PROPOSAL CHECKLIST

A complete proposal package for funding under the Proposition 64 PH&S Grant Program must contain the following items:

	Required Items:	✓
1	Cover Sheet (previous page)	<input type="checkbox"/>
2	Proposition 64 PH&S Grant Program Proposal Checklist <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory (e-signatures are acceptable) 	<input type="checkbox"/>
3	Applicant Information Form <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory (e-signatures are acceptable) 	<input type="checkbox"/>
4	Proposal Abstract <ul style="list-style-type: none"> No more than one (1) page 	<input type="checkbox"/>
5	Proposal Narrative to include Project Need, Project Description, Project Evaluation Sections <ul style="list-style-type: none"> No more than eight (8) pages 	<input type="checkbox"/>
6	Project Work Plan <ul style="list-style-type: none"> No more than 2 pages using the template provided (see Appendix L for instructions) 	<input type="checkbox"/>
7	Budget Information (Budget Table & Narrative) <ul style="list-style-type: none"> Use BSCC templates provided Budget Narrative must be no more than four (4) pages 	<input type="checkbox"/>
8	Additional Request for Proposals Information, if applicable <ul style="list-style-type: none"> No more than two (2) pages 	<input type="checkbox"/>
9	Letter(s) of Commitment	<input type="checkbox"/>
10	Letter of Eligibility (see Appendix B)	<input type="checkbox"/>
11	Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement (Appendix F) <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory (e-signatures are acceptable) 	<input type="checkbox"/>
12	Criteria for Non-Governmental Organizations Receiving Proposition 64 Public Health and Safety Grant Funds (Appendix K) <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory (e-signatures are acceptable) 	<input type="checkbox"/>
	Optional:	
13	Governing Board Resolution (Appendix E) <i>Note: The Governing Board Resolution is due prior to contract execution but is <u>not</u> required at the time of proposal submission.</i>	<input type="checkbox"/>

I have reviewed this checklist and verified that all required items are included in this proposal packet.

X

Applicant Authorized Signature (**Blue Ink Only or E-signature**) (see Applicant Information Form, Part O, next page)

*****ATTACHMENTS OTHER THAN THOSE LISTED ABOVE OR MORE THAN THE
ALLOWED PAGE LIMIT WILL NOT BE CONSIDERED*****

Applicant Information Form: Instructions

- A. Applicant:** Complete the required information for the local government submitting the proposal. If Applicant is a city, provide name as City of <NAME>; if Applicant is a county, provide name as <NAME> County.
- B. Tax Identification Number:** Provide the tax identification number of the Applicant.
- C. Project Title:** Provide the title of the proposed Prop 64 PH&S Grant project.
- D. Project Summary:** Provide a summary (100-150 words) of the proposed project. Note: this information may be posted to the BSCC's website for informational purposes.
- E. Grant Funds Requested:** Enter the total amount of Prop 64 PH&S Grant Program funds you are requesting. Use whole numbers (no decimal points).
- F. Project Purpose Area (PPA) 1 – Youth Development/Youth Prevention & Intervention (Mandatory):** Enter the amount of Prop 64 PH&S grant funds that will be used for PPA 1. Amount must be at least 10% of the funds requested in Section E. Use whole numbers (no decimal points).
- G. Project Purpose Areas 2, 3, & 4:** In addition to PPA 1, identify other PPAs the Applicant proposes to be implemented as part of the Prop 64 PH&S Grant Program. Check as many boxes as are applicable.
- H. Lead Public Agency (LPA):** Indicate which local public agency will be Lead of the Prop 64 PH&S Grant Program.
- I. Project Director:** Provide the name, title, and contact information for the individual responsible for oversight and management of the proposed project. This person must be an employee of the Applicant agency or LPA.
- J. Financial Officer:** Provide the name, title, and contact information for the individual responsible for fiscal oversight and management of the project. Typically, this is the individual that will certify and submit invoices. This person must be an employee of the Applicant agency or LPA.
- K. Day-to-Day Project Contact:** Provide the name, title, and contact information for the individual who serves as the primary contact person for the grant. Typically, this individual has day-to-day oversight for the project.
- L. Day-to-Day Fiscal Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for fiscal matters related to the grant. This may be the individual who prepares the invoices for approval by the Financial Officer.
- M. Authorized Signature:** Complete the required information for the person authorized to sign for the Applicant. This individual must read the assurances under this section, then sign (e-signature is acceptable) and date in the appropriate fields.

Proposition 64 Public Health & Safety Grant Program Applicant Information Form

A. APPLICANT: City of <Name> <u>or</u> <Name> County		B. TAX IDENTIFICATION NUMBER:	
NAME OF APPLICANT		TAX IDENTIFICATION #	
STREET ADDRESS	CITY	STATE	ZIP CODE
MAILING ADDRESS (if different)	CITY	STATE	ZIP CODE
C. PROJECT TITLE:			
D. PROJECT SUMMARY (100-150 words):		E. GRANT FUNDS REQUESTED:	\$
F. PROJECT PURPOSE AREA 1- YOUTH DEVELOPMENT/YOUTH PREVENTION & INTERVENTION (MANDATORY): Must be at least 10% of the amount in Section E			\$
G. PROJECT PURPOSE AREAS 2, 3, & 4 (In addition to PPA 1, check all that apply for the proposed project)			
<input type="checkbox"/> PPA 2: Public Health <input type="checkbox"/> PPA 3: Public Safety <input type="checkbox"/> PPA 4: Environmental Impact			
H. LEAD PUBLIC AGENCY:			
I. PROJECT DIRECTOR:			
NAME	TITLE	DEPARTMENT/AGENCY	
STREET ADDRESS		CITY	
STATE	ZIP CODE	TELEPHONE NUMBER	
EMAIL ADDRESS			
J. FINANCIAL OFFICER:			
NAME	TITLE	DEPARTMENT/AGENCY	
STREET ADDRESS		CITY	
STATE	ZIP CODE	TELEPHONE NUMBER	
EMAIL ADDRESS			
PAYMENT MAILING ADDRESS (if different)	CITY	STATE	ZIP CODE

K. DAY-TO-DAY PROGRAM CONTACT:		
NAME	TITLE	DEPARTMENT/AGENCY
STREET ADDRESS		CITY
STATE	ZIP CODE	TELEPHONE NUMBER
EMAIL ADDRESS		

L. DAY-TO-DAY FISCAL CONTACT:		
NAME	TITLE	DEPARTMENT/AGENCY
STREET ADDRESS		CITY
STATE	ZIP CODE	TELEPHONE NUMBER
EMAIL ADDRESS		

M. AUTHORIZED SIGNATURE*:			
By signing this application, I hereby certify I am vested by the Applicant with the authority to enter into contract with the BSCC, and the grantee and any subcontractors will abide by the laws, policies, and procedures governing this funding.			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
SIGNATURE (Blue Ink Only or E-signature)			DATE

* Authorized Signature: Must be a representative with the authority to sign documents and obligate the applicant.

**Proposition 64 Public Health & Safety Grant Program
Request for Proposals Document**

Proposal Abstract

The Proposal Abstract may not exceed one (1) page.

Proposal Narrative

The Proposal Narrative section may not exceed eight (8) pages in totality. See pages 19-20 for corresponding Rating Factors and Criteria.

1. Project Need (Percent of Total Value: 25%)

2. Project Description (Percent of Total Value: 50%)

3. Project Evaluation (Percent of Total Value: 15%)

Prop 64 PH&S Grant Program Request for Proposals Project Work Plan

The Project Work Plan may not exceed two (2) pages. See Appendix L for full instructions.

(1) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date
(2) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date
(3) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date
(4) Goal:			
Objectives (A., B., etc.)			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date

Proposal Budget

4. Project Budget – Table and Narrative (Percent of Total Value: 10%)

A. Budget Table (use the table provided below): Applicants are limited to the use of the Line Item categories listed and are not required to request funds for every Line Item listed. If a budget line item is not applicable for the proposed project, complete with entering \$0.

Total Grant Funds Requested: Complete this column, for the total grant funds requested for the full 3-Year grant funding term (May 1, 2021 to April 30, 2024) for all grant related activities/items. The Total amount for this column must equal the dollar amount provided in Section E of the Application Information Form. Use whole numbers only.

Grant Funds Proposed for PPA 1 (Youth Development/Youth Prevention & Intervention): Of the grant funds requested within each line item for the “Total Grant Funds Requested” column, complete this column for the grant funds to be used specifically for the mandatory PPA 1- Youth Development/Youth Prevention & Intervention for the full 3-Year grant funding term (May 1, 2021 to April 30, 2024). This column **MUST** total at least ten percent (10%) of the Total Grant Funds Requested column and must equal the dollar amount provided in Section F of the Application Information Form. Use whole numbers only.

Please verify total amounts as columns do not auto-calculate.

PROPOSED BUDGET LINE ITEMS	GRANT FUNDS REQUESTED		*GRANT FUNDS PROPOSED FOR PPA 1
1. Salaries and Benefits	\$	→	\$
2. Services and Supplies	\$	→	\$
3. Professional Services	\$	→	\$
4. Non-Governmental Organizations (NGO) Contracts	\$	→	\$
5. Indirect Costs / Administrative Overhead (may not exceed 10% of grant award)	\$	→	\$
6. Equipment / Fixed Assets	\$	→	\$
7. Data Collection / Enhancement	\$	→	\$
8. Program Evaluation	\$	→	\$
9. Sustainability Planning	\$	→	\$
10. Other (include travel & training costs)	\$	→	\$
11. Financial Audit	\$	→	\$
TOTAL	\$	→	\$ *

* This column **MUST** total at least ten percent (10%) of the Total Grant Funds Requested.

B. Budget Narrative Instructions (use the template provided on the following pages):

The Budget Narrative must provide sufficient detail in each category regarding how the Prop 64 PH&S Grant Program funds are anticipated to be expended to implement and operate the proposed project as identified in the Project Description and the Budget Table (previous page). The proposal must provide justification that the amount of grant funds requested is reasonable and appropriate given the proposed project's design and scope, and how the requested amounts will serve to meet the stated goals and objectives. Applicants are limited to the use of the Line Item categories listed; however, applicants are not required to request funds for every Line Item. If a budget line item is not applicable for the proposed project, complete with entering N/A. All funds must be used consistent with the requirements of the BSCC Grant Administration Guide, located on the BSCC website, including any updated version that may be posted during the term of the grant agreement. The BSCC will notify grantees whenever an updated version is posted. Definitions for the Prop 64 PH&S Grant Program Budget Line Items are as follows.

- 1. Salaries and Benefits:** List the classification/title, percentage of time, salary or hourly rates, and benefits (as applicable) for each staff person that will be funded by the grant, either by the Applicant or the Lead Public Agency (LPA). Briefly describe their roles/responsibilities within the Prop 64 PH&S Grant Program.

*Do not include information for public agency subcontractors or professional consultants; that information should be provided under the Professional Services Line Item and/or the Program Evaluation Line Item, as applicable.

*Do not include information for NGO subcontractors; that information should be provided under Non-Governmental Organization (NGO) Contracts Line Item.

- 2. Services and Supplies:** Include and itemize all services and supplies to be purchased by the Prop 64 PH&S Grant Program.

*Services and supplies to be purchased by NGOs, partner agencies, subgrantees, or subcontractors must be included in the applicable line item (e.g., Professional Services Line Item, NGO Contracts Line Item).

- 3. Professional Services:** List the names of any public agency(ies) or professional consultant(s) that will work on and be funded by the Prop 64 PH&S Grant Program. Show the amount of funds allocated to each agency/consultant and itemize the services that will be provided. List any positions to be funded, including classification/title, percentage of time, salary or hourly rates, and benefits (if applicable).

