

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS



November 16, 2023
Board Meeting Agenda
& Reports



WWW.BSCC.CA.GOV

916-445-5073

KATHLEEN T. HOWARD
Executive Director, BSCC

BOARD MEMBERS

LINDA M. PENNER
Chair, BSCC

JEFFREY D. MACOMBER
Secretary, CDCR

JASON D. JOHNSON
Director, Adult Parole
Operations, CDCR

DEAN GROWDON
Sheriff, Lassen County

SHANNON D. DICUS
Sheriff
San Bernardino County

CINDY CHAVEZ
Supervisor
Santa Clara County

KIRK HAYNES
Chief Probation Officer
Fresno County

BRIAN RICHART
Chief Probation Officer
El Dorado County

JANET GAARD
Retired Judge
Yolo County

ANDREW MILLS
Chief of Police
City of Palm Springs

SCOTT BUDNICK
Founder
Anti-Recidivism Coalition
Film Producer

ANGELES D. ZARAGOZA
Attorney
Los Angeles County
Alternate Public Defender

NORMA CUMPIAN
Director
Anti-Recidivism Coalition
Women's Department

BOARD MEETING AGENDA

(*REVISED TO REMOVE AGENDA ITEM J)

November 16, 2023

Please Note Start Time: 9:00 a.m.

**2590 Venture Oaks Way
Board Meeting Room, First Floor
Sacramento, California 95833**

Zoom link & instructions appear at the end of the Agenda

Instructions for remote attendance appear on the last page of this agenda.

Remote Public Participants:

*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.

*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 Session (To Commence at 9:00 a.m.)

- Overview of Local Detention Facilities Inspection Responsibilities and Planning for Senate Bill 519

III. Closed Session – Consultation with Legal Counsel Regarding Pending Litigation (Gov. Code, § 11126, subds. (e)(1), (e)(2)(B), & (e)(2)(C).)

IV. Information Items

1. Chair's Report
2. Executive Director's Report
3. Legal Update
4. Legislative Wrap-Up

V. Action: Consent Items

- A. Minutes from the September 14, 2023, Board Meeting: **Requesting Approval**
- B. Proposition 64 Public Health & Safety Grant, Cohort 2 - Six-Month, No-Cost Extension: **Requesting Approval**
- C. Public Defender Pilot Program – Cohort III - Request for Applications: **Requesting Approval**

VI. Action: Discussion Items

- D. Missing and Murdered Indigenous People Grant – Cohort 2 Request for Proposals: **Requesting Approval**
- E. Medication Assisted Treatment Grant – Request for Proposals: **Requesting Approval**
- F. Residential Substance Abuse Treatment Grant - Request for Proposals: **Requesting Approval**
- G. Standards and Training for Corrections Compliance Report and Annual Update: **Information Only**
- H. Opioids in Local Detention Facilities - Review of Survey: **Requesting Approval**
- I. Proposed Revisions to Section 1046 (Death in Custody) of Title 15 of California Code of Regulations: **Requesting Approval**
- J. ~~Suitability and Corrective Action Plan Process – Welfare and Institutions Code Section 209 (d):~~ **Requesting Approval***
- K. Local Detention Facilities Inspection Update: **Requesting Approval**

VII. Public Comments

Public comment about any other matter pertaining to the Board that is not on the agenda may be heard at this time.

VIII. Adjourn

Next Board Meeting: February 15, 2024

Instructions for Attending Zoom / Teleconference Board Meeting

Use Zoom to both view and hear the Board meeting. Join by phone for audio only. If you do not have Zoom, [download](#) to your device before the meeting.

Join Zoom:

November 16, 2023, BSCC Board Meeting

Webinar ID: 824 4737 0878

Passcode: 659232

Or join by phone: Dial:

Dial (for higher quality, dial a number based on your current location):
US: +1 669 444 9171 or +1 669 900 9128

Webinar ID: 824 4737 0878 - Passcode: 659232

For additional information about this notice, agenda, to request notice of public meetings, to submit written material regarding an agenda item, or to request special accommodations for persons with disabilities, please contact:

Adam.Lwin@bscc.ca.gov or call (916) 324-2626.

*For general information about the BSCC visit www.bscc.ca.gov, call (916) 445-5073 or write to:
Board of State & Community Corrections,
2590 Venture Oaks Way, Ste 200, Sacramento CA 95833*

Information Session:
Overview of Local Detention Facilities
Inspection Responsibilities and
Planning for Senate Bill 519

Facility Inspection Responsibility and Director of In-Custody Death Review

NOVEMBER 16, 2023 BSCC BOARD MEETING



BSCC Authority – Adult Facilities

Adopt and Revise Regulations

PC § 6030

Inspections

PC § 6031.1

Review Construction Plans

PC § 6029

BSCC Authority – Juvenile Facilities

Adopt and Revise Regulations

WIC §§ 210 and 885

210 - Juvenile Halls, Secure Youth Treatment Facilities
885 - Camps

Inspections

WIC §§ 209 (a) and 885

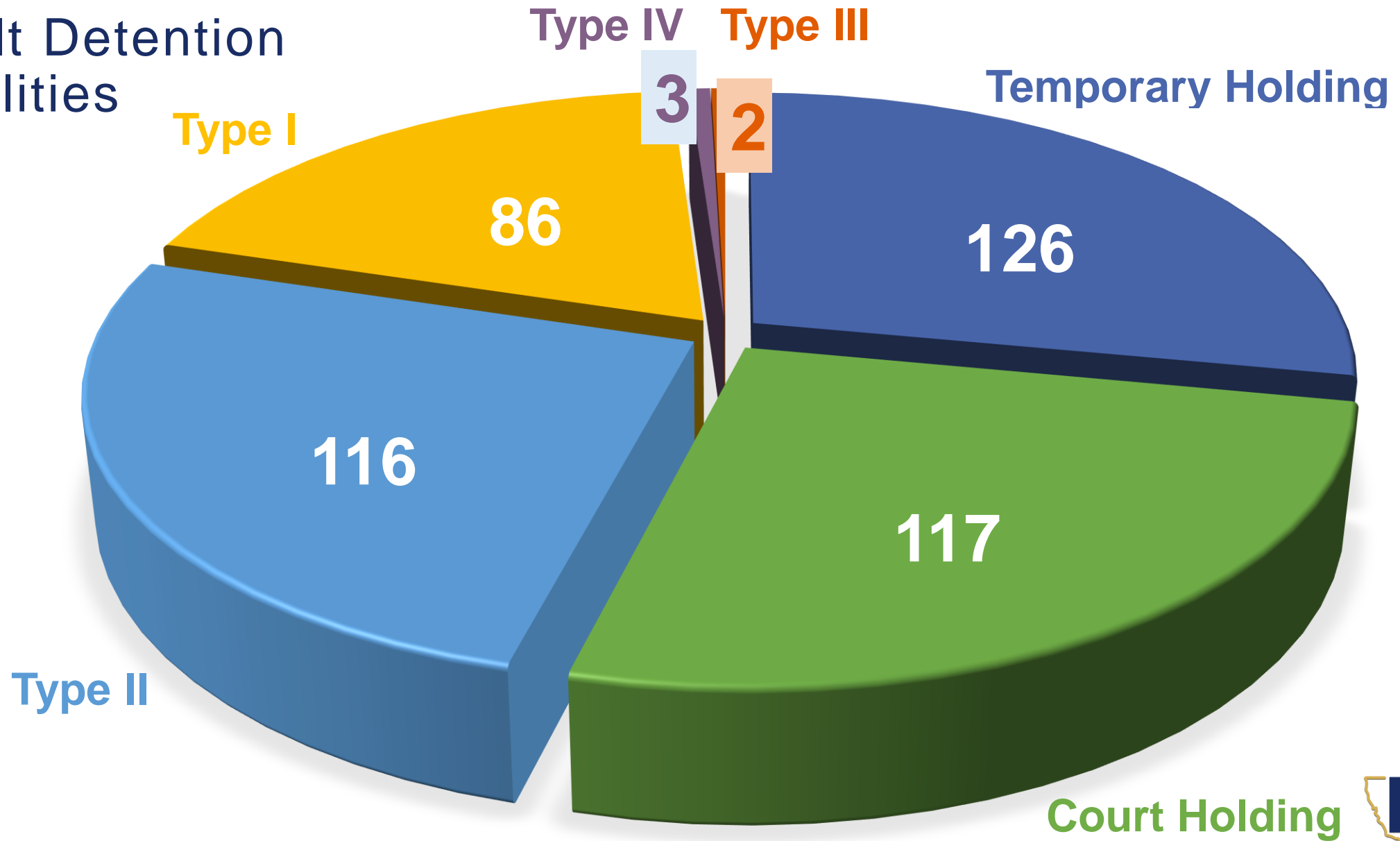
209 (a) - Juvenile Halls, Secure Youth Treatment Facilities
885 - Camps

Suitability

WIC § 209

450

Adult Detention
Facilities



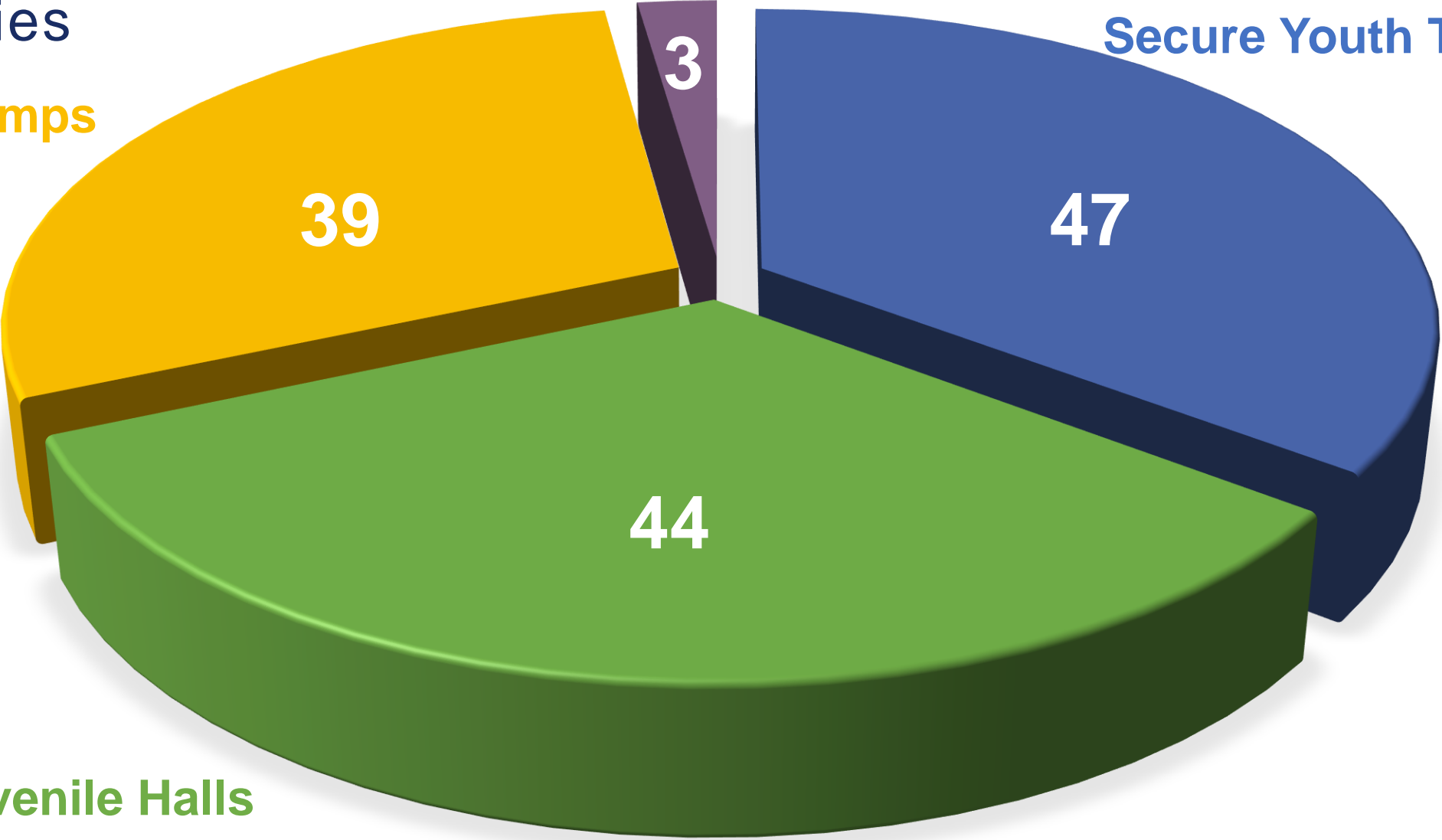
133

Juvenile
Facilities

Special Purpose Juvenile Halls

Secure Youth Treatment...

Camps



Juvenile Halls

Enhanced Inspection Process

Annual Inspections

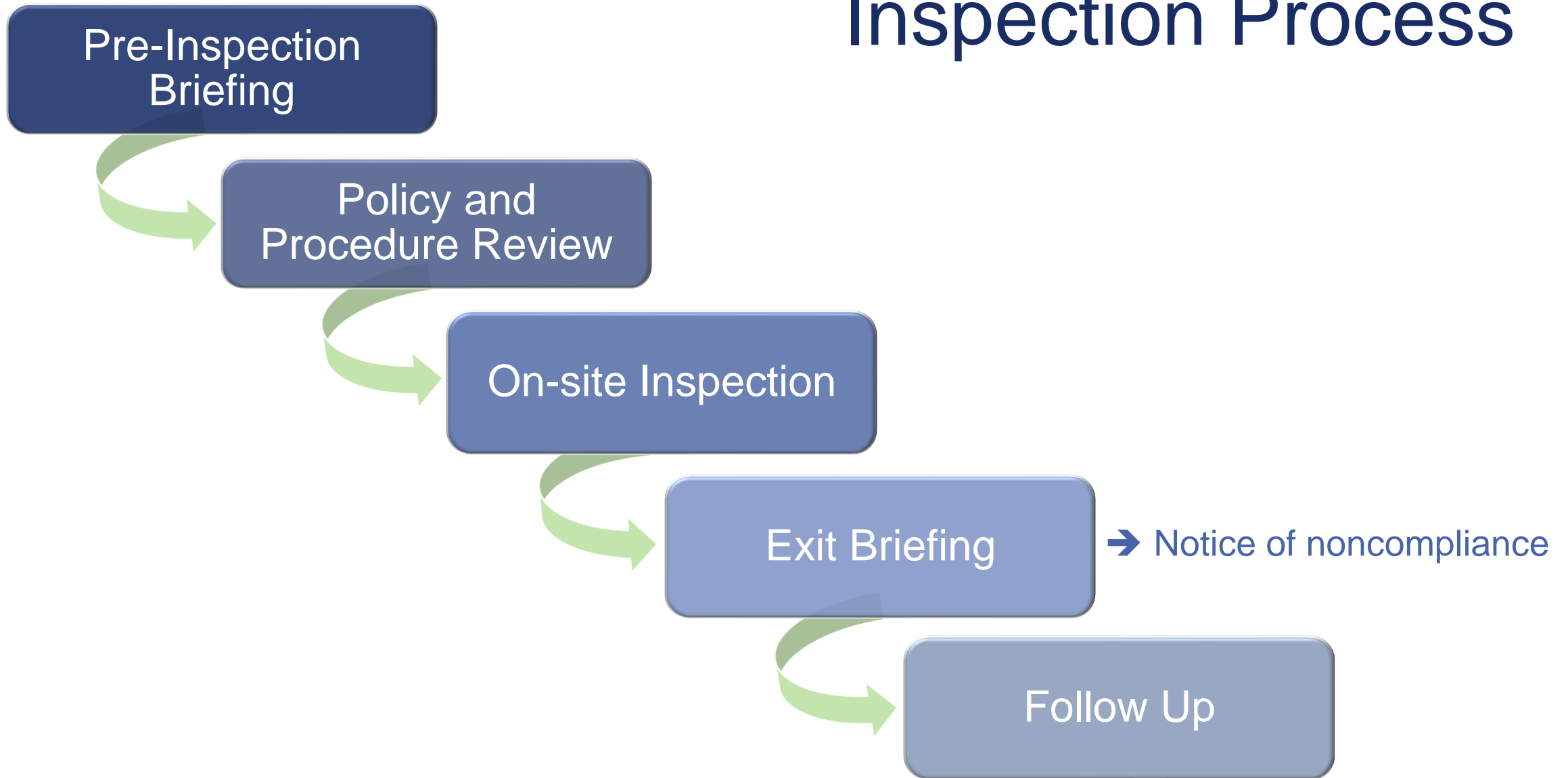
- Year One 2023: Comprehensive
- Year Two 2024: Targeted

Unannounced Inspections





Reporting to BSCC Board

Availability for Technical Assistance


Inspection Process



The BSCC DOES:

-  Inspect for compliance with Titles 15 and 24
-  Assess suitability for juvenile detention facilities
-  Adopt and revise regulations
-  Conduct plan review

The BSCC DOES NOT:

- 
- Develop agency policy and procedure
 - Compel compliance in Adult Detention Facilities and cannot
 - Sue agencies
 - Close facilities, or
 - Issue sanctions
 - Conduct investigations on
 - Complaints, or
 - Personnel actions
 - Inspect outside of Titles 15 and 24 regulations
 - Enforce consent decrees

Additional Oversight

Fire and Life Safety: State Fire Marshal or local fire authority

Public Health: Medical/Mental Health, Nutrition, Environmental Health

Grand Jury

Juvenile Justice Commission

State Auditor

Attorney General

Criminal Investigations: District Attorney

Disability Rights - CA

Accreditation Organizations

Senate Bill 519

Director of In-custody death review



SB 519 – Director of In-Custody Death Review

Effective July 1, 2024

Governor-Appointed Director

Review Investigations

Make Recommendations

Next Steps



Modify Death in Custody Regulation Title 15 § 1046

Submit BCP for staffing resources

Additional planning with Board next year

Questions?



Information Item 4
Legislative Update

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
1	<p><u>AB 28</u></p> <p><u>Firearms and ammunition: excise tax</u></p> <p><u>Assemblymember Gabriel J.</u></p> <p><u>(D-46)</u></p>	<p>Commencing July 1, 2024, this bill, the Gun Violence Prevention and School Safety Act will impose an excise tax in the amount of 11% of the gross receipts from the retail sale in this state of a firearm, firearm precursor part, and ammunition. The tax would be collected by the state pursuant to the Fee Collection Procedures Law. The bill will require that the revenues collected be deposited in the Gun Violence Prevention and School Safety Fund, which the bill would establish in the State Treasury. The bill will require the moneys received in the fund to be used to fund various gun violence prevention, education, research, response, and investigation programs, as specified. The bill will require the Director of Finance to transfer, as a loan, \$2.4 million from the General Fund to the California Department of Tax and Fee Administration to implement these provisions, as specified. The bill will require each licensed firearms dealer, firearms manufacturer, and ammunition vendor to register with the department for a certificate and other provisions.</p> <p>Annually, the first seventy-five million dollars (\$75,000,000) will be available, or as much of that amount as is available, shall be continuously appropriated annually to the BSCC, or other successor agency designated by law as the administering agency for the California Violence Intervention and Prevention (CalVIP) Grant Program, to fund CalVIP Grants and administration and evaluations of CalVIP supported programs.</p>	<p>The BSCC may need to increase the number of grants and staffing.</p>	<p>9/26/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 231 Statutes of 2023</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
2	<p><u>AB 58</u></p> <p><u>Deferred entry of judgment pilot program</u></p> <p><u>Assemblymember Kalra A.</u></p> <p><u>(D-25)</u></p>	<p>Until January 1, 2024, the Counties of Alameda, Butte, Napa, Nevada, Santa Clara, and Ventura to establish a pilot program to operate a deferred entry of judgment program for eligible defendants. Existing law requires each participating county to establish a multidisciplinary team to meet periodically to review and discuss the implementation, practices, and impact of the program, and to submit data on the pilot program to the Board of State and Community Corrections. This bill would remove the Counties of Napa and Ventura from the counties authorized to establish a pilot program. The bill would extend the pilot program to January 1, 2026, and would instead require, no later than December 31, 2024, counties to conduct the above-specified evaluation and to submit a report based on that evaluation to the Assembly and Senate Committees on Public Safety.</p> <p>The Board of State and Community Corrections shall review a county's pilot program to ensure compliance with requirements of the federal Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. Sec. 11101 et seq.) relating to "sight and sound" separation between juveniles and adult inmates.</p>	The BSCC will review county's programs.	<p>10/07/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 418 Statutes of 2023</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
3	<p><u>AB 268</u></p> <p><u>Board of State and Community Corrections</u></p> <p><u>Assemblymember Weber, M.D., Akilah</u></p> <p><u>(D-79)</u></p>	<p>This bill would, commencing July 1, 2024, add 2 additional members to the board, a licensed health care provider and a licensed mental or behavioral health care provider, appointed by the Governor and subject to confirmation by the Senate. This bill contains other related provisions and other existing laws as follows:</p> <ul style="list-style-type: none"> (a) Safety checks of incarcerated persons shall be sufficiently detailed to determine the safety and well-being of the incarcerated person, and that they are not in distress. This determination shall not require facility staff to disturb or wake incarcerated persons during sleeping hours. (b) Correctional officers shall be certified in cardiopulmonary resuscitation (CPR) and shall be required, when safe and appropriate to do so, to begin CPR on a nonresponsive person without obtaining approval from supervisors or medical staff. (c) Jail supervisors shall be required to conduct random audits of safety checks which shall include a review of logs and video footage, if available, to ensure that safety checks are properly performed. (d) In-service training of correctional officers shall include no fewer than four hours of training on mental and behavioral health annually. Training requirements prescribed in this subdivision shall be developed by the Board of State and Community Corrections standards of training for corrections. (e) Mental health screening or evaluation conducted at booking or intake shall be conducted by a qualified mental health care professional, if available. Mental health screening or evaluation that is conducted by anybody other than a qualified mental health care professional shall be reviewed by a qualified mental health care professional as soon as reasonably practicable. (f) Jail staff shall review the medical and mental health history and the county electronic health record, if available, of any person booked or transferred into the jail to determine any history of mental health issues. 	<p>BSCC would add two new Board Members. The BSCC has adopted <u>§ 1027.5. Safety Checks</u> in the last round of regulations revisions. The STC Division is currently working to incorporate mental health training and CPR compliance in the next round of revisions.</p>	<p>10/04/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 298 Statutes of 2023</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
4	<p><u>AB 505</u></p> <p><u>The Office of Youth and Community Restoration</u></p> <p><u>Assemblymember Ting</u></p> <p><u>(D-19)</u></p>	<p>This bill authorizes the Office of Youth and Community Restoration (OYCR) ombudsperson to access a facility at any time without prior notice to the operator of the facility. The bill requires the ombudsperson to have access to, review, receive, and make copies of any record of a local agency, including all juvenile facility records at all times, except as otherwise prohibited.</p> <p>Modifies county Board of Supervisor responsibilities in making allocations of Juvenile Justice Realignment Block Grant (JJRBG) funds. Modifies the JJRBG process to require more frequent meetings and to permit the committee to select a chair and co-chair using its own selection process.</p> <p>Proposed amendments to move responsibilities for juvenile justice facility inspections and regulations from the BSCC to OYCR were removed from the bill.</p>	<p>The BSCC will inspect all juvenile and adult detention facilities including SYTF and camps under Title 15 and 24 regulations.</p>	<p>10/09/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 528 Statutes of 2023</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
5	<p><u>AB 695</u></p> <p><u>Juvenile Detention Facilities Improvement Grant Program</u></p> <p><u>Assemblymember Pacheco</u></p> <p><u>(D-64)</u></p>	<p>Upon appropriation by the Legislature, this bill would create the Juvenile Detention Facilities Improvement Grant Program, to be administered by the Board of State and Community Corrections, to provide grants to a county of the first class (population of 4 million and over) to address the critical infrastructure needs of the state's detained and supervised youth in the county. The bill would require, as a condition for receiving a grant, a county of the first class to prepare a juvenile detention facilities improvement plan for the expenditure of funds for capital improvements that are necessary to preserve and protect the county's juvenile detention facilities to enhance each facility's rehabilitation function. The bill would require the plan to be approved by both the office board and the governing body of the county. The bill would require the board, by January 1, 2025, to submit a report to the budget and public safety committees of the Legislature detailing the grants awarded and the projects funded through the program. This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Los Angeles.</p> <p>Governor's Veto Message: <i>To the Members of the California State Assembly: I am returning Assembly Bill 695 without my signature. This bill creates, upon appropriation, the Juvenile Detention Facilities Improvement Grant Program, to be administered by the Office of Youth and Community Restoration, to provide grants to a county of the first class (counties containing a population of 4,000,000) to address the infrastructure needs of the state's detained and supervised youth in the county. New grant programs such as the program proposed in this bill must be considered and evaluated in the annual budget process in the context of all state funding priorities. In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing. With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure. For this reason, I cannot sign this bill. Sincerely, Gavin Newsom</i></p>	<p>The BSCC would have been required to administer a new grant.</p>	<p>10/08/23</p> <p>Vetoed by the Governor</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
6	<u>AB 762</u> <u>California Violence Intervention and Prevention Grant Program</u> <u>Assemblymember Wicks</u> <u>(D-14)</u>	<p>The Board of State and Community Corrections currently administers California Violence Intervention and Prevention (CalVIP) Grant Program. This bill would specify that the purpose of the CalVIP program is to support effective community gun violence reduction initiatives in communities that are disproportionately impacted by community gun violence. The bill would expand the CalVIP program to include counties that have one or more cities disproportionately impacted by community gun violence and tribal governments. The bill would increase the maximum grant amount to \$2,500,000 per year and require a grant cycle to be at least 3 years.</p>	<p>Makes changes to the CalVIP Grant Program.</p>	<p>09/26/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 241 Statutes of 2023</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
7	<p><u>AB 912</u></p> <p><u>Strategic Anti-Violence Funding Efforts Act</u></p> <p><u>Assemblymember Jones-Sawyer</u></p> <p><u>(D-57)</u></p>	<p>This bill would reestablish the Youth Reinvestment Grant Program, to be administered by the Office of Youth and Community Restoration, for the purpose of implementing a mixed-delivery system of trauma-informed health and development diversion programs for youth, as specified. The bill would create the Youth Reinvestment Fund to be used, upon appropriation by the Legislature, by the office for the purposes of the program. The bill would require applicants for the program to be nongovernmental agencies or tribal governments, as specified. The bill would provide that an applicant under this program be awarded no less than \$50,000, and no more than \$2,000,000, and would specify the requirements of diversion programs to qualify for funding under these provisions.</p> <p>Governor's Veto Message: <i>To the Members of the California State Assembly: I am returning Assembly Bill 912 without my signature. This bill would, subject to an appropriation, establish the Violence Reduction Grant Program to be administered by the Department of Justice, re-establish the Youth Reinvestment Grant Program to be administered by the Office of Youth and Community Restoration, and create additional grant programs designed to improve the health and well-being of youths in the State. While I appreciate the author's commitment to early interdiction and violence reduction efforts, this bill creates new additional cost pressures and must be considered in the annual budget in the context of all state funding priorities. In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing. With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure. For this reason, I cannot sign this bill. Sincerely, Gavin Newsom</i></p>	<p>Would have repealed and reestablished the Youth Reinvestment Grant at the OYCR.</p>	<p>10/08/23</p> <p>Vetoed by the Governor</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
8	<u>AB 1080</u> <u>Criminal justice realignment</u> <u>Assemblymember Ta</u> <u>(R-70)</u>	The Legislative Analyst's Office is required to prepare a report, to be submitted to the Legislature on June 30, 2026, evaluating the results of Assembly Bill 109 of the 2011–12 Regular Session over the previous 10 years.	At the request of the LAO, the BSCC will provide available information.	07/21/23 Approved by the Governor. Chaptered by the Secretary of State Chapter 96 Statutes of 2023

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
9	<u>SB 519</u> <u>Corrections</u> <u>Senator Atkins</u> <u>(D-39)</u>	<p>This bill would establish the position of Director of In-Custody Death Review within the BSCC, appointed by the Governor, subject to Senate confirmation, and for a six-year term. Commencing July 1, 2024, the director shall review investigations of any death incident occurring within a local detention facility and shall make specific and customized recommendations to the sheriff or administrator for changes to policies, procedures, and practices, facility upgrades, staffing considerations, the delivery of medical and behavioral health services within local detention facilities, and operational and capital funding requirements to address the director's recommendations to be implemented in 90 days and be available to the public. Upon appropriation by the Legislature, the BSCC shall employ a sufficient number of licensed medical professionals and licensed behavioral health professionals to participate in the reviews, assist with establishing and implementing health and behavioral health standards for local detention facilities, and review the delivery of medical and behavioral health services within local detention facilities.</p>	<p>BSCC will review in-custody deaths. Will request a Budget Change Proposal requesting necessary staffing and resources to establish the new Division.</p>	<p>10/04/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 306 Statutes of 2023</p>

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
10	<p><u>SB 544</u></p> <p><u>Bagley-Keene Open Meeting Act: teleconferencing</u></p> <p><u>Senator Laird</u></p> <p><u>(D-17)</u></p>	<p>The Bagley-Keene Open Meeting Act requires, with specified exceptions, that all meetings of a state body be open and public, and all persons be permitted to attend any meeting of a state body.</p> <p>This bill in part, until January 1, 2026, authorized a state body to hold teleconference meetings and allow for members of the state body to attend the meeting remotely with some caveats:</p> <p>A majority of the members of the state body shall be physically present at the same teleconference location and at least one member of the state body shall be physically present at each teleconference location. The teleconferenced meeting that is required to be open to the public shall be visible and audible to the public at each teleconference location and if it should fail, the meeting shall end or adjourn. The state body must provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, remotely address the body, and provide an opportunity for members of the public to address the state body directly. The members of the state body shall visibly appear on camera during the open portion of a meeting and may cease only when the appearance would be technologically impracticable. A remote location is not required to be accessible to the public. The notice and agenda shall not disclose information regarding a remote location. All votes taken during the teleconferenced meeting shall be by roll call.</p> <p>Beginning January 1, 2026, a state body may hold an open meeting by teleconference. A member participating remotely shall be listed in the minutes. The location of a member of a state body who will participate remotely is not required to be disclosed in the public notice. A quorum of the members of the state body shall be in attendance at the primary physical meeting location, and members of the state body participating remotely shall not count towards establishing a quorum with a roll call vote. Only the primary location will need to be posted. Public remote participation should be available, and the meeting shall end or adjourn if the remote access fails.</p>	Will allow remote participation by Board Members or ESC Members without noticing locations to the public.	<p>09/22/23</p> <p>Approved by the Governor.</p> <p>Chaptered by the Secretary of State</p> <p>Chapter 216 Statutes of 2023</p>

Agenda Item A
April 13 Board Meeting Minutes

**MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY SEPTEMBER 14, 2023 – 10:00 A.M.
BOARD MEETING**

Meeting Held In-Person, Zoom & Teleconference

**200 South Civic Drive
Palm Springs, California 92262
Police Training Center**

**County Government Center
70 W. Hedding Street
10th Floor, Office of Supervisor Chavez
San Jose, California 95110**

The full recording of the meeting can be viewed here:
<https://youtu.be/zkuy9nxBiek>

I. Call Meeting to Order

Chair Linda Penner called the meeting to order at 10:00 a.m.

