

Assembly Bill No. 1454

CHAPTER 584

An act to amend Sections 1450 and 1451 of, and to add Article 4 (commencing with Section 1456) to Chapter 5 of Part 1 of Division 2 of, the Welfare and Institutions Code, relating to juveniles, and making an appropriation therefor.

[Approved by Governor October 8, 2019. Filed with Secretary of State October 8, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1454, Jones-Sawyer. Trauma-informed diversion programs for youth.

Existing law establishes the Youth Reinvestment Grant Program within the Board of State and Community Corrections to grant funds, upon appropriation, to local jurisdictions and Indian tribes for the purpose of implementing trauma-informed diversion programs for minors, as specified. Existing law requires 94% of the funds to be allocated to local jurisdictions in awards between \$50,000 and \$1,000,000, as specified, requires 3% of the funds to be allocated to Indian tribes, and requires 3% of the funds to be used for administrative costs of the board. Existing law requires the board to be responsible for administration oversight and accountability of the grant program, in coordination with the California Health and Human Services Agency and the State Department of Education, and requires the board to provide guidance to applicant and recipient local jurisdictions, as specified.

This bill would, commencing with the 2019–20 fiscal year and thereafter, additionally authorize grants to be awarded to nonprofit organization applicants to administer the diversion programs, as specified. The bill would increase the maximum grant award to \$2,000,000 and would require an applicant to provide a cash or in-kind match, as specified. The bill would make the board solely responsible for administration oversight and accountability of the grant program, and would require the board to set aside up to \$250,000, exclusive of the 3% of funds set aside for administrative costs, to contract with a research firm or university to conduct a statewide evaluation of the grant program. By changing the purpose of existing appropriations for the program, the bill would make an appropriation.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 1450 of the Welfare and Institutions Code is amended to read:

1450. (a) There is hereby established the Youth Reinvestment Grant Program within the Board of State and Community Corrections to grant funds pursuant to this chapter, upon an appropriation of funds for the purposes described in this chapter.

(b) (1) Notwithstanding any other law, the board may use any funds that were appropriated to the board in the Budget Act of 2018, but that have not been allocated as of January 1, 2020, for grants, as prescribed in Article 4 (commencing with Section 1456).

(2) Funds appropriated to the board in the Budget Act of 2019 for purposes of the Youth Reinvestment Fund grant program shall be used for grants, as prescribed in Article 4 (commencing with Section 1456).

(3) Funds appropriated to the board in the Budget Act of 2019 for purposes of the Tribal Youth Diversion grant program shall be used for grants, as prescribed in Article 2 (commencing with Section 1452).

(c) Three percent of the funds in the Youth Reinvestment Grant Program shall be used for administrative costs to the board resulting from the implementation of this chapter.

SEC. 2. Section 1451 of the Welfare and Institutions Code is amended to read:

1451. For purposes of Article 3 (commencing with Section 1454), the following definitions apply:

(a) “Board” means the Board of State and Community Corrections.

(b) “High rate” means a rate that exceeds the state average.

(c) “Trauma-informed” means an approach that involves an understanding of adverse childhood experiences and responding to symptoms of chronic interpersonal trauma and traumatic stress across the lifespan of an individual.

SEC. 3. Article 4 (commencing with Section 1456) is added to Chapter 5 of Part 1 of Division 2 of the Welfare and Institutions Code, to read:

Article 4. Trauma-Informed Diversion Programs for Youth

1456. Notwithstanding any other law, and except for grants provided to Indian tribes under Article 2 (commencing with Section 1452), commencing with the 2019–20 fiscal year and each fiscal year thereafter, this article shall apply to grants provided under the Youth Reinvestment Grant Program.

1457. For purposes of this article, the following definitions apply:

(a) “Applicant” means a nonprofit organization or local governmental entity.

(b) “Area of high need” means either of the following:

(1) A city or a ZIP Code with rates of youth arrests that are higher than the county average, based on available arrest data, as described by the applicant.