*Do not include information for subcontractors or consultants solely for the purpose(s) of Project Evaluation; that information should be provided under the Program Evaluation Line Item.

- 4. Non-Governmental Organization (NGO) Subcontracts:** List the names of all NGOs that will work on and be funded by the Prop 64 PH&S Grant Program. Include any positions to be funded, including classification/title, percentage of time, salary or hourly rates, and benefits (if applicable). If a community partner has not been selected as of

the date of the submission of the application, identify the amount of grant funds that will be allocated and describe the services to be provided.

5. **Indirect Costs:** Indirect costs may be charged as an amount not to exceed ten percent (10%) of the actual total direct project costs. Indirect costs are shared costs that cannot be directly assigned to a particular activity but are necessary to the operation of the organization and the performance of the project. Indirect cost guidelines can be found in the BSCC Grant Administration Guide located on the BSCC website.
6. **Equipment and Fixed Assets:** Include grant funds associated with equipment and fixed assets purchased by the Prop 64 PH&S Grant Program. Equipment and fixed assets are defined as nonexpendable personal property having a useful life of more than one (1) year and an acquisition cost of \$5,000 or more per unit. Items that do not meet this threshold should be included in the Services and Supplies Line Item Category. Itemize all equipment and fixed assets to be purchased by the Prop 64 PH&S Grant Program.

*Equipment and fixed assets purchased by partner agencies, NGOs, subgrantees, or subcontractors must be included the applicable Line Item (e.g., Professional Services Line Item, NGO Contracts Line Item).
7. **Data Collection / Enhancements:** Include and itemize all grant fund costs associated with the project's data collection efforts and/or necessary enhancements to an existing data collection mechanism to capture the data required for the Prop 64 PH&S Grant Program.
8. **Program Evaluation:** Include and itemize all grant fund costs associated with evaluation efforts for this project. This should include any subcontracts funded by the Prop 64 PH&S Grant Program solely for the purposes of Program Evaluation.
9. **Sustainability Planning:** Itemize all costs associated with the Applicant's efforts for sustaining this project after the Prop 64 PH&S Grant Program has ended.
10. **Other (Travel & Training costs):** Itemize all costs that do not fit into the Line Item Categories listed above, including travel and training. At a minimum, applicants should budget for at least four (4) project-related individuals to travel to Sacramento for a Grantee Orientation.

*For this Line Item, do not include "other" costs for partner agencies, NGOs, subgrantees, or subcontractors. These costs must be included in the applicable Line Item (e.g., Professional Services Line Item, NGO Contracts Line Item).

NOTE: Out-of-State travel using grant funding is permissible only in rare cases and is monitored very closely. Out-of-State travel included in the proposed budget does not guarantee automatic approval; these travel requests undergo a high level of review and scrutiny and approval is granted only in limited cases. Out-of-State travel requests require separate and prior approval by the BSCC.

11. Financial Audit: Up to \$25,000 may be allocated for an end of project financial audit. The audit provides assurances that an organization's financial statements are free of material misstatement based upon the application of generally accepted accounting principles.

Budget Narrative

The Budget Narrative may not exceed four (4) pages. Dollar amounts must be in whole numbers and match the corresponding Line Item amounts provided in the Budget Table.

- 1. Salaries and Benefits: \$**
- 2. Services and Supplies: \$**
- 3. Professional Services: \$**
- 4. Non-Governmental Organizations (NGO) Contracts: \$**
- 5. Indirect Costs (not to exceed 10% of the actual total direct project costs): \$**
- 6. Equipment / Fixed Assets: \$**
- 7. Data Collection / Enhancement: \$**
- 8. Program Evaluation: \$**
- 9. Sustainability Planning: \$**
- 10. Other (include travel and training costs): \$**
- 11. Financial Audit: \$**

Additional Request for Proposals Information

Applicants may include a maximum of two (2) additional numbered pages entitled “Additional RFP Information” to the Proposal Package. These pages must have a one-inch margin on all four sides and may **only** include endnotes, tables, charts, graphs and/or graphics, must be cited/referenced within the Proposal Narrative, must directly support the Proposal Narrative, and must be legible.

Agenda Item G

MEETING DATE: April 8, 2021**AGENDA ITEM:** G**TO:** BSCC Chair and Members**FROM:** Timothy Polasik, Field Representative, timothy.polasik@bscc.ca.gov**SUBJECT:** Title II Grant Program - Identifying Effective Interventions and Replicable Strategies for Reducing Racial and Ethnic Disparities Contract:
Requesting Approval

Summary

This agenda item requests Board approval of a contract between the Board of State and Community Corrections and WestEd, in partnership with the National Institute for Criminal Justice Reform, to identify effective interventions and replicable strategies for reducing racial and ethnic disparities. This contract, which was developed through a Request for Proposals process recommended by the State Advisory Group on Juvenile Justice and Delinquency Prevention (SACJJDP) and approved by the Board, if approved, will assist the BSCC with fulfilling its grant requirements under the federal Title II grant program. Specifically, this project would focus on developing a State and County data dashboard to identify where Racial and Ethnic Disparity exists in the Juvenile Justice system and use that information to determine the interventions that would improve the system. The final product would assist the SACJJDP in making data-driven recommendations on the portion of Title II funding allocated for reducing Racial and Ethnic Disparity in the Juvenile Justice system.

Background

The Juvenile Justice Reform Act (JJRA) of 2018 is the federal statute that establishes the Title II Grant Program. The U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers the grant, in part, by awarding grants to states to support delinquency prevention and improvements in the juvenile justice system. The BSCC is the state agency that receives and administers California's Title II award.

OJJDP requires states that receive Title II awards to establish a State Advisory Group to advise on Title II activities. In California, this is the State Advisory Committee on Juvenile Justice and Delinquency Prevention. The SACJJDP is a Governor-appointed committee serving as a standing BSCC Executive Steering Committee to support policy and programs designed to improve outcomes for young people in the justice system (Attachment G-1).

Pursuant to the JJRA, states and territories must "implement policy, practice, and system improvement strategies at the state, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities (R.E.D.) among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by:

- Establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders (including representatives of the educational system) at the state, local, or tribal levels, to advise efforts by states, units of local government, and Indian Tribes to reduce racial and ethnic disparities;
- Identifying and analyzing data on race and ethnicity at decision points in state, local, or tribal juvenile justice systems to determine at which such points create racial and ethnic disparities among youth who come in contact with the juvenile justice system; and
- Developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under [prior subparagraph].

(34 U.S.C. § 11133(a)(15).)

To address the above R.E.D. requirements, the SACJJP developed the following charge:

The SACJJDP will hire a consultant or use a subject matter expert(s) to develop a detailed review of each county, including the assessment of county interventions that are resulting in the reduction of racial and ethnic disparity and the identification of challenges and barriers that may exist within the county juvenile justice system. The review would analyze the Relative Rate Index (RRI) data and other sources of data as well as county policies, processes, and procedures. The analysis would demonstrate where disparity exists within the juvenile justice system and the project will highlight projects that are particularly noteworthy and include information about what makes them noteworthy to provide a framework to help counties to develop more effective interventions and/or replicable strategies.

To fulfill this charge, the SACJJDP looked to the subject-matter experts on in its Reducing Racial and Ethnic Disparities (R.E.D) Subcommittee to develop an RFP (Attachment G-2). To avoid Conflicts of Interest, the R.E.D. Subcommittee formed a working group that included representatives from the SACJJDP and experts on reducing racial and ethnic disparities (Attachment G-3). After completing the RFP and proposal rating process, the SACJJDP working group selected WestEd as the contractor to recommend to the Board.

Request for Proposals Process

On November 19, 2020, the Board approved the release of the Request for Proposals with a due date of January 29, 2021. The BSCC received a total of four proposals. On February 10, 2021, the BSCC research staff delivered training to the R.E.D. Working Group on how to read and rate the proposals based on the criteria established in the RFP. Once all scores were submitted by the raters, BSCC research staff developed a ranked list (Attachment G-4). The SACJJDP recommends funding WestEd, a nonprofit research agency with expertise in identifying youth opportunity gaps, working in partnership with the National Institute of Criminal Justice Reform (NICJR). One-page project abstracts from the four submissions are

provided as Attachment G-5. In preparing for this recommendation, staff have requested spending authority in the 2021/22 state budget. With approval, it is anticipated that the project would begin July 1, 2021.

Recommendation/Action Needed

Staff recommends that the Board:

1. Approve the recommendation to contract with WestEd, as approved by the Reducing Racial and Ethnicity Disparity Subcommittee Working Group and the SACJJDP.

Attachments

G-1: State Advisory Committee on Juvenile Justice and Delinquency Prevention Roster

G-2: Identifying Effective Interventions and Replicable Strategies for Reducing Racial and Ethnic Disparities Request for Proposals

G-3: State Advisory Committee on Juvenile Justice and Delinquency Prevention, Reducing Racial and Ethnicity Disparity Subcommittee Working Group Roster

G-4: Ranked Order List

G-5: Proposal Abstracts

Attachment G-1

SACJJDP MEMBERSHIP ROSTER

	Name	Title	Organization/Agency	County
1	Rachel Rios (Chair)	Director	La Familia Counseling Center, Inc.	Sacramento
2	Carol Biondi (Vice-Chair)	Commissioner	Los Angeles County Commission for Children and Families	Los Angeles
3	Hon. Brian Back	Superior Court Judge	Ventura County Juvenile Court	Ventura
4	Chief Michelle Scray Brown	Chief Probation Officer	San Bernardino County Probation	San Bernardino
5	Dr. B.J. Davis	Adjunct Professor	Alliant International University	Sacramento
6	Dr. Carly Dierkhising	Assistant Professor	CSU Los Angeles	Los Angeles
7	Miguel A. Garcia	Youth Member	Legal Assistant, Daniel H. Cargnelutti, Esq.	Riverside
8	Juan Gomez	Director	Motivating Individual Leadership for Public Advancement	Los Angeles
9	Susan Harbert	Staff Attorney	Loyola Law School	Los Angeles
10	Gordon Jackson	National Director of Protect	3Strands Global Foundation	Sacramento
11	Ramon Leija	Advocate	Anti-Recidivism Coalition	Los Angeles
12	Kent Mendoza	Policy Coordinator	Anti-Recidivism Coalition	Los Angeles

Attachment G-1

13	Amika Mota	Prison Reentry Director	Young Women's Freedom Center	San Francisco
14	Vanessa Najar	Peer mentor	Puente Project at Sacramento City College	Sacramento
15	District Attorney Nancy O'Malley	District Attorney	Alameda County District Attorney's Office	Alameda
16	Winston Peters	Assistant Public Defender	Los Angeles County Public Defender's Office	Los Angeles
17	Dr. Mimi Silbert	Chief Executive Officer	Delancey Street Foundation	San Francisco
18	Dante Williams	Youth Advocate Manager	Stanford Youth Solutions	Sacramento
19	Amanda Clifford	Policy and Advocacy Associate	Bill Wilson Center	Santa Clara
20	Michelle Guymon	Director, Child Trafficking Unit	LA County Probation	Los Angeles
21	Elliot Housman-Turrubiate	Youth Victim Advocate	Native American Health Center	Sacramento

Attachment G-2



LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

2590 VENTURE OAKS WAY, SUITE 200 ♦ SACRAMENTO CA 95833 ♦ 916.445.5073 ♦ BSCC.CA.GOV



GAVIN NEWSOM
Governor

REQUEST FOR PROPOSALS Notice to Prospective Proposers

November 20, 2020

You are invited to review and respond to this Request for Proposals (RFP), entitled **Title II Grant Program: Identifying Effective Interventions and Replicable Strategies for Reducing Racial and Ethnic Disparities.** In submitting your proposal, you must comply with these instructions.