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

Penner announced that the Governor appointed two new Board Members – Jason D. Johnson, Director of California Department of Corrections and Rehabilitations, Division of Adult Parole Operations, and Brian Richart, El Dorado County Chief Probation Officer. The Chair administered the Oath.

Penner also reported that Vice Chair Dean Growdon and Member Norma Cumpian were reappointed by the Governor to serve three-year terms on the Board.

Penner acknowledged that Member Angeles Zaragoza was recognized by the Pacific Juvenile Defender Center as the Juvenile Defender of the year.

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

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

The following members were in attendance:

Chair Penner	Mr. Growdon	Mr. Haynes	Ms. Zaragoza
Mr. Macomber	Mr. Dicus	Mr. Richart	Ms. Cumpian
Mr. Johnson	Ms. Chavez ¹	Mr. Mills	

Absent Board Members: Ms. Gaard and Mr. Budnick

¹ Board members participated remotely through Zoom.

II. Information Items

1. Chair's Report

Chair Penner reported on the following:

- Attended the Tri-County Juvenile Rehabilitation Facility which included Yuba, Colusa, and Sutter counties as a joint project funded by Senate Bill 81.
- Sheriff Withrow had his groundbreaking on a facility in San Joaquin County -- a Senate Bill 1022 project for a 256 bed for Career Technology Education programs, mental health programs, housing and other resources.
- The probation Chiefs have reported that the mobile probation grant funds are being put to good use for Californians.

2. Executive Director's Report

Executive Director Kathleen Howard reported the following:

- Congratulated Colleen Curtin on her appointment as the new Deputy Director of the Corrections Planning and Grants Programs Division.
- The BSCC is currently looking into collecting information about how local facilities are responding to opioid use in local detention facilities with input from Sheriffs Dicus and Growdon, staff has developed a plan to send a survey to both jails and juvenile facilities to ask how facilities respond to overdoses when they occur.

Chair Penner requested that the survey on opioids be shared with the Board before it is released to the field.

Grants:

- Howard referenced a letter from several grantees that described concerns about the timeframe for approvals of invoices and budget modifications. Howard acknowledged that there have been challenges regarding grants and reimbursement to grantees and the BSCC is working to hire staff as quickly as possible and to put process improvements in place to address these concerns. Howard also mentioned that the BSCC needs to ensure proper documentation is provided by grantees and that this is one of the primary reasons the reimbursement process can be delayed.

Senate Bill 519:

- Howard gave a summary of Senate Bill 519, which will create a position within the BSCC of the Director of in-custody death review. The Director will be responsible for reviewing investigations of deaths in custody and making recommendations to

the local sheriffs. The Sheriffs, within 90 days, will respond to the recommendations and the information will be posted on the BSCC's website.

- Howard said that the BSCC will develop a Legislative Budget Change Proposal if the bill is signed to request the necessary resources and staffing.
- Howard said there have been about 140 deaths in custody in the past year and it would be a heavy lift for the BSCC to carry out the duties outlined in the bill.

Juvenile Regulations Revision Executive Steering Committee:

- Howard said that at the last Juvenile Regulation Revision ESC meeting, which was led by Chief Kirk Haynes, the ESC decided that four working groups will be established on the following subjects: education, medical and mental health, environmental health, and nutritional health.
- Several subject matter experts have been identified to participate in the working groups.
- The draft revisions will be posted after the working groups have completed their work.

Ms. Zaragoza asked if Board members could join the working groups.

3. Legal Update

General Counsel Aaron Maguire reminded Board Members to review the Agenda Items and recuse themselves from items that may have potential conflicts of interest pursuant to Government Code section 1091.

4. Legislative Update – [PDF](#)

Legislative Analyst Adam Lwin reported on the following:

- [Assembly Bill 268](#) by Assemblymember Dr. Akilah Weber would add two members to the Board, a licensed health care provider and a mental or behavioral health care provider appointed by the Governor and subject to Senate confirmation. The bill also required changes to Title 15 regulations and STC standards.
- [Senate Bill 519](#) by Seante President Pro Tem Toni Atkins was recently amended to require the BSCC to create a position of the Director of In-Custody Death Review appointed by the Governor leading a team of healthcare professionals to investigate in deaths in custody.
- [Senate Bill 544](#) By Senator Laird would allow flexibility for Board members and committee members to participate remotely in meetings subject to Bagley-Keene without noticing their locations to the public.

- [Assembly Bill 505](#) by Assemblymember Ting proposed to transfer all responsibilities related to juvenile justice from the BSCC to the Office of Youth and Community Restoration (OYCR). That has been amended and no longer includes any changes to the BSCC's juvenile justice responsibilities and authority. The bill now addresses access to facilities by the OYCR ombudsperson and makes changes to local committee composition and the submission of county plans to OYCR.
- [Assembly Bill 280](#) on segregated confinement by Assemblymember Holden would require local detention facilities to develop written procedures on segregated confinement and periodically check on individuals by medical and mental health professionals and would require the BSCC to monitor for compliance.

Written Public Comment:

[Public Comment Letter from Starting Over, Inc. et al.](#)

Chair Penner called for public comment. Public comment was heard from 12 people; the full recording of the public comment and its transcription may be viewed by turning. closed captions on [here](https://www.youtube.com/watch?v=zkuY9nxBiek): (<https://www.youtube.com/watch?v=zkuY9nxBiek>). Public comment for Information Items Start: 00:40:33; End: 1:03:54.

III. Action: Consent Items

A. [Minutes from the June 15, 2022, Board Meeting: Requesting Approval](#)

B. Proposed 2024 Board of State and Community Corrections Meeting Schedule: **Requesting Approval** – [PDF](#)

The following meeting dates in 2024 were proposed:

DATE	LOCATION	TIME
THURSDAY, FEBRUARY 15, 2024	SACRAMENTO	10:00 AM
THURSDAY, APRIL 18, 2024	ORANGE COUNTY	10:00 AM
THURSDAY, JUNE 13, 2024	SACRAMENTO - TENTATIVE	10:00 AM
THURSDAY, JULY 11, 2024	SACRAMENTO	10:00 AM
THURSDAY, SEPTEMBER 12, 2024	SANTA CLARA	10:00 AM
THURSDAY, NOVEMBER 21, 2024	SACRAMENTO	10:00 AM

Mr. Dicus moved approval. Mr. Haynes seconded. The motion was approved by all other Board members.

IV. Action: Discussion Items

C. Title II Grant Program – Tribal Funding Recommendation: Requesting Approval – [PDF](#)

Deputy Director Colleen Curtin presented this agenda item which requested Board approval of the Title II Grant Program Tribal funding recommendation developed by the Title II Grant [Executive Steering Committee](#). Staff recommended that the Board approve the funding to the highest-ranked tribe, the Coyote Valley Band of Pomo Indians, for \$350,000 for the first year of the three-year cycle. Funding and amounts for the second and third years are contingent on future U.S. Office of Juvenile Justice and Delinquency Prevention Title II awards. The tribe applied under Program Purpose Area (4), Diversion. The [Office of Youth and Community Restoration](#) reviewed the proposed Title II Tribal award and concurs with the State Advisory Committee on Juvenile Justice and Delinquency Prevention recommendations.

Mr. Growdon moved approval. Mr. Richart seconded. The motion was approved by all other Board members.

D. Missing and Murdered Indigenous People Grant – Funding Recommendations: Requesting Approval – [PDF](#)

Deputy Director Colleen Curtin presented this agenda item which requested Board approval of the Missing and Murdered Indigenous People Grant Program awards as recommended by the [Executive Steering Committee](#) (ESC). The following three proposals met the scoring threshold and were recommended for funding:

Rank	Applicant	Amount Requested	Recommended Award
1	Yurok Tribe	\$1,000,000	\$1,000,000
2	Tolowa Dee-Ni Nation	\$440,000	\$440,000
3	Sherwood Valley Band of Pomo Indians	\$1,000,000	\$1,000,000
Recommended Funding:			\$2,440,000

\$8.96 million remains unallocated. In addition, the 2023 State Budget included a one-time augmentation for the MMIP Grant in the amount of \$12 million. That leaves approximately \$20.3 million available for a second round of funding. The BSCC plans to gather input from outreach efforts, revise the RFP, reconvene the ESC and issue a second RFP at the November Board meeting.

Mr. Growdon moved approval. Mr. Richart seconded. The motion was approved by all other Board members.

E. Organized Retail Theft Prevention – Funding Recommendations: Requesting Approval – [PDF](#)

Field Representative Helene Zentner presented this agenda item which requested Board approval of the Organized Retail Theft (ORT) Prevention grant awards as recommended by the [ORT Scoring Panel](#). Staff recommended the Board fully fund 11 Large Scope and 26 Medium Scope top ranked proposals totaling \$241,849,438 and one (1) partial award to the next ranked Medium Scope proposal for the purpose of preventing and responding to organized retail theft, motor vehicle or motor vehicle accessory theft, or cargo theft. Also, the Board authorized staff to continue to make awards from the rank-ordered list if staff determine during the follow-up award-making process that an applicant recommended for funding is ineligible, if a grantee becomes ineligible during the grant cycle, or if the grant award is relinquished during the grant cycle.

- [List of Funding Recommendations](#)
- [Proposal Summaries](#)

[Public Comment Letter from Mayor Bass LOS for LAPD Organized Retail Theft Prevention Program Application](#)

Mr. Growdon moved approval. Mr. Richart seconded. The motion was approved by all other Board members.

F. Organized Retail Theft: Vertical Prosecution – Funding Recommendations: Requesting Approval – [PDF](#)

Field Representative Helene Zentner presented this agenda item which requested Board approval of the Organized Retail Theft (ORT) Vertical Prosecution grant awards as recommended by the [ORT Scoring Panel](#). Staff recommend the Board fully fund 12 Large Scope proposals and one (1) Small Scope proposal totaling \$24,868,293 for the purpose of addressing increased levels of retail theft property crimes by using a vertical prosecution model.

[Funding Recommendations](#)
[Proposal Summaries](#)

Mr. Dicus moved approval. Mr. Richart seconded. Ms. Chavez recused pursuant to Government Code section 1091. The motion was approved unanimously.

G. Suitability and Corrective Action Plan Process – Welfare and Institutions Code Section 209 (d): Requesting Approval – [PDF](#)

Chief Deputy Director and General Counsel Aaron Maguire presented this agenda item. Maguire said that at the May 2023 board meeting, the BSCC Board directed staff to outline a process for receipt and approval of corrective action plans (CAPs) from affected probation departments, to include final review and approval by the Facilities Standards and Operations (FSO) Deputy Director. Maguire said that the BSCC has had discussions with the Youth Law Center on the inspections process.

Maguire referred to the [Welfare and Institutions Code section 209, subdivision \(d\) Corrective Action Plan Review and Approval Process](#).

Board members had a lengthy discussion on the timeline of the corrective action plan, verification by the Agency, and the determination of suitability. Staff will continue to work to refine the process and bring it back to the Board at the November meeting.

Chair Penner called for public comment. Public comment was heard from two people; the full recording of the public comment and its transcription may be viewed by turning closed captions on [here](https://www.youtube.com/watch?v=zkuY9nxBiek): (<https://www.youtube.com/watch?v=zkuY9nxBiek>). Public comment for Agenda Item G Start: 2:00:27; End: 2:04:49.

Written Public Comment:

[Public Comment Letter from Youth Law Center et al.](#)

End of public comment

The Board did not vote on this item.

H. Local Detention Facilities Inspection Update: Requesting Approval – [PDF](#)

Deputy Director Allison Ganter provided an update on the local detention facility inspections completed in the 2023/2024 Biennial Inspection Cycle.

Outstanding Items of noncompliance may be found [here](#)

Ganter said that many of the items of noncompliance in the adult detention facilities are ongoing issues related to lack of adequate staffing and BSCC staff are provide technical assistance as necessary.

Ganter said that Kings County Probation has several items of noncompliance and is reaching the end of its 90-day corrective action period on Sept. 24, 2023. The agency is working to remedy the issues of noncompliance below:

- §1329 Suicide Prevention Plan
- §1354 Separation
- §1354 Room Confinement
- §1371 Programs, Recreation, and Exercise

Ganter added that the recent inspections in LA county identified items of noncompliance at the Secure Youth Treatment Facility at the Barry J. Nidorf facility and in Los Padrinos Juvenile Hall.

Chair Penner called for public comment. Public comment was heard from eight people: the full recording of the public comment and its transcription may be viewed by turning closed captions on [here](https://www.youtube.com/watch?v=zkuY9nxBiek) (<https://www.youtube.com/watch?v=zkuY9nxBiek>). Public Comment for Agenda Item H Start: 2:22:00; End: 2:40:00.

Board members discussed the timeline for Kings County Probation and the communications between BSCC staff and the County on the timeline. The Board discussed the corrective action plan and whether an emergency meeting is necessary.

The Board did not vote on this item.

V. Public Comments

Sheryl: Said that mentally ill individuals need more assistance and thanked the Board for accepting a Board member with mental health background.

Gina: Said that more mental health advocates are needed.

Yusef: Said more mental health programs are needed and supports SB 519 and AB 268.

Erin: Said that the timelines for the Counties to come into compliance is not reasonable and requested the Board should adhere to statute.

Iphone: Said that Los Padrinos is not following rules and is unorganized and is not providing a role model to incarcerated children.

Luis: Said that deaths in jails remains an issue and the BSCC should investigate facilities are following Title 15 regulations.

Free Darik: Said deaths in jails should be investigated.

Shaun: Said Kings County is not following its deadline or plan and counties are receiving difference over the youth and protecting government agencies.

Avalon: Said community-based organizations are experiencing financial issues due to grant failures from the BSCC.

Abbey: Asked for assistance on the Adult Reentry Grant invoicing issue.

Board members echoed their appreciation to the members of the public who participated in the meeting in person and virtually.

VI. Adjourn

The Board adjourned at 1:38 p.m.

Next Board Meeting: November 16, 2023

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Macomber, Secretary, California Department of Corrections & Rehabilitations (CDCR)
3. Mr. Johnson, Director, CDCR- Division of Adult Parole
4. Mr. Growdon, Sheriff, Lassen County
5. Mr. Dicus, Sheriff, San Bernardino County
6. Ms. Chavez, Supervisor, Santa Clara County*
7. Mr. Haynes, Chief Probation Officer, Fresno County
8. Mr. Richart, Chief Probation Officer, El Dorado County
9. Mr. Mills, Chief of Police, City of Palm Springs
10. Ms. Zaragoza, Los Angeles County Alternate Public Defender's Office
11. Ms. Cumpian, Director, Women's Department, Anti-Recidivism Coalition

BSCC STAFF:

Kathleen T. Howard, Executive Director
Aaron Maguire, Chief Deputy Director & General Counsel
Tracie Cone, Communications Director
Adam Lwin, Board Secretary
Allison Ganter, Deputy Director, Facility Standards and Operations
Collen Curtin, Deputy Director, Corrections Planning and Grant Programs
Ian Silva, Field Representative, Corrections Planning and Grant Programs
Helene Zentner, Corrections Planning and Grant Programs

Agenda Item B

MEETING DATE: November 16, 2023**AGENDA ITEM:** B**TO:** BSCC Chair and Members**FROM:** Helene Zentner, Field Representative, helene.zentner@bscc.ca.gov**SUBJECT:** Proposition 64 Public Health & Safety Grant, Cohort 2 - Six-Month No-Cost Extension: **Requesting Approval**

Summary

This agenda item requests Board approval for a six-month contract extension for the Proposition 64 Public Health and Safety (Prop. 64 PH&S) Cohort 2 grantees that did not apply for or receive additional funding through the Cohort 3 Request for Proposals (RFP). The Prop. 64 PH&S Grant is funded by an ongoing portion of tax revenue generated from the cultivation and retail sale of legal, adult-use cannabis or cannabis products in California.

Background

The Prop. 64 PH&S Grant 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 aged 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 Board approved funding for the Cohort 2 grantees at its April 2021 meeting (Attachment B-1).

In October 2022, a Prop. 64 PH&S RFP was released for a third round of funding (Cohort 3). Eligibility included all previously awarded city and county grantees (i.e., Cohorts 1 and 2). Although 12 of the 22 Cohort 2 awardees applied and were subsequently awarded Cohort 3 funding (Attachment B-2), three counties and seven cities did not reapply for funding through the Cohort 3 RFP. Reasons for not reapplying for funding included continued hiring/staffing challenges, changes in local priorities, and limited resources. The 10 grantees, listed below, have requested six-month extensions on their current Cohort 2 contracts in order to expend their initial grant award (up to \$1 million) on grant-related activities, contingent upon approval of this Board.

- | | | |
|---------------------|------------------------|---------------------|
| 1. City of Berkeley | 4. City of Los Angeles | 8. Inyo County |
| 2. City of Fresno | 5. City of Merced | 9. Mendocino County |
| 3. City of La Mesa | 6. City of Pomona | 10. Nevada County |
| | 7. City of Woodlake | |

Recommendation/Action Needed

Staff recommends the Board:

- Approve a six-month extension period for the Prop. 64 PH&S Cohort 2 grant projects not receiving Cohort 3 grant funding.

- Direct staff to make any amendments, extensions, and addendums to the grant agreements as needed to complete their programs as proposed.

Attachments

- B-1: April 8, 2021- Board Agenda Item F, Proposition 64 Public Health and Safety Grant Program Cohort 2 Funding Recommendations.
- B-2: April 13, 2023- Board Agenda Item H, Proposition 64 Public Health and Safety Grant Program Cohort 3 Funding Recommendations, Attachment H-4

Attachment B-1

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 B-2

**PROPOSITION 64 PUBLIC HEALTH & SAFETY GRANT PROGRAM
COHORT 3 PROPOSALS RECOMMENDED FOR FUNDING**

**Proposals in Rank Order by County-Size Category
Total Available Funding: \$150,000,000**

Large County Request Category Proposals in Rank Order for Funding
Available Category Funding: \$30,000,000

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	City of Port Hueneme	\$2,646,665	\$2,646,665
2	City of San Bernardino	\$3,000,000	\$3,000,000
3	City of Sacramento	\$2,999,915	\$2,999,915
4	City of Palm Springs	\$3,000,000	\$3,000,000
5	City of Parlier	\$2,980,000	\$2,980,000
6	City of Oakland	\$3,000,000	\$3,000,000
7	City of Chula Vista	\$2,708,250	\$2,708,250
8	City of California City	\$2,182,390	\$2,182,390
9	County of Contra Costa	\$2,195,302	\$2,195,302
10	City of San Diego	\$1,474,719	\$1,474,719
11	City of Firebaugh	\$579,439	\$579,439
12	City and County of San Francisco	\$3,000,000	\$3,000,000
13	City of El Monte*	\$3,000,000	\$233,320

Medium County Request Category Proposals in Rank Order for Funding
Available Category Funding: \$30,000,000

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	County of Monterey	\$2,972,769	\$2,972,769
2	City of Vallejo	\$1,424,000	\$1,424,000
3	County of Santa Cruz	\$3,000,000	\$3,000,000
4	City of Suisun City	\$2,294,495	\$2,294,495
5	County of Sonoma	\$2,993,420	\$2,993,420
6	County of Stanislaus	\$3,000,000	\$3,000,000
7	County of Santa Barbara	\$2,997,976	\$2,997,976

Small County Request Category Proposals in Rank Order for Funding
Available Category Funding: \$30,000,000

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	County of Lake	\$2,996,546	\$2,996,546
2	County of Humboldt	\$3,000,000	\$3,000,000
3	City of Marysville	\$3,000,000	\$3,000,000
4	City of Nevada City	\$3,000,000	\$3,000,000
5	City of Grass Valley	\$3,000,000	\$3,000,000
6	County of Del Norte	\$2,998,752	\$2,998,752
7	County of El Dorado	\$2,924,271	\$2,924,271
8	County of Mono	\$2,767,916	\$2,767,916
9	County of San Benito	\$2,997,145	\$2,997,145
10	City of Hanford	\$2,452,065	\$2,452,065
11	City of Madera	\$605,887	\$605,887
12	City of Mt. Shasta*	\$2,907,211	\$257,418

Highest Rated Category Proposals Regardless of County Size
Available Category Funding: \$60,000,000

Rank	Applicant	Funding Amount Requested	Recommended Funding Amount
1	City of El Monte*	\$3,000,000	\$2,766,680
2	City of Mt. Shasta*	\$2,907,211	\$2,649,793
3	City of Montebello	\$1,278,987	\$1,278,987
4	County of Trinity	\$1,648,795	\$1,648,795
5	County of San Diego	\$2,092,520	\$2,092,520
6	City of Colusa	\$1,668,033	\$1,668,033
7	County of Riverside	\$3,000,000	\$3,000,000

**City of El Monte and City of Mt. Shasta were fully funded between the County Size Categories*

Agenda Item C

MEETING DATE: November 16, 2023

AGENDA ITEM: C

TO: BSCC Chair and Members

FROM: Dameion Renault, Field Representative, dameion.renault@bscc.ca.gov

SUBJECT: Public Defense Pilot Program, Cohort III Request for Applications:
Requesting Approval

Summary

This agenda item requests Board approval to release the Request for Applications (RFA) (Attachment C-1) for the third and final year of the Public Defense Pilot Program (PDPP).

Background

The Budget Act of 2021 (Senate Bill 129, Chapter 69, Statutes of 2021) established the Public Defense Pilot Program (PDPP). Program funds must be utilized for indigent defense providers, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with the provisions in paragraph (1) of subdivision (d) of Section 1170 of, and Sections 1170.95, 1473.7, and 3051 of, the Penal Code.

The Budget Act of 2021 appropriated \$50 million for the PDPP of which \$49.5 million was available for California counties and \$500,000 for administrative costs and an independent evaluation. The Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) appropriated a second \$50 million, of which \$49.4 million was available for California counties and \$600,000 for administrative costs and an independent evaluation. In the final appropriation of PDPP funds, the Budget Act of 2023 (Senate Bill 104, Chapter 189, Statutes of 2023) (Attachment C-2) appropriated \$40 million for the PDPP, of which \$39.4 million is available for California counties and \$600,000 for BSCC administrative costs and an independent evaluation. The grant period for the Cohort III PDPP is March 1, 2024 to March 1, 2025.

All California counties are eligible to participate in the PDPP. Only one (1) application may be submitted on behalf of a county. A list of the funding amounts available to eligible counties is included in Attachment C-3. Applications must be submitted by the Board of Supervisors (BOS) or the County Administrative Officer (CAO). The BOS or CAO may also delegate the County Public Defender's Office or an Alternate Defender's Office as the applicant entity.

Senate Bill 104 provides that: "If any funds remain unallocated after the distribution process described in this provision is completed, the Board of State and Community Corrections shall reallocate and distribute, on a one-time basis, the remaining funds to the participating counties proportionally based on the county's share of the adult population."

If funds remain unallocated after all applications have been submitted and the funding distribution calculated, BSCC will contact each applicant to see if they are interested in

receiving additional funding. Once all applicants have been contacted, BSCC will calculate the distribution of the unallocated funds among interested applicants. Applicants that accept the additional funds will be required to submit a revised project budget.

Note: Senate Bill 104 (Attachment C-2) specifies that the “pilot shall end” on January 1, 2025. However, the Legislature also extended the expenditure deadline for the funds until December 31, 2026. As such, there may be an opportunity for one-time, no-cost extensions, to be revisited by staff in the future, if counties are unable to spend down funds during the pilot period.

Recommendation/Action Needed

Staff recommends that the Board:

- Approve the release of the Cohort III RFA for the Public Defense Pilot Program (PDPP).
- Authorize staff to redistribute any unallocated funds among interested applicants, using a formula based on county population.

Attachments

C-1: PDPP Cohort III RFA

C-2: Senate Bill 104 (2023)

C-3: PDPP Grant Allocation List

Attachment C-1



Public Defense Pilot Program Request for Applications

Release Date: November 17, 2023

Proposals Due: January 5, 2024

**Cohort III Grant Period:
March 2, 2024 to March 1, 2025**

**Full Grant Period:
March 2, 2022 to March 1, 2025**



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This document contains the necessary information for completing the Public Defense Pilot Program Application Packet. The Application Packet is provided as a stand-alone document on the BSCC website at www.bscc.ca.gov.