(2) A city or a ZIP Code with racial or ethnic disparities in youth arrests that are higher than their representation in the county population, as described by the applicant.

(c) “Board” means the Board of State and Community Corrections.

(d) “Diversion program” means a program that promotes positive youth development by relying on responses that prevent a young person’s involvement or further involvement in the justice system. Diversion programs, which may follow a variety of different models, aim to divert youth from justice system engagement at the earliest possible point. Departments or agencies that may refer youth to diversion programs include, but are not limited to, schools, service organizations, police, probation, or prosecutors.

(e) “Local governmental entity” means a local government agency, including, but not limited to, a county child welfare agency, county probation department, county behavioral health department, county public health department, school district, or county office of education.

(f) “Nonprofit organization” means a private, community-based organization that is exempt from taxation pursuant to Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code, and that is nongovernmental and does not carry out any law enforcement duties.

1458. (a) The board shall allocate funds appropriated pursuant to Section 1450 through a competitive grant process for the purpose of implementing trauma-informed diversion programs for youth.

(b) The board shall distribute a grant under this article pursuant to all of the following conditions:

(1) A local governmental entity or nonprofit organization shall be awarded no less than fifty thousand dollars (\$50,000) and no more than two million dollars (\$2,000,000).

(2) (A) An applicant shall provide at least a 25-percent cash or in-kind match to the grant that it receives pursuant to this article. Funds used to provide the 25-percent match amount may include a combination of federal, other state, local, or private funds.

(B) Notwithstanding subparagraph (A), an applicant entity may provide less than a 25-percent match, but at least a 10-percent cash or in-kind match, to the grant if the applicant identifies the service area as high need with low or no local infrastructure for diversion programming.

(3) Ninety percent of the funds awarded to a local government entity shall pass through to community-based organizations to deliver services in underserved communities with high rates of youth arrests, as described by the applicant.

(4) (A) Services shall be community based, located in communities of local jurisdictions with high needs.

(B) Services shall be evidence based or research supported, trauma informed, culturally relevant, and developmentally appropriate.

(C) Direct service providers who receive funding from a grant pursuant to this article shall be nongovernmental and not law enforcement or probation entities.

(D) Direct service providers shall have experience effectively serving at-risk youth populations.

(E) Diversion programs shall include alternatives to arrest, incarceration, and formal involvement with the juvenile justice system. Diversion programs shall also include one or more of the following:

- (i) Educational services, including academic and vocational services.
- (ii) Mentoring services.
- (iii) Behavioral health services.
- (iv) Mental health services.

(c) Multiple applicants may apply for funding under this article on a regional basis in a single application and receive the aggregate amount of funds that they would have received if awarded as independent applicants.

1459. The board shall be responsible for administration oversight and accountability of the grant program under this article and shall perform both of the following duties:

(a) Support grantee data collection and analysis and require grantees to provide outcomes of the funded programs.

(b) (1) Set aside up to two hundred fifty thousand dollars (\$250,000) of funds appropriated for purposes of the grant program, exclusive of the funds set aside for administrative costs to the board pursuant to subdivision (c) of Section 1450, to contract with a research firm or university to conduct a statewide evaluation of the grant program and its outcomes over a three-year grant period.

(2) The board shall make available on its internet website a report of grantees, projects, and outcomes at the state and local levels within 180 days of completion of the grant cycle.

(3) The board shall assist the research firm or university by providing relevant, existing data for the purposes of tracking outcomes. Measures may include, but are not limited to, any of the following:

(A) Reductions in law enforcement responses to youth for low-level offenses, court caseloads and processing, days the youth spend in detention, placement of youth in congregate care, school and placement disruptions, and facility staff turnover.

(B) Improvement in the health and well-being of the youth, school and community stability, educational attainment, and employment opportunities.

(C) Projected state and local cost savings as a result of the diversion programming.