Note: For private companies, all agreements entered into with the State of California will include by reference General Terms and Conditions that may be viewed and downloaded at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>. If you do not have internet access, a hard copy can be provided by contacting Jessica Espinoza as listed below:

For California State Universities, all agreements entered into with the State of California will include by reference University Terms and Conditions that may be viewed and downloaded at <https://www.ucop.edu/research-policy-analysis-coordination/research-sponsors-agreements/state-of-california/cma-templates.html>.

In the opinion of the Board of State and Community Corrections (BSCC), this RFP is complete and without need of explanation. However, if you have questions, or if you need any clarifying information, the contact person for this RFP is:

Jessica Espinoza
Board of State and Community Corrections
BSCCProcurement@bscc.ca.gov

Please Note: No verbal information given will be binding upon the BSCC unless such information is issued in writing as an official addendum.

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A. BACKGROUND

The Juvenile Justice Reform Act (JJRA) of 2018 is the federal statute that establishes the Title II Grant Program. The U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers the grant, in part, by awarding grants to states to support delinquency prevention and juvenile justice system improvement. The Board of State and Community Correction (BSCC) is the state agency that receives and administers California's Title II award. The BSCC must competitively award the majority of these funds to units of local government, nonprofit, nongovernmental organizations (NGOs) (referred to as local private agencies in the JJRA), and Indian tribes consistent with the purpose and intent of the JJRA.

OJJDP requires states that receive Title II awards to establish a State Advisory Group to advise on Title II activities. In California, this Advisory Group is the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP). The SACJJDP is a Governor-appointed committee serving as a standing BSCC Executive Steering Committee (ESC) that works on behalf of the Governor to support policy and programs that improve outcomes for young people in the justice system.

In order to receive Title II funding, each state must submit a 3-year juvenile justice State Plan to OJJDP that describes the planned areas of focus. The SACJJDP developed California's 2018-2020 State Plan, which was then approved by the Board and accepted by OJJDP. For more information about SACJJDP and the Title II State Plan click here: <http://www.bscc.ca.gov/wp-content/uploads/2018-20-State-Plan-OJJDP-Title-II-Formula-Grants-Program.pdf>.

The SACJJDP has set the following priorities for California's current Title II Grant Program: providing alternatives to detention, promoting youth safety and well-being while in custody and identifying and supporting successful and emerging reentry models. The current plan also intends that in-custody programs focus on rehabilitation and building individual strengths instead of punishment for past mistakes and deficits. It intends that California's Racial and Ethnic Disparity (R.E.D.) of youth in the juvenile justice system be addressed.

Pursuant to the JJRA, 34 U.S.C. § 11133(a)(15), in order to achieve compliance with the R.E.D requirement, states and territories must "implement policy, practice, and system improvement strategies at the state, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by:

- Establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders (including representatives of the educational system) at the state, local, or tribal levels, to advise efforts by states, units of local government, and Indian Tribes to reduce racial and ethnic disparities;
- Identifying and analyzing data on race and ethnicity at decision points in state, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and
- Developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B)."

To address the above requirements, the SACJJDP developed the following charge:

The SACJJDP will hire a consultant or use a subject matter expert(s) to develop a detailed review of each county, including the assessment of county interventions that are resulting in the reduction of racial and ethnic disparity and the identification of challenges and barriers that may exist within the county juvenile justice system. The review would analyze the RRI data and other sources of data as well as county policies, processes, and procedures. The analysis would demonstrate where disparity exists within the juvenile justice system and the project will highlight projects that are particularly noteworthy, and include information about what makes them noteworthy to provide a framework to help counties to develop more effective interventions and/or replicable strategies.

To fulfill this charge, the SACJJDP looked to the subject matter experts on in its Reducing Racial and Ethnic Disparities (R.E.D) Subcommittee. The R.E.D. Subcommittee includes representatives from the SACJJDP and experts on disproportionate minority contact. The successful applicant will work closely with the R.E.D. Subcommittee to implement the deliverables in this RFP.

B. PURPOSE AND DESCRIPTION OF SERVICES

The purpose of this Request for Proposals (RFP) is to solicit proposals from universities, research firms, and consultants to develop a statewide and county level framework that identifies racial and ethnic disparities and effective interventions and/or replicable strategies for addressing racial and ethnic disparities in California.

This RFP requests an evaluation of racial and ethnic disparities in juveniles at the state and county level. This evaluation should:

- identify and select juvenile racial and ethnic disparity indicators, which will be used to develop data dashboards and report tables at the statewide and county level.
- conduct a review of each county using existing data that identifies juvenile racial and ethnic disparities to select a sample of counties for the in-depth review.
- conduct an in-depth review of a sample of counties to further investigate factors, including policies and practices that contribute to racial and ethnic disparities; challenges and barriers to reducing racial and ethnic disparities; and policies, practices, and interventions that reduce racial and ethnic disparities.
- develop a framework that will assist the state and counties in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.

Applicants are requested to provide a proposal that;

- 1) defines the target population for this project as youth who entered the justice system before 18 years of age; and may include transitional age youth up to 26 years of age.
- 2) Completes the work in consultation with BSCC Staff, the SACJJDP, and R.E.D. Subcommittee. Key decisions regarding the specific data elements, metrics, and information collected will be determined in conjunction with the R.E.D. Subcommittee.

- 3) focuses on the selection of data elements, metrics, and information that is targeted and most useful for understanding where juvenile racial and ethnic disparities occur and the best practices for reducing these disparities.
- 4) takes into consideration, in their sampling strategy for the in-depth review, variations in practices and policies across agencies and jurisdictions within Counties. Includes documentation of the methodology used for each deliverable with enough detail that all aspects are replicable by BSCC staff or the R.E.D. Committee.
- 5) addresses, in their sampling strategy for the in-depth review, the diversity of counties within California including but not limited to tribal jurisdictions, geography, population/size of County, and demographics.

Respondents to this RFP must include in the proposal a clear description of how they will achieve each of the components of the project plan listed above and how they will comply with each deliverable enumerated below.

C. DELIVERABLES

- 1) The contractor will work with BSCC staff and the SACJJDP R.E.D. Subcommittee to select juvenile racial and ethnic disparity data elements and metrics to best analyze and identify disparities that will be included in data dashboards and report tables (statewide and county-level). That is, the R.E.D. Subcommittee will select data elements and/or metrics, based on options presented by the contractor, to identify racial and ethnic disparities at the state and county-level. The data elements and/or metrics will:
 - Provide the percent distribution of race or ethnic groups compared to the general population distribution for the following nine points: arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer.
 - Provide data for the following nine points: arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer.
 - May provide other metrics to analyze disparities as identified in coordination with the R.E.D. Subcommittee. These may include but are not limited to percent distribution by offense type (e.g., felony, misdemeanor, status) and other demographic characteristics (e.g., gender, age).
 - May include further analysis within a county to identify possible city-level influences of racial and ethnic disparities.

The contractor should assist and guide the SACJJDP R.E.D Subcommittee with selecting data elements that are the most useful.

Documentation of the data elements and/or metrics including the source and the reason for their selection shall be provided.

- 2) The contractor will develop a data dashboard that summarizes the data and report tables that display juvenile racial and ethnic disparity data elements identified as part of Deliverable #1. The data summary and report tables will be developed to provide statewide level data and data for each county. These will be developed in a manner, with supporting documentation, that data collection, storage, and updates of the underlying data tables, report tables, and data dashboard(s) can be updated annually by BSCC staff. The contractor will coordinate the selection of software used for dashboards with BSCC staff and prioritize software that is readily available, with limited cost, and relatively easy to learn.

Documentation shall be provided that describes the purpose, analysis methods in sufficient detail to be replicated, and the results of the analysis.

- 3) Conduct an in-depth review of a sampling of counties to identify the:
 - factors, including policies and practices that contribute to racial and ethnic disparities;
 - challenges and barriers to reducing racial and ethnic disparities; and,
 - policies, practices, and interventions that reduce racial and ethnic disparities.

The sampling methodology to select counties for the thorough review shall consider the data and information gathered as part of Deliverable #2 (data dashboards and report tables; counties with greater ethnic disparity as well as those that have made significant improvements).

The review of the sample of counties shall be used to develop a framework that will assist in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.

Documentation shall be provided that describes the purpose, sampling methodology, review method with enough detail to be replicated, and the review results.

- 4) The contractor will participate in conference calls, virtual meetings, and in-person meetings with BSCC staff and SACJJDP committee members as needed during the project period, to be completed within 18 months of the contract start date.
- 5) Generally, the meeting format will be virtual; however, up to four in-person one-day meetings may be planned over the course of the contract period (assuming COVID-19 restrictions have been lifted).
- 6) The contractor will make presentations, either virtually or in-person, to present the findings and outcomes of the project to the SACJJDP, R.E.D. Subcommittee, and BSCC Board. The contractor will be available for engagement by SACJJDP, R.E.D. Subcommittee, and the BSCC Board to discuss the project deliverables and findings. There will be no more than four virtual or in-person presentations requested.

D. TITLE II RACIAL AND ETHNIC DISPARITY WORKING GROUP PROCESS

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees (ESCs) and Working Groups to inform decision making related to the Board's programs. ESCs and Working Groups are convened as the need arises, to carry out specified tasks including the development of RFPs for grant funds. Title II ESCs and Working Groups submit award recommendations to the SACJJDP, the SACJJDP then presents the recommendation to the BSCC Board and the Board then approves, rejects, or revises those recommendations. BSCC's ESCs and Working Groups are typically composed of subject matter experts and stakeholders representing both the public and private sectors. The BSCC makes every attempt to include diverse representation on its ESCs - in breadth of experience, geography, and demographics. Members of ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings. SACJJDP serves as a standing ESC of the Board (see Appendix 1). The SACJJDP established a Title II Racial and Ethnic Disparity Working Group for the purpose of this RFP. A list of Working Group members can be found in Appendix 2.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner or like party who participated on the Title II Racial and Ethnic Disparity Working Group, or who is a member of SACJJDP from receiving funds awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the SACJJDP and Title II Working Group membership rosters and ensuring that no grant dollars are passed through to any entity represented by any member of the SACJJDP or Title II ESC.

See Appendix 1 for the State Advisory Committee for Juvenile Justice and Delinquency Prevention Membership Roster and Appendix 2 for the Title II Racial and Ethnic Disparity Working Group Roster.

E. INFORMATION & BUSINESS RULES

- 1) Once feedback has been incorporated into the final product, and the final product has been agreed upon by the contractor, the SACJJDP, and the BSCC, products produced under this RFP will give attribution to the contractor. The attribution statement will be agreed upon between the contractor and the BSCC before products are finalized for distribution.

F. MINIMUM QUALIFICATIONS FOR PROPOSERS

The proposer must have, at a minimum, the following qualifications and experience:

- 1) Must be qualified to do business in the State of California;
- 2) Must have experience in juvenile justice or juvenile delinquency data analysis; and experience with Racial and Ethnic Disparity projects.
- 3) Must provide two relevant work product samples that demonstrate the breadth of experience identified in #2.