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 Public Defense Pilot Program (PDPP). Any questions concerning this program must be submitted by email to: publicdefensegrant@bscc.ca.gov.

Background Information

The State Budget Act of 2021 (Senate Bill 129, Chapter 129, Statutes of 2021) established the Public Defense Pilot Program. PDPP funds must be utilized for indigent defense providers, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with Sections 1172.1, 1172.6, 1473.7, and 3051 of, the Penal Code.¹

The State Budget Act of 2021 appropriated \$50 million for the PDPP of which \$49.5 million was available for indigent services and \$500,000 was available for administrative costs and to conduct an independent evaluation. The State Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) appropriated \$50 million of which \$49.4 million was available for indigent services and \$600,000 available for administrative costs and to conduct an independent evaluation. In the final appropriation of PDPP funds, the State Budget Act of 2023 (Senate Bill 104, Chapter 189, Statutes of 2023) made available \$39.4 million for indigent services and \$600,000 for BSCC administrative costs (Appendix A).

A display of the three-year allocation is provided below:

Fiscal Year (FY)	Local Assistance	Administration & Evaluation	Total Appropriation
FY 2021-22	\$49,500,000	\$500,000	\$50,000,000
FY 2022-23	\$49,400,000	\$600,000	\$50,000,000
FY 2023-24	\$39,400,000	\$600,000	\$40,000,000
Total	\$138,300,000	\$1,700,000	\$140,000,000

Application Due Date and Submission Instructions

Applications must be received by 5:00 P.M. on Friday, January 5, 2024. Applicants must ensure the application packet is signed with a digital signature **OR** a wet blue ink signature that is then scanned with the completed application package. Submit one (1) completed application packet via email to: publicdefensegrant@bscc.ca.gov.

¹ Section 1170.95 of the Penal Code was amended and renumbered by Assembly Bill 200 (Chapter 58, Statutes of 2022) into section 1172.6 whereas Section 1170 was amended and renumbered by Assembly Bill 1540 (Chapter 719, Statutes of 2021), and later renumbered by Assembly Bill 200 into section 1172.1.

Description of the Grant

Eligibility to Apply

All California counties are eligible to participate in the Public Defense Pilot Program. The BSCC will accept re-applications from existing grantees and new applications from other counties.

- Existing Grantees

Counties under contract with the BSCC from March 2, 2022 to March 1, 2025 to provide indigent services are eligible for this funding opportunity. Only one (1) application may be submitted on behalf of the County. The PDPP Application Packet is provided as a stand-alone document on the [BSCC website](#).

- New Applicants

The BSCC is accepting new applications for the PDPP. Only one (1) application may be submitted on behalf of the County. Applications must be submitted by the Board of Supervisors or the County Administrative Officer. The Board of Supervisors or County Administrative Officer may also delegate the County Public Defender's Office or an Alternate Defender's Office as the applicant entity. The PDPP Application Packet is provided as a stand-alone document on the [BSCC website](#).

Grant Period

The PDPP was designed as a three-year program funded with annual appropriations from the State Budget Act. Note: Applicants that did not apply for funding in year one or two may still apply for year three funding.

- Existing Grantees

For existing grantees who received funding in all three rounds, the grant period covers March 1, 2022 to March 1, 2025. Within this grant period, the service period ends on January 1, 2025. The last two months (January 2, 2025 - March 1, 2025) are for the sole purpose of submitting final progress reports and any data required for the statewide evaluation.

For existing grantees who received funding last year, the grant period covers March 1, 2023 to March 1, 2025. Within this grant period, the service period ends on January 1, 2025. The last two months (January 2, 2025 - March 1, 2025) are for the sole purpose of submitting final progress reports and any data required for the statewide evaluation.

- **New Applicants**

The one-year PDPP grant period covers March 1, 2024 – March 1, 2025. Within this grant period, the first ten months is the service period and the last two months (January 2, 2025 - March 1, 2025) is for the sole purpose of submitting final progress reports and any data required for the statewide evaluation.

Eligible Activities

Public Defense Pilot Program funds must be used for the provision of indigent defense services, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with Sections 1172.1, 1172.6, 1473.7, and 3051 of the Penal Code. In support of these efforts, each applicant will develop a Project Work Plan that identifies measurable project goals, objectives, and commensurate timelines (Appendix B).

Applicants may propose to fund client support services when they are reasonable, connected to, and necessary for the performance of the grant, and with prior approval from BSCC. Please see BSCC's new *Guidance on Allowable Client Support Expenses* (Appendix C).

Funding Information

In FY 2023-24, the State Budget Act made \$39,400,000 available to California counties. (Senate Bill 104 (Chapter 189, Statutes of 2023).)

Funding Allocation Methodology

Pursuant to the State Budget Act, county funding allocations are determined by the total adult population. BSCC calculated the amount of funding each county is eligible to receive by dividing \$39,400,000 by the county's share of the total adult population using the 2023 projected population figures from the Department of Finance. Funding will be allocated to counties as shown in Table 1. A detailed funding chart is also provided as Appendix D.

Reallocation of Remaining Funds

Senate Bill 104 provides that: "If any funds remain unallocated after the distribution process described in this provision is completed, the Board of State and Community Corrections shall reallocate and distribute, on a one-time basis, the remaining funds to the participating counties proportionally based on the county's share of the adult population."

If funds remain unallocated after all applications have been submitted and the funding distribution calculated, BSCC will contact each applicant to see if they are interested in receiving additional funding. Once all applicants have been contacted, BSCC will calculate the distribution of the unallocated funds among interested applicants. Applicants that accept the additional funds will be required to submit a revised Budget Attachment.

Table 1: Funding Allocation Chart

County	2023 Adult Population Projection ¹	Percent of State's Adult Population	Funding Allocation
Alameda County	1,289,289	4.28%	\$ 1,685,500.39
Alpine County	988	0.00%	\$ 1,291.62
Amador County	34,475	0.11%	\$ 45,069.51
Butte County	166,931	0.55%	\$ 218,230.56
Calaveras County	37,756	0.13%	\$ 49,358.80
Colusa County	16,364	0.05%	\$ 21,392.82
Contra Costa County	900,446	2.99%	\$ 1,177,162.05
Del Norte County	20,848	0.07%	\$ 27,254.80
El Dorado County	154,266	0.51%	\$ 201,673.48
Fresno County	740,153	2.46%	\$ 967,609.41
Glenn County	21,794	0.07%	\$ 28,491.51
Humboldt County	108,340	0.36%	\$ 141,633.96
Imperial County	124,690	0.41%	\$ 163,008.48
Inyo County	15,294	0.05%	\$ 19,994.00
Kern County	658,624	2.19%	\$ 861,025.73
Kings County	109,536	0.36%	\$ 143,197.51
Lake County	53,614	0.18%	\$ 70,090.12
Lassen County	23,712	0.08%	\$ 30,998.93
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Madera County	117,058	0.39%	\$ 153,031.09
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Yuba County	60,436	0.20%	\$ 79,008.59
Grand Total	30,138,223	100.00%	\$39,400,000.00

¹Note: 2023 county adult population is based on projections obtained from the Department of Finance's Report P-2B: Population Projections by Individual Year of Age, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2023 Release). Sacramento: California. July 2023. Obtained from: <https://www.dof.ca.gov/forecasting/demographics/Projections/> on September 21, 2023.

Funding Request

For the purposes of this application, each county may request the maximum amount of funding available in FY 2023-24 as shown in Table I.

Funding Requirements for Existing Grantees

Existing grantees are eligible to receive an FY 2023-24 award if all conditions listed below are met:

1. Public Defense Pilot Program Application Packet submitted.
2. Public Defense Pilot Program Budget reflects the full county allocation in Table 1.
3. Governing Board Resolution submitted **if** the original Resolution provided to the BSCC did not cover the full award period (March 1, 2022 to March 1, 2025). Please contact your BSCC Field Representative for additional information.
4. All invoices, progress reports, and required reports must be current to receive FY 2023-24 funds. Please contact your BSCC Field Representative for additional information.

Funding Requirements for New Applicants

New applicants are eligible to receive an FY 2023-24 award if all conditions listed below are met:

1. Public Defense Pilot Program Application Packet submitted.
2. Public Defense Pilot Program Budget submitted and reflects the full county allocation in Table 1.
3. Governing Board Resolution submitted.
 - Additional information about Governing Board Resolutions is provided below under the General Grant Requirements section.

Match Requirement

The Public Defense Pilot 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. PDPP 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.

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 E 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 2, 2024. 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 F. A signed resolution is not required at the time of submission; however, grant recipients must have a resolution on file that includes grant period dates up to the final grant date of March 1, 2025 for the Public Defense Pilot Grant Program before a fully executed grant agreement can be completed.

Invoicing

Disbursement of grant funds occurs in one lump sum upon execution of the Grant Agreement. The State Controller's Office (SCO) will issue the warrant (check) to the County Applicant as listed on the Applicant Information Form. Grantees must submit statements of expenditures 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 may 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 biannual progress reports. Progress reports are a critical element in the monitoring and oversight process and likely the evaluation. 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.

Working with an Outside Evaluator

The BSCC has contracted with the RAND Corporation to evaluate the program. As a condition of award, all grantees agree to collect data requested by the RAND Corporation.

Grantee Orientation Process

Following the start of the grant period, BSCC staff will conduct a **mandatory, one-day virtual Grantee Orientation** on **March 11, 2024**. New grantees and previously funded grantees are required to attend. 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. Additional details will be provided at a later date.

New grantees are also required to attend a one-day, virtual **Data and Evaluation Orientation**, date TBD.

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>.

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.

Overview of the Application Process

Confirmation of Receipt of Application

Upon submission of an application, applicants will receive a confirmation email from the BSCC stating that the application package has been received. The email will be sent to the individual who 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. Please ensure all criteria is met, and all information provided is correct and complete to avoid unnecessary delays.

Summary of Key Dates

The following table shows a timeline of key dates:

Activity	Date
Release Request for Applications	November 17, 2023
Applications Due to the BSCC	January 5, 2024
Grants Begin	March 2, 2024
Mandatory New Grantee Orientation	March 11, 2024
Mandatory New Grantee Data & Evaluation Orientation	TBD

PART II: APPLICATION INSTRUCTIONS

This section contains pertinent information for completing the PDPP Application Packet. The Application Packet is provided on the [BSCC website](#).

Project Narrative and Budget Instructions

Project Narrative

As part of the application process, all applicants are required to submit a Project Narrative. The Project Narrative for Existing Grantees and New Applicants must be submitted in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing. The project narrative may not exceed three (3) numbered pages in length.

Public Defense Pilot Program funds must be utilized for indigent defense providers, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with Sections 1172.1, 1172.6, 1473.7, and 3051 of the Penal Code.

Existing Grantees

Provide a Project Narrative that addresses each of the following items:

1. Identify the specific section(s) of the Penal Code the application will address.
 - Note: It is the applicant's discretion to determine the specific section that will be addressed and if one or more sections will be addressed.
2. Describe the progress towards each goal identified in the original application.
3. Describe how PDPP grant funds have impacted indigent defense services.
4. Describe, in detail, how the project will use all unspent grant funds from their prior PDPP award(s).

New Applicants

Provide a Project Narrative that addresses each of the following items:

1. Identify the specific section(s) of the Penal Code the application will address.
 - Note: It is the applicant's discretion to determine the specific section that will be addressed and if one or more sections will be addressed.
2. Describe the need(s) to be addressed by the Public Defense Pilot Program.
3. Describe how the need(s) to be addressed Public Defense Pilot Program were identified.
4. Describe why the need(s) described above is not met with existing resources.
5. Provide relevant qualitative and/or quantitative data with citations in support of the need(s).

Budget Section

As part of the application process, all applicants must provide a 12-month budget covering March 2, 2024 to March 1, 2025. The budget must be submitted using the PDPP budget template provided on the [BSCC website](#).

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 statements of expenditures 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 Section. 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. For additional guidance related to grant budgets, refer to the BSCC Grant Administration Guide.

Existing Grantees

Subject to the submission and approval of all required documents described in this RFA, the BSCC will modify existing grant agreements to include FY 2023-24 PDPP funds and any remaining funds from FY 2021-22 and FY 2022-2023. An amended grant agreement with revised funding amounts will be issued to existing grantees.

PART III: APPENDICES

Appendices

This section includes the following appendices:

- Appendix A: Senate Bill 104 (2023)
- Appendix B: Project Work Plan
- Appendix C: Guidance on Allowable Client Support Expenses
- Appendix D: Funding Allocation Chart
- Appendix E: Sample Grant Agreement
- Appendix F: Governing Board Resolution

Appendix A: Senate Bill 104 (2023)

Item 5227-116-0001 of Section 2.00 of the Budget Act of 2023 is amended to read:
5227-116-0001—For local assistance, Board of State and Community Corrections
..... 40,000,000

Schedule:

- (1) 4945-Corrections Planning and Grant Programs 40,000,000

Provisions:

- 1. Of the amount appropriated in Schedule (1), \$39,400,000 shall be provided for the Public Defense Pilot to each county based on the county’s share of the total adult population in the state for indigent defense providers, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with the provisions in paragraph (1) of subdivision (d) of Section 1170 of, and Sections 1170.95, 1473.7, and 3051 of, the Penal Code. This pilot shall end January 1, 2025. Prior to distribution of these resources for each county, the Board of State and Community Corrections shall work in consultation with the Office of the State Public Defender to identify those entities who provide public defender services on behalf of each county. If any funds remain unallocated after the distribution process described in this provision is completed, the Board of State and Community Corrections shall reallocate and distribute, on a one-time basis, the remaining funds to the participating counties proportionally based on the county’s share of the adult population. No later than March 1, 2025, each of those entities who provide public defender services on behalf of a county and receive these resources shall report to the Board of State and Community Corrections on how much funding was received and how the funding was used to address the workload pursuant to this provision. The Board of State and Community Corrections shall contract with a university or research institution to complete an independent evaluation to assess how these resources provided to public defender service providers impact outcomes for the workload associated with the provisions in paragraph (1) of subdivision (d) of Section 1170 of, and Sections 1170.95, 1473.7, and 3051 of, the Penal Code. The Board of State and Community Corrections will submit this evaluation to the Joint Legislative Budget Committee by August 1, 2025. This funding is intended to supplement, and not supplant, existing funding levels for public defender offices. This funding shall be available for encumbrance or expenditure until December 31, 2026. No additional data collection related to outcomes or workload shall be required to be reported to the Board of State and Community Corrections by grantees after March 1, 2025 to ensure completion of the evaluation report by August 1, 2025.
- 2. Of the amount appropriated in Schedule (1), \$600,000 shall be available for the Board of State and Community Corrections for administrative costs and to contract with a university or research institution to complete the independent evaluation. These funds shall be available for encumbrance or expenditure until June 30, 2028.

Appendix B: 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. Please provide a project workplan in the below fields.

(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 C: Guidance on Client Support Expenses

The Public Defense Pilot and Indigent Defense Grant Programs:

Guidance on Allowable Client Support Expenses
October 2023

Introduction

Generally, costs are allowable when they are reasonable, connected to, and necessary for the performance of a grant program. As state-authorized grants, California law defines the scope of what is allowable under the Public Defense Pilot Program (PDPP) and the Indigent Defense Grant (IDG) program.

To provide clarification in the field over what constitutes an allowable client support expense, this guidance has been provided.

Public Defense Pilot Program

Senate Bill 129 (add citation) requires that the PDPP funds be used for the purposes of workload associated with the provisions in paragraph (1) of subdivision (d) of Section 1172.1 of, and Sections 1172.6, 1473.7, and 3051 of, the Penal Code.²

Grantees may use PDPP grant funds for client support if the expenses are reasonable, related to, and necessary for the workload associated with petitions for resentencing, motions to vacate, or youth parole hearings as cited above. That is, the client support item must be directly related to a court-ordered requirement or case-management objective.

Indigent Defense Grant Program

Senate Bill 74 (add citation) requires that IDG funds “support grants to eligible county public defenders’ offices for indigent defense services.” Accordingly, IDG grantees may use grant funds for client support if the expenses are reasonable, related to, and necessary for the provision of indigent defense services.

Examples

Clients support expenses may include gift cards or vouchers for hotel stays or transportation. Allowable expenses may also include clothing, food, hygiene items, and other necessities.

Prohibition

Cash or checks paid directly to clients are not permitted.

Requirements

PDPP or IDG grantees who wish to use their respective grant funds for client support must comply with the following requirements:

1. Submit a justification to the BSCC. The justification must identify what types of client support will be offered to its clients, address the concerns stated above for its respective grant program, and provide a budget.
2. Have a plan or policy in place of how client support is purchased, provided, and documented.

² Section 1170.95 of the Penal Code was amended and renumbered by Assembly Bill 200 (Chapter 58, Statutes of 2022) into section 1172.6 whereas Section 1170 was amended and renumbered by Assembly Bill 1540 (Chapter 719, Statutes of 2021), and later renumbered by Assembly Bill 200 into section 1172.1.

3. Keep records. Grantees must have a tracking mechanism in place that documents, at minimum, the following:

- Type of support;
- Date provided;
- Name and signature of client who received it;
- Name and signature of staff who distributed it; and
- Name and signature of staff supervisor.

Maximum Time Limit

PDPP and IDG grantees may use grant funds for client support services for a period of up to 6 months. If an extension is required, the grantee must submit a request and justification to the BSCC, which must address the following:

- How the extended time is directly connected to the petition for resentencing for the PDPP client, or indigent services provided to the IDG client; and
- How the provided services are unavailable through other government entities or community services providers.

If BSCC determines that a justification is not sufficient, the request will be denied, and grantees should refer their client to appropriate resources for client support.

Appendix C: County Funding Allocations

County	2023 Adult Population Projection ¹	Percent of State's Adult Population	Funding Allocation
Alameda County	1,289,289	4.28%	\$ 1,685,500.39
Alpine County	988	0.00%	\$ 1,291.62
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Yuba County	60,436	0.20%	\$ 79,008.59
Grand Total	30,138,223	100.00%	\$39,400,000.00

Note: ¹2023 county adult population is based on projections obtained from the Department of Finance's Report P-2B: Population Projections by Individual Year of Age, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2023 Release). Sacramento: California. July 2023. Obtained from: <https://www.dof.ca.gov/forecasting/demographics/Projections/> on September 21, 2023.

Appendix D: Sample Grant Agreement

Attachment C-1

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

SCO ID:5227-BSCCXXX22

STANDARD AGREEMENT

STD 213 (Rev 03/2019)

AGREEMENT NUMBER

BSCC XXX-22

PURCHASING AUTHORITY NUMBER (If Applicable)

BSCC-5227

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 1, 2023

THROUGH END DATE

March 1, 2025

3. The maximum amount of this Agreement is:

\$XXX.XX

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	4
Attachment 1	Public Defense Pilot Program Application Instructions	*
Attachment 2	Public Defense Pilot Program Application Package	x

**This item is hereby incorporated by reference and can be viewed at: <https://www.bscc.ca.gov/public-defense-pilot-program/>*

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 – Public Defense Pilot Program

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 the Grantee or Contractor).

2. PROJECT SUMMARY AND ADMINISTRATION

- A. The State Budget Acts of 2021, 2022, and 2023 (Senate Bills 129, 154, and 101 and 104 respectively) appropriated funding for the Public Defense Pilot to each county for indigent defense providers, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with Sections 1172.1, 1172.6, 1473.7, and 3051 of, the Penal Code.³
- B. Grantee agrees to administer the project in accordance with Attachment 2: Public Defense Pilot Program Application Package, which is 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:

Email:

Designated Financial Officer authorized to receive warrants:

Name:

Title:

Address:

Phone:

Email:

Project Director authorized to administer the project:

Name:

Title:

Address:

Phone:

Email:

³ Section 1170.95 of the Penal Code was amended and renumbered by Assembly Bill 200 (Chapter 58, Statutes of 2022) into section 1172.6 whereas Section 1170 was amended and renumbered by Assembly Bill 1540 (Chapter 719, Statutes of 2021), and later renumbered by Assembly Bill 200 into section 1172.1.

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 AND EVALUATION REQUIREMENTS

Grantees will be required to comply with all data collection, evaluation, and reporting requirements of the Public Defense Pilot Program. This includes the timely submission of progress reports to the BSCC.

The BSCC plans to contract with an outside evaluator for a statewide evaluation of the impact of the projects funded by the Public Defense Pilot Program in consultation with the State Public Defender's Office. The contractor is expected to: develop the research methodology for the statewide evaluation; design and develop instruments for collecting evaluation data from grantees, including the progress reports; provide ongoing technical assistance to grantees for data collection and evaluation activities; compile, screen, and analyze data obtained from grantees; and develop a final evaluation report. As a condition of award, all grantees agree to collect data requested by the outside evaluator.

5. REPORTING REQUIREMENTS

Progress Reports

Grantees will submit progress reports to the outside evaluator in consultation with the BSCC and the OSPD. Questions about the Progress Reports shall be directed to the outside evaluator and the BSCC. These reports, which will describe progress made on program objectives and include required data, shall be submitted according to the following schedule:

Progress Report Periods

Due no later than:

- 1. January 1, 2024 to June 30, 2024
- 2. July 1, 2024 to December 30, 2024

August 15, 2024
February 15, 2025

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.
- 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.

EXHIBIT A: SCOPE OF WORK

- 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.

SAMPLE

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

1. INVOICING AND PAYMENTS

- A. The Grantee shall be paid in one lump sum upon execution of the Grant Agreement. 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 1, 2023 to June 30, 2023
2. July 1, 2023 to September 30, 2023
3. October 1, 2023 to December 31, 2023
4. January 1, 2024 to March 31, 2024
5. April 1, 2024 to June 30, 2024
6. July 1, 2024 to September 30, 2024
7. October 1, 2024 to January 1, 2025

Due no later than:

- August 15, 2023
 November 15, 2023
 February 15, 2024
 May 15, 2024
 August 15, 2024
 November 15, 2024
 February 16, 2025

Final Invoicing Period:

8. January 2, 2025 to March 1, 2025*

Due no later than:

- April 16, 2025

**Note: Only expenditures associated with completion of the final progress report may be included on invoice 8.*

- B. All project expenditures (excluding costs associated with the completion of the final progress report) must be incurred by the end of the grant project period, January 1, 2025, and included on the invoice due February 16, 2025. Project expenditures incurred after January 1, 2025 will not be reimbursed.
- C. The final progress report is due to the evaluator by February 15, 2025. Expenditures incurred for the completion of the final progress report during the period of January 2, 2025 to March 1, 2025 must be submitted no later than April 16, 2025. Supporting fiscal documentation will be required for all expenditures claimed during the Final Invoicing Period and must be submitted with the final invoice.
- D. Grantee shall submit an invoice to the BSCC each invoicing period, even if grant funds are not expended or requested during the invoicing period. If applicable, grantees may submit an invoice with a \$0 claim.
- E. Upon the BSCC's request, supporting documentation must be submitted for project expenditures. Grantees are required to maintain supporting documentation for all 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.
- F. Any unspent funds remaining at the end of the agreement term, including any interest earned, must be returned to the BSCC within 30 days of the submission of the final invoice.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

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 through Public Defense Pilot Program funding generated from the General Fund. 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 granted through the passage of the Budget Act of 2023 (Senate Bill 101 and 104). It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Grant Agreement does not appropriate sufficient funds for the 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. If Public Defense Pilot Program funding is reduced or falls below estimates contained within the Public Defense Pilot Program Application Package, 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 2023 BSCC Grant Administration Guide, which can be found under Quick Links here:

https://www.bscc.ca.gov/s_correctionsplanningandprograms/

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 is responsible for ensuring that invoices submitted to the BSCC claim actual expenditures for eligible project costs.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

- 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; and
 - 2) submittal and approval of the final progress report or any additional required reports.

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.

- C. 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.

7. EXECUTIVE ORDER N-6-22 – RUSSIA SANCTIONS

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. The EO directs state agencies to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. The State shall provide Contractor advance written notice of such termination, allowing Contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the State.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

8. PROJECT BUDGET

Budget Line Items	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
TOTALS	\$0

SAMPLE

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, 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

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

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 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.

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

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:

EXHIBIT C: GENERAL TERMS AND CONDITIONS (04/2017)

- 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

- 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 2: Public Defense Pilot Program Application Package.
- 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 2: Public Defense Pilot Program Application Package, 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 assures that for any subcontract awarded by the Grantee, such insurance and fidelity bonds, as is customary and appropriate, will be obtained.
- D. Grantee agrees to place appropriate language in all subcontracts for work on the project requiring the Grantee's subcontractors to:
 - 1) Books and Records

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

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.

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 program components contained in Attachment 2: Public Defense Pilot Program Application Package.

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

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:
- 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 2: Public Defense Pilot Program Application Package or approved modifications;
 - 3) failure to provide the required local match share of the total project costs; and
 - 4) 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

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

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.

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.

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 Public Defense Pilot Program funded through the State Budget Act 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 application 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: _____

Attachment C-2

Senate Bill 104 (Chapter 189, Statutes of 2023)

Item 5227-116-0001 of Section 2.00 of the Budget Act of 2023 is amended to read:

5227-116-0001—For local assistance, Board of State and Community Corrections
 40,000,000

Schedule:

(1) 4945-Corrections Planning and Grant Programs.....	40,000,000
--	------------

Provisions:

1. Of the amount appropriated in Schedule (1), \$39,400,000 shall be provided for the Public Defense Pilot to each county based on the county's share of the total adult population in the state for indigent defense providers, including public defenders, alternate defenders, and other qualifying entities that provide indigent defense in criminal matters for the purposes of workload associated with the provisions in paragraph (1) of subdivision (d) of Section 1170 of, and Sections 1170.95, 1473.7, and 3051 of, the Penal Code. This pilot shall end January 1, 2025. Prior to distribution of these resources for each county, the Board of State and Community Corrections shall work in consultation with the Office of the State Public Defender to identify those entities who provide public defender services on behalf of each county. If any funds remain unallocated after the distribution process described in this provision is completed, the Board of State and Community Corrections shall reallocate and distribute, on a one-time basis, the remaining funds to the participating counties proportionally based on the county's share of the adult population. No later than March 1, 2025, each of those entities who provide public defender services on behalf of a county and receive these resources shall report to the Board of State and Community Corrections on how much funding was received and how the funding was used to address the workload pursuant to this provision. The Board of State and Community Corrections shall contract with a university or research institution to complete an independent evaluation to assess how these resources provided to public defender service providers impact outcomes for the workload associated with the provisions in paragraph (1) of subdivision (d) of Section 1170 of, and Sections 1170.95, 1473.7, and 3051 of, the Penal Code. The Board of State and Community Corrections will submit this evaluation to the Joint Legislative Budget Committee by August 1, 2025. This funding is intended to supplement, and not supplant, existing funding levels for public defender offices. This funding shall be available for encumbrance or expenditure until December 31, 2026. No additional data collection related to outcomes or workload shall be required to be reported to the Board of State and Community Corrections by grantees after March 1, 2025 to ensure completion of the evaluation report by August 1, 2025.
2. Of the amount appropriated in Schedule (1), \$600,000 shall be available for the Board of State and Community Corrections for administrative costs and to contract with a university or research institution to complete the independent evaluation. These funds shall be available for encumbrance or expenditure until June 30, 2028.