G. PROPOSAL REQUIREMENTS AND INFORMATION**1. Key Action Dates**

Event	Date
RFP Available to Prospective Proposers	Friday, November 20, 2020
Written Question Submittal Deadline	Thursday, December 3, 2020 by 5:00 pm
Answers to Written Questions Published	Thursday, December 17, 2020 by 5:00 pm
Final Date for Proposal Submission	Friday, January 29, 2021 by 5:00 pm
Notice of Intent to Award	Monday, April 12, 2021
Proposed Award Date	Monday, April 19, 2021
Contract Initiated	Monday, April 19, 2021
Contract Signed	On or about Monday, June 1, 2021
Project Period End Date	Within 18 months of the signed contract

2. Work Plan and Work Schedule Requirements

The applicant shall submit a work plan and work schedule for completion of the project that identifies each major task, necessary subtask, and/or specific milestones, including responsible parties and a timeline, by which progress can be measured and payments made.

3. Cost Detail Format and Requirements

The proposed tasks and milestones should be broken down in the outline of the Work Plan and Work Schedule. The total costs of all tasks and milestones cannot exceed \$300,000. Use the Sample Cost Proposal Worksheet (Attachment 4) as a guide in preparing your cost proposal.

4. Payments and Invoicing

Invoices must be submitted to the BSCC upon completion of a deliverable as outlined in the Work Schedule.

5. Submission of Proposal

Applicants must submit an electronic version of the complete proposal package to the BSCC by 5:00 p.m. on January 29, 2021 [see dates and times shown in Section G, Proposal Requirements and Information (Item 1- Key Action Dates)]. Proposals received after this date and time will not be considered.

A complete proposal package will include:

- 1) One pdf file that contains the signed proposal (e-signatures are acceptable; see Section H, Required Proposal Abstract and Narrative, and Section I, Required Attachments).
- 2) Two pdf files that contain the two required work product samples. Each work product sample shall be a separate file (Attachment 12 and Attachment 13).

If the BSCC does not receive an email containing the complete proposal package by 5:00 p.m. on January 29, 2021, the proposal will not be considered.

Email the complete proposal package to: BSCCProcurement@bscc.ca.gov

If the proposal is made under a fictitious name or business title, the actual legal name of the proposer must be provided.

6. Proposal Content:

- a) All proposals shall include a narrative addressing the items identified in Section H, Required Narrative, and the documents identified in Section I, Required Attachment Checklist (Attachment 1, page 14).
- b) Proposals must be submitted for the performance of all the services described herein.
- c) A proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may reject any or all proposals and may waive an immaterial deviation in a proposal. The State's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the proposer from full compliance with all requirements if awarded the agreement.
- d) Costs incurred for developing proposals and in anticipation of award of the agreement are entirely the responsibility of the proposer and shall not be charged to the State of California.
- e) An individual who is authorized to bind the proposing firm contractually shall sign the Attachment 2, Proposal/Proposer Certification Sheet (page 15). The signature must indicate the title or position that the individual holds in the firm. An unsigned proposal may be rejected.
- f) A proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline as set forth in the Key Action Dates (page 6).
- g) A proposer may withdraw its proposal by submitting a written withdrawal request to the State, signed by the proposer or an authorized agent in accordance with (e) above. A proposer may thereafter submit a new proposal prior to the proposal submission deadline of January 29, 2021.
- h) The awarding agency may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package.
- i) The awarding agency reserves the right to reject all proposals. The agency is not required to award an agreement.
- j) Before submitting a response to this solicitation, proposers should review, correct all errors, and confirm compliance with the RFP requirements.
- k) More than one proposal from an individual, firm, partnership, corporation, or association under the same or different names, will not be considered.
- l) The State does not accept alternate contract language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC, 04/2017) are not negotiable.
- m) No oral understanding or agreement shall be binding on either party.

7. Evaluation Process

- a) At the time of proposal opening, each proposal will be checked for submission by the required date/time and for the presence or absence of required information in

conformance with the submission requirements of this RFP. Late proposals will be disqualified.

- b) Proposals that contain false or misleading statements, or which provide references that do not support an attribute or condition claimed by the proposer, may be rejected.
- c) Award, if made, will be to the highest scored responsive proposal.
- d) Proposal Evaluation System

Proposals that meet the minimum qualifications will be evaluated and scored by the BSCC according to the Rating Factors (RF) shown in the table below. Applicants are asked to address each of these Rating Factors as part of their proposal.

Rating Factor		Point Range	Percent of Total Value	Weighted RF Score
1	Qualifications and Experience	0 - 5	20%	20
2	Project Plan	0 - 5	40%	40
3	Work Plan and Work Schedule	0 - 5	20%	20
4	Project Budget	0 - 5	20%	20
Total Possible Proposal Score:			100%	100

Raters will assign points to an applicant's response in each of the Rating Factor categories on a scale of 0 – 5, according to the Six-Point Rating Scale shown below. Each Rating Factor point assignment is then weighted according to the "Percent of Total Value" column associated with each Rating Factor to arrive at the Weighted Score for each Rating Factor. The Weighted Scores are then added together to calculate the Total Proposal Score.

Non-Response 0	Poor 1	Fair 2	Satisfactory 3	Good 4	Excellent 5
The response fails to address any of the criteria.	The response addresses the criteria in a very inadequate way.	The response addresses the criteria in a non-specific or unsatisfactory way.	The response addresses the criteria in an adequate way.	The response addresses the criteria in a substantial way.	The response addresses the criteria in an outstanding way.

8. Award and Protest

- a) Notice of the proposed award shall be posted in a public place in the office of the Board of State and Community Corrections, 2590 Venture Oaks way, Suite 200 Sacramento, CA 95833, as well as on BSCC's website (www.bscc.ca.gov) for five (5) working days prior to awarding the agreement.
- b) If any proposer, prior to the award of agreement, files a protest with the Board of State and Community Corrections and the Department of General Services, Office of Legal Services, 707 Third Street, 7th Floor, Suite 7-330, West Sacramento, CA 95605, on the grounds that the (protesting) proposer would have been awarded the contract had the agency correctly applied the evaluation system in the RFP, or if the agency followed the evaluation and scoring methods in the RFP, the agreement shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter. It is suggested that you submit any protest by certified or registered mail.
- c) Within five (5) days after filing the initial protest, the protesting proposer shall file with the Department of General Services, Office of Legal Services and the Board of State and Community Corrections a detailed statement specifying the grounds for the protest.
- d) Upon resolution of the protest and award of the agreement, Contractor must complete and submit to the awarding agency the Payee Data Record (STD 204), to determine if the Contractor is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. This form can be found at: <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>.
No payment shall be made unless a completed STD 204 has been returned to the awarding agency. Upon resolution of the protest and award of the agreement, Contractor must sign and submit to the awarding agency, page one (1) of the Contractor Certification Clauses (CCC), which can be found at: <https://www.dgs.ca.gov/-/media/Divisions/OLS/Resources/CCC-042017.pdf?la=en&hash=4DE3E4DC414511AE378794200BA43EBF91C758EE>

9. Disposition of Proposals

- a) Upon proposal opening, all documents submitted in response to this RFP will become the property of the State of California and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public.
- b) Proposal packages may be returned only at the proposer's expense, unless such expense is waived by the awarding agency.

10. Agreement Execution and Performance

- a) Performance shall start no later than fourteen (14) days, or on the express date set by the awarding agency and the Contractor, after all approvals have been obtained and the agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, the awarding agency, upon five (5) days written notice to the Contractor, reserves the right to terminate the agreement. In addition, the Contractor shall be liable to the BSCC for the difference between Contractor's Proposal price and the actual cost of performing work by another contractor.
- b) All performance under the agreement shall be completed on or before the termination date of the agreement.

H. PREFERENCE AND PARTICIPATION PROGRAM INFORMATION**1. Small Business Preference**

Section 14835 et seq. of the California Government Code requires that five percent (5%) preference be given to any Proposer who is certified by the State as a California small business, or any Proposer who qualifies as a non-small business claiming at least 25% California certified small business sub-contractor participation. The rules and regulations of this law, including the definition of a small business, or qualifying non-small business, are contained in Title 2, California Code of Regulations, Section 1896 et seq. The definition of non-profit veteran service agencies qualifying as a small business is contained in MVC section 999.50 et seq.

The method used in determining the successful bidder for an RFP Secondary follows:

- Calculate 5% of the highest responsible bidder's total score.
- Add the amount calculated above to the score of each of the certified small business or microbusinesses. This new amount is the total score.
- Award of the contract must go to the responsive proposal with the highest point count.

Proposals desiring to claim this preference must submit a fully executed copy of Attachment 10.

2. Disabled Veteran Business Enterprise (DVBE)

DVBE PARTICIPATION FOR THIS SOLICITATION HAS BEEN WAIVED

3. Target Area Contract Preference Act (TACPA)

Preference will be granted to California based Contractors in accordance with Government Code Section 4530 whenever a contract for goods and services are in excess of \$100,000 and the Contractor meets certain requirements as defined in the California Code (Title 2, Section 1896.30) regarding labor needed to produce the goods or provide the service

being procured. Proposers desiring to claim Target Area Contract Preferences Act shall complete Std. Form 830 and DGS/PD 826, and submit both forms with the final proposal.

Proposals desiring to claim this preference must submit a fully executed copy of Attachment 11.

I. REQUIRED PROPOSAL ABSTRACT AND NARRATIVE

Applicants are required to provide a Proposal Abstract, Proposal Narrative, and Proposal Budget as described below. The Proposal Abstract, Proposal Narrative, and Budget Narrative (see below) must be submitted in Arial 12-point font with one-inch margins on all four sides, and it must be 1.5-line spaced. The Proposal Narrative cannot exceed **12 numbered pages** in length. The Proposal Budget (provided as Attachment 4) can be up to **5 numbered pages** in length.

- 1. Proposal Abstract** – Provide a summary of the proposed project. The Proposal Abstract cannot exceed **1-page** length. This section will not be included in the rating of the proposal. It does count toward the 12-page limit.
- 2. Proposal Narrative** – For the Proposal Narrative, address each of the three (3) Rating Factor sections below.
 - 1. Qualifications and Experience**
 - 2. Project Plan**
 - 3. Work Plan and Work Schedule (can be addressed in table format as Attachment 3)**

Each section should be titled according to its section header as provided (e.g., Qualifications and Experience). Within each section, address the Rating Factor and its criteria (bulleted lists provided below) in a comprehensive narrative format.

- 3. Proposal Budget** – The Proposal Budget is provided as Attachment 4 and is comprised of two components: The Project Budget and a Budget Narrative description relating the expenses to the proposed project plan. Combined, these two components of the Proposal Budget should address the Project Budget Rating Factor and its criteria (bulleted lists provided below) in a comprehensive manner. Attachment 4 can be up to **5 numbered pages** in length and does not count toward the Project Narrative 12-page limit.

Note the aspects of the budget which cannot be changed due to Federal funding requirements which can be found in the US Department of Justice (DOJ) Grant Financial Guide. These include:

- Allowable Costs
- Indirect Costs
- Consultant Rates
- Property Standards
- Procurement

The US DOJ Financial Guide can be found here:

https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/DOJ_FinancialGuide_1.pdf

The response to each Rating Factor will be evaluated with a single rating based on a scale of 0 – 5. Addressing each criterion does not itself merit a high rating; rather, although each criterion is to be addressed, it is the quality of the response to each that will be evaluated.

The 12-page limit does not include any required attachments (see Section J, Required Attachments). It is up to the applicant to determine how best to use the total 12-page limit in addressing each section. However, as a guide, the percent of total value is provided for each section.

Address the Rating Factors below in narrative form:

Section 1. Qualifications and Experience (Percent of Total Value: 20%) Address the criteria listed below that comprise the Qualification and Experience Rating Factor.	
1.1	Describe research experience of the principal investigator(s) in juvenile justice or juvenile delinquency data analysis; and experience with juvenile racial and ethnic disparity projects. Description should include: <ul style="list-style-type: none"> • background and experience pertinent to the subject area. • experience with similar projects. • experience in California with juvenile justice or juvenile racial and ethnic disparity projects. • experience working with and incorporating data from many sources
1.2	Describe experience of the principal investigator(s) in developing recommendations related to racial and ethnic disparities in juvenile justice.
1.3	Identify additional members of the project team, if applicable, and describe their role, education, and experience. Include the oversight plan by the principal investigator(s).
1.4	The two work product samples provided (as attachments) demonstrate relevant experience to the project.

Section 2. Project Plan (Percent of Total Value: 40%) Address the criteria listed below that comprise the Project Plan Rating Factor.	
2.1	Description of the proposed project plan that ensures the collection of information needed (qualitative and/or quantitative data) to complete the project. The description should address the: <ul style="list-style-type: none"> • Identification and selection of the data elements and metrics to identify disparities. • Development of a state-wide and county-level data dashboard, reports, data tables, and any other reporting mechanisms. • Sampling methodology of counties to be included in the in-depth review. • Method for conducting the in-depth review of counties.

	<ul style="list-style-type: none"> Development of the framework that will assist in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.
2.2	Description of the plan for coordinating with the R.E.D. Subcommittee and BSCC staff.
2.3	Description of the plan for data management that incorporates the maintenance of data and data sharing with the BSCC and/or R.E.D. Subcommittee.
2.4	The project plan is clearly tied to the requirements of the project (see section B. Purpose and Description of Services and section C. Deliverables).

Section 3. Work Plan and Work Schedule (Percent of Total Value: 20%) Address the criteria listed below that comprise the Work Plan and Work Schedule Rating Factor.	
3.1	Provide a Work Plan and Work Schedule that identifies each major deliverable, task, necessary subtask, and or specific milestone(s), including responsible parties and a timeline, for successful completion of the project.
3.2	The Work Plan and Work Schedule are clearly tied to the proposed Project Plan and the requirements of the project (see section B. Purpose and Description of Services and section C. Deliverables).

Provide a Proposal Budget (Attachment 4) to address the Rating Factor below.

Section 4. Project Budget (Percent of Total Value: 20%) Address the criteria listed below that comprise the Project Budget Rating Factor.	
4.1	Present a detailed Project Budget (sample provided in Attachment 4) for the proposed project plan that directly relates to the activities.
4.2	The Budget Narrative describes how the expenses included in the budget relate to the proposed project plan and are inclusive of <u>all</u> the tasks required for successful completion of the project (see section B. Purpose and Description of Services and section C. Deliverables).

J. REQUIRED ATTACHMENTS

Refer to the following pages to view Required Attachments 1 through 13, that are a part of this agreement.

ATTACHMENT 1: REQUIRED ATTACHMENT CHECKLIST

Complete this checklist to confirm the items included as part of your proposal. Place a check mark or "X" next to each item that you are submitting to the BSCC. For your proposal to be responsive, all required attachments must be returned. This checklist should be returned with your proposal package.

	<u>Attachment</u>	<u>Attachment Name</u>
	Attachment 1	Required Attachment Checklist
	Attachment 2	Proposal/Proposer Certification Sheet
	Attachment 3	Work Plan and Work Schedule
	Attachment 4	Sample Proposal Budget Worksheet
	Attachment 5	Proposer References
	Attachment 6	Payee Data Record (STD 204) (if currently not on file)
	Attachment 7	Contractor Certification Clauses (CCC-307)
	Attachment 8	Darfur Contracting Act Certification
	Attachment 9	Bidders Declaration Form
	Attachment 10	Small Business Certification**
	Attachment 11	Target Area Contract Preference Act (TACPA)**
	Attachment 12	Work Sample # 1 (refer to Minimum Qualifications for Proposers, page 5). To be provided as a separate file.
	Attachment 13	Work Sample #2 (refer to Minimum Qualifications for Proposers, page 5). To be provided as a separate file.
** If applicable		

Proposers note: The state makes no warranty that the checklist is a full comprehensive listing of every requirement specified in the solicitation. Checking off the items on the checklist does not establish proposer's intent nor does it constitute responsiveness to the requirement(s). The checklist is only a tool to assist proposers in compiling their final proposal. Proposers are encouraged to carefully read the entire solicitation. The need to verify all documentation and responses prior to the submission of final proposals cannot be over emphasized.

ATTACHMENT 2: PROPOSAL/PROPOSER CERTIFICATION SHEET

Completion Instructions: Complete the numbered items on the Proposal/Proposer Certification Sheet (following page) by following the instructions below.

Item #s	Instructions
1, 2, 2a, 3	Must be completed. These items are self-explanatory.
4	Check if your organization/firm is a sole proprietorship. A sole proprietorship is a form of business in which one person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.
5	Check if your organization/firm is a partnership. A partnership is a voluntary agreement between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them. An association of two or more persons to carry on, as co-owners, a business for profit.
6	Check if your organization/firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.
7	Check if your organization/firm is a university. A University is an institution of higher (or tertiary) education and research, which awards academic degrees in various academic disciplines. Universities typically provide undergraduate education and postgraduate education.
8	Check if your organization/firm is "Other." Other is defined as not applicable to the categories listed in numbered items 4, 5, 6, or 7.
9	Enter your federal employee tax identification number.
10	Enter your corporation (organization/firm) number assigned by the California Secretary of State's Office. This is used for checking if a corporation is in good standing and qualified to conduct business in California.
11	Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being proposed.
12, 13, 14, 15	Must be completed with name of the proposer, not organization/firm name. These items are self-explanatory.
16	If certified as a California Small Business, place a check in the "yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter your service code on the line. If you are not certified to one or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSDS.

ATTACHMENT 2: PROPOSAL/PROPOSER CERTIFICATION SHEET

This Proposal/Proposer Certification Sheet must be signed and returned along with all the "required attachments" as an entire package.

- A. Place all required attachments behind this certification sheet.
- B. The signature affixed hereon and dated certifies compliance with all the requirements of this proposal document. The signature below authorizes the verification of this certification.

An unsigned Proposal/Proposer Certification Sheet may be cause for rejection

1. University/Company Name	2. Telephone Number ()	2a. Fax Number ()
3. Address		
Indicate your organization/firm type:		
4. <input type="checkbox"/> Sole Proprietorship 5. <input type="checkbox"/> Partnership 6. <input type="checkbox"/> Corporation 7. <input type="checkbox"/> University 8. <input type="checkbox"/> Other		
Indicate the applicable employee and/or corporation number:		
9. Federal Employee ID No. (FEIN)	10. California Corporation No.	
11. Indicate applicable license and/or certification information:		
12. Proposer's Name (Print)	13. Email	
14. Title		
15. Signature	16. Date	
17. Are you certified with the Department of General Services, Office of Small Business and Disabled Veteran Business Enterprise (OSDS) as:		
a. California Small Business Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter certification number: Cert. No: _____	b. Disabled Veteran Business Enterprise Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter your service code below: Code: _____	
NOTE: A copy of your Certification is required to be included if either of the above items is checked "Yes".		
Date application was submitted to OSDS, if an application is pending:		

ATTACHMENT 3: WORK PLAN AND WORK SCHEDULE

ATTACHMENT 3: WORK PLAN AND WORK SCHEDULE

To be provided as a separate file. (Refer to Proposal Requirements and Information, page 6)

ATTACHMENT 4: SAMPLE PROPOSAL BUDGET WORKSHEET AND NARRATIVE

Use this section to provide a budget worksheet and narrative that provides a description of how the expenses included in the budget table above relate to the proposed project plan and are inclusive of all the tasks required for successful completion of the project. Budget Information and a Sample Budget Detail Worksheet can be found here:

<https://www.justice.gov/ovw/page/file/1107316/download>

ATTACHMENT 5: PROPOSER REFERENCES

Submission of this attachment is mandatory. Failure to comply and return this attachment with your proposal will cause your proposal to be rejected and deemed nonresponsive.

List below three (3) references for services performed within the last three (3) years, which are similar to the scope of work to be performed in this contract. If three (3) references cannot be provided, please explain why on an attached sheet of paper.

REFERENCE 1

Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

REFERENCE 2

Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

REFERENCE 3

Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

ATTACHMENT 6: PAYEE DATA RECORD (STD 204)

Proposer must complete, sign and submit the Payee Data Record (STD 204).

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>

ATTACHMENT 7: CONTRACTOR CERTIFICATION CLAUSES (CCC-307)

Proposer must complete, sign and submit page 1 of the Contractor Certification Clauses (CCC-307).

<https://www.dgs.ca.gov/-/media/Divisions/OLS/Resources/CCC-042017.pdf?la=en&hash=4DE3E4DC414511AE378794200BA43EBF91C758EE>

ATTACHMENT 8: DARFUR CONTRACTING ACT

Proposer must complete, sign and submit the Darfur Contracting Act Form.

<https://www.dgs.ca.gov/-/media/Divisions/PD/Acquisitions/Solicitation-Document-Attachments/Darfur-Contracting-Act.pdf>

ATTACHMENT 9: BIDDER DECLARATION FORM (GSPD-05-105)

View and print this document at:

<https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd05-105.pdf>

ATTACHMENT 10: SMALL BUSINESS CERTIFICATION

<https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Certify-or-Re-apply-as-Small-Business-Disabled-Veteran-Business-Enterprise>

ATTACHMENT 11: TARGET AREA CONTRACT PREFERENCE ACT (TACPA)

View and print this document at:

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std830.pdf>

<https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd0526.pdf>

ATTACHMENT 12: WORK SAMPLE # 1

To be provided as a separate file. (Refer to Minimum Qualifications for Proposers, page 5)

ATTACHMENT 13: WORK SAMPLE # 2

To be provided as a separate file. (Refer to Minimum Qualifications for Proposers, page 5)

APPENDIX 1: SACJJDP MEMBERSHIP ROSTER

	Name	Title	Organization/Agency	County
1	Rachel Rios (Chair)	Director	La Familia Counseling Center, Inc.	Sacramento
2	Carol Biondi (Vice- Chair)	Commissioner	Los Angeles County Commission for Children and Families	Los Angeles
3	Hon. Brian Back	Superior Court Judge	Ventura County Juvenile Court	Ventura
4	Chief Michelle Scray Brown	Chief Probation Officer	San Bernardino County Probation	San Bernardino
5	Dr. B.J. Davis	Adjunct Professor	Alliant International University	Sacramento
6	Dr. Carly Dierkhising	Assistant Professor	CSU Los Angeles	Los Angeles
7	Miguel A. Garcia	Youth Member	Legal Assistant, Daniel H. Cargnelutti, Esq.	Riverside
8	Juan Gomez	Director	Motivating Individual Leadership for Public Advancement	Los Angeles
9	Susan Harbert	Staff Attorney	Loyola Law School	Los Angeles
10	Gordon Jackson	National Director of Protect	3Strands Global Foundation	Sacramento
11	Ramon Leija	Advocate	Anti-Recidivism Coalition	Los Angeles
12	Kent Mendoza	Policy Coordinator	Anti-Recidivism Coalition	Los Angeles