Attachment C-3

Public Defense Pilot (2023): Funding Allocation by County

County	2023 Adult Population Projection ¹	Percent of State's Adult Population	Funding Allocation
Alameda County	1,289,289	4.28%	\$ 1,685,500.39
Alpine County	988	0.00%	\$ 1,291.62
Amador County	34,475	0.11%	\$ 45,069.51
Butte County	166,931	0.55%	\$ 218,230.56
Calaveras County	37,756	0.13%	\$ 49,358.80
Colusa County	16,364	0.05%	\$ 21,392.82
Contra Costa County	900,446	2.99%	\$ 1,177,162.05
Del Norte County	20,848	0.07%	\$ 27,254.80
El Dorado County	154,266	0.51%	\$ 201,673.48
Fresno County	740,153	2.46%	\$ 967,609.41
Glenn County	21,794	0.07%	\$ 28,491.51
Humboldt County	108,340	0.36%	\$ 141,633.96
Imperial County	124,690	0.41%	\$ 163,008.48
Inyo County	15,294	0.05%	\$ 19,994.00
Kern County	658,624	2.19%	\$ 861,025.73
Kings County	109,536	0.36%	\$ 143,197.51
Lake County	53,614	0.18%	\$ 70,090.12
Lassen County	23,712	0.08%	\$ 30,998.93
Los Angeles County	7,563,357	25.10%	\$ 9,887,652.16
Madera County	117,058	0.39%	\$ 153,031.09
Marin County	207,053	0.69%	\$ 270,682.46
Mariposa County	14,260	0.05%	\$ 18,642.24
Mendocino County	70,346	0.23%	\$ 91,964.03
Merced County	211,491	0.70%	\$ 276,484.30
Modoc County	7,322	0.02%	\$ 9,572.12
Mono County	10,718	0.04%	\$ 14,011.75
Monterey County	319,098	1.06%	\$ 417,160.00
Napa County	110,070	0.37%	\$ 143,895.61
Nevada County	84,799	0.28%	\$ 110,858.58
Orange County	2,454,566	8.14%	\$ 3,208,878.65
Placer County	330,992	1.10%	\$ 432,709.15
Plumas County	16,182	0.05%	\$ 21,154.89
Riverside County	1,884,373	6.25%	\$ 2,463,459.65
Sacramento County	1,201,723	3.99%	\$ 1,571,024.48
San Benito County	51,543	0.17%	\$ 67,382.68
San Bernardino County	1,638,932	5.44%	\$ 2,142,592.18
San Diego County	2,528,064	8.39%	\$ 3,304,963.32
San Francisco County	688,628	2.28%	\$ 900,250.26
San Joaquin County	593,978	1.97%	\$ 776,513.37
San Luis Obispo County	233,523	0.77%	\$ 305,286.95

County	2023 Adult Population Projection ¹	Percent of State's Adult Population	Funding Allocation
San Mateo County	571,258	1.90%	\$ 746,811.29
Santa Barbara County	346,709	1.15%	\$ 453,256.14
Santa Clara County	1,463,473	4.86%	\$ 1,913,212.87
Santa Cruz County	217,524	0.72%	\$ 284,371.30
Shasta County	142,336	0.47%	\$ 186,077.27
Sierra County	2,759	0.01%	\$ 3,606.87
Siskiyou County	35,741	0.12%	\$ 46,724.57
Solano County	346,539	1.15%	\$ 453,033.90
Sonoma County	388,145	1.29%	\$ 507,425.84
Stanislaus County	406,521	1.35%	\$ 531,448.96
Sutter County	75,422	0.25%	\$ 98,599.93
Tehama County	49,921	0.17%	\$ 65,262.22
Trinity County	13,625	0.05%	\$ 17,812.10
Tulare County	338,688	1.12%	\$ 442,770.21
Tuolumne County	44,344	0.15%	\$ 57,971.35
Ventura County	639,717	2.12%	\$ 836,308.42
Yolo County	179,869	0.60%	\$ 235,144.54
Yuba County	60,436	0.20%	\$ 79,008.59
Grand Total	30,138,223	100.00%	\$39,400,000.00

Note: ¹2023 county adult population is based on projections obtained from the Department of Finance's Report P-2B: Population Projections by Individual Year of Age, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2023 Release). Sacramento: California. July 2023. Obtained from: <https://www.dof.ca.gov/forecasting/demographics/Projections/> on September 21, 2023.

Agenda Item D

MEETING DATE: November 17, 2023

AGENDA ITEM: D

TO: BSCC Chair and Members

FROM: Eddie Escobar, Field Representative, eddie.escobar@bscc.ca.gov

SUBJECT: Missing and Murdered Indigenous People Grant–
Cohort 2 Request for Proposal: **Requesting Approval**

Summary

This agenda item requests Board approval to release the Missing and Murdered Indigenous People Grant Program Cohort 2 Request for Proposal (RFP) (Attachment D-1) with the funding that remains unallocated from the first round of awards and an additional one-time augmentation contained in the Budget Act of 2023.

This agenda item also requests Board approval to fund a proposal submitted by the Trinidad Rancheria in response to the original RFP, which was incorrectly disqualified from funding in Cohort 1.

Background

The Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) established the MMIP Grant Program. Per the Budget Act, funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people.

Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication between state, local, federal, and tribal law enforcement to investigate and solve cases involving missing and murdered indigenous people.

On July 25, 2022, the Board approved a staff recommendation to appoint a Chair and establish an Executive Steering Committee (ESC) to develop a Request for Proposal (RFP). On April 13, 2023, the Board approved release of the RFP with a proposal due date of June 23, 2023. The RFP made \$11.4 million available across three fiscal years to implement the grant program, subject to future appropriations.

The BSCC received three proposals requesting \$2.44 million in funding. The Board approved these awards at the September 14, 2023, meeting, leaving \$8.96 million unallocated. Since that time, BSCC staff determined that a fourth proposal, submitted by Trinidad Rancheria requesting \$436,003, was incorrectly disqualified and should have been included in the first round of awards. The proposal had been disqualified because it had not been timely submitted through the BSCC grants submission portal. It was later determined that the grants submission portal would not allow Trinidad Rancheria to submit the proposal because of how the portal handles mailing addresses; Trinidad Rancheria uses a mailing address the

platform did not recognize, which prevented the submission.¹ Instead Trinidad Rancheria timely submitted the proposal via email, which was subsequently scored by the ESC and met the minimum scoring threshold. As such, staff recommends that the proposal be fully funded. With this fourth award, \$8.52 million remains unallocated.

The Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023) contained the expected annual appropriation of \$4 million for this grant but added a one-time augmentation of \$12 million (Attachment D-2). BSCC may retain five percent of this amount for administration of the grant, leaving an additional \$11.4 for tribal grants. With the unallocated \$8.52 million from the first round of funding, and the one-time augmentation of \$11.4 million, \$19.92 million is available for a second round of grant funding.

To increase awareness of the MMIP grant, solicit feedback from the tribal community, and encourage participation in the next RFP, BSCC representatives spoke with state and local tribal leaders and attended the following tribal events:

September 22, 2023

California Native American Day at the State Capitol

Hosted by: California Native American Heritage Association

September 25, 2023

MMIP Virtual Round Table Meeting for Tribal Leaders and Advocates

Hosted by: Yurok Tribe

September 26, 2023

AB 1314 Feather Alert Implementation Roundtable

Co-hosted by: California Legislative Native American Caucus and LA County Board of Supervisors in partnership with LA City/County Native American Indian Commission and the California Native Vote Project

September 28, 2023

Roundtable Policy Discussion: MMIP grant funding & AB 1574 (Waldron)

Hosted by: Pala Band of Mission Indians in partnership with California Tribal Business Alliance

September 30, 2023

Missing in California Indian Country, Southern California Region

Hosted by: Soboba Band of Luiseno Indians in partnership with Riverside County Sheriff's Office, Attorney General Rob Bonta and the California Department of Justice-Office of Native American Affairs

Based on feedback from the tribal community, staff propose to re-release the MMIP RFP, with several non-substantive modifications. Modifications include the addition of language to highlight the flexibility afforded by the authorizing legislation in the types of activities that can be implemented and to encourage collaborative applications among one or more tribes. At the urging of tribal representatives, BSCC also increased the application period, from two

¹ Note: this feature of the grants submission portal will be disabled for the next round of RFP submissions.

months to four months. Tribes that were successful in the first round of funding are eligible to apply for this second round but will be awarded only if there are funds remaining after all eligible first-time applicants have been funded. The MMIP ESC (Attachment D-3) convened on October 25, 2023 to approve these modifications.

Recommendation/Action Needed

On behalf of the MMIP ESC Chair, staff recommends that the Board:

- Fund the proposal submitted by the Trinidad Rancheria in response to the original RFP, in the amount of \$436,003.
- Release the Cohort 2 Missing and Murdered Indigenous People Grant Program RFP with approximately \$19.92 million in total funding.

Attachments

D-1: MMIP Cohort 2 Request for Proposal

D-2: MMIP 2023 Budget Language

D-3: MMIP Executive Steering Committee Membership

Attachment D-1



Missing and Murdered Indigenous People Grant Program (Cohort 2)

Proposal Instruction Packet

Eligible Applicants: Federally Recognized
California Indian Tribes

Release Date: November 17, 2023

Proposals Due: March 15, 2024

Grant Period: ~~July 12~~August 1, 2024 to June 1,
2028



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PART I: GRANT INFORMATION

Background Information

The State Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) established the Missing and Murdered Indigenous People Grant Program. Funding is available to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, investigate and solve cases involving missing and murdered indigenous people. Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement.

Contact Information

This Request for Proposal (RFP) Instruction Packet provides the necessary information to prepare a proposal to the Board of State and Community Corrections (BSCC) for the Missing and Murdered Indigenous People Grant Program.

This is a competitive grant process, therefore BSCC staff cannot assist the applicant or its partners with the preparation of the proposal. Any questions concerning this RFP, the proposal process, or the submission process must be submitted by email to: mmip@bscc.ca.gov.

BSCC will create a Frequently Asked Questions page and update it periodically up to the proposal submission deadline. See the [BSCC website](#) for more information.

Proposal Due Date and Submission Instructions

Missing and Murdered Indigenous People Grant Program (MMIP) proposals must be received by **5:00 P.M. (PST) on Friday, March 15, 2024**.

BSCC uses special application software called “Submittable” for its competitive grant process. Applications for the MMIP Grant Program must be submitted through the **BSCC Submittable Application Portal**. A link to the BSCC Submittable Application Portal, MMIP Grant Program Application, and all required attachments are available on the [BSCC website](#).

To apply for this funding opportunity, applicants must create a free Submittable account or use an existing Submittable account when prompted. After an account is established, applicants may proceed with the submission process. As part of this process, applicants will be required to upload mandatory attachments. Applicants will complete these attachments ahead of time and then upload them to the BSCC Submittable Application Portal. All mandatory attachments are listed at the end of this document and available on the [BSCC website](#).

Please be advised that completing the application and uploading the required documents into the Submittable Application Portal can take a significant amount of time. It is extremely important that applicants begin the submission process early. Applicants that wait until the due date to complete the submission process often run out of time. Applicants are strongly advised to submit proposals well in advance of the due date and time to avoid disqualification.

The BSCC Submittable Application Portal will not accept submissions once the submission deadline has passed. If the BSCC does not receive a submission by 5:00 p.m. (PST) on March 15, 2024, the proposal **will not be considered for funding**.

Once you have successfully submitted your application and all required attachments, you will receive an email acknowledging your application has been received.

Having Tech Issues?

If you experience technical difficulties with submitting your application through the Submittable Application Portal, you should submit a Help Ticket through Submittable, as BSCC does not control that site. Please also email the BSCC at: mmip@bscc.ca.gov or call the BSCC main line at (916) 445-5073 and ask to speak to someone about the MMIP Grant. Be advised that applicants contacting Submittable and/or the BSCC on the due date may not receive timely responses. Please allow sufficient time for Submittable and BSCC to provide technical assistance.

Need More Information About the Grant?

To learn more about the grant or ask technical questions, prospective applicants are invited to attend a **Grant Information Session**. The purpose of these Information Sessions is to provide clarification on application instructions and answer technical questions from prospective applicants. At these sessions, BSCC staff will review application submission instructions, applicant eligibility, funding information, eligible grant activities and the rating process. After a brief presentation, prospective applicants will be able to ask questions. Attendance at these sessions is not a requirement of applying for the grant and it is not necessary to attend both sessions. Details are listed below:

MMIP Virtual Grant Information Session #1

Thursday, December 14, 2023

3:00 PM

Join by Zoom:

<https://us02web.zoom.us/j/86500616742?pwd=WIBIR0NydTJUUYjc1QmJ3dWtNU1ZjQT09>

OR

Call In:

1-719-359-4580

Meeting ID: 865 0061 6742

Passcode: 203301

MMIP Grant Virtual Grant Information Session #2

Thursday, January 25, 2024

10:00 AM

Join by Zoom:

<https://us02web.zoom.us/j/87102847676?pwd=YXFZTjQzVINORStvaVBuUi9PdjQxQT09>

OR

Call In:

1-689-278-1000

Meeting ID: 871 0284 7676|

Passcode: 284547

Technical Assistance

The Grant Information Sessions will be recorded and posted to the BSCC website for those who are unable to attend. If you need additional technical assistance on completing the grant application during the application period, please send an email to mmip@bscc.ca.gov or call **(916) 445-5073** during the following times:

February 6, 2024, 10:00 AM to 1:00 PM

February 7, 2024, 10:00 AM to 1:00 PM

February 27, 2024, 10:00 AM to 1:00 PM

February 28, 2024, 10:00 AM to 1:00 PM

If MMIP staff are away from their desk or on another call, you will be prompted to leave a message.

Are you Planning to Apply?

Prospective applicants are asked, but not required, to submit a non-binding letter indicating their intent to apply. These letters help the BSCC plan for the proposal evaluation process. Please submit your letter in Microsoft Word or as a PDF.

There is no formal template for the letter, but it should include the following information:

1. Name of the federally recognized tribe;
2. Name and title of a contact person; and
3. A brief statement indicating the applicant's intent to submit a proposal.

Failure to submit a Letter of Intent is not grounds for disqualification. Prospective applicants that submit a Letter of Intent and decide later not to apply will not be penalized. Please email your non-binding Letter of Intent to Apply by **Friday, January 12, 2024**. Please identify the email subject line as **MMIP Grant Letter of Intent** and submit the letter to mmip@bscc.ca.gov.

Development of the MMIP Grant: Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses an Executive Steering Committee (ESC) process to inform decision making. An ESC is composed of subject matter experts, community partners, and interested parties 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.

ESCs are convened by the BSCC Board to carry out specified tasks, including the development of BSCC's grant programs. In addition to developing the RFP, members of the ESC also read and rate the proposals submitted by prospective grantees. Once the proposal evaluation process is complete, ESCs submit grant award recommendations to the BSCC Board and the Board then approves, rejects, or revises those recommendations. Members of the ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

The ESC for the MMIP Grant Program includes representation from native organizations, community-based organizations, legal services, and state and local law enforcement agencies. A list of ESC members can be found in **Appendix A**.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party participating on the ESC from receiving funds from the grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the ESC membership roster and ensuring that no grant dollars are passed through to any entity represented by any member of the ESC.

Eligibility to Apply

Eligible applicants are federally recognized Indian tribes in California. The current list, as published by the U.S. Department of Interior, Bureau of Indian Affairs, is attached as **Appendix B**.

Eligible tribes may apply individually and/or as part of a collaborative proposal, as described here:

- **Individual Proposals**

For an individual proposal, a single eligible tribe is the applicant and responsible for the fiscal and program management of the grant. The applicant may still subcontract with outside entities for grant services. See corresponding funding information below.

- **Collaborative Proposals**

Partnerships among tribes are allowed and encouraged. For a collaborative proposal, two or more tribes partner together and share the grant award. For a collaborative proposal, one tribe must be designated as the Lead Tribal Applicant and will be responsible for the fiscal and program management of the grant. See corresponding funding information below.

Tribes Already Receiving an MMIP Grant

Tribes that were awarded a Cohort 1 MMIP grant may submit an individual proposal for new or expanded activities and/or apply as part of a collaborative proposal. Tribes that were already awarded funds will only be considered for an individual award if there are funds remaining after all new eligible applicants have been funded.

Funding Information

This RFP makes \$19,923,997¹ available competitively to federally recognized Indian tribes in California.

Funding Categories

Recognizing that Indian tribes have different capacities, resources, and needs, there are three funding categories within which applicants will compete:

1. Individual Tribe – Small Scope (up to \$500,000)
2. Individual Tribe – Large Scope (up to \$1,000,000)
3. Two Or More Tribes – Collaborative (up to \$2,000,000)

An individual applicant will choose to apply in either the Small Scope category or Large Scope category (but not both), depending on the size and scope of the project and the amount of funding needed to implement the project. Individual applicants in the Small Scope category may apply for up to **\$500,000**. Individual applicants in the Large Scope category may apply for up to **\$1,000,000**. The purpose of the two funding categories is to allow small projects to compete against other small projects and large projects to compete against other large projects.

Tribes that apply as part of a Collaborative Proposal will compete in a third category against other Collaborative Proposals. Applicants in this category may apply for up to **\$2,000,000**.

An eligible tribe may submit an individual proposal and be included on a Collaborative Proposal.

Please note that all applicants may apply for any dollar amount up to and including the maximum grant amount identified in each category and are strongly encouraged to apply for only the amount of funding needed to implement the project. Proposals will be scored, in part, on the reasonableness of the proposed budget.

An illustration of the funding categories, maximum grant awards, and total available funding by category is provided below:

¹ Provided funding is appropriated in the Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) and the Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023), which was amended by Senate Bill 104 (Chapter 189, Statutes of 2023).

Funding Categories	Maximum Grant Award	Total Available Funding
Small Scope	Up to \$500,000	\$7,923,997
Large Scope	Up to \$1,000,000	\$6,000,000
Collaborative Proposal	Up to \$2,000,000	\$6,000,000
Total Funding Available for Competitive Grants:		\$19,923,997

Reimbursement-Based Grant

Please be advised that the MMIP Grant is a reimbursement-based grant. This means that grantees are reimbursed in arrears for grant-related expenditures. Grantees will choose to invoice BSCC on either a monthly or quarterly basis. There will be no advance payments. Therefore, applicants should have sufficient capital to support the first 2-3 months of grant expenditures (for monthly invoicing) or the first 3-6 months of grant expenditures (for quarterly invoicing).

Funding Decisions

As explained above, applicants will compete for funds within either the Small Scope, Large Scope or Collaborative Proposal Category. Proposals will be scored and ranked within each category, and a ranked list of all scored proposals will be generated. The BSCC will move down the ranked lists to fund all qualified applicants who meet the Minimum Scoring Threshold (see page 18), in each of the three funding categories until all funds in that category are exhausted. Applicants that fall at the cut-off point may be offered a partial award if there are not sufficient remaining funds to make a full award.

If funding remains in one or more categories, the following will occur:

- Funds remaining in the Small Scope category after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in the Large Scope category first, and then the Collaborative Proposal category.
- Funds remaining in the Large Scope category after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in the Small Scope category first, and then the Collaborative Proposal category.
- Funds remaining in the Collaborative Proposal category after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in the Large Scope category first, and then the Small Scope category.

If an applicant or grantee relinquishes an award, BSCC has authority to offer that award to the next qualifying applicant(s) on the ranked list.

Eligible Grant Activities

The Missing and Murdered Indigenous People Grant Program was established in Senate Bill 154 (Senate Bill 154, Chapter 43, Statutes of 2022). The Budget Act of 2023 (Senate Bill 101, Chapter 12, Statutes of 2023) augmented the annual appropriation and then Senate Bill 104 (Chapter 189, Statutes of 2023) added language regarding eligible expenditures (in bold below) (**Appendix C**).

Funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people. The board shall consult with and include stakeholders from the indigenous community to inform the grant outreach process and the process to select and administer grants.

Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement in order to investigate and solve cases involving missing and murdered indigenous people. **Allowable expenditures may include reimbursement to eligible tribes for contracted services with local law enforcement agencies for staffing in support of eligible grant activities.**

Within these parameters, tribal applicants have discretion in how to use these grant funds. Tribal applicants are encouraged to develop proposals that best fit the needs of their communities. Grant funds can be used for activities such as:

- Culturally based outreach and awareness campaigns
- Mental health services
- Substance use disorder treatment
- Reunification of indigenous foster youth or runaways with their families
- Community healing activities
- Activities to prevent human trafficking
- Services for the families of missing or murdered indigenous people
- Promoting coordination between tribal police and their non-tribal counterparts
- Legal clinics that offer training on the development of formal agreements between tribes and state and local governments
- Funding partnerships with local law enforcement agencies

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

Additional information on these terms (i.e., goals and objectives) and other definitions referenced in this RFP are available in the Glossary of Terms (**Appendix E**).

Applicants may either implement new activities, strategies, or programs and/or expand existing activities, strategies, or programs (without supplanting funds - see definition for “Supplanting” in the General Grant Requirements).

With input from California’s tribal community, the ESC developed the following list of strategies that could be implemented with grant funds. This list is not exhaustive but provided here to foster discussion and assist in planning among prospective applicants and their communities.

Sample Strategy: Culturally Based Prevention Strategies

Culturally based prevention strategies are vast, varied, and have different meanings to the impacted tribal communities. For the purposes of this grant, eligible activities, strategies, or programs could include:

- Missing and murdered indigenous people outreach and awareness campaigns.
- Mental health services to prevent or address the impact of missing and murdered indigenous people.
- Substance use disorder treatment to prevent or address the impact of missing and murdered indigenous people.

Sample Strategy: Strengthening Responses to Human Trafficking

Human trafficking is a crime involving the exploitation of a person for labor, services, or commercial sex. For the purposes of this grant, eligible activities, strategies, or programs could include:

- Programs to reunite indigenous foster youth or runaways with their families.
- Community healing activities (e.g., cultural ceremonies, healing circles, GONA gatherings).
- Domestic violence and sexual assault prevention campaigns for indigenous people.
- Human trafficking education and training for law enforcement (tribal and non-tribal), health care workers and community providers.
- Human trafficking task forces focused on the recovery of missing and murdered indigenous people.
- Support services for the victims and families dealing with the loss of a missing and murdered indigenous person (e.g., counseling, safe houses, temporary housing).

Sample Strategy: Improving Cooperation and Communication on Jurisdictional Issues

Improved cooperation and communication between Indian tribes and state and local governments may aid in the identification and investigation of cases involving missing and murdered indigenous people. For the purposes of this grant, eligible activities, strategies, or programs could include:

- Education programs on Public Law 83-280 and the rights of Indian tribes.
- Programs that promote collaboration between tribal police, tribal courts, and their non-tribal counterparts on cases involving missing and murdered indigenous people.
- Programs that promote cross deputization (e.g., tribal police are commissioned as deputy sheriffs, state police, or municipal officers and non-tribal law enforcement officers are commissioned as tribal police).
- Programs that support coordination with local law enforcement and Indian tribes in high crime areas.
- Legal clinics that offer training on the development of MOUs and formal agreements between Indian tribes and state and local governments.

Examples of items that may be purchased using grant funds (Note: this list is not exhaustive, but provided here to assist with planning):

- Alert Notifications Systems (Amber Alerts, Feather Alerts)
- Billboard, Online, and Print Advertising
- Burial Costs / Costs Connected to the Transfer of Human Remains
- Databases
- Case Management Systems
- Computers / Laptops / Tablets
- Contracts with Private Investigators, Legal Advocates, Subject Matter Experts
- Dedicated MMIP investigators to work with Local Law Enforcement Agencies
- DNA Testing
- Identification and cataloging of missing and murdered indigenous people remains, consistent with the practices and approaches identified by the [California Native American Heritage Commission](#)
- Independent Autopsies
- Participant Support Items such as clothing, hygiene, job supplies, etc. (see [BSCC Grant Administration Guide](#), Pages 27-29)
- Telephone and Text and Message Tip Lines
- Vehicles / Law Enforcement Vehicles
- Investigative Equipment / Software

All proposed activities, strategies, or programs must have a link to the Missing and Murdered Indigenous People Program as described in the authorizing legislation and this RFP.

Grant Period

Proposals selected for funding will be under agreement from ~~July 12~~August 1, 2024 to June 1, 2028. The grant service period will start on ~~July 12~~August 1, 2024 and end on December 31, 2027. However, an additional six (6) months (January 1, 2028 to June 1, 2028) will be included in the term of the grant agreement for the sole purposes of finalizing and submitting a required Local Evaluation Report and a required financial audit. A visual illustration of the grant agreement period is provided below:

~~July 12~~August 1, 2024 to June 1, 2028

Start-Up & Implementation	Service Delivery	Service Delivery	Service Delivery	Data Evaluation & Financial Audit
Up to 6 Months	Year 1	Year 2	Year 3	Up to 6 Months
July 12 <u>August 1</u> , 2024 to December 31, 2024	January 1, 2025 December 31, 2025	January 1, 2026 to December 31, 2026	January 1, 2027 to December 31, 2027	January 1, 2028 to June 1, 2028
Implementation period for hiring, procurement, and other activities that facilitate a timely start. Grantees who do not need the full implementation period can begin service delivery at any time once under contract.	Service delivery and data collection.	Service delivery and data collection.	Service delivery and data collection.	Data analysis and evaluation period. Completion of a grant-specific audit. Only expenses incurred for evaluation and audit efforts may be incurred in this period.

Match Requirement

No match is required for the Missing and Murdered Indigenous People Grant Program.

Data Collection, Reporting and Evaluation Requirements

Projects selected for funding will be required to submit Quarterly Progress Reports, a Local Evaluation Plan and a Local Evaluation Report. Applicants are encouraged, but not required, to use outside evaluators to ensure objective and impartial evaluations. Specifically, applicants are encouraged to partner with institutions of higher learning universities, state universities and community colleges.

Required Set-Aside for Data Collection and Evaluation Efforts

To ensure that grantees can comply with BSCC's data collection and reporting requirements in a meaningful way that benefits both the tribal applicants and the State of California:

- Applicants applying for funding in the Small Scope category **must budget a minimum of \$10,000 but not more than \$25,000 in grant funds** for data collection and evaluation efforts, including the development of the Local Evaluation Plan and Local Evaluation Report.

- Applicants applying for funding in the Large Scope category **must budget a minimum of \$25,000 but not more than \$50,000** in grant funds for data collection and evaluation efforts, including the development of the Local Evaluation Plan and Local Evaluation Report.
- Applicants applying for funding in the Collaborative Proposal category **must budget a minimum of \$25,000 but not more than \$75,000** in grant funds for data collection and evaluation efforts, including the development of the Local Evaluation Plan and Local Evaluation Report.

Quarterly Progress Reports

Grant award recipients are required to submit quarterly progress reports to the BSCC. Progress reports 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 that funds are being spent in accordance with the Grant Agreement could be subject to the withholding of funds. Once grants are awarded, BSCC will work with grantees to create custom progress reports.

Local Evaluation Plan

The purpose of the Local Evaluation Plan is to ensure that projects funded by the BSCC can be evaluated. Grantees will be expected to include a detailed description of how the applicant will assess the effectiveness of the proposed program in relationship to each of its goals and objectives identified in the proposal. A relationship between the goals and objectives identified in the proposal should be apparent in the Local Evaluation Plan.

The Local Evaluation Plan 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 project objectives clearly stated. Applicants should also address process and outcome evaluations. Once submitted, any modifications to the Local Evaluation Plan must be approved in advance by the BSCC. More detailed instructions on the Local Evaluation Plan will be made available to successful applicants. The Local Evaluation Plan is due no later than **December 15, 2024**.

Local Evaluation Report

Following project completion, grantees are required to complete a Local Evaluation Report. The Local Evaluation Report must be in a format prescribed by the BSCC. The purpose of the Local Evaluation Report is to determine whether the overall project (including each individual component) was effective in meeting the goals laid out in the Local Evaluation Plan.

To do this, the grantee must assess and document the effectiveness of the activities that were implemented within each individual project component. These activities should have been identified in the previously submitted Local Evaluation Plan. More detailed instructions on the Local Evaluation Report will be made available to successful applicants. The Local Evaluation Report is due no later than **June 1, 2028**.

Statewide Evaluation

BSCC Research will conduct a statewide evaluation of the impact of the initiatives supported by the grant funding including the outcomes and objectives that were achieved. The evaluator will: develop the research methodology for the statewide evaluation; design and develop instruments for collecting and evaluating data from grantees; provide ongoing technical assistance to grantees for data collection and evaluation activities; compile, screen and analyze data obtained from grantees; and develop a final report on the impact of the program. As a condition of award, grantees agree to collect data requested for the evaluation (this may include standardized Quarterly Progress Report format with specified baseline, output, and/or outcome measures) and fully cooperate and share information within timelines set for the evaluation.

General Grant Requirements

Key Partner Commitments

For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over and that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. Examples could include:

- The grantee will provide funding to a law enforcement agency or nonprofit (already identified) for specified services.
- The grantee will depend upon referrals from a local probation department or state parole in order to meet target population eligibility requirements.
- The grantee will need a data sharing agreement with a local law enforcement agency in order to meet grant reporting requirements.
- The grantee will require access to a local detention facility under the control of a local department.
- The grantee will rely on staff dedicated via a contractual relationship with the local department of behavioral health services.

For each Key Partner, the grantee must submit a signed **Key Partner Commitment Form (see Attachment F)** from the outside entity or agency named. The form must identify the outside agency or entity, include a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or organization. Submit one form per partner agency or entity.

The applicant is not required to submit a Key Partner Commitment Form if the applicant has determined that an outside agency or entity is not critical to the launch or ongoing implementation of the proposed program. “Key partners” do not include vendors that provide contracted goods, services or products.

Criteria for Non-Governmental Organizations

Applicants for the Missing and Murdered Indigenous People Grant Program may elect to partner, contract, or establish agreements with non-governmental organizations (NGOs)² in the implementation of their program.

All applicants must complete, sign, and submit the BSCC *Grantee Assurance for Non-Governmental Organizations* (**Appendix G**), even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms, should the applicant choose to enter into an agreement with an NGO at a later date.

Once under contract, grantees must submit an updated *Grantee Assurance for Non-Governmental Organizations* throughout the life of the grant agreement for any additional NGOs that receive funds through subcontracts after awards are made. The BSCC will not reimburse for costs incurred by NGOs that do not meet the BSCC's requirements. All NGOs must adhere to the terms described in the table below:

² For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Eligibility Criteria for Non-Governmental Organizations Providing Services with BSCC Grant Funds

Any non-governmental organization that receives Missing and Murdered Indigenous People Grant funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the Missing and Murdered Indigenous People 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 (6) 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;
- Be registered with the Attorney General's Office Register of Charitable Trust, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens;
- 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.

Organizational Capacity and Coordination

Applicants will be rated, in part, on how well they demonstrate they have the experience, staffing, and any partnerships necessary to implement the proposed strategy. If an applicant is unable to identify staff and/or subcontractors until after the grant is awarded, the applicant should explain, at a minimum, the process and criteria by which they will select staff and/or subcontractors after award.

Distinct from administrative staff and partners, applicants must also demonstrate how they plan to ensure that the staff who deliver the services or work with the target population in the field have backgrounds and experience that are culturally relevant to the proposed strategy and/or target population.

BSCC Audit Requirements

Grantees are required to provide the BSCC with a program-specific compliance audit that covers the three-year service delivery period of the grant (~~July 12~~August 1, 2024 to June 30, 2027). The audit report will be due no later than **June 1, 2028**. The program-specific compliance 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 the final program-specific compliance audit may be reimbursed with grant funds for actual costs up to \$25,000.

In addition, the BSCC reserves the right to call for a program, compliance 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 California State Auditor, the 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.

BSCC 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. A sample Grant Agreement for the Missing and Murdered Indigenous People Grant Program is available on the [BSCC website](#).

The Grant Agreement start date is expected to be ~~July 12~~**August 1, 2024**. Grant Agreements are considered fully executed only after they are signed by both the grantee and the BSCC and the BSCC is in receipt of all required attachments including documentation of signing authority. Work, services, and encumbrances cannot begin prior to the Grant Agreement start date. Any work, services and encumbrances that occur after the start date but prior to Grant Agreement execution may not be reimbursed. Grantees and all subgrantees are responsible for maintaining their Grant Agreement, all invoices, records, and relevant documentation for the life of the grant cycle plus three (3) years after the final payment under the contract.

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.

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 an assurance certifying they are compliant with the BSCC's policies on debarment, fraud, theft, and embezzlement (**Appendix H**).

Governing Board or Tribal Council Resolution

Successful applicants will be required to submit a Resolution from their Governing Board or Tribal Council before the grant award can be finalized and funds awarded. A signed resolution is not required at the time of proposal submission, but applicants are advised that no financial invoices will be processed for reimbursement until the Governing Board or Tribal Council Resolution has been received by the BSCC. A sample Governing Board Resolution can be found in **Appendix I**.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a Virtual Grantee Orientation (August 2024, date to be determined). 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, and Day-to-Day Contact must attend. Grantees are also strongly encouraged to include the individual tasked with Data Collection and Evaluation. Award recipients will be provided with additional details regarding the Grantee Orientation.

Invoicing

Disbursement of grant funds occurs on **a reimbursement basis** for costs incurred during a reporting period (either monthly or quarterly). 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 on either a monthly or quarterly basis through an online process no later than 45 days following the end of the invoicing period. Grantees will make their choice between monthly or quarterly invoicing prior to grant agreement execution.

Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct a desk review, which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period. In addition, BSCC staff may conduct on-site monitoring visits that include a review of documentation maintained as substantiation for project expenditures with grant funds. Additional information about invoicing can be found in the [BSCC Grant Administration Guide](#).

Program Monitoring / Site 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 Comprehensive Monitoring Visit checklist can be found on the Corrections Planning and Grants Program [website](#).

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. Missing and Murdered Indigenous People Grant Program funds 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. 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.

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 Award, to attend any mandated BSCC training conferences or workshops outlined in the terms of the program.

- **Indian Tribes and Non-Governmental Organizations (NGOs)**

Grantees and NGOs 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.

- **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.

Overview of the RFP Process

Confirmation of Receipt of Proposal

Upon submission of a proposal, applicants will receive a confirmation email from the BSCC stating that the proposal has been received.

Disqualification

Please see the table below for problems that will result in disqualification.

Disqualification - PLEASE REVIEW CAREFULLY**The following will result in an automatic disqualification:**

- Submission is not received in the Submittable Application by 5:00 P.M. (PST) on March 15, 2024.
- Applicant is not a federally recognized Indian tribe.
- Application, and all required attachments, are not submitted through the BSCC-Submittable Application Portal.
- Budget Attachment is missing.
- Funding request exceeds the allowable amount in the Small Scope, Large Scope or Collaborative Proposal categories.
- Attachment(s) are illegible.
- Attachment(s) will not open or the file(s) are corrupted.

NOTE: Disqualification means that the proposal will not move forward to the Executive Steering Committee for the Proposal Rating Process, and, therefore, will NOT be considered for funding.

Proposal Rating Process

Unless disqualified, proposals will advance to the ESC for funding consideration. Proposals will be evaluated in accordance with the BSCC's *Grant Proposal Evaluation Process* ([link](#)) and as described below. The ESC will read and assign ratings to each proposal in accordance with the prescribed rating factors listed in the table below. ESC members will base their ratings on how well an applicant addresses the criteria listed under each rating factor within the Proposal Narrative and Budget Sections. ESC ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the Board's funding recommendations. It is anticipated that the Board will act on the recommendations at its meeting on July 11, 2024. Applicants and their partners are not to contact members of the ESC or the BSCC Board to discuss proposals.

Rating Factors

The Rating Factors that will 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. A percent of total value is assigned to each Rating Factor, correlating to its importance within the overall project (see Percent of Total Value column).

	Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
1	Project Need	0-5	15%	30
2	Project Description	0-5	45%	90
3	Project Organizational Capacity and Coordination	0-5	10%	20
4	Project Evaluation and Monitoring	0-5	15%	30
5	Project Budget	0-5	15%	30
Maximum Proposal Score:			100%	200

ESC members will rate an applicant's response to each Rating Factor on a scale from 0 to 5, according to the Six-Point Rating Scale below. For each Rating Factor, the rating value received is then weighted according to the "Percent of Total Value" column (determined by the ESC) associated with the Rating Factor to arrive at the final Weighted Rating Factor Score. The Weighted Rating Factor Scores are then added together for a final overall proposal score. The maximum possible proposal score is 200.

Minimum Scoring Threshold

To be considered for funding, a proposal must meet a threshold of **20 percent (20%)**, or a minimum proposal score of **40** total points.

In the event two proposals have identical proposal scores, the tie will be resolved by evaluating the individual Rating Factor scores of the two proposals, starting with the highest weighted Rating Factor (in this case, the Project Description score). If an identical score occurs on this Rating Factor, Rating Factor Scores will be used in the following order based on the descending weight valued until the tie is broken Project Need, Project Budget, Project Evaluation and Monitoring, and Project Organizational Capacity and Coordination.

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.

Summary of Key Dates

The following table shows the key dates for the MMIP Grant.

Activity	Date
Present the RFP for BSCC Board approval	November 16, 2023
Release the RFP	November 17, 2023
Applicant Information Session #1	December 14, 2023
Letter of Intent Due to the BSCC	January 12, 2024
Applicant Information Session #2	January 25, 2024
Proposals Due to the BSCC	March 15, 2024
Proposal Rating Process and Development of Funding Recommendations	March to April 2024
BSCC Board Considers Funding Recommendations	July 11, 2024
Grant Period Begins	July 12 <u>August 1</u>, 2024
Mandatory New Grantee Orientation (Virtual)	August or September 2024 (TBD)
Grant Service Period Ends	December 31, 2027
Final Evaluation Report and Program Audit Due	June 1, 2028

PART II: PROPOSAL INSTRUCTIONS

This document/section contains the necessary information for completing the Missing and Murdered Indigenous People Grant Program Application. The Application and all required attachments are provided on the [BSCC website](#).

Proposal Narrative and Budget Sections

The five rating factors that will be addressed in the Proposal Narrative and the Proposal Budget sections, are shown below:

	Rating Factor	Percent Value	Addressed In:
1	Project Need	15%	Proposal Narrative
2	Project Description	45%	
3	Project Organizational Capacity and Coordination	10%	
4	Project Evaluation and Monitoring	15%	
5	Project Budget	15%	Proposal Budget (Excel Attachment)

Proposal Narrative Instructions

Applicants will complete the Proposal Narrative by accessing the BSCC Submittable Application Portal and responding to a series of prompts. The Proposal Narrative must address the five rating factors listed above. Please do not include website links, charts, tables or graphs when responding.

Within the Proposal Narrative, each Rating Factor has a character limit as shown below:

	Rating Factor	Total Characters	Microsoft Word Equivalent*
1	Project Need	4,474	Up to 2 (two) pages
2	Project Description	8,948	Up to 4 (four) pages
3	Project Organizational Capacity and Coordination	4,474	Up to 2 (two) pages
4	Project Evaluation and Monitoring	4,474	Up to 2 (two) pages

**Assumes text is in a Microsoft Word document in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.*

Character Counter

The BSCC Submittable Application Portal includes an automatically enabled character counter. This feature shows the number of characters used and the remaining number of characters before the limit is met. If the limit is exceeded, a red prompt will appear with the message "**You have exceeded the character limit**". Applicants are prohibited from submitting the Missing and Murdered Indigenous People Grant Program Application until they comply with all character limit requirements.

Bibliography

Applicants may, but are not required to, include a bibliography containing citations, using either the Modern Language Association (MLA) or American Psychological Association (APA) style in the "OPTIONAL Bibliography" field on the BSCC-Submittable application page. The bibliography may not exceed 2,218 total characters (includes punctuation, numbers, spaces, and any text). In Microsoft Word, this is approximately one (1) page in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.

Required Attachments

In addition to completing the Proposal Narrative, the following attachments must be completed and uploaded in the identified fields in the BSCC Submittable Application Portal at the time of submission (unless noted as "if applicable" below):

- Project Work Plan (Appendix D)
- Key Partner Commitment Form (Appendix F) – *only if applicable*
- Grantee Assurance for Non-Governmental Organizations (Appendix G)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix H)
- Governing Board or Tribal Council Resolution *Optional* (Appendix I) – *not required at time of submission; may be submitted later*

Writing the Proposal Narrative

Section 1: Project Need (Percent Value - 15%)

Within this section, address the criteria that defines the Project Need Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Need: The applicant described a need that is pertinent to the intent of the grant. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
1.1	Please describe the need(s) of the community or communities that will be addressed by the Missing and Murdered Indigenous People (MMIP) Grant Program.
1.2	Identify local gaps in service that contribute to the need for the MMIP Grant Program.
1.3	Please provide relevant local qualitative and/or quantitative data (e.g., local tribal data) with citations in support of the MMIP Grant Program need(s). <ul style="list-style-type: none"> • If data supporting the need(s) is not formally documented, please speak to the concern(s) surrounding the lack of data related to the Project Purpose Area(s) identified above. • Describe the process of how the applicant documents those ongoing concern(s).
1.4	Please describe the process used and level of collaboration that was utilized to determine the need(s), including: <ul style="list-style-type: none"> • If the applicant collaborated with other stakeholders (e.g., impacted populations, local tribes, tribal organizations, local law enforcement, community, public), please describe the stakeholders and/or partners, and • The results of that collaboration.

Section 2: Project Description (Percent Value - 45%)

Within this section address the criteria that defines the Project Description Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Description: The applicant provides a description that is pertinent to the intent of the grant. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
2.1	<p>Please describe the proposed project that will address the need(s) discussed in the Project Need section above, to include:</p> <ul style="list-style-type: none"> • A description of the components of the proposed project. • A description of the target area and/or population which will be the focus of the project, including how and why it was selected. • If applicable, an estimate of how many individuals will be served and the process for determining which services/activities an individual/group will receive.
2.2	<p>Please describe the goals, objectives, and impact of the proposed project, making a connection to the intent of the MMIP Grant Program.</p> <ul style="list-style-type: none"> • The completed Work Plan (Appendix D) is appropriate for the proposed project and aligns with the need and intent of the MMIP Grant Program. The plan identifies the top goals and objectives (see Appendix E for definitions) and how these will be achieved in terms of the activities, responsible staff/partner agencies, process measures and outcome measures, data sources and start and end dates.
2.3	<p>Please describe the rationale for the proposed MMIP Grant Program which includes:</p> <ul style="list-style-type: none"> • How the target population/area will benefit from the program. • What guidance, consultation, and/or considerations were used to determine the structure of the proposed program. • An explanation of how the proposed strategy will achieve reductions in missing and murdered indigenous people. • If evidenced-based, evidence-informed, promising, or innovative practices, interventions, and services are used, describe how.

Section 3: Project Organizational Capacity and Coordination (Percent Value - 10%)

Within this section, address the criteria that defines the Project Organizational Capacity and Coordination Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Organizational Capacity and Coordination: The applicant described their organization's ability to implement the proposed project. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
3.1	<p>Please describe the applicant's ability to administer the MMIP Grant Program-related services to the local target area/population, to include:</p> <ul style="list-style-type: none"> • The individual applicant's (or multiple applicants', for collaborative proposals) current infrastructure for administering the proposed program. • How the proposed project will increase capacity to serve the target area/population, and/or improve the applicant's infrastructure related to the intent of the MMIP Grant Program. • How subcontractors or partners agencies or organizations will contribute to the project. If partner agency (or agencies) are to be selected after the grant is awarded, then specify the process and criteria for selecting those partner agency (or agencies). • Include a Key Partner Commitment Form (Appendix F) for any indispensable agency or entity, named in the proposal, that the grantee does not have direct control over and that will provide essential services for the grant project. (Note: The applicant is not required to submit a Key Partner Commitment Form if the applicant has determined that an outside agency or organization is not critical to the launch or ongoing implementation of the proposed program.) (See page 12 for more information.)
3.2	<p>Please provide a description of the timeline for the execution of the contract(s) and the implementation of services such that they are in place in a reasonable timeframe to support the project. Include a description of readiness to proceed.</p>
3.3	<p>Please describe the proposed outreach and community engagement efforts for the MMIP Grant Program-related services to include:</p> <ul style="list-style-type: none"> • How people with lived experience or who are impacted contributed or will contribute to the project's design, implementation, and evaluation process. • What methods will be used by the applicant to conduct outreach and engagement efforts. • If community engagement and outreach is not applicable to the proposed program, describe why.
3.4	<p>Please describe how the applicant or lead tribal applicant (for regional partnerships) will ensure that the proposed program is implemented as intended. If outside technical assistance is required, describe the plan for obtaining outside technical assistance (i.e., subject matter expertise) to implement the proposed program as intended.</p>

Section 4: Project Evaluation and Monitoring (Percent Value - 15%)

Within this section, address the criteria that defines the Project Evaluation and Monitoring Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Evaluation and Monitoring: The applicant described how it will monitor and evaluate the effectiveness of the proposed project. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
4.1	Please describe the plan to determine the internal staff and/or external entity that will conduct the project evaluation and how monitoring activities will be incorporated in the various phases of the project (e.g., start-up, implementation, service delivery period).
4.2	Please identify the process measures and outcome measures that are quantifiable, including: <ul style="list-style-type: none"> • How the process measures and outcome measures are in line with the intent of the proposal, and • How the process measures and outcome measures are in line with the objectives listed in the Work Plan (see Appendix D for definitions).
4.3	Please describe the plan collecting and evaluating data related to the process measures and outcome measures identified in 4.2. Describe a plan for entering into data sharing agreements, if necessary.

Proposal Budget Instructions

As part of the application process, applicants are required to complete and upload a Proposal Budget Table and Budget Narrative (Budget Attachment) in the budget section of the BSCC-Submittable application page. The Budget Attachment is provided on the [BSCC website](#).

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

Proposal Budget Rating Factor

Section 5: Project Budget (Percent Value – 15%)

The following items are rated as part of this section and must be addressed by the applicant in the Budget Attachment.

Project Budget:

The applicant provided a complete Budget Attachment (Proposal Budget Table and Budget Narrative) for the proposed project. The elements against which the Budget Attachment will be rated 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.

5.1	<p>Please provide complete and detailed budget information in each section of the MMIP Grant Program Budget Attachment that includes:</p> <ul style="list-style-type: none"> • For each section, a brief explanation justifying each expense. • For each section, ensure expenses are appropriate for the grant's intent, the project's goals, and planned activities.
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PART III: APPENDICES

Appendices

This section includes the following appendices:

- Appendix A: Executive Steering Committee Members
- Appendix B: Senate Bill 104 (2023)
- Appendix C: Federally Recognized Tribes in California by U.S. Department of Interior, Bureau of Indian Affairs as of March 1, 2023
- Appendix D: Project Work Plan **(REQUIRED)**
- Appendix E: Glossary of Terms
- Appendix F: Key Partner Commitment Form **(REQUIRED, BUT ONLY IF APPLICABLE)**
- Appendix G: Grantee Assurance for Non-Governmental Organizations **(REQUIRED)**
- Appendix H: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement **(REQUIRED)**
- Appendix I: Governing Board or Tribal Council Resolution **(CAN BE INCLUDED IF READY AT TIME OF SUBMISSION; OR CAN BE SUBMITTED AFTER AWARD)**

Appendix A: Missing and Murdered Indigenous People Grant Executive Steering Committee (ESC)

	Member	Title	Organization/Tribe
1.	Norma Cumpian, ESC Chair	Associate Director	Anti-Recidivism Coalition
2.	Merri Lopez-Keifer	Director	California Attorney General's Office of Native American Affairs
3.	Matt Hansen	Lieutenant	Red Bluff Police Department
4.	Hedi Bogda Hitchcock	Lawyer/Consultant	Leech Lake Band
5.	Walter Kurtz	Sergeant	Riverside County Sheriff's office
6.	Keely Linton-Gallardo	Director	Strong Hearted Native Women's Coalition
7.	Percilla Frizzell	Director	Sacred Generations
8.	Morning Star Gali	Project Director	Indigenous Justice
9.	Heather Hostler	Executive Director	California Legal Services
10.	Dr. Elena Hood	Director	Director, Intertribal Resource Center at UC San Diego
11.	Ricardo Torres	Secretary/Tribal Elder	Board Member for the Sacramento Native American Health Center

Appendix B: Federally Recognized California Tribes
U.S. Department of Interior, Bureau of Indian Affairs as of March 2023

No.	TRIBE
1	Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California
2	Alturas Indian Rancheria, California
3	Augustine Band of Cahuilla Indians, California
4	Bear River Band of the Rohnerville Rancheria, California
5	Berry Creek Rancheria of Maidu Indians of California
6	Big Lagoon Rancheria, California
7	Big Pine Paiute Tribe of the Owens Valley
8	Big Sandy Rancheria of Western Mono Indians of California
9	Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
10	Bishop Paiute Tribe
11	Blue Lake Rancheria, California
12	Bridgeport Indian Colony
13	Buena Vista Rancheria of Me-Wuk Indians of California
14	Cabazon Band of Mission Indians, California
15	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California
16	Cahto Tribe of the Laytonville Rancheria
17	Cahuilla Band of Indians
18	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California
19	California Valley Miwok Tribe, California

No.	TRIBE
20	Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California)
21	Capitan Grande Band of Diegueno Mission Indians of California: Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California
22	Cedarville Rancheria, California
23	Chemehuevi Indian Tribe of the Chemehuevi Reservation, California
24	Cher-Ae Heights Indian Community of the Trinidad Rancheria, California
25	Chicken Ranch Rancheria of Me-Wuk Indians of California
26	Cloverdale Rancheria of Pomo Indians of California
27	Cold Springs Rancheria of Mono Indians of California
28	Coyote Valley Band of Pomo Indians of California
29	Dry Creek Rancheria Band of Pomo Indians, California
30	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California
31	Elk Valley Rancheria, California
32	Enterprise Rancheria of Maidu Indians of California
33	Ewiiapaayp Band of Kumeyaay Indians, California
34	Federated Indians of Graton Rancheria, California
35	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California
36	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
37	Fort Mojave Indian Tribe of Arizona, California & Nevada
38	Greenville Rancheria
39	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
40	Guidiville Rancheria of California
41	Habematolel Pomo of Upper Lake, California
42	Hoopa Valley Tribe, California

No.	TRIBE
43	Hopland Band of Pomo Indians, California
44	Iipay Nation of Santa Ysabel, California
45	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California
46	Ione Band of Miwok Indians of California
47	Jackson Band of Miwuk Indians
48	Jamul Indian Village of California
49	Karuk Tribe
50	Kashia Band of Pomo Indians of the Stewarts Point Rancheria, California
51	Kletsel Dehe Band of Wintun Indians
52	Koi nation of Northern California
53	La Jolla Band of Luiseno Indians, California
54	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California
55	Lone Pine Paiute-Shoshone Tribe
56	Los Coyotes Band of Cahuilla and Cupeno Indians, California
57	Lytton Rancheria of California
58	Manchester Band of Pomo Indians of the Manchester Rancheria, California
59	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California
60	Mechoopda Indian Tribe of Chico Rancheria, California
61	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California
62	Middletown Rancheria of Pomo Indians of California
63	Mooretown Rancheria of Maidu Indians of California
64	Morongo Band of Mission Indians, California
65	Northfork Rancheria of Mono Indians of California

No.	TRIBE
66	Pala Band of Mission Indians
67	Paskenta Band of Nomlaki Indians of California
68	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California
69	Pechanga Band of Indians
70	Picayune Rancheria of Chukchansi Indians of California
71	Pinoleville Pomo Nation, California
72	Pit River Tribe, California
73	Potter Valley Tribe, California
74	Quartz Valley Indian Community of the Quartz Valley Reservation of California
75	Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
76	Ramona Band of Cahuilla, California
77	Redding Rancheria, California
78	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California
79	Resighini Rancheria, California
80	Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California
81	Robinson Rancheria
82	Round Valley Indian Tribes, Round Valley Reservation, California
83	San Pasqual Band of Diegueno Mission Indians of California
84	Santa Rosa Band of Cahuilla Indians, California
85	Santa Rosa Indian Community of the Santa Rosa Rancheria, California
86	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California
87	Scotts Valley Band of Pomo Indians of California
88	Sherwood Valley Rancheria of Pomo Indians of California

No.	TRIBE
89	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
90	Soboba Band of Luiseno Indians, California
91	Susanville Indian Rancheria, California
92	Sycuan Band of the Kumeyaay Nation
93	Table Mountain Rancheria
94	Tejon Indian Tribe
95	Timbisha Shoshone Tribe
96	Tolowa Dee-ni' Nation
97	Torres Martinez Desert Cahuilla Indians, California
98	Tule River Indian Tribe of the Tule River Reservation, California
99	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California
100	Twenty-Nine Palms Band of Mission Indians of California
101	United Auburn Indian Community of the Auburn Rancheria of California
102	Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California
103	Wilton Rancheria, California
104	Wiyot Tribe, California
105	Yocha Dehe Wintun Nation, California
106	Yuhaaviatam of San Manuel Nation
107	Yurok Tribe of the Yurok Reservation, California

Appendix C: Senate Bill 104 (2023)

SEC. 66.

Item 5227-122-0001 of Section 2.00 of the Budget Act of 2023 is amended to read:

5227-122-0001—For local assistance, Board of State and
Community Corrections

Schedule:

- (1) 4945-Corrections Planning and Grant Programs
.....

Provisions:

1. These funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people. The board shall consult with and include stakeholders from the indigenous community to inform the grant outreach process and the process to select and administer grants.
2. Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement in order to investigate and solve cases involving missing and murdered indigenous people. *Allowable expenditures may include reimbursement to eligible tribes for contracted services with local law enforcement agencies for staffing in support of eligible grant activities.*
3. Of the amount identified in this item, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2026.
4. Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2026.
5. The Board of State and Community Corrections shall provide an initial report to the Legislature by December 1, 2023, and a final report by December 1, 2025, that includes, but is not limited to, information about the grant recipients, the allocation of funds, and applicable metrics and outcomes of the program.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20210220SB154

Appendix D: Project Work Plan

REQUIRED ATTACHMENT: You will be prompted to upload this document to the BSCC-Submittable Application.

Instructions: Applicants must complete a Project Work Plan, using the format below, that identifies measurable goals and objectives, process and outcome measures, activities and services, responsible parties for those activities and services, data sources and estimated timelines. Completed plans should (1) identify the project's top goals and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, and start and end dates, process and outcome measures; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant. The Project Work Plan must attempt to identify activities/services and estimate timelines for the entire grant term. A minimum of one goal and corresponding objectives, process measures, etc. must be identified.

Please cut and paste into a Word document. Expand cells as necessary.

(1) Goal:	>		
Objectives (A., B., etc.)	>		
Process Measures and Outcome Measures:	>		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
>	>	>	>
List data and sources to be used to measure outcomes: >			

(2) Goal:	>		
Objectives (A., B., etc.)	>		

Process Measures and Outcome Measures:	> [REDACTED]		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> [REDACTED]	> [REDACTED]	> [REDACTED]	> [REDACTED]
List data and sources to be used to measure outcomes: >			

(3) Goal:	>		
Objectives (A., B., etc.)	> [REDACTED]		
Process Measures and Outcome Measures:	> [REDACTED]		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> [REDACTED]	> [REDACTED]	> [REDACTED]	> [REDACTED]
List data and sources to be used to measure outcomes: >			

Appendix E: Glossary of Terms

Case Management

A collaborative process which assesses, plans, implements, coordinates, monitors, and evaluates the options and services required to meet an individual's health needs.³

Community-Based Organization

For this RFP, a Community-Based Organization is an organization located in the State of California that has been determined by the IRS to have 501(c)(3) status (i.e., nonprofit).