13	Amika Mota	Prison Reentry Director	Young Women's Freedom Center	San Francisco
14	Vanessa Najar	Peer mentor	Puente Project at Sacramento City College	Sacramento
15	District Attorney Nancy O'Malley	District Attorney	Alameda County District Attorney's Office	Alameda
16	Winston Peters	Assistant Public Defender	Los Angeles County Public Defender's Office	Los Angeles
17	Dr. Mimi Silbert	Chief Executive Officer	Delancey Street Foundation	San Francisco
18	Dante Williams	Youth Advocate Manager	Stanford Youth Solutions	Sacramento
19	Amanda Clifford	Policy and Advocacy Associate	Bill Wilson Center	Santa Clara
20	Michelle Guymon	Director, Child Trafficking Unit	LA County Probation	Los Angeles
21	Elliot Housman-Turrubiate	Youth Victim Advocate	Native American Health Center	Sacramento

APPENDIX 2: SACJJDP R.E.D. WORKING GROUP ROSTER

	Name	Title	Organization/Agency	County
1	Rachel Rios (Co-Chair)	Director	SACJJDP Chair, La Familia Counseling Center, Inc.	Sacramento
2	Dr. Carly Dierkhising	Assistant Professor	CSU Los Angeles	Los Angeles
3	Dr. B.J. Davis	Adjunct Professor	Alliant International University	Sacramento
4	Elliot Housman-Turrubiate	Youth Victim Advocate	Native American Health Center	Sacramento
5	Tracy Kenny	Legislative Advocate	Family and Juvenile Law Advisory Committee	Sacramento
6	Dr. Dan Okada	Professor of Criminal Justice	CSU Sacramento	Sacramento
7	Dr. Mercedes Valadez	Assistant Professor of Criminal Justice	CSU Sacramento	Sacramento
8	Tracy Reece	Assistant Chief of Probation	San Bernardino County Probation	San Bernardino

APPENDIX 3: SAMPLE CONTRACT

**SAMPLE STANDARD AGREEMENT
(Universities)**

STANDARD AGREEMENT

STD 213 (Rev 02/20)

STATE AGENCY'S NAME	AGREEMENT NUMBER
STATE CONTROLLER'S OFFICE IDENTIFIER	REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

, hereinafter referred to as "State"

CONTRACTOR'S NAME

, hereinafter referred to as "University"

2. The term of this Agreement is: _____ through _____

3. The maximum amount of this Agreement is: \$ _____

4. The Parties agree to comply with the terms and conditions of the following Exhibits, which by this reference are made a part of the Agreement.

Exhibit A – A7: A–Scope of Work; A1–Deliverables; A2–Key Personnel; A3–Authorized Representatives; A4–Use of Intellectual Property & Data; A5–Resumes/Biosketch; A6–

page(s)

Current & Pending Support; A7–Third Party Confidential Information (if applicable)

Exhibit B – B–Budget; B1–Budget Justification; B2– Subawardee Budgets (if applicable); B3– Invoice Elements

page(s)

Exhibit C* – University Terms and Conditions

UTC-220

Check mark additional Exhibits below, and attach applicable Exhibits or provide internet link:

- ☐ **Exhibit D** – Additional Requirements Associated with Funding Sources page(s)
- ☐ **Exhibit E** – Special Conditions for Security of Confidential Information page(s)
- ☐ **Exhibit F** – Access to State Facilities or Computing Resources page(s)
- ☐ **Exhibit G** – Negotiated Alternate UTC Terms page(s)

Items shown with an Asterisk (*) are hereby incorporated by reference and made part of this agreement as if attached hereto.

You can find these documents on the [University of California, Office of the President](#) and the [California Department of General Services](#) websites.

IN WITNESS WHEREOF, this Agreement has been executed by the Parties hereto.

CONTRACTOR		California Department of General Services Use Only
CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)		
BY (Authorized Signature)	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING		
ADDRESS		
STATE OF CALIFORNIA		
AGENCY NAME		
BY (Authorized Signature)	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING		
ADDRESS		

☐ Exempt per:

EXHIBIT A**SCOPE OF WORK**☐ Contract ☐ GrantDoes this project include Research (as defined in the UTC)? ☐ Yes ☐ No**PI Name:** Click or tap here to enter text.**Project Title:** Click or tap here to enter text.**Project Summary/Abstract**

This project will develop a statewide and county level framework that identifies racial and ethnic disparities and effective interventions and/or replicable strategies for addressing racial and ethnic disparities in California.

If Third-Party Confidential Information is to be provided by the State:

- ☐ Performance of the Scope of Work is anticipated to involve use of third-party Confidential Information and is subject to the terms of this Agreement; **OR**
- ☐ A separate CNDA between the University and third-party is required by the third-party and is incorporated in this Agreement as Exhibit A7, Third Party Confidential Information.

A. Scope and Description

1. *Contractor Name ("Contractor")* agrees to provide the Board of State and Community Corrections (BSCC), (*type of service*) as described herein.
2. The agreement period is from (*date*) to (*date*).
3. The project representatives during the term of this agreement will be:

State Agency:	Contractor:
Name:	Name:
Phone:	Phone:
Cell:	Fax:

4. This project will develop a statewide and county level framework that identifies racial and ethnic disparities and effective interventions and/or replicable strategies for addressing racial and ethnic disparities in California.

The evaluation of racial and ethnic disparities in juveniles at the state and county level will:

- identify and select juvenile racial and ethnic disparity indicators, which will be used to develop data dashboards and report tables at the statewide and county level.
- conduct a review of each county using existing data that identifies juvenile racial and ethnic disparities to select a sample of counties for the in-depth review.
- conduct an in-depth review of a sample of counties to further investigate factors, including policies and practices that contribute to racial and ethnic disparities; challenges and barriers to reducing racial and ethnic disparities; and policies, practices, and interventions that reduce racial and ethnic disparities.
- develop a framework that will assist the state and counties in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.

5. Deliverables for this contract:

- a) The contractor will work with BSCC staff and the SACJJDP R.E.D. Subcommittee to select juvenile racial and ethnic disparity data elements and metrics to best analyze and identify disparities that will be included in data dashboards and report tables (statewide and county-level). That is, the R.E.D. Subcommittee will select data elements and/or metrics, based on options presented by the contractor, to identify racial and ethnic disparities at the state and county-level. The data elements and/or metrics will:
 - Provide the percent distribution of race or ethnic groups compared to the general population distribution for the following nine points: arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer.
 - Provide data for the following nine points: arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer.
 - May provide other metrics to analyze disparities as identified in coordination with the R.E.D. Subcommittee. These may include but are not limited to percent distribution by offense type (e.g., felony, misdemeanor, status) and other demographic characteristics (e.g., gender, age).
 - May include further analysis within a county to identify possible city-level influences of racial and ethnic disparities.

The contractor will assist and guide the SACJJDP R.E.D. Subcommittee with selecting data elements that are targeted to the most useful.

Documentation of the data elements and/or metrics including the source and the reason for their selection shall be provided.

- b) The contractor will develop a data dashboard that summarizes the data and report tables that display juvenile racial and ethnic disparity data elements identified as part of Deliverable (a). The data summary and report tables will be developed to

provide statewide level data and data for each county. These will be developed in a manner, with supporting documentation, that data collection, storage, and updates of the underlying data tables, report tables, and data dashboard(s) can be updated annually by BSCC staff. The contractor will coordinate the selection of software used for dashboards with BSCC staff and prioritize software that is readily available, with limited cost, and relatively easy to learn.

Documentation shall be provided that describes the purpose, analysis methods in sufficient detail to be replicated, and the results of the analysis.

- c) Conduct an in-depth review of a sample of counties to identify the:
- Factors, including policies and practices that contribute to racial and ethnic disparities;
 - Challenges and barriers to reducing racial and ethnic disparities; and,
 - Policies, practices, and interventions that reduce racial and ethnic disparities.

The sampling methodology to select counties for the thorough review shall consider the data and information gathered as part of Deliverable (b) (data dashboards and report tables; counties with greater ethnic disparity as well as those that have made significant improvements).

The review of the sample of counties shall be used to develop a framework that will assist in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.

Documentation shall be provided that describes the purpose, sampling methodology, review method with enough detail to be replicated, and the review results.

- d) The contractor will participate in update conference calls, virtual meetings, and in-person meetings with BSCC staff and SACJJDP committee members, as needed during the project period, to be completed within 18 months of the contract start date.
- e) Generally, the meeting format will be virtual; however, up to four in-person one-day meetings may be planned over the course of the contract period (assuming COVID-19 restrictions have been lifted).
- f) The contractor will make presentations, either virtually or in-person, to present the findings and outcomes of the project to the SACJJDP, R.E.D. Subcommittee, and BSCC Board. The contractor will be available for engagement by SACJJDP, R.E.D. Subcommittee, and the BSCC Board to discuss the project deliverables and findings. There will be no more than three virtual or in-person presentations requested.

EXHIBIT A1**SCHEDULE OF DELIVERABLES**

List all items that will be delivered to the State under the proposed Scope of Work. Include all reports, including draft reports for State review, and any other deliverables, if requested by the State and agreed to by the Parties.

Deliverable*	Description	Due Date

** If use of any Deliverable is restricted or is anticipated to contain Preexisting Data or copyrightable works with any restricted use, it must be clearly identified in Exhibit A4, Use of Preexisting Data, Copyrighted Works and Deliverables.*

EXHIBIT A2**KEY PERSONNEL**

List Key Personnel as defined in the Agreement starting with the Principal Investigator (PI), by last name followed by Co-PIs. Then list all other Key Personnel in alphabetical order by last name. For each individual listed include his/her name, institutional affiliation, and role on the proposed project. Use additional consecutively numbered pages as necessary.

Last Name, First Name	Institutional Affiliation	Role on Project
PI:		
<i>Last name, First name</i>	<i>Institutional affiliation</i>	<i>Role on the project</i>
Co-PI(s) – if applicable:		
<i>Last name, First name</i>	<i>Institutional affiliation</i>	<i>Role on the project</i>
<i>Last name, First name</i>	<i>Institutional affiliation</i>	<i>Role on the project</i>
Other Key Personnel (if applicable):		
<i>Last name, First name</i>	<i>Institutional affiliation</i>	<i>Role on the project</i>
<i>Last name, First name</i>	<i>Institutional affiliation</i>	<i>Role on the project</i>

EXHIBIT A-3**AUTHORIZED REPRESENTATIVES AND NOTICES**

The following individuals are the authorized representatives for the State and the University under this Agreement. Any official Notices issued under the terms of this Agreement shall be addressed to the Authorized Official identified below, unless otherwise identified in the Agreement.

Changes in the University Principal Investigator are subject to the Key Personnel section of this Agreement. Changes in other contact information may be made by notification, in writing, between the parties.

State Agency Contacts	University Contacts
Agency Name: <Agency Name>	University Name: <University Name>
Contract Project Manager (Technical) Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>	Principal Investigator Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>
Authorized Official (contract officer) Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress> Send notices to (if different): Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>	Authorized Official Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress> Send notices to (if different): Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>

<i>Administrative Contact</i> Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>	<i>Administrative Contact</i> Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>
<i>Financial Contact/Accounting</i> Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>	<i>Authorized Financial Contact/Invoicing</i> Name: <Name> <Title> Address: <Department> <Address> <City,State,Zip> Telephone: <Telephone#> Fax: <Fax#, if available> Email: <EmailAddress>

EXHIBIT A4**USE OF PRE-EXISTING DATA, COPYRIGHTED WORKS AND DELIVERABLES**

If either Party will be using any third-party or pre-existing data or copyrighted works that have restrictions on use, then list all such data or copyrighted works and the nature of the restriction below. If no third-party or pre-existing data or copyrighted works will be used, check "none" in this section.