Community Defined Evidence Practices

A set of practices that communities have used and found to yield positive results as determined by community consensus over time. These practices may or may not have been measured empirically but have reached a level of acceptance by the community. Community defined evidence takes a number of factors into consideration, including a population's worldview and historical and social contexts that are culturally rooted. It is not limited to clinical treatments or interventions. Community Defined Evidence is a complement to Evidence Based Practices and Treatments, which emphasize empirical testing of practices and do not often consider cultural appropriateness in their development or application.⁴

Cultural Competence

Cultural competency is a developmental process in which one achieves increasing levels of awareness, knowledge, and skills along a continuum, improving one's capacity to work and communicate effectively in cross-cultural situations. Strategies for practicing cultural competency include:

- Learning about your own and others' cultural identities
- Combating bias and stereotypes
- Respecting others' beliefs, values, and communication preferences
- Adapting your services to each patient's unique needs
- Gaining new cultural experiences

Cultural Humility

Cultural humility is a reflective process of understanding one's biases and privileges, managing power imbalances, and maintaining a stance that is open to others in relation to aspects of their cultural identity that are most important to them.⁵

Strategies for practicing cultural humility include:

- Practicing self-reflection, including awareness of your beliefs, values, and implicit biases
- Recognizing what you don't know and being open to learning as much as you can
- Being open to other people's identities and empathizing with their life experiences
 - Acknowledging that the person is their own best authority, not you.
 - Learning and growing from people whose beliefs, values, and worldviews differ from yours.

³ Source: National Institute of Health

⁴ National Latino Behavioral Health Association

⁵ <https://thinkculturalhealth.hhs.gov/assets/pdfs/resource-library/clas-clc-ch.pdf>

Cultural Relevance

For the RFP, culturally relevant programs incorporate an awareness and understanding of, as well as a capacity to honor, the specific tribal customs, traditions, and beliefs pertinent to the population being served. In a broader sense, cultural relevancy acknowledges the influence of the person's identity characteristics on the person'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 child communicates as important.

Evaluations (Process and Outcomes)

Process Evaluation⁶

The purpose of the process evaluation is to assess how program activities are being carried out in accordance with goals and objectives. Process measures are designed to answer the question: "What is the program actually doing and is this what we planned it to do?"

Examples of process measures could include:

- Project staff have been recruited, hired, and trained according to the proposal.
- Activities/strategies have been implemented on time according to the proposal.
- Number of interagency agreements entered into by the program compared to the number planned.
- Number of trainings conducted.
- Number of neighborhood meetings conducted.

Outcome Evaluation⁷

The purpose of the outcome evaluation is to identify whether the program "worked" in terms of achieving its goals and objectives. Outcome measures are designed to answer the question: "What results did the program produce?"

Examples of outcome measures include:

- Results of pre/post surveys (e.g., changes in the reported confidence/trust in law enforcement among community members).
- Implementation of regular, ongoing community forums where community dialogue takes place.
- Changes in policies at the Lead Agency level to reflect procedural justice principles.

In an evidence-based practice approach, outcome evaluations must include not only the measures but also analysis of the extent to which the measured results can be attributed to the program rather than to coincidence or alternative explanations.

Evidence-based / Promising Practices

Evidence-based practices are programs and strategies that have been found effective at improving outcomes, using rigorous scientific research methods. Programs and strategies may be evidence-based across all populations, or only for particular cultures and identities.

⁶ Justice 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/njjec/publications/program-evaluation.pdf>

⁷ Id at pp. 7-8.

Promising practices are programs and strategies that have shown some positive results and potential for improving 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.

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.

Goals and Objectives

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 program intends to accomplish, representing the long-term intended outcome of the program.⁸

Examples of goal statements:⁹

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

Objectives are defined by statements of specific, measurable aims of program activities.¹⁰ Objectives detail the tasks that must be completed to achieve goals.¹¹ Descriptions of objectives in the proposals should include three elements:¹²

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:¹³

- By the end of the program, young, drug-addicted juveniles will recognize the long-term consequences of drug use.
 - To place eligible juveniles in an intensive supervision program within two weeks of adjudication to ensure offender accountability and community safety.
 - To ensure that juvenile offenders carry out all the terms of the mediation agreements they have worked out with their victims by program completion.

⁸ 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/njiec/publications/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 .

⁹ *Id.* at p. 4.

¹⁰ 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>.

¹¹ *Id.*; see *supra* fn 1.

¹² 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/njiec/publications/program-evaluation.pdf>.

¹³ *Id.*

Human Trafficking

Human Trafficking is a crime involving the exploitation of a person for labor, services, or commercial sex¹⁴.

Key Partner

A Key Partner is an indispensable agency or entity that the grantee does not have direct control over that will provide essential services for the grant project.

Trauma

Trauma is an experience(s) 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 individual needs and ensure their physical and psychological safety. 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.

Qualitative Data

Data/information that is based on written or spoken narratives. The purpose of qualitative data/information is to explain and gain insight and understanding of events through collection of narrative data/information.

Quantitative Data

Data/information that is based on numbers and mathematical calculations. The purpose of quantitative data is to explain, predict, and/or control events through focused collection of numerical data.

Temporary Housing

For this RFP, temporary housing includes reimbursement for hotel/motels stays up to but not exceeding 14-days. Reimbursement for hotel/motels stays must be approved by the BSCC in advance. If temporary housing is requested, it must have a link to a PPA or MMIP grant activities.

¹⁴ U.S. Department of Justice

Appendix F: Key Partner Commitment Form

Missing and Murdered Indigenous People (MMIP) Grant Program

Instructions: For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. (See RFP for specific examples.) The form must include the name of the agency or entity, a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or entity. Submit one form per partner agency or organization. This form is required only if there are key partners identified in the Proposal Narrative.

Tribal Applicant(s): Enter applicant name

Partner Organization or Agency: Enter partner name

Grant Service Period: August 1, 2024 to June 1, 2028

Services to be Provided by the Partner Organization or Agency during the Grant Period:

Enter services to be provided

Authorized Signature of Partner Organization or Agency (electronic signatures accepted):

Title of Individual Signing this Form: Enter title

Date Signed: Enter date

Appendix G: Grantee Assurance for Non-Governmental Organizations

REQUIRED ATTACHMENT:

You will be prompted to upload this document to the BSCC-Submittable Application.

Instructions: The form on the following page must be submitted with the application even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. In either of these cases, the applicant should write “N/A” in the Name of Subcontracted Party column and complete the signature box. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms.

The Missing and Murdered Indigenous People (MMIP) Grant Program Request for Proposals (RFP) includes requirements that apply to non-governmental organizations (NGOs)¹⁵ providing services with grant funds. Grantees are responsible for ensuring that all contracted third parties continually meet these requirements as a condition of receiving funds. The RFP describes these requirements as follows:

Any non-governmental organization that receives Missing and Murdered Indigenous People Grant funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the Missing and Murdered Indigenous People 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 (6) 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;
- Be registered with the Office of the Attorney General’s Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- 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.

Completing the NGO Assurance Form (on the next page)

1. Provide the name of the Applicant Agency (the Grantee),
2. List all contracted parties (if known*),
3. Check Yes or No to indicate if each contracted part meets the requirements,
4. Sign and Submit to the BSCC.

***NOTE:** If the name of the contracted party is unknown or if there will be no contracted parties. Write N/A in the “Name of Contracted Party” field and sign the document.

¹⁵ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Missing and Murdered Indigenous People Grant Program Non-Governmental Organization Assurances			
Name of Applicant:			
Name of Sub-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 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 RFP. The BSCC will not reimburse for costs incurred by any third party 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 NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (Blue Ink Only)			DATE

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

REQUIRED ATTACHMENT:

You will be prompted to upload this document to the BSCC-Submittable Application.

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	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (Blue Ink Only) X			DATE

Appendix I: Governing Board or Tribal Council Resolution

Before grant funds can be reimbursed, a grantee must either (1) submit a resolution from its Governing Board or Tribal Council 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.

Below is assurance language that, at a minimum, must be included in the resolution submitted to the Board of State and Community Corrections. **Applicants are encouraged (but not required) to submit the resolution with their application.**

WHEREAS the ***(insert name of Applicant Tribe)*** desires to participate in the Missing and Murdered Indigenous People Grant Program funded through the California State Budget Act 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 or Tribal Council)*** 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 Applicant Tribe)*** 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 or Tribal Council)*** 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: _____

Attachment D-2

5227-122-0001—For local assistance, Board of State and Community Corrections	16,000,000
---	------------

Schedule:

- | | |
|--|------------|
| (1) 4945-Corrections Planning
and Grant Programs
..... | 16,000,000 |
|--|------------|

Provisions:

1. These funds shall be awarded by the Board of State and Community Corrections as competitive grants to federally recognized Indian tribes in California to support efforts to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered indigenous people. The board shall consult with and include stakeholders from the indigenous community to inform the grant outreach process and the process to select and administer grants.
2. Grants should focus on activities including, but not limited to, developing culturally based prevention strategies, strengthening responses to human trafficking, and improving cooperation and communication on jurisdictional issues between state, local, federal, and tribal law enforcement in order to investigate and solve cases involving missing and murdered indigenous people.
3. Of the amount identified in this item, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2026.
4. Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2026.
5. The Board of State and Community Corrections shall provide an initial report to the Legislature by December 1, 2023, and a final report by December 1, 2025, that includes, but is not limited to, information about the grant recipients, the allocation of funds, and applicable metrics and outcomes of the program.

Attachment D-3

**Missing and Murdered Indigenous People (MMIP) Grant Program
Executive Steering Committee Members**

	Name	Title	Organization/Tribe
1.	Norma Cumpian, Char	Associate Director	Anti-Recidivism Coalition
2.	Merri Lopez-Keifer	Director	CA Attorney General's, Office of Native American Affairs
3.	Matt Hansen	Lieutenant	Red Bluff Police Department
4.	Hedi Bogda Hitchcock	Lawyer/Consultant	Leech Lake Band
5.	Walter Kurtz	Corporal	Riverside County Sheriff's Office
6.	Keely Linton-Gallardo	Director	Strong Hearted Native Women's Coalition
7.	Percilla Frizzell	Director	Sacred Generations
8.	Morning Star Gali	Project Director	Indigenous Justice
9.	Heather Hostler	Executive Director	California Legal Services
10.	Dr. Elena Hood	Director	Director, Intertribal Resource Center at UC San Diego
11.	Ricardo Torres	Secretary/Tribal Elder	Board Member for the Sacramento Native American Health Center

Agenda Item E

MEETING DATE: November 16, 2023**AGENDA ITEM:** E**TO:** BSCC Chair and Members**FROM:** Timothy Polasik, Field Representative, timothy.polasik@bscc.ca.gov**SUBJECT:** Medication-Assisted Treatment Grant Program, Request for Proposals:
Requesting Approval

Summary

This agenda item requests Board approval to release a new Request for Proposals (Attachment E-1) in the amount of \$10 million for a three-year Medication-Assisted Treatment Grant. Eligible applicants are California counties.

Background

Assembly Bill 653 (AB 653) (Chapter 745, Statutes of 2021) was approved by Governor Newsom on October 9, 2021 (Attachment E-2). This bill created the Medication-Assisted Treatment Grant Program to be administered by the Board of State and Community Corrections. Grants shall be awarded to counties on a competitive basis for purposes relating to the treatment of substance use disorders and the provision of medication-assisted treatment (MAT). The bill requires grant-funded counties to collect and maintain data on the effectiveness of the program. County data will be compiled into a final 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 people housed in jail and people under criminal justice supervision.¹

On September 6, 2022, Governor Newsom approved Assembly Bill 179 (AB 179) (Chapter 249, Statutes of 2022) (Attachment E-3), amending the Budget Act of 2022 to include \$10 million in funding for the previously established MAT Grant Program. Assembly Bill 653 authorized the BSCC to use up to five percent of the funds appropriated towards the costs of administering the program. (Pen. Code, § 6047.1, subd. (f).)

At the November 14, 2022 Board Meeting, staff requested approval to convene an Executive Steering Committee (ESC) to guide the development of a Request for Proposals (RFP). Since then, the launch of the MAT Grant Program was delayed due to the lack of ESC participation and prioritization of other grant programs.

In order to expedite release to the field, instead of the ESC process, staff developed the MAT RFP in-house, relying on guidance from subject matter experts. In lieu of an ESC, staff requests that a Scoring Panel be convened to read and rate the proposals submitted in response to this RFP. If necessary, internal staff may also be used to supplement the Scoring Panel.

¹ "Criminal justice supervision" means probation, postrelease community supervision, and mandatory supervision. (Pen. Code, § 6047, subd. (a).)

Key Grant Components

MAT is statutorily defined as the “use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder . . . whenever possible, provided through a program licensed or certified by the State Department of Health Care Services.” (Pen. Code, § 6047, subd. (b).) Funds may be used for the following activities:

1. Salaries and related costs for the placement of substance use disorder counselors in county jails that provide medication-assisted treatment to inmates with a substance use disorder.
 2. Doses of medication related to substance use disorder for inmates to take home upon release from county jail.
 3. Funding for services provided pursuant to contracts between county jail health providers and narcotic treatment providers.
 4. Mobile crisis teams of behavioral health professionals that can respond with law enforcement to mental health or other health crisis calls. Mobile response activities funded pursuant to this section shall include referrals for substance use disorder treatment and medication-assisted treatment for individuals under criminal justice supervision when clinically appropriate.
 5. Salary and related costs for providing medication-assisted treatment for persons who are under criminal justice supervision.
 6. Funding to increase capacity for community-based, medication-assisted treatment and substance use disorder treatment services for justice-involved individuals, or to improve care coordination and connections to medication-assisted treatment services upon release from correctional facilities. Activities may include, but are not limited to, capital expenditures or operating costs to establish new reentry centers or treatment programs that will serve justice-involved populations, expansion of existing community-based, medication-assisted treatment services to better meet the needs of justice-involved individuals, and other strategies to ensure timely and appropriate access to medication-assisted treatment upon release.
-

RFP Activities and Timeline

The proposed activities and a corresponding tentative timeline for the development of the MAT Grant Program is shown below:

Activity	Date
Present RFP for Board Approval	November 16, 2023
Release RFP	December 1, 2023
Grant Information Session for Prospective Applicants	December 13, 2023
Proposals Due to the BSCC	February 16, 2024
Proposal Rating Process and Development of Funding Recommendations	February to March 2024
Present Funding Recommendations to Board	April 18, 2024
Grants Begin	May 1, 2024
Grants End	October 31, 2027

Recommendation/Action Needed

Staff recommends that the Board:

- Approve the release of the MAT Request for Proposals.
- Allow staff to convene a Scoring Panel for the proposal rating process, to include BSCC staff as necessary.

Attachments

E-1: MAT Request for Proposals
E-2: Assembly Bill 653, in pertinent part (2021)
E-3: Assembly Bill 179 (2022)

Attachment E-1



Medication-Assisted Treatment (MAT) Grant Program

REQUEST FOR PROPOSALS

Eligible Applicants: California Counties

Grant Period: May 1, 2024 to December 31, 2027

RFP Released: December 1, 2023

Proposals Due: February 16, 2024



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CONFIDENTIALITY NOTICE

All documents submitted as a part of the MAT proposal are public documents and may be subject to a request via 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

Authorizing Legislation

Assembly Bill 653 (Chapter 745, Statutes of 2021) established the Medication-Assisted Treatment (MAT) Grant Program (**Attachment A**), to be administered by the Board of State and Community Corrections (BSCC). The bill requires 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 requires counties that receive MAT grants to collect and maintain data relating to the effectiveness of the program. BSCC will submit a final 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.

Assembly Bill 179 (Chapter 249, Statutes of 2022) amended the Budget Act of 2022 to include a \$10 million appropriation for the MAT Grant Program.

As per Assembly Bill 653, the following terms have the following meanings:

- (a) “Criminal justice supervision” means probation, post-release community supervision, and mandatory supervision.
- (b) “Medication-assisted treatment” means the use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and that, whenever possible, is provided through a program licensed or certified by the State Department of Health Care Services.

BSCC Contact Information

This Request for Proposals (RFP) Instruction Packet provides the information necessary to prepare a proposal to the Board of State and Community Corrections (BSCC) for the Medication-Assisted Treatment (MAT) Grant Program.

This is a competitive grant process; therefore, 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: MATGrant@bscc.ca.gov.

BSCC will create a Frequently Asked Questions page and update it periodically up to the proposal submission deadline. See the [MAT Grant home page](#) for more information.

Proposal Due Date and Submission Instructions

Medication-Assisted Treatment (MAT) Grant Proposals must be received by **5:00 P.M. (PST) on February 16, 2024.**

Applications for the MAT Grant Program **must be submitted through the BSCC Submittable Application Portal.** The BSCC Submittable Application Portal, MAT Grant Program Application, and all required attachments are available on the [BSCC website](#).

To apply for this funding opportunity, applicants must create a free Submittable account or use an existing Submittable account when prompted. After an account is established, applicants may proceed with the application process. As part of the submission process, applicants will be required to download mandatory forms that must be completed, signed, and uploaded to the BSCC Submittable Application Portal. All required documents are available on the [BSCC website](#).

The BSCC Submittable Application Portal will not allow submissions after 5:00 p.m. (PST) on February 16, 2024. **Please be advised that completing the application and uploading the multiple required documents into the Submittable Application Portal can take a significant amount of time.** It is extremely important that applicants begin the submission process early. Applicants that wait until the due date to upload their documents may run out of time.

If the BSCC does not receive a submission by the deadline, the proposal **will not be considered for funding**. Applicants are strongly advised to submit proposals well in advance of the due date and time to avoid disqualification.

Once you have successfully submitted your application and all required attachments, you will receive an email acknowledging your application has been received. If you experience challenges with your submission, please email the BSCC at: MATGrant@bscc.ca.gov. Be advised that applicants contacting the BSCC at the close of the submission period may not receive timely responses. Please allow sufficient time for BSCC staff to provide technical assistance.

Prospective Applicant Information Session

Prospective applicants are invited to attend a virtual Information Session (held via Zoom). The purpose of the Information Session is to answer technical questions from prospective applicants and provide clarity on RFP instructions. Topics may include, but are not limited to, proposal submission instructions, eligibility, funding and an overview of the rating factors. Details for the Information Session are listed below:

MARK YOUR CALENDAR!

MAT Grant Program: Virtual Information Session

December 13, 2023

10:00 a.m.

Join by Zoom:

<https://us02web.zoom.us/j/85809552078?pwd=VFRwd1Fua1Z5bTNiSWxYT2w4dy9kQT09> or

Call In: (669) 900-9128

Meeting ID: 858 0955 2078

Passcode: 944654

Please note: The MAT Grant Information Session will be recorded and posted to the [BSCC website](#).

Notice of Intent to Apply

Prospective applicants are asked (but not required) to submit a non-binding letter indicating their intent to apply. These letters aid the BSCC in planning for the proposal evaluation process. Please submit your letter in Microsoft Word or as a PDF.

There is no formal template for the letter, but it should include the following information:

1. Name of the applicant entity;
2. Name of a contact person; and
3. A brief statement indicating the applicant's intent to submit a proposal.

Failure to submit a Letter of Intent is not grounds for disqualification. Prospective applicants that submit a Letter of Intent and decide later not to apply will not be penalized.

Please email your non-binding Letter of Intent to Apply by December 22, 2023. Please identify the email subject line as "MAT Letter of Intent" and submit the letter to: MATGrant@bscc.ca.gov.

Grant Program Intent

Per authorizing statute, “Medication-Assisted Treatment” (MAT) means the use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and that, whenever possible, is provided through a program licensed or certified by the State Department of Health Care Services.

Authorizing legislation allows counties to use these grant funds in support of MAT initiatives in an in-custody setting, a post-release setting or a combination thereof. See **Eligible Grant Activities** below.

Eligibility to Apply

Eligible applicants are **California counties**. The applicant must designate a governmental agency or department with local authority within the applicant county (e.g., sheriff’s department, probation department, public health department, department of health services, etc.) to submit the proposal and serve as Lead Public Agency (LPA) on the grant.

The role of the LPA is to coordinate with local government agencies and nongovernmental 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.

Proposals must be approved by the Board of Supervisors or Chief County Administrative Officer prior to submission. That is, the proposal must be acknowledged by an individual with the vested authority to enter into an agreement on behalf of the county. Anyone with a Submittable account can upload the application into the BSCC Submittable Application Portal, but the system will ask for the address, email, phone number, name and title of the “Authorized Officer.” By completing this information, the applicant informs the BSCC that their Authorized Officer has read and understood the acknowledgement.

Eligible applicants may not submit more than one proposal for funding consideration. Two or more eligible applicants may submit a collaborative county proposal, but a county may not apply on its own and as part of a collaborative county proposal.

Counties that have already developed a MAT program but are seeking to augment those efforts, as well as counties considering implementing a program for the first time, are encouraged to apply.

Target Population

Authorizing legislation limits the use of grant funds to three target populations:

- 1) inmates of county detention facilities with substance-use disorders,
- 2) individuals under criminal justice supervision* with substance-use disorders and
- 3) justice-involved individuals** with substance-use disorders.

*Authorizing statutory language defines “individuals under criminal justice supervision” as individuals who are on parole, probation, mandatory supervision or post-release community supervision.

**For purposes of this grant, “justice-involved individuals” means individuals with a prior arrest or conviction.

Eligible Grant Activities

Assembly Bill 653 (Chapter 745, Statutes of 2021) states that funds may be used by recipient counties for one or more of the following activities:

1. **Substance Use Disorder Counselors in County Jails.** Salaries and related costs for the placement of substance use disorder counselors in county jails that provide medication-assisted treatment to inmates with a substance use disorder.
2. **Post-Release Medication.** Doses of medication related to substance use disorder for inmates to take home upon release from county jail.
3. **Service Contracts Between Jails and Treatment Providers.** Funding for services provided pursuant to contracts between county jail health providers and narcotic treatment providers.
4. **Law Enforcement/Behavioral Health Mobile Crisis Teams.** Mobile crisis teams of behavioral health professionals that can respond with law enforcement to mental health or other health crisis calls. Mobile response activities funded shall include referrals for substance use disorder treatment and medication-assisted treatment for individuals under criminal justice supervision when clinically appropriate.
5. **MAT for Persons Under Criminal Justice Supervision.** Salary and related costs for providing medication-assisted treatment for persons who are under criminal justice supervision. “Criminal justice supervision” means individuals on probation, post-release community supervision, and mandatory supervision.
6. **Community-Based MAT and Substance Use Disorder Treatment Services.** Funding to increase capacity for community-based, medication-assisted treatment and substance use disorder treatment services for justice-involved individuals, or to improve care coordination and connections to medication-assisted treatment services upon release from correctional facilities. Activities may include, but are not limited to, capital expenditures or operating costs to establish new reentry centers or treatment programs that will serve justice-involved populations,

expansion of existing community-based, medication-assisted treatment services to better meet the needs of justice-involved individuals, and other strategies to ensure timely and appropriate access to medication-assisted treatment upon release.

MAT Grant Program funds shall not be used to supplant existing resources for medication-assisted treatment services delivered in county jails or in the community.

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

Additional information on these terms (i.e., goals and objectives) and other definitions referenced in this RFP are available in the Glossary of Terms (**Attachment C**).

Helpful Resources for Developing a MAT Program

- **National Association of Counties**
[Medication-Assisted Treatment \(“MAT”\) for Opioid Use Disorder](#)
- **U.S. Food and Drug Administration**
[Information About Medication-Assisted Treatment](#)
- **Substance Abuse and Mental Health Services Administration**
[Medications for Substance Use Disorders](#)
- **Addiction Free California**
[MAT in Jails and Drug Courts](#).
- **Health Management Associates**
Expanding MAT in County Criminal Justice Settings & County Touchpoints for Access to MAT for Justice Involved Individuals: [Position Statement on Medications for Addiction Treatment and Behavioral Health Interventions](#).

Grant Period

Proposals selected for funding will be under agreement with the BSCC from **May 1, 2024, to December 31, 2027**. The term of the grant agreement includes a three-year service delivery period and an additional six months to finalize and submit the required Final Local Evaluation Report and financial audit. A visual illustration of the grant agreement period is provided in the table below:

Full Term of Grant Agreement: May 1, 2024 to December 31, 2027

Year 1	Year 2	Year 3	Evaluation and Close-Out
May 1, 2024 to June 30, 2025	July 1, 2025 to June 30, 2026	July 1, 2026 to June 30, 2027	July 1, 2027 to December 31, 2027
<u>Activities:</u> Implementation, service delivery and data collection	<u>Activities:</u> Service delivery and data collection	<u>Activities:</u> Service delivery and data collection	<u>Activities:</u> Analyze data gathered during the service delivery period and complete Local Evaluation Report. Complete a program-specific financial audit.

The service delivery period ends on June 30, 2027. After this date, be advised that only expenses associated with completion of the Local Evaluation Report and financial audit may be incurred between July 1, 2027 and December 31, 2027. Additional information about the invoicing process will be provided later in this RFP.

Grant Funding Limits

This RFP makes **\$10,000,000** available competitively to county applicants to implement Medication-Assisted Treatment programs and activities as listed in the Eligible Grant Expenditures section above.

Individual County Proposals

Individual counties may request up to a maximum of **\$1,250,000** for the entire term of the grant agreement.

Collaborative County Proposals

Two or more counties may submit one collaborative proposal and request up to a maximum of **\$2,500,000** for the entire term of the grant agreement.

- The agencies and jurisdictions comprising the collaborative application are not required to be contiguous.
- One county agency or department must be identified as the Lead Agency on the grant.
- The other county agency or agencies would be identified within the grant proposal narrative.

A county may not apply on its own and as part of a collaborative county proposal.

All applicants are encouraged to request only the amount of funds needed to support their proposal and not base the request on the maximum allowed. No match is required for the MAT Grant Program

Criteria for Non-Governmental Organizations Receiving Subawards

Applicants for the MAT Grant Program may elect to partner, contract, or establish agreements with non-governmental organizations (NGOs)¹ in the implementation of their program. All NGOs must adhere to terms described in the box below:

Eligibility Criteria for Non-Governmental Organizations Providing Services with BSCC Grant Funds

Any non-governmental organization that receives MAT Grant Program funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the Organized Retail Theft Prevention Grant Program 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 (6) 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;
- Be registered with the California Office of the Attorney General, Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- 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.

All applicants must complete, sign, and submit the BSCC *Grantee Assurance for Non-Governmental Organizations (Attachment D)*, even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms, should the applicant choose to enter into an agreement with an NGO at a later date.

¹ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Once under contract, grantees must submit an updated *Grantee Assurance for Non-Governmental Organizations* throughout the life of the grant agreement for any additional NGOs that receive funds through subcontracts after awards are made. The BSCC will not reimburse for costs incurred by NGOs that do not meet the BSCC's requirements.

Commitments from Key Partners

For the purposes of this RFP, "Key Partner" means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over and that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. Examples could include:

- The grantee will provide funding to a law enforcement agency or nonprofit (already identified) for specified services.
- The grantee will depend upon referrals from a local probation department or state parole in order to meet target population eligibility requirements.
- The grantee will need a data sharing agreement with a local law enforcement agency in order to meet grant reporting requirements.
- The grantee will require access to a local detention facility under the control of a local department.
- The grantee will rely on staff dedicated via a contractual relationship with the local department of behavioral health services.

For each Key Partner, the grantee must submit a signed **Key Partner Commitment Form (see Attachment E)** from the outside entity or agency named. The form must identify the outside agency or entity, include a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or organization. Submit one form per partner agency or entity.

The applicant is not required to submit a Key Partner Commitment Form if the applicant has determined that an outside agency or entity is not critical to the launch or ongoing implementation of the proposed program. "Key partners" do not include vendors that provide contracted goods, services or products.