- A. State: Pre-existing data and/or copyrighted works to be provided to the University from the State or a third party for use in the performance in the Scope of Work.

☒ None or ☐ List:

Owner (State Agency or 3 rd Party)	Type of Data or copyrighted work (Restricted or Unrestricted)	Description	If Restricted, nature of restriction:

- B. University: Use of pre-existing data or copyrighted works included in Deliverables identified in Exhibit A1.

☒ None or ☐ List:

Owner (University or 3 rd Party)	Type of Data or copyrighted work (Restricted or Unrestricted)	Description	If Restricted, nature of restriction:

- C. Anticipated restrictions on use of Project Data

If the University PI anticipates that any of the Project Data generated during the performance of the Scope of Work will have a restriction on use (such as subject identifying information in a data set) then list all such anticipated restrictions below. If there are no restrictions anticipated in the Project Data, then check "none" in this section.

☒ None or ☐ List:

Owner (University or 3 rd Party)	Description	Nature of Restriction:

EXHIBIT A5

CURRICULUM VITAE (CV) / RÉSUMÉS / BIOSKETCH

Attach CV/Résumé/Biosketch for Key Personnel listed in Exhibit A2.

EXHIBIT A6 (IF APPLICABLE)**CURRENT & PENDING SUPPORT**
(Will be incorporated, if applicable)

University will provide current & pending support information for Key Personnel identified in Exhibit A2 at time of proposal and upon request from State agency. The “Proposed Project” is this application that is submitted to the State. Add pages as needed.

PI: NAME OF INDIVIDUAL					
Status (currently active or pending approval)	Award # (if available)	Source (name of the sponsor)	Project Title	Start Date	End Date
Proposed Project					
CURRENT					
CURRENT					
PENDING					

NAME OF INDIVIDUAL					
Status	Award #	Source	Project Title	Start Date	End Date
Proposed Project					
CURRENT					
CURRENT					
PENDING					

NAME OF INDIVIDUAL					
Status	Award #	Source	Project Title	Start Date	End Date
Proposed Project					
CURRENT					
CURRENT					
PENDING					

NAME OF INDIVIDUAL					
Status	Award #	Source	Project Title	Start Date	End Date
Proposed Project					
CURRENT					
CURRENT					
PENDING					

NAME OF INDIVIDUAL					
Status	Award #	Source	Project Title	Start Date	End Date
Proposed Project					
CURRENT					
CURRENT					
PENDING					

EXHIBIT A7 (IF APPLICABLE)

**Third Party Confidential Information
Confidential Nondisclosure Agreement**

(Identified in Exhibit A, Scope of Work – will be incorporated, if applicable)

If the scope of work requires the provision of third party confidential information to either the State or the Universities, then any requirement of the third party in the use and disposition of the confidential information will be listed below. The third party may require a separate Confidential Nondisclosure Agreement (CNDA) as a requirement to use the confidential information. Any CNDA will be identified in this Exhibit A7.

EXHIBIT B**BUDGET DETAIL AND PAYMENT PROVISIONS****A. Invoicing and Payment**

- For services satisfactorily rendered, and upon receipt and approval of the invoices, the BSCC agrees to compensate the contractor, in monthly arrears, for actual expenditures incurred in accordance with the rates specified below:

DIRECT LABOR	HOURS	RATE	TOTAL
Title _____	_____	_____	_____
Title _____	_____	_____	_____
Title _____	_____	_____	_____
Title _____	_____	_____	_____
			\$ _____
SUBCONTRACTOR(S) COST ITEMIZED			\$ _____
INDIRECT COSTS (OVERHEAD AND FRINGE BENEFITS)			
Overhead Rate	_____	_____	
Fringe Benefits	_____	_____	
			\$ _____
DIRECT COSTS (EXCEPT LABOR)			
Travel Costs		_____	
Equipment and Supplies (Itemized)		_____	
Other Direct Costs (Itemized)		_____	
			\$ _____
TOTAL COSTS			\$ _____

2. The invoice must be submitted on the contractor's letterhead, signed by an authorized representative, and include the following information:
 - Agreement Number
 - Invoice Date
 - Description of work completed
 - Method of computing amount
 - Total amount due
3. Submit invoices to:
Board of State and Community Corrections
Attention: CalVIP
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

Or

Accounting@bscc.ca.gov
4. Payment will be processed upon approval and acceptance of invoice. Payment terms shall be net forty-five (45) days, as required by the Prompt Payment Act.

B. Budget Contingency Clause

1. It is mutually agreed that if the Budget Act of the current year, and/or any subsequent years, covered under this agreement, does not appropriate sufficient funds for the program, this agreement shall be of no further force and effect. In this event, the BSCC shall have no liability to pay any funds, whatsoever, to the contractor, or to furnish any other considerations under this agreement, and the contractor shall not be obligated to perform any provisions of this agreement.
2. If funding, for any fiscal year, is reduced or deleted by the Budget Act for purposes of this program, the BSCC shall have the option to either cancel this agreement, with no liability occurring to the State, or offer an agreement amendment to the contractor which reflects the reduced amount.

EXHIBIT B1**Budget Justification**

The Budget Justification will include the following items in this format.

Personnel

Name. *Starting with the Principal Investigator list the names of all known personnel who will be involved on the project for each year of the proposed project period. Include all collaborating investigators, individuals in training, technical and support staff or include as “to be determined” (TBD).*

Role on Project. *For all personnel by name, position, function, and a percentage level of effort (as appropriate), including “to-be-determined” positions.*

Fringe Benefits.

In accordance with University policy, explain the costs included in the budgeted fringe benefit percentages used, which could include tuition/fee remission for qualifying personnel to the extent that such costs are provided for by University policy, to estimate the fringe benefit expenses on Exhibit B.

Travel

Itemize all travel requests separately by trip and justify in Exhibit B1, in accordance with University travel guidelines. Provide the purpose, destination, travelers (name or position/role), and duration of each trip. Include detail on airfare, lodging and mileage expenses, if applicable. Should the application include a request for travel outside of the state of California, justify the need for those out-of-state trips separately and completely.

Materials and Supplies

Itemize materials supplies in separate categories. Include a complete justification of the project's need for these items. Theft sensitive equipment (under \$5,000) must be justified and tracked separately in accordance with State Contracting Manual Section 7.29.

Equipment

List each item of equipment (greater than or equal to \$5,000 with a useful life of more than one year) with amount requested separately and justify each.

Consultant Costs

Consultants are individuals/organizations who provide expert advisory or other services for brief or limited periods and do not provide a percentage of effort to the project or program.

Consultants are not involved in the scientific or technical direction of the project as a whole. Provide the names and organizational affiliations of all consultants. Describe the services to be performed, and include the number of days of anticipated consultation, the expected rate of compensation, travel, per diem, and other related costs.

Subawardee (Consortium/Subrecipient) Costs

Each participating consortium organization must submit a separate detailed budget for every year in the project period in Exhibit B2 Subcontracts. Include a complete justification for the need for any subawardee listed in the application.

Other Direct Costs

Itemize any other expenses by category and cost. Specifically justify costs that may typically be treated as indirect costs. For example, if insurance, telecommunication, or IT costs are charged as a direct expense, explain reason and methodology.

Rent

If the scope of work will be performed in an off-campus facility rented from a third party for a specific project or projects, then rent may be charged as a direct expense to the award.

Indirect (Facilities & Administration) Costs

Indirect costs are calculated in accordance with the University budgeted indirect cost rate in Exhibit B.

EXHIBIT B2 (IF APPLICABLE)**Budget Estimates Pertaining to Subcontractors (when applicable)**

Principal Investigator (Last, First):

COMPOSITE BUDGET: ESTIMATE FOR ENTIRE PROPOSED PROJECT PERIOD
07/01/2019 to 05/31/202

BUDGET CATEGORY	From: To:	7/1/2019 6/30/2020	7/1/2020 6/30/2021	7/1/2021 6/30/2022	7/1/2022 5/31/2023	TOTAL
		Year 1	Year 2	Year 3	Year 4	
PERSONNEL: <i>Salary and fringe benefits</i>		\$0	\$0	\$0	\$0	\$0
TRAVEL		\$0	\$0	\$0	\$0	\$0
MATERIALS & SUPPLIES		\$0	\$0	\$0	\$0	\$0
EQUIPMENT		\$0	\$0	\$0	\$0	\$0
CONSULTANT		\$0	\$0	\$0	\$0	\$0
SUBRECIPIENT		\$0	\$0	\$0	\$0	\$0
OTHER DIRECT COSTS (ODC)	<i>Subject to IDC Calc</i>					
ODC #1	Y	\$0	\$0	\$0	\$0	\$0
ODC #2	Y	\$0	\$0	\$0	\$0	\$0
ODC #3	Y	\$0	\$0	\$0	\$0	\$0
ODC #4	Y	\$0	\$0	\$0	\$0	\$0
ODC #5	Y	\$0	\$0	\$0	\$0	\$0
ODC #6	Y	\$0	\$0	\$0	\$0	\$0
TOTAL DIRECT COSTS		\$0	\$0	\$0	\$0	\$0
Indirect (F&A Costs)						
<i>On-Campus</i>	<u>F&A Base</u> MTDC	\$0	\$0	\$0	\$0	\$0
Indirect (F&A) Costs	40.00%	\$0	\$0	\$0	\$0	\$0
TOTAL ESTIMATED COSTS PER YEAR		\$0	\$0	\$0	\$0	\$0
TOTAL ESTIMATED COSTS FOR PROPOSED PROJECT PERIOD						\$0

JUSTIFICATION See Exhibit B1 – Follow the budget justification instructions.**Project Period Budget Flexibility**

Prior approval is required for all budget changes to identified budget above.

EXHIBIT B3**Invoice and Detailed Transaction Ledger Elements**

In accordance with Section 14 – Payment and Invoicing, the invoice, summary report and/or transaction/payroll ledger shall be certified by the University’s Financial Contact and the PI.

Summary Invoice – includes either on the invoice or in a separate summary document – by approved budget category (Exhibit B) – expenditures for the invoice period, approved budget, cumulative expenditures and budget balance available¹

- Personnel
- Equipment
- Travel
- Subawardee – Consultants
- Subawardee – Subcontract/Subrecipients
- Materials & Supplies
- Other Direct Costs
 - TOTAL DIRECT COSTS (if available from system)
- Indirect Costs
 - TOTAL

Detailed transaction ledger and/or payroll ledger for the invoice period ²

- University Fund OR Agency Award # (to connect to invoice summary)
- Invoice/Report Period (matching invoice summary)
- General Ledger Account/Object Code
- Doc Type (or subledger reference)
- Transaction Reference#
- Transaction Description, Vendor and/or Employee Name
- Transaction Posting Date
- Time Worked
- Transaction Amount

¹ If this information is not on the invoice or summary attachment, it may be included in a detailed transaction ledger.

² For salaries and wages, these elements are anticipated to be included in the detailed transaction ledger. If all elements are not contained in the transaction ledger, then a separate payroll ledger may be provided with the required elements.