Data Collection, Reporting and Evaluation Requirements

Required Set-Aside for Evaluation Efforts

This grant requires the collection of recidivism data, which can be extremely labor-intensive. To support these efforts and to ensure that grantees are able to submit meaningful and quality reports, grantees are required to set aside **a minimum of five (5) percent up to a maximum of ten (10) percent** of the total grant funds requested for data collection and evaluation efforts, including data collection for the Quarterly Progress Reports and the development of the Local Evaluation Plan and Local Evaluation Report. Applicants are encouraged, but not required, to use outside evaluators to ensure objective and impartial evaluations. This may include, but is not limited to, community colleges, universities, and research organizations. Applicants are encouraged to identify evaluators

early on and include them in the development of the proposal, so that the goals and objectives in the Project Work Plan are measurable.

Quarterly Progress Reports

Grant award recipients are required to submit quarterly progress reports to the BSCC. Progress reports are a critical element in BSCC's:

- monitoring and oversight process;
- collection of mandatory data elements as specified in the legislation; and,
- primary data source for the statewide evaluation report as required in the legislation.

Grantees who are unable to demonstrate that they are making sufficient progress toward project goals and objectives, unable to provide mandatory data, or demonstrate that funds are being spent in accordance with the Grant Agreement could be subject to the withholding of funds. Once grants are awarded, BSCC will work with grantees to create progress reports reflecting the data points outlined in statute.

As part of the progress reports, grantees will be required to submit individual level data through an online data portal. Prior to submission all personally identifiable information (e.g., name, date of birth, address, health information, etc.) must be removed to ensure that the information submitted cannot be associated with or linked to a particular individual. **The BSCC will not request or retain personal identifying information.** Submitted individual level data will include the following information for each participant:

- Baseline measures related to prior criminal justice involvement or drug use
- Demographic information including age at enrollment, gender, race/ethnicity, and level of education at enrollment
- Prior arrests and convictions (yes/no response)
- Probation, parole, or PRCS status at enrollment (if applicable)
- Custody status at enrollment (if applicable)
- Services participant received during the quarter
- Number of overdoses during the quarter
- Recidivism data
 - Grantees shall use local summary criminal history information, as defined in Penal Code Section 13300, to collect recidivism data. Grantees without access must have an MOU with a local law enforcement agency with access. If an MOU is not established prior to submission of the proposal, a Key Partner Commitment from the local law enforcement agency must be included in the proposal submission indicating they are willing to provide the required recidivism data.
 - Due to the complexity of obtaining recidivism information, this information will be requested annually instead of quarterly.
 - Grantees will be required to report the number of days between enrollment/release for any of the following outcomes:
 - arrested for a crime.

- revocation of probation, mandatory supervision, or post-release community supervision
- convicted of a misdemeanor
- convicted of a felony
- sentenced to jail or prison
- Other measures may be included that are specific to the projects funded. Examples include but are not limited to pre and post measures of employment, housing, etc.

Local Evaluation Plan

The purpose of the Local Evaluation Plan is to ensure that projects funded by the BSCC can be evaluated. Grantees will be expected to include a detailed description of how the applicant will assess the effectiveness of the proposed program in relationship to each of its goals and objectives identified in the proposal. A relationship between the goals and objectives identified in the proposal should be apparent in the Local Evaluation Plan.

The Local Evaluation Plan 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 project objectives clearly stated. Applicants should also address process and outcome evaluations. Once submitted, any modifications to the Local Evaluation Plan must be approved in advance by the BSCC. More detailed instructions on the Local Evaluation Plan will be made available to successful applicants. The Local Evaluation Plan is due no later than December 31, 2024.

Local Evaluation Report

Following project completion, grantees are required to complete a Local Evaluation Report. The Local Evaluation Report must be in a format prescribed by the BSCC. The purpose of the Local Evaluation Report is to determine whether the overall project (including each individual component) was effective in meeting the goals laid out in the Local Evaluation Plan.

To do this, the grantee must assess and document the effectiveness of the activities that were implemented within each individual project component. These activities should have been identified in the previously submitted Local Evaluation Plan. More detailed instructions on the Local Evaluation Report will be made available to successful applicants. The Local Evaluation Report is due no later than December 31, 2027.

Statewide Evaluation

BSCC Research will conduct a statewide evaluation of the impact of the initiatives supported by the grant funding including the outcomes and objectives that were achieved. The evaluator will: develop the research methodology for the statewide evaluation; design and develop instruments for collecting and evaluating data from grantees; provide ongoing technical assistance to grantees for data collection and evaluation activities; compile, screen and analyze data obtained from grantees; and develop a final report on the impact of the program. As a condition of the award, grantees agree to collect data requested for the evaluation and fully cooperate and share information within timelines set for the evaluation.

General 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. A sample Grant Agreement for the MAT Grant Program is available on the [BSCC website](#).

The Grant Agreement start date is expected to be May 1, 2024. 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.

BSCC Audit Requirements

Grantees are required to provide the BSCC with a program-specific compliance audit that covers the three-year service delivery period of the grant (May 1, 2024 to June 30, 2027). The audit report will be due no later than December 31, 2027. The program-specific compliance 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 the final program-specific compliance audit may be reimbursed with grant funds for actual costs up to \$25,000.

In addition, the BSCC reserves the right to call for a program, compliance 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 California State Auditor, the 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.

Governing Board Resolution

Applicants must submit a resolution from the County Board of Supervisors addressing specified requirements as included in the sample Governing Board Resolution, which can be found in **Attachment F**. Grant recipients must have a resolution on file before a fully executed grant agreement can be completed. A signed resolution is not required at the time of proposal submission, but applicants are advised that no financial invoices will be processed for reimbursement until the appropriate documentation has been received by the BSCC.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a Virtual Grantee Orientation (August 2024, date to be determined). 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, and Day-to-Day Contact must attend. Grantees are also strongly encouraged to include the individual tasked with Data Collection and Evaluation. Award recipients will be provided additional details regarding the Grantee Orientation.

Quarterly Invoices

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 Applicant Information Form as the Financial Officer for the grant. Grantees must submit invoices to the BSCC on either a monthly or quarterly basis 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, which requires grantees to submit electronic documentation to support all grant funds claimed during the invoicing period. In addition, BSCC staff may conduct on-site monitoring visits that include a review of documentation maintained as substantiation for project expenditures with grant funds. Additional information about invoicing can be found in the [BSCC Grant Administration Guide](#).

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.

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 Award, to attend any mandated BSCC training conferences or workshops outlined in the terms of the program.

- **Units of Government**

Units of government may follow 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.

- **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 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. All applicants must complete an assurance certifying they are compliant with the BSCC's policies on debarment, fraud, theft, and embezzlement (**Attachment G**).

Compliance Monitoring

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 Comprehensive Monitoring Visit checklist can be found on the Corrections Planning and Grants Program [website](#).

Overview of the RFP Process

Confirmation of Receipt of Proposal

Upon submission of a proposal in the BSCC Submittable Application Portal, applicants will receive a confirmation email from the BSCC stating that the proposal has been received.

Disqualification

PLEASE READ CAREFULLY!

The following will result in automatic disqualification:



- Submission is not received by 5:00 P.M. (PST) on **Friday, February 16, 2024**. (Allow sufficient time to upload all required documents in the BSCC Submittable Application Portal. Do not wait until the last minute!)
- Applicant is not a California county.
- Application and all required attachments are not submitted via the BSCC Submittable Application Portal. Emails to BSCC will not be accepted.
- Budget Attachment is missing.
- Funding request exceeds allowable amount.
- Attachments are illegible.
- Attachments will not open, or the files are corrupted.

NOTE: 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.

Scoring Panel

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees (ESC) and Scoring Panels to inform decision making related to the Board's programs. ESCs and Scoring Panels are composed of subject matter experts, community partners, and interested parties representing both the public and private sectors. The BSCC makes every attempt to include diverse representation on its ESCs and Scoring Panels, in breadth of experience, geography and demographics.

The BSCC will convene a Scoring Panel for the MAT Grant Program. The Scoring Panel will read and rate proposals and develop funding recommendations for the Board. The Board may approve, reject, or revise those recommendations. Members of the Scoring Panel are not paid for their time but are reimbursed for travel expenses incurred to attend meetings. If the BSCC is unable to convene a full Scoring Panel, BSCC staff may

participate in the rating process. Please check the [BSCC website](#) for updated information on the Scoring Panel.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner, or like party participating on the MAT 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 Scoring Panel membership roster and ensuring that no grant dollars are passed through to any entity represented by any member of the Scoring Panel.

Proposal Rating Process

Unless disqualified, proposals will advance to the Scoring Panel for funding consideration. Proposals will be evaluated in accordance with the BSCC's [Grant Proposal Evaluation Process](#) and as described below. The Scoring Panel will read and assign ratings to each proposal in accordance with the prescribed rating factors listed in the table below. Scoring Panel members will base their ratings on how well an applicant addresses the criteria listed under each rating factor within the Proposal Narrative and Budget Sections. Scoring Panel ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the Board's funding recommendations. It is anticipated that the Board will act on the recommendations at its meeting on April 18, 2024. Applicants and their partners are not to contact members of the Scoring Panel or the BSCC Board to discuss proposals.

Rating Factors

The Rating Factors that will be used and the maximum points allocated to each rating factor are shown in the table below. Applicants are asked to address each of these rating factors as a part of their proposal. A percent of total value is assigned to each Rating Factor, correlating to its importance within the overall project (see Percent of Total Value column).

	Rating Factor	Point Range	Percent of Total Value	Weighted Rating Factor Score
1	Project Need	0-5	20%	40
2	Project Description	0-5	30%	60
3	Project Organizational Capacity and Coordination	0-5	15%	30
4	Data Collection and Evaluation	0-5	20%	40
5	Project Budget	0-5	15%	30
	Maximum Proposal Score:		100%	200

Raters will rate an applicant's response to each Rating Factor on a scale from 0 to 5, according to the Six-Point Rating Scale shown below. For each Rating Factor, the rating point received is then weighted according to the "Percent of Total Value" column associated with the Rating Factor to arrive at the final Weighted Rating Factor Score. The Weighted Rating Factor Scores are then added together for a final overall proposal score. The maximum possible proposal score is 200.

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.

Minimum Scoring Threshold

A proposal must meet a threshold of 60 percent, or a minimum score of 120 total points to be qualified for funding.

Summary of Key Dates

The following table shows the key date for the MAT Grant Program.

Activity	Tentative Timeline
Present the RFP for BSCC Board Approval	November 16, 2023
Release the RFP	December 1, 2023
Virtual Information Session for Prospective Applicants	December 13, 2023
Letter of Intent Due to the BSCC (optional)	December 22, 2023
Proposals Due in BSCC Submittable Application Portal	February 16, 2024
Proposal Rating Process and Development of Funding Recommendations	February to March 2024
BSCC Board Considers Funding Recommendations	April 18, 2024
Contract Development	April to June 2024
Grant Agreement Begins	May 1, 2024
Mandatory Grantee Orientation	August 2024 (TBD)
Service Delivery Period Ends	June 30, 2027
Final Evaluation Report Due and Grant Agreement Ends	December 31, 2027

PART II: PROPOSAL INSTRUCTIONS

This section contains the necessary information for completing the Medication-Assisted Treatment (MAT) Grant Program Application. The Application and all required attachments are provided on the [BSCC website](#).

Proposal Narrative and Budget Sections

The five rating factors that will be addressed in the Proposal Narrative and the Proposal Budget sections, are shown below.

	Rating Factor	Percent of Total Value	Addressed In:
1	Project Need	20%	Proposal Narrative
2	Project Description	30%	
3	Project Organizational Capacity and Coordination	15%	
4	Data Collection and Evaluation	20%	
5	Project Budget	15%	Proposal Budget Attachment

Proposal Narrative Instructions

Applicants will complete the Proposal Narrative by accessing the BSCC Submittable Application Portal and responding to a series of prompts. The Proposal Narrative must address the Project Need, Project Description, Project Organizational Capacity and Coordination, and Data Collection and Evaluation Rating Factors. Please do not include website links, charts, tables, or graphs when responding. Each Rating Factor has a character limit as shown below:

	Rating Factor	Total Characters	Microsoft Word Equivalent*
1	Project Need	6,711	Up to three (3) pages
2	Project Description	11,185	Up to five (5) pages
3	Project Organizational Capacity and Coordination	4,474	Up to two (2) pages
4	Data Collection and Evaluation	4,474	Up to two (2) pages

**Assumes text is in a Microsoft Word document in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.*

Character Counter

The BSCC Submittable Application Portal includes an automatically enabled character counter. This feature shows the number of characters used and the remaining number of characters before the limit is met. If the limit is exceeded, a red prompt will appear with the message "You have exceeded the character limit." The Submittable Application Portal

will not allow applicants to submit the MAT Proposal Narrative until they comply with all character limit requirements.

Bibliography

Applicants may, but are not required to, include a bibliography containing citations, using either the Modern Language Association (MLA) or American Psychological Association (APA) style in the “OPTIONAL Bibliography” field on the BSCC Submittable Application page. The bibliography may not exceed 2,218 total characters (includes punctuation, numbers, spaces, and any text). In Microsoft Word, this is approximately one (1) page in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.

Attachments

Required

In addition to the Proposal Narrative, the following attachments must be completed and uploaded in the identified fields in the BSCC Submittable Application Portal at the time of submission (the BSCC Submittable Application will not let you proceed without these attachments):

- Project Work Plan (Attachment B)
- Grantee Assurance for Non-Governmental Organizations (Attachment D)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Attachment G)

Others

The following attachments may be completed and uploaded in the identified fields in the BSCC Submittable Application Portal at the time of submission:

- Key Partner Commitment Form – *If Applicable* (Attachment E)
- Governing Board Resolution – *Not required at time of submission; may be submitted later* (Attachment F)

Note: Letters of general support (i.e., from elected officials, community members, etc.) from individuals not actually working on the grant project will not be accepted. If these are uploaded to Submittable, they will be discarded.

Proposal Narrative Rating Factors

Section 1: Project Need (Percent Value – 20%)

Within this section, address the criteria that defines the Project Need Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Need: The applicant described a need that is pertinent to the intent of the grant. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0- 5.	
1.1	Describe the need(s) to be addressed, the process used to determine the need(s) and how the need is related to the target population(s) and intent of the MAT program.
1.2	Identify the conditions or elements that contribute to the need (e.g., service gaps, geographic location, accessibility, etc.)
1.3	Provide relevant local qualitative and quantitative data with citations in support of the identified need(s).

Section 2: Project Description (Percent Value – 30%)

Within this section address the criteria that defines the Project Description Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Description: The applicant provided a description of the project that is pertinent to the intent of the grant. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
2.1	Clearly identify which of the six eligible activities will be implemented (may be more than one): <ol style="list-style-type: none"> 1. Substance Use Disorder Counselors in County Jails. 2. Post-Release Medication. 3. Service Contracts Between Jails and Treatment Providers. 4. Law Enforcement/Behavioral Health Mobile Crisis Teams. 5. MAT for Persons Under Criminal Justice Supervision. 6. Community-Based MAT and Substance Use Disorder Treatment Services.

2.2	<p>Describe the proposed services/interventions that correspond to each activity selected, including:</p> <ul style="list-style-type: none"> the use of any U.S. Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and whether the services will be provided through a program licensed or certified by the State Department of Health Care Services. a description of existing or proposed MAT programming for any in-custody component (e.g., program content, duration, dosage/intensity, criteria for successful completion, drug testing policy and how services will be provided and tracked). a description of existing or proposed MAT programming for any aftercare or community-based component that supports successful community reintegration resources and services (e.g., program content, duration, dosage/intensity, criteria for successful completion, drug testing policy and how services will be provided and tracked).
2.3	<p>Describe the target population(s) that will be the focus of the project. Include:</p> <ul style="list-style-type: none"> whether the services will be provided to inmates, individuals under criminal justice supervision, justice involved individuals or a combination of the three. how referrals will be made, criteria for including or excluding participants, and how eligibility will be verified.
2.4	<p>Describe the rationale for the proposed activities/services including research or other evidence indicating that the intended goals and objectives are likely to be achieved.</p>
2.5	<p>Provide an estimate of the number of individuals to be served and how you arrived at that number.</p>
2.6	<p>Describe how the program will address recidivism reduction.</p>
2.7	<p>Provide a Project Work Plan (Attachment B) that:</p> <ul style="list-style-type: none"> identifies the project goals and measurable objectives (see Attachment C for definitions) that are appropriate for the proposed project and are related to the identified need(s) and intent of the grant. identifies how the goals will be achieved in terms of the activities, responsible staff/partners, start and end dates, and data to measure outcomes associated with goals.

Section 3: Project Organizational Capacity & Coordination (Percent Value – 15%)

Within this section, address the criteria that define the Project Organizational Capacity and Coordination Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Organizational Capacity and Coordination: The applicant described their organization's ability to implement the proposed project. The elements that comprise this Rating Factor 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
3.1	Describe the experience, staffing, and/or partnerships your organization will use to implement the proposed project [include Key Partner Commitment Form(s), if applicable]. If partners are to be selected after the grant is awarded, then specify the process and criteria for selecting those partners.
3.2	Describe how those providing services to the target population(s) will be involved in the project and demonstrate their experience with serving the target population(s).
3.3	Describe the plans to sustain the proposed project after grant funds expire or why the proposed project is limited in term.

Section 4: Data Collection and Evaluation (Percent Value – 20%)

Within this section, address the criteria that define the Data Collection and Evaluation Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Data Collection and Evaluation: The applicant described how it will monitor and evaluate the effectiveness of the proposed project. The elements that comprise this Rating Factor are listed below. Addressing each element does not itself merit a high rating; rather, although each element is to be addressed (as applicable), it is the quality of the response to each that is to be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
4.1	Describe the plan to determine the staff and/or outside entity that will conduct or assist with data collection and evaluation activities and how evaluation activities will be incorporated in the various phases of the project (e.g., implementation, service delivery period).
4.2	Identify and define process and outcome measures (see Attachment C for definitions) that are quantifiable and in line with the goal and objectives listed in the Work Plan.
4.3	Describe the plan to collect the de-identified individual level data for the Quarterly Progress Reports (see page X) including recidivism data (for individuals released from jail or under criminal justice supervision) and the establishment of data sharing agreements particularly to obtain recidivism data.
4.4	Describe a preliminary plan for collecting and evaluating baseline and outcome data related to the process and outcome indicators identified in 4.2.
4.3	Describe a plan for monitoring the project to ensure that project components are implemented as intended.

Project Budget Instructions

As part of the application process, applicants are required to complete and upload a Project Budget Table and Budget Narrative (Budget Attachment) in the Budget Section of the BSCC Submittable Application Portal. The Budget Attachment is provided on the [BSCC website](#).

Applicants should be aware that, even after award, 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 Project 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. **Do not submit an annual budget; the Budget Table must cover the entire grant period.**

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

Project Budget Rating Factor

Section 5: Project Budget (Percent Value – 15%)

The following items are rated as part of this section and must be addressed by the applicant in the Budget Attachment.

Project Budget: The applicant provided a complete Budget Attachment (Budget Table and Budget Narrative) for the proposed project. The elements against which the Budget Attachment will be rated 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 will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5	
5.1	Provide complete and detailed budget information in the Budget Attachment (Budget Table and Budget Narrative) that for each section: <ul style="list-style-type: none"> includes a brief explanation justifying each expense. ensures expenses are appropriate for the grant's intent, the project's goals, and planned activities.

PART III: ATTACHMENTS

This section includes the following Attachments:

- Attachment A: Assembly Bill 653 (2021) *(reference only)*
- Attachment B: Project Work Plan **(REQUIRED)**
- Attachment C: Glossary of Terms *(reference only)*
- Attachment D: Grantee Assurance for Non-Governmental Organizations **(REQUIRED)**
- Attachment E: Key Partner Commitment Form **(IF APPLICABLE)**
- Attachment F: Sample Governing Board Resolution ***(can be submitted later)***
- Attachment G: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement **(REQUIRED)**

Attachment A: Assembly Bill 653 (2021)

Assembly Bill No. 653 (Chapter 745, Statutes of 2021)

An act to add and repeal Article 6 (commencing with Section 6047) of Chapter 5 of Title 7 of Part 3 of the Penal Code, relating to medication-assisted treatment.

Article 6. Medication-Assisted Treatment Grant Program

6047.

For the purposes of this article, the following terms have the following meanings:

- (a) "Criminal justice supervision" means probation, postrelease community supervision, and mandatory supervision.
- (b) "Medication-assisted treatment" means the use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and that, whenever possible, is provided through a program licensed or certified by the State Department of Health Care Services.

6047.1.

- (a) The Medication-Assisted Treatment (MAT) Grant Program is hereby created and shall be administered by the Board of State and Community Corrections.
- (b) The board shall award grants, on a competitive basis, to counties, as authorized by this article. The board shall establish minimum standards, funding schedules, and procedures for awarding grants.
- (c) MAT Grant Program funds may be used by recipient counties for one or more of the following activities:
 - (1) Salaries and related costs for the placement of substance use disorder counselors in county jails that provide medication-assisted treatment to inmates with a substance use disorder.
 - (2) Doses of medication related to substance use disorder for inmates to take home upon release from county jail.
 - (3) Funding for services provided pursuant to contracts between county jail health providers and narcotic treatment providers.
 - (4) Mobile crisis teams of behavioral health professionals that can respond with law enforcement to mental health or other health crisis calls. Mobile response activities funded pursuant to this section shall include referrals for substance use disorder treatment and medication-assisted treatment for individuals under criminal justice supervision when clinically appropriate.
 - (5) Salary and related costs for providing medication-assisted treatment for persons who are under criminal justice supervision.
 - (6) Funding to increase capacity for community-based, medication-assisted treatment and substance use disorder treatment services for justice-involved individuals, or to improve care coordination and connections to medication-assisted treatment services upon release from correctional facilities. Activities may include, but are not limited to, capital expenditures or operating costs to establish new reentry centers or treatment programs that will serve justice-involved populations, expansion of existing community-based, medication-assisted treatment services to better meet the needs of justice-involved individuals, and other strategies to ensure timely and appropriate access to medication-assisted treatment upon release.
- (d) MAT Grant Program funds shall not be used to supplant existing resources for medication-assisted treatment services delivered in county jails or in the community.
- (e) (1) Counties that receive grants pursuant to this article shall collect and maintain data pertaining to the effectiveness of the program, as indicated by the board in the request for proposals, including data on drug overdoses of, and the rate of recidivism for, inmates and persons under criminal justice supervision who receive county-administered, medication-assisted treatment services.

- (2) (A) Information relating to the rate of recidivism that shall be collected and maintained pursuant to this subdivision includes all of the following, as they relate to inmates or persons under criminal justice supervision who receive services funded pursuant to this article:
- (i) The number and percentage who were sentenced to jail or prison within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.
 - (ii) The number and percentage who were convicted of a misdemeanor or a felony within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.
 - (iii) The number and percentage who were arrested for a crime or who have had their parole, probation, mandatory supervision, or postrelease community supervision revoked within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.
- (B) A county that receives a grant pursuant to this article shall include recidivism data for persons released from jail, or under criminal justice supervision, who received services pursuant to this article less than three years prior to any reporting period established by the board pursuant to paragraph (4).
- (3) A county that receives a grant pursuant to this article may use state summary criminal history information, as defined in Section 11105, or local summary criminal history information, as defined in Section 13300, to collect data as required by the board.
- (4) The board may establish a deadline by which counties that receive grants pursuant to this article are required to submit data collected and maintained pursuant to this subdivision to the board to enable the board to comply with the reporting requirement in Section 6047.2.
- (f) The board may use up to 5 percent of the funds appropriated for the program each year for the costs of administering the program, including, without limitation, the employment of personnel and evaluation of activities supported by the grant funding.

6047.2.

On or before July 1, 2025, the board shall compile a report describing the activities funded pursuant to this article, and the success of those activities in reducing drug overdoses and recidivism by jail inmates and persons under criminal justice supervision. The report shall be submitted to the Legislature pursuant to Section 9795 of the Government Code.

6047.3.

This article shall be operative only to the extent that funding is provided, by express reference, in the annual Budget Act or another statute for the purposes of this article.

6047.4. This article shall remain in effect only until January 1, 2026, and as of that date is repealed.

Attachment B: Project Work Plan

REQUIRED ATTACHMENT: You will be prompted to upload this document to the BSCC-Submittable Application.

Instructions: Applicants must complete a Project Work Plan, using the format below, that identifies measurable goals and objectives, process and outcome measures, activities and services, responsible parties for those activities and services, data sources and estimated timelines. Completed plans should (1) identify the project's top goals and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, and start and end dates, process and outcome measures; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant. The Project Work Plan must attempt to identify activities/services and estimate timelines for the entire grant term. A minimum of one goal and corresponding objectives, process measures, etc. must be identified.

Please cut and paste this form into a Word document. Expand cells as necessary.

(1) Goal:	>		
Objectives (A., B., etc.)	> 		
Process Measures and Outcome Measures:	> 		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> 	> 	> 	>
List data and sources to be used to measure outcomes: >			

(2) Goal:	>		
Objectives (A., B., etc.)	> 		

Process Measures and Outcome Measures:	> [REDACTED]		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> [REDACTED]	> [REDACTED]	> [REDACTED]	> [REDACTED]
List data and sources to be used to measure outcomes: >			

(3) Goal:	>		
Objectives (A., B., etc.)	> [REDACTED]		
Process Measures and Outcome Measures:	> [REDACTED]		
Project activities that support the identified goal and objectives:	Responsible staff/partners:	Timeline	
		Start Date	End Date
> [REDACTED]	> [REDACTED]	> [REDACTED]	> [REDACTED]
List data and sources to be used to measure outcomes: >			

Attachment C: Glossary of Key Terms

Recidivism

Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed (date of offense) within three years of placement on supervision for a previous criminal conviction.

https://www.bscc.ca.gov/s_recidivism/

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 Proposals, CBOs and nonprofit organizations are referred to as Non-Governmental Organizations (NGOs).

Process Evaluation versus Outcome Evaluation

Process Evaluation²

The purpose of the process evaluation is to assess how program activities are being carried out in accordance with goals and objectives. Process measures are designed to answer the question: “What is the program actually doing and is this what we planned it to do?” Examples of process measures could include:

- Project staff have been recruited, hired and trained according to the proposal.
- Activities/strategies have been implemented on time according to the proposal.
- Number of interagency agreements entered into by the program compared to the number planned.
- Number of trainings conducted.
- Number of neighborhood meetings conducted.

Outcome Evaluation³

The purpose of the outcome evaluation is to identify whether the program “worked” in terms of achieving its goals and objectives. Outcome measures are designed to answer the question: “What results did the program produce?” Examples of outcome measures include:

- Results of pre/post surveys (e.g., changes in the reported confidence/trust in law enforcement among community members).
- Implementation of regular, ongoing community forums where law enforcement/community dialogue takes place.
- Changes in policies at the Lead Agency level to reflect procedural justice principles.

²Justice 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/nijec/publications/program-evaluation.pdf>.

³ *Id.* at pp. 7-8.

In an evidence-based practice approach, outcome evaluations must include not only the measures but also analysis of the extent to which the measured results can be attributed to the program rather than to coincidence or alternative explanations.

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 statements⁴:

- To reduce the number of serious and chronic program participants.
- To reduce the number of program participants with addiction-related needs.
- To increase the amount of in-custody treatment provided to program participants.

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 elements⁵:

- 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 objectives⁵:

- By the end of the program, drug-addicted participants will recognize the long-term consequences of drug use.
- To place eligible participants in aftercare services within two weeks of release to ensure participants accountability and community safety.
- To ensure that participants carry out all of the terms of their probation.
- To place eligible participants in job training within 8 weeks.

⁴ *Id.* at p. 4.

⁵ *Id.*

Attachment D: Grantee Assurance for Non-Governmental Organizations

REQUIRED ATTACHMENT:

You will be prompted to upload this document to the BSCC-Submittable Application.

Instructions: The form on the following page must be submitted with the application even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. In either of these cases, the applicant should write “N/A” in the Name of Subcontracted Party column and complete the signature box. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms.