EXHIBIT C

University Terms and Conditions UTC-116

AB20 State/University Model Agreement Terms & Conditions

<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Model-Contract-Language>

**SAMPLE STANDARD AGREEMENT
(Private Companies)**

Board of State and Community Corrections
RFP Number CPGP0012
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STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

CONTRACTOR NAME

2. The term of this Agreement is:

START DATE

THROUGH END DATE

3. The maximum amount of this Agreement is:

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibits	Title	Pages
Exhibit A	Scope of Work	
Exhibit B	Budget Detail and Payment Provisions	
Exhibit C *	General Terms and Conditions	
+		
-		

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

CONTRACTOR BUSINESS ADDRESS

CITY

STATE

ZIP

PRINTED NAME OF PERSON SIGNING

TITLE

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

CONTRACTING AGENCY ADDRESS

CITY

STATE

ZIP

PRINTED NAME OF PERSON SIGNING

TITLE

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

EXHIBIT A**SCOPE OF WORK****A. Scope and Description**

1. *Contractor Name ("Contractor")* agrees to provide the Board of State and Community Corrections (BSCC), *(type of service)* as described herein.
2. The agreement period is from *(date)* to *(date)*.
3. The project representatives during the term of this agreement will be:

State Agency:	Contractor:
Name:	Name:
Phone:	Phone:
Cell:	Fax:

4. This project will develop a statewide and county level framework that identifies racial and ethnic disparities and effective interventions and/or replicable strategies for addressing racial and ethnic disparities in California.

The evaluation of racial and ethnic disparities in juvenile at the state and county level will :

- identify and select juvenile racial and ethnic disparity indicators, which will be used to develop data dashboards and report tables at the statewide and county level.
 - conduct a review of each county using existing data that identifies juvenile racial and ethnic disparities to select a sample of counties for the in-depth review.
 - conduct an in-depth review of a sample of counties to further investigate factors, including policies and practices that contribute to racial and ethnic disparities; challenges and barriers to reducing racial and ethnic disparities; and policies, practices, and interventions that reduce racial and ethnic disparities.
 - develop a framework that will assist the state and counties in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.
5. Deliverables for this contract:
 - a) The contractor will work with BSCC staff and the SACJJDP R.E.D. Subcommittee to select juvenile racial and ethnic disparity data elements and metrics to best analyze and identify disparities that will be included in data dashboards and report tables (statewide and county-level). That is, the R.E.D. Subcommittee will select data elements and/or metrics, based on options presented by the contractor, to identify racial and ethnic disparities at the state and county-level. The data elements and/or metrics will:
 - Provide the percent distribution of race or ethnic groups compared to the general population distribution for the following nine points: arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer.

- Provide data for the following nine points: arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer.
- May provide other metrics to analyze disparities as identified in coordination with the R.E.D. Subcommittee. These may include but are not limited to percent distribution by offense type (e.g., felony, misdemeanor, status) and other demographic characteristics (e.g., gender, age).
- May include further analysis within a county to identify possible city-level influences of racial and ethnic disparities.

The contractor will assist and guide the SACJJDP R.E.D. Subcommittee with selecting data elements that are targeted to the most useful.

Documentation of the data elements and/or metrics including the source and the reason for their selection shall be provided.

- b) The contractor will develop a data dashboard that summarizes the data and report tables that display juvenile racial and ethnic disparity data elements identified as part of Deliverable (a). The data summary and report tables will be developed to provide statewide level data and data for each county. These will be developed in a manner, with supporting documentation, that data collection, storage, and updates of the underlying data tables, report tables, and data dashboard(s) can be updated annually by BSCC staff. The contractor will coordinate the selection of software used for dashboards with BSCC staff and prioritize software that is readily available, with limited cost, and relatively easy to learn.

Documentation shall be provided that describes the purpose, analysis methods in sufficient detail to be replicated, and the results of the analysis.

- c) Conduct an in-depth review of a sample of counties to identify the:
- Factors, including policies and practices that contribute to racial and ethnic disparities;
 - Challenges and barriers to reducing racial and ethnic disparities; and,
 - Policies, practices, and interventions that reduce racial and ethnic disparities.

The sampling methodology to select counties for the thorough review shall consider the data and information gathered as part of Deliverable (b) (data dashboards and report tables; counties with greater ethnic disparity as well as those that have made significant improvements).

The review of the sample of counties shall be used to develop a framework that will assist in determining the most appropriate, measurable interventions and/or replicable strategies to implement to reduce racial and ethnic disparities.

Documentation shall be provided that describes the purpose, sampling methodology, review method with enough detail to be replicated, and the review results.

- d) The contractor will participate in update conference calls, virtual meetings, and in-person meetings with BSCC staff and SACJJDP committee members, as needed during the project period, to be completed within 18 months of the contract start date.
- e) Generally, the meeting format will be virtual; however, up to four in-person one-day meetings may be planned over the course of the contract period (assuming COVID-19 restrictions have been lifted).
- f) The contractor will make presentations, either virtually or in-person, to present the findings and outcomes of the project to the SACJJDP, R.E.D. Subcommittee, and BSCC Board. The contractor will be available for engagement by SACJJDP, R.E.D. Subcommittee, and the BSCC Board to discuss the project deliverables and findings. There will be no more than three virtual or in-person presentations requested.

EXHIBIT B**BUDGET DETAIL AND PAYMENT PROVISIONS****A. Invoicing and Payment**

1. For services satisfactorily rendered, and upon receipt and approval of the invoices, the BSCC agrees to compensate the contractor, in monthly arrears, for actual expenditures incurred in accordance with the rates specified below:

DIRECT LABOR	HOURS	RATE	TOTAL
Title _____	_____	_____	_____
Title _____	_____	_____	_____
Title _____	_____	_____	_____
Title _____	_____	_____	_____
			\$ _____
SUBCONTRACTOR(S) COST ITEMIZED			\$ _____
INDIRECT COSTS (OVERHEAD AND FRINGE BENEFITS)			
Overhead Rate	_____	_____	
Fringe Benefits	_____	_____	
			\$ _____
DIRECT COSTS (EXCEPT LABOR)			
Travel Costs		_____	
Equipment and Supplies (Itemized)		_____	
Other Direct Costs (Itemized)		_____	
			\$ _____
TOTAL COSTS			\$ _____

2. The invoice must be submitted on the contractor's letterhead, signed by an authorized representative, and include the following information:
 - Agreement Number
 - Invoice Date
 - Description of work completed
 - Method of computing amount
 - Total amount due
3. Submit invoices to:
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

Or

Accounting@bscc.ca.gov
4. Payment will be processed upon approval and acceptance of invoice. Payment terms shall be net forty-five (45) days, as required by the Prompt Payment Act.

B. Budget Contingency Clause

3. It is mutually agreed that if the Budget Act of the current year, and/or any subsequent years, covered under this agreement, does not appropriate sufficient funds for the program, this agreement shall be of no further force and effect. In this event, the BSCC shall have no liability to pay any funds, whatsoever, to the contractor, or to furnish any other considerations under this agreement, and the contractor shall not be obligated to perform any provisions of this agreement.
4. If funding, for any fiscal year, is reduced or deleted by the Budget Act for purposes of this program, the BSCC shall have the option to either cancel this agreement, with no liability occurring to the State, or offer an agreement amendment to the contractor which reflects the reduced amount.

EXHIBIT C

GENERAL TERMS AND CONDITIONS (GTC 04/2017)

The State of California General Terms and Conditions will be included in the contract by reference to the internet site:

<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>

Attachment G-3

SACJJDP R.E.D. ESC ROSTER

	Name	Title	Organization/Agency	County
1	Rachel Rios (Co-Chair)	Director	SACJJDP Chair, La Familia Counseling Center, Inc.	Sacramento
2	Dr. Carly Dierkhising	Assistant Professor	CSU Los Angeles	Los Angeles
3	Dr. B.J. Davis	Adjunct Professor	Alliant International University	Sacramento
4	Elliot Housman-Turrubiate	Youth Victim Advocate	Native American Health Center	Sacramento
5	Tracy Kenny	Legislative Advocate	Family and Juvenile Law Advisory Committee	Sacramento
6	Dr. Dan Okada	Professor of Criminal Justice	CSU Sacramento	Sacramento
7	Dr. Mercedes Valadez	Assistant Professor of Criminal Justice	CSU Sacramento	Sacramento
8	Tracy Reece	Assistant Chief of Probation	San Bernardino County Probation	San Bernardino

Attachment G-4

State Advisory Committee on Juvenile Justice and Delinquency Prevention

Funding Recommendation

Four applicants competed for funding. All applicants met the minimum scoring threshold of 60 percent set by the SACJJDJP Racial and Ethnic Disparity Working Group.

Rank	Applicant	Amount Requested	Recommended Funding Amount
1	WestEd and the National Institute of Criminal Justice Reform (NICJR)	\$300,000	\$300,000
2	W. Haywood Burns Institute	\$300,000	
3	Behavioral Assessments Inc.	\$298,776	
4	University Enterprises Corporation at CSUSB	\$299,909	
Recommended Funding:			\$300,000

Attachment G-5

Title II Grant Program: Identifying Effective Interventions and Replicable Strategies for Reducing Racial and Ethnic Disparities

Project Proposal Summaries

W. Haywood Burns Institute

The W. Haywood Burns Institute (BI) advances the safety and well-being of people of color by working to eliminate racial and ethnic disparities (R.E.D.) in the justice system through community-centered responses promoting equitable and restorative practices. BI has provided technical assistance to reduce R.E.D. in 18 California counties. BI proposes the creation of a dashboard to explore R.E.D. using quantitative data at the county and state level, along with investment in qualified community partners to gather qualitative data in two to three selected counties. The intent is to create a dashboard that will be an easy-to-use, community-friendly, interactive experience for users that clarifies and makes real the unconscionable R.E.D. that have plagued our youth justice system since its inception.

UEC at CSUSB

The University Enterprises Corporation at the California State University – San Bernardino (UEC) multi-disciplinary team proposes to address the voids in Racial and Ethnic Disparity (R.E.D.) programming and research by first creating a data dashboard that may be used to monitor R.E.D. trends. Through qualitative and quantitative research methodologies, UEC will review existing approaches in R.E.D. monitoring and interventions throughout the state of California to identify the most effective strategies. This review will inform the development of the strategic framework which may be used by counties to implement strategies designed to address R.E.D. at specific decision points as well as more system-wide strategies. This work will be conducted with transparency through data dashboard visualizations to ensure that all agency partners can participate.

WestEd and the National Institute for Criminal Justice Reform (NICJR)

WestEd and the National Institute for Criminal Justice Reform (NICJR) will use a mixed-methods approach utilizing quantitative and qualitative data to address the Title II Grant Program questions related to identifying what works to reduce Racial and Ethnic Disparity (R.E.D.). The evaluation approach will result in the identification of juvenile RED metrics and the development of a data dashboard displaying the R.E.D. metrics at the county and state level. The qualitative findings from the in-depth review of a sample of counties will identify county policies, practices, and interventions that contribute and/or mitigate R.E.D. WestEd will also develop a framework to help guide the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) in directing resources and the local communities in identifying and addressing R.E.D.

JSI Research and Training Institute, Inc.

BAI, in partnership with JSI (BAI/JSI), project will be informed by a public health theoretical framework that views youth involvement in the juvenile justice system as the unfortunate outcome of circumstances and social determinants present in their life context. The BAI intends to address systemic factors of structural racism and social determinants of health (SDOH), which are inextricably linked to risk and protective factors. BAI/JSI will support State Advisory Committee

on Juvenile Justice and Delinquency Prevention (SACJJDP) in recognizing and addressing disparities in the California juvenile justice system. BAI/JSI will identify appropriate metrics, develop a data dashboard, and will conduct an in-depth review of selected counties. BAI/JSI differentiates between the collection of person-centered metrics to assess juvenile justice involvement (e.g., arrest, court referral, pre-trial detention, diversion, petitioned, delinquency finding, probation placement, secure confinement, and adult court transfer) and those contextual metrics that illustrate SDOH, such as school-related data elements (e.g., zero-tolerance policies, level of students expulsions; poverty level, housing status).