The MAT Grant Program RFP includes requirements that apply to non-governmental organizations (NGOs)⁶ providing services with grant funds. Grantees are responsible for ensuring that all contracted third parties continually meet these requirements as a condition of receiving funds. The RFP describes these requirements as follows:

Any non-governmental organization that receives MAT Grant Program funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the MAT Grant Program 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 (6) 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;
- Be registered with the California Office of the Attorney General, Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- 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.

Completing the NGO Assurance (next page)

1. Provide the name of the Applicant Agency (the Grantee).
2. List all contracted parties (if known*).
3. Check Yes or No to indicate if each contracted part meets the requirements.
4. Sign and submit with Application.

***NOTE:** If the name of the contracted party is unknown or if there will be no contracted parties. Write N/A in the “Name of Contracted Party” field and sign the document.

⁶ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

**MAT Grant Program
Non-Governmental Organization (NGO) Assurances**

Name of Applicant:

Name of Sub-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 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 RFP. The BSCC will not reimburse for costs incurred by any third party 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 NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable)			DATE

Attachment E: Key Partner Commitment Form

Medication-Assisted Treatment (MAT) Grant Program
Key Partner* Commitment Form

Instructions: For the purposes of this RFP, “Key Partner” means an indispensable agency or entity, named in the proposal, that the grantee does not have direct control over that will provide essential services for the grant project. If the success of the grant project depends upon the cooperation of an outside agency or entity, that agency or entity is a key partner. (See RFP for specific examples.) The form must include the name of the agency or entity, a description of the services to be provided, and be signed and dated by an authorized individual representing the agency or entity. Submit one form per partner agency or organization. **This form is required only if there are key partners identified in the Proposal Narrative.**

Applicant(s): Enter applicant name

Partner Organization or Agency: Enter partner name

Grant Service Period: May 1, 2024 to December 31, 2027

Services to be Provided by the Partner Organization or Agency during the Grant Period:

Enter services to be provided

Authorized Signature of Partner Organization or Agency (electronic signatures accepted):

Title of Individual Signing this Form: Enter title

Date Signed: Enter date

Attachment F: Governing Board Resolution Sample

Instructions: 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. **The Governing Board Resolution does not have to be uploaded at time of submission but must be submitted in order for the grant agreement to be executed.**

WHEREAS the ***(insert name of Lead Agency)*** desires to participate in the Medication-Assisted Treatment (MAT) Grant Program administered by the Board of State and Community Corrections (hereafter referred to as BSCC).

NOW, THEREFORE, BE IT RESOLVED that ***(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 Lead Agency)*** 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: _____

Attachment G: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement

REQUIRED ATTACHMENT:

You will be prompted to upload this document to the BSCC-Submittable Application.

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	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable)			DATE
X			

Attachment E-2

AB 653: Medication-Assisted Treatment Grant Program (in pertinent part)

SECTION 1.

Article 6 (commencing with Section 6047) is added to Chapter 5 of Title 7 of Part 3 of the Penal Code, to read:

Article 6. Medication-Assisted Treatment Grant Program

6047.

For the purposes of this article, the following terms have the following meanings:

- (a) "Criminal justice supervision" means probation, postrelease community supervision, and mandatory supervision.
- (b) "Medication-assisted treatment" means the use of any United States Food and Drug Administration-approved medically assisted therapy to treat a substance use disorder, including opioid use disorder and alcohol use disorder, and that, whenever possible, is provided through a program licensed or certified by the State Department of Health Care Services.

6047.1.

(a) The Medication-Assisted Treatment (MAT) Grant Program is hereby created and shall be administered by the Board of State and Community Corrections.

(b) The board shall award grants, on a competitive basis, to counties, as authorized by this article. The board shall establish minimum standards, funding schedules, and procedures for awarding grants.

(c) MAT Grant Program funds may be used by recipient counties for one or more of the following activities:

- (1) Salaries and related costs for the placement of substance use disorder counselors in county jails that provide medication-assisted treatment to inmates with a substance use disorder.
 - (2) Doses of medication related to substance use disorder for inmates to take home upon release from county jail.
 - (3) Funding for services provided pursuant to contracts between county jail health providers and narcotic treatment providers.
 - (4) Mobile crisis teams of behavioral health professionals that can respond with law enforcement to mental health or other health crisis calls. Mobile response activities funded pursuant to this section shall include referrals for substance use disorder treatment and medication-assisted treatment for individuals under criminal justice supervision when clinically appropriate.
 - (5) Salary and related costs for providing medication-assisted treatment for persons who are under criminal justice supervision.
 - (6) Funding to increase capacity for community-based, medication-assisted treatment and substance use disorder treatment services for justice-involved individuals, or to improve care coordination and connections to medication-assisted treatment services upon release from correctional facilities. Activities may include, but are not limited to, capital expenditures or operating costs to establish new reentry centers or treatment programs that will serve justice-involved populations, expansion of existing community-based, medication-assisted treatment services to better meet the needs of justice-involved individuals, and other strategies to ensure timely and appropriate access to medication-assisted treatment upon release.
-

(d) MAT Grant Program funds shall not be used to supplant existing resources for medication-assisted treatment services delivered in county jails or in the community.

(e) (1) Counties that receive grants pursuant to this article shall collect and maintain data pertaining to the effectiveness of the program, as indicated by the board in the request for proposals, including data on drug overdoses of, and the rate of recidivism for, inmates and persons under criminal justice supervision who receive county-administered, medication-assisted treatment services.

(2) (A) Information relating to the rate of recidivism that shall be collected and maintained pursuant to this subdivision includes all of the following, as they relate to inmates or persons under criminal justice supervision who receive services funded pursuant to this article:

(i) The number and percentage who were sentenced to jail or prison within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.

(ii) The number and percentage who were convicted of a misdemeanor or a felony within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.

(iii) The number and percentage who were arrested for a crime or who have had their parole, probation, mandatory supervision, or postrelease community supervision revoked within three years after being released from a jail sentence in which they were provided services funded pursuant to this article, or for persons under criminal justice supervision, after having been provided with services that were funded pursuant to this article.

(3) A county that receives a grant pursuant to this article shall include recidivism data for persons released from jail, or under criminal justice supervision, who received services pursuant to this article less than three years prior to any reporting period established by the board pursuant to paragraph (4).

(f) A county that receives a grant pursuant to this article may use state summary criminal history information, as defined in Section 11105, or local summary criminal history information, as defined in Section 13300, to collect data as required by the board.

(g) The board may establish a deadline by which counties that receive grants pursuant to this article are required to submit data collected and maintained pursuant to this subdivision to the board to enable the board to comply with the reporting requirement in Section 6047.2.

(h) The board may use up to 5 percent of the funds appropriated for the program each year for the costs of administering the program, including, without limitation, the employment of personnel and evaluation of activities supported by the grant funding.

6047.2.

On or before July 1, 2025, the board shall compile a report describing the activities funded pursuant to this article, and the success of those activities in reducing drug overdoses and recidivism by jail inmates and persons under criminal justice supervision. The report shall be submitted to the Legislature pursuant to Section 9795 of the Government Code.

6047.3.

This article shall be operative only to the extent that funding is provided, by express reference, in the annual Budget Act or another statute for the purposes of this article.

Attachment E-3

AB-179 Budget Act of 2022 (in pertinent part)

The Budget Act of 2022 made appropriations for the support of state government for the 2022-23 fiscal year.

This bill would amend the Budget Act of 2022 by amending, adding, and repealing items of appropriation and making other changes.

This bill would declare that it is to take effect immediately as a Budget Bill.

SEC. 19.56.

(a) (1) The amounts appropriated pursuant to this section reflect legislative priorities.

(2) For allocations in this section that include a designated state entity, the entity shall allocate the funds to the recipients identified in the paragraphs following each designation. The state entity shall determine the best method for allocation to ensure the funds are used for the purposes specified in this section. Self-attestation by the receiving entity is an acceptable method of verification of the use of funds, if determined appropriate by the state entity.

(3) Notwithstanding any other law, allocations pursuant to this section are exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, from Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and the State Contracting Manual, and are not subject to the approval of the Department of General Services, including the requirements of Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of the Title 2 of the Government Code.

(4) If an item number for the appropriate department for a state entity does not exist, and such an item number is required in order to make the specified allocations, the Department of Finance may create an item number for this purpose.

(5) Notwithstanding any other law, a designated state entity administering an allocation pursuant to this section may provide the allocation as an advance lump sum payment, and the allocation may be used to pay for costs incurred prior to the effective date of the act adding this paragraph.

(6) The Department of Finance may authorize the transfer of allocating authority to a different state entity to facilitate the expenditure of the funds for the intended legislative purpose. Any state entity that allocates funds may also, in consultation with the Department of Finance, use an alternative local fiscal agent that is not identified in this section instead of the fiscal agent designated in this section if necessary to achieve the intended legislative purpose. Any change to the allocating state entity or fiscal agent made pursuant to this paragraph shall be reported to the Joint Legislative Budget Committee in writing at least 30 days, or no sooner than whatever lesser time after that notification the chairperson of the joint committee, or the chairperson's designee, may determine, prior to the change. It is the intent of the Legislature to revise this section during the 2022-23 fiscal year to reflect any changes necessary to achieve the intended legislative purpose.

(7) Unless otherwise specified in this section, funds allocated pursuant to this section shall be available for encumbrance through June 30, 2024, and expenditure until June 30, 2026.

(8) Funding provided in this section shall not be used for a purpose subject to Section 8 of the Article XVI of California Constitution. If the Department of Finance determines that any allocation would be considered an appropriation for that purpose, the funding shall not be allocated, and the department shall notify the Joint Legislative Budget Committee of that finding.

(9) The amounts specified in subdivisions (b) to (m), inclusive, are hereby appropriated from the General Fund as follows:

(d) PUBLIC SAFETY AND FIRE PREVENTION

(6) To be allocated by the Board of State and Community Corrections as follows:

(A) \$250,000 to the City of Coalinga for public safety technology upgrades and improvements.

(B) \$1,500,000 to the City of Mendota for a new police station and council chambers.

(C) \$10,000,000 for the Medication-Assisted Treatment Grant Program, pursuant to Sections 6047.1 to 6047.4, inclusive, of the Penal Code.

Agenda Item F

DATE: November 16, 2023

AGENDA ITEM: F

TO: BSCC Chair and Members

FROM: Timothy Polasik, Field Representative, timothy.polasik@bscc.ca.gov

SUBJECT: Residential Substance Abuse Treatment Grant, Request for Proposals:
Requesting Approval

Summary

This agenda item requests Board approval to release a new Request for Proposals (Attachment F-1) for the next three-year Residential Substance Abuse Treatment (RSAT) Grant Program.

Background

The Board of State and Community Corrections is the designated state administering agency for the RSAT Program, which is funded through the federal Bureau of Justice Assistance (BJA). The RSAT Program assists states and local governments in developing and implementing substance-use disorder treatment programs in state, local, and tribal correctional and detention facilities, and supports efforts to create and maintain community-based aftercare services for participants. Historically, the California RSAT Program has funded efforts by local detention facilities to provide jail-based treatment services with a required aftercare component.

Successful applicants will be funded for a three-year cycle. Applicants will be allowed to request up to a maximum of \$500,000 for the three-year period. A total of \$2,500,000 in federal RSAT funding is available for the first year, July 1, 2024, through June 30, 2025. Funding for years two and three is contingent on the amount and availability of federal funding and on compliance with the RSAT program requirements. Grantees must meet a 25 percent match (cash or in-kind) requirement.

There have been no changes to the federal requirements for the RSAT program since the last RFP was issued. Therefore, staff is recommending the release of the RFP previously developed by the RSAT Executive Steering Committee (ESC) in 2021. For the proposal rating process, staff request that a Scoring Panel be convened in lieu of the ESC. If necessary, internal staff may also be used to supplement the Scoring Panel.

Key Grant Components

- Only local units of government representing adult detention facilities are eligible to apply and only one detention facility per government organization within a county may submit a proposal.
- Applicants must be able to provide a jail-based substance-use disorder treatment program that includes aftercare services. RSAT funding may be used for the in-custody component, the aftercare component or both.

- Applicants must be able to provide an in-custody component for participants for at least three months and no more than 12 months and, to the extent possible, separate the treatment population from the general correctional population.
- The program must provide evidence-based treatment or services that focus on the program participants' cognitive, behavioral, social, vocational, and other skills to solve the substance-use disorder and related problems.
- The program must prepare participants for successful community reintegration that may include post-release referral to appropriate evidence-based aftercare treatment and/or service providers, including those that support the use of medication-assisted treatment.
- The program must require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants.
- Currently funded programs are eligible to apply for this funding. If successful, these grantees will be afforded up to six months to expend existing funds to avoid a funding overlap resulting from pandemic restrictions.

RFP Activities and Timeline

Below is a tentative timeline of activities necessary to administer a competitive RFP for the RSAT Grant.

Activity	Date
Present RFP for Board Approval	November 16, 2023
Release RFP	December 1, 2023
Grant Information Session for Prospective Applicants	December 14, 2023
Proposals Due to the BSCC	February 2, 2024
Rating Process and Development of Funding Recommendations	February to March 2024
Present Funding Recommendations to Board	April 18, 2024
Grants Begin	July 1, 2024
Service Delivery Period End	June 30, 2027
Final Evaluation Report Due and Grant Ends	December 31, 2027

Recommendation/Action Needed

Staff recommends that the Board:

- Approve the release of the Residential Substance Abuse Treatment Residential Substance Abuse Treatment (RSAT) RFP.
- Allow staff to convene a Scoring Panel for the proposal rating process, to include BSCC staff as necessary.

Attachments

F-1: RSAT Request for Proposals

F-2: RSAT ESC Roster

Attachment F-1



Residential Substance Abuse Treatment (RSAT) Program

REQUEST FOR PROPOSALS

Eligible Applicants: Local Adult Detention Facilities

Grant Period: July 1, 2024, to December 31, 2027
(3-year service period with 6 months for close-out and evaluation)

RFP Released: December 1, 2023

Proposals Due: February 2, 2024



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CONFIDENTIALITY NOTICE

All documents submitted as a part of the RSAT proposal are public documents and may be subject to a request via 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 Proposals (RFP) provides the information necessary to prepare a proposal to the Board of State and Community Corrections (BSCC) for grant funds available through the federal Residential Substance Abuse and Treatment (RSAT) 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: BSCCrsat_grants@bscc.ca.gov.

Proposal Due Date and Submission Instructions

The Residential Substance Abuse Treatment (RSAT) Grant Program Proposal Package submission is available through an online portal submission process. Applicants must submit proposals through the BSCC Submittable portal by **5:00 p.m. (PST) on February 2, 2024** at which time the portal will close and no longer accept proposals.

****Please allow sufficient time to begin and submit your proposal. Be advised that completing the proposal and uploading the required documents into the Submittable portal may take a significant amount of time. If the BSCC does not receive a submission by 5:00 p.m. (PST) on February 2, 2024, the proposal will not be considered for funding. Applicants are strongly advised to submit proposals in advance of the due date and time to avoid disqualification.**

Submission Instructions

READ THIS ENTIRE RFP DOCUMENT PRIOR TO INITIATING THE RFP PROCESS.

This RFP Instruction Packet contains all the necessary information to successfully complete and submit the RSAT Grant Program Proposal.

As part of the online BSCC Submittable process, applicants will be required to download several mandatory forms that must be completed, signed, and uploaded at specific prompts within the BSCC Submittable portal prior to submission. These documents are available for download at: https://www.bscc.ca.gov/s_rsat/.

1. Project Work Plan
2. Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement
3. Criteria for Non-Governmental Organizations Receiving BSCC Funds
4. Governing Board Resolution – Sample (optional; not required for proposal submission)

The RSAT Grant Program RFP is accessible by clicking the “Click her to Submit; Powered by Submittable” button located on the RSAT Grant Program Homepage at: https://www.bscc.ca.gov/s_rsat/. You will be prompted to create a free Submittable account and log-in (or sign into an existing account) prior to accessing the online RFP. Additional RFP instructions are provided within the online BSCC Submittable proposal.

****Note:** You must click the “Save Draft” button at the end of the proposal page to save any updates and/or changes you have made to your proposal prior to applying, each time you log in to your proposal. In addition, most of the fields within the RFP require information to be entered; therefore, the system will not allow proposal submission if all mandatory fields are not completed.

Once you have successfully submitted the proposal through the BSCC Submittable portal, you will receive an email acknowledging your proposal has been received.

If you experience technical difficulties with submitting your proposal through the Submittable portal, you should submit a Help Ticket through [Submittable](#), as the BSCC does not control that site. Please also email the BSCC at: BSCCRsat_grants@bscc.ca.gov and/or call the BSCC main line at (916) 445-5073 and ask to speak to someone about the RSAT Grant. Be advised that applicants contacting Submittable and/or the BSCC on the due date may not receive timely responses.

Please allow sufficient time for Submittable and BSCC to provide technical assistance.

Grant Information Session

Prospective applicants are invited – but not required – to attend a virtual Grant Information Session. The purpose of this session is to answer technical questions from prospective applicants and provide clarity on RFP instructions. Details for the virtual Grant Information Session are listed below:

VIRTUAL
RSAT Grant Information Session for Prospective Applicants
Thursday December 14, 2023
10:00 A.M.

Join Via Zoom:

<https://us02web.zoom.us/j/84840272896?pwd=UjBGVDhwYmZESTNyZEIRbG1JbzlrQT09>

Meeting ID: 848 4027 2896

Passcode: 465657

Applicants interested in attending the Information Session are asked to submit an RSVP to BSCCRsat_grants@bscc.ca.gov. When responding, please include the name, title, and agency the attendee(s) will be representing.

Please note: The RSAT Grant Information Session will be recorded and posted to the BSCC website for future reference.

Background Information

BSCC is the designated State Administrative Agency (SAA) for the RSAT Program, which is federally funded through the [Bureau of Justice Assistance](#) (BJA), as identified via the Catalog of Federal Domestic Assistance CFDA Number 16.593. The RSAT Program assists states and local governments in developing and implementing substance use disorder treatment programs in state, local, and tribal correctional and detention facilities, and supports efforts to create and maintain community-based aftercare services for offenders.

Historically, the California RSAT Program has funded local detention facilities to provide in-custody treatment services with an aftercare component requirement placed on the grantees. Awards are made in the federal fiscal year of the appropriation.

BSCC Executive Steering Committee Process

RSAT Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees to inform decision making related to the Board's programs. Executive Steering Committees (ESCs) are comprised 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. 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. ESCs submit grant award recommendations to the BSCC Board and the Board then approves, rejects or revises those recommendations. Members of the ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

The RSAT ESC includes a cross-section of subject matter experts on community engagement, prevention and intervention programs, law enforcement strategies, and rehabilitation and reentry, including individuals who have been impacted by the criminal justice system (See **Attachment A**).

Project Description

The principal purpose of the RSAT Program is to break the cycle of drugs and violence by reducing the demand, use, and trafficking of illegal drugs.

Eligibility

Counties that operate adult local detention facilities are eligible to apply and receive funding. Only one proposal per county may be submitted. A duly authorized county officer or department head responsible for the operation of the local detention facility must submit the proposal on behalf of the county.

While the intent is to receive a wide range of proposals representing California's diverse detention facilities, only the most meritorious proposals will be funded. Departments that have already developed RSAT substance abuse treatment programs but are seeking to augment those efforts, as well as departments considering implementing a program for the first time, are encouraged to apply. Programs previously awarded BJA RSAT funds through BSCC are eligible to apply.

Applicants must be able to provide a jail-based substance use disorder treatment program that includes aftercare services. RSAT funding may be used for the in-custody component, the aftercare component or both. Applicants will be expected to identify any non-grant related funding that will be leveraged to support the overall program.

Grant Period

Proposals selected for funding will be under agreement with the BSCC from **July 1, 2024, to December 31, 2027**. The term of the grant agreement includes a three-year service delivery period and an additional six months to finalize and submit the required Final Local Evaluation Report and financial audit. A visual illustration of the grant agreement period is provided in the table below:

Full Term of Grant Agreement: July 1, 2024 to December 31, 2027

Year 1	Year 2	Year 3	Evaluation and Close-Out
July 1, 2024 to June 30, 2025	July 1, 2025 to June 30, 2026	July 1, 2026 to June 30, 2027	July 1, 2027 to December 31, 2027
Activities: Implementation, service delivery and data collection	Activities: Service delivery and data collection	Activities: Service delivery and data collection	Activities: Analyze data gathered during the service delivery period and complete Local Evaluation Report. Complete a program-specific financial audit.

The service delivery period ends on June 30, 2027. After this date, be advised that only expenses associated with completion of the Local Evaluation Report and financial audit may be incurred between July 1, 2027 and December 31, 2027. Additional information about the invoicing process will be provided later in this RFP.

Funding for the second and third years is contingent on the amount and availability of federal funding and on compliance with the RSAT program requirements. Applicants shall build their proposal, objectives, activities, and budget information for the entire term of the grant agreement.

Grant Funding

A total of \$7,500,000 in federal RSAT funding is available statewide for this RFP. Adult detention facilities will be allowed to request up to a maximum of **\$1,500,000** for the period of July 1, 2024 through December 31, 2027. Applicants are encouraged to request only the amount of funds needed to support their proposal and not base the request on the maximum allowed.

Match Requirement

A 25 percent (25%) match of the funds awarded to the recipient (cash or in-kind).

Evaluation Budget Requirement

Grantees must budget five percent (5%) of the total project budget for completion of the Local Evaluation Plan and Final Evaluation Report.

Program Goal and Design

The goals of the RSAT Program are to enhance the capability of states, and units of local and tribal government, to provide substance use disorder treatment for incarcerated inmates; prepare offenders for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs; and assist offenders and their communities through the reentry process by delivering community-based treatment and other broad-based aftercare services.

As previously indicated, the California RSAT funding for this grant period will be used to support local jail-based programs which must include both an “in-jail” component and an “aftercare” component. Funding may be directed at either the in-custody portion of the project, the aftercare portion, or both.

The applicant’s program design must include the following components:

- Engage participants for at least three months and no more than 12 months.
- Focus on the inmate’s substance use diagnosis and addiction-related needs.
- Develop the inmate’s cognitive, behavioral, social, vocational, and other skills to solve the substance use and related problems.
- Prepare participants for successful community reintegration that may include post-release referral to appropriate evidence-based aftercare treatment and/or service providers including those that support the use of medication-assisted treatment.

- To the extent possible, jail-based programs should separate the treatment population from the general correctional population and program design should be based on evidence-based and evidence-supported practices.
- Require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants, including both periodic and random testing of:
 - 1) The participant before he or she enters the in-jail component of the RSAT program;
 - 2) During the period in which the individual participates in the in-jail component of the RSAT program;
 - 3) The participant who has exited the in-jail component of the RSAT program if the individual remains in-custody; and
 - 4) To the extent possible, the participant who has exited the in-jail component of the RSAT program and has been released from custody under supervision that includes drug and alcohol testing.
- Provide aftercare services for up to one year to those individuals who have completed the in-jail component of the RSAT program.
- Provide coordination between the in-jail treatment program and other social service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, self-help, and peer group programs.
- Collaborate with local authorities and organizations involved in substance use disorder treatment to assist in the placement of program participants into community substance abuse treatment facilities or non-residential aftercare services upon release.
- Coordinate aftercare services with local Substance Use Disorder Treatment and Behavioral Health Services Administration.
- When possible, leverage drug Medi-Cal services to fund aftercare treatment.

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

Evidence-Based and Data-Driven Approaches ¹

The BSCC is committed to supporting programs, practices, and strategies that are rooted in evidence and supported by data to produce better outcomes for the criminal and juvenile justice systems, and for the individuals who are involved in those systems.

Applicants seeking funding through this grant process will be required to demonstrate that services are directly linked to the implementation of evidence-based and promising practices and strategies that reduce recidivism. The following information is offered to

¹ Lowenkamp and Latessa, 2003; Lowenkamp, 2003; Lowenkamp & Latessa, 2005a; Lowenkamp and Latessa, 2005b; Center for Criminal Justice Research and the Corrections Institute at the University of Cincinnati, Correctional Program Checklist Assessment

help applicants in understanding the BSCC's broad view of evidence-based and promising practices that are supported by data and research.

The concept of evidence-based practices was developed outside of the criminal justice arena and is commonly used in other applied fields such as medicine, nursing and social work. In criminal justice, this term emphasizes measurable outcomes, and ensuring services and resources are effective in promoting rehabilitation and reducing recidivism. On a basic level, evidence-based practices include the following elements:

1. Evidence the intervention is likely to work (i.e., produce a desired benefit);
2. Evidence the intervention is being carried out as intended; and
3. Evidence allowing an evaluation of whether the intervention worked.

Evidence-based practices involves using research and scientific studies to identify interventions that reliably produce significant reductions in recidivism when correctly applied to target populations through the use of the following four principles of effective intervention:

1. Risk Principle – focuses attention on the crucial question of WHO is being served and calls for targeting higher risk individuals.
2. Need Principle – requires that priority be given to addressing criminogenic risk/need factors with a clear focus on WHAT programs are delivered.
3. Treatment Principle – conveys the importance of using behavioral treatment approaches to achieve the best possible outcomes and requires attention to the question of HOW programs are delivered.
4. Fidelity Principle – draws attention to HOW WELL programs are delivered and reiterates the necessity that programs be implemented as designed.

Successful implementation of evidence-based practices also includes but is not limited to:

- Organizational development to create and sustain a culture accepting of best practices and evidence-based approaches that includes cultural and linguistic competencies;
- A commitment to initial and ongoing professional development and training;
- Use of validated risk/needs/responsivity assessment tools;
- Data collection and analysis;
- Use of case management strategies;
- Use of programs known to produce positive criminal justice outcomes;
- Quality assurance activities to ensure program fidelity;
- Performance management to improve programs, service delivery, and policies;
- A “systems change approach” to develop collaborations so tasks, functions and sub-units work effectively together and not at cross-purposes; and
- A focus on sustainability.

In discussions of evidence-based practices in criminal justice, it is common to distinguish between programs, strategies and promising practices/approaches.

Programs are designed to change the behavior of individuals in the criminal justice system and are measured by individual-level outcomes. For example, programs aiming to reduce substance use and antisocial behavior include Cognitive Behavioral Therapy, Behavioral Programs and Social Skills Training.

Strategies may include programs to change individual behavior; however, this term is often used to describe a general intervention approach that supports larger community or organizational level policy objectives. For example, case management is applied to improve the overall effectiveness and efficiency of criminal and juvenile justice agencies, while pretrial assessment is designed to enable informed decisions about which arrested defendants can be released pretrial without putting public safety at risk. Strategies can also refer to the application of effective practices that are correlated with a reduction in recidivism, such as the use of assessment tools, quality assurance protocols, and delivery of interventions by qualified and trained staff.

Promising practices/approaches, for purposes of this grant work, can be broadly construed to include crime-reduction and recidivism-reduction programs or strategies that have been implemented elsewhere with evidence of success, but with evidence not yet strong enough to conclude the success was due to the program or that it is highly likely to work if carried out in the applicant's circumstances. The difference between evidence-based and promising practices/approaches is a difference in degree on the number of situations in which a program or strategy has been tested and the rigor of the evaluation methods used.

Applicants seeking to implement promising programs, approaches or strategies must describe the documentation, data and evidence available to support the approach and why it is best suited to the needs and objectives described in the application for funding. Applicants can find information on evidence-based treatment practices 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> as well as in **Attachment C** of this RFP.

Reducing Racial and Ethnic Disparity (R.E.D.) Training Opportunity for Award Recipients

Research² shows that youth and adults of color are significantly overrepresented in the criminal justice system in California. BSCC supports efforts to reduce racial and ethnic disparities and encourages others to do the same. The applicant should consider how R.E.D. information may influence grant activities in the development of the RSAT grant proposal.

RSAT grant recipients may be included in training opportunities and will be invited to attend R.E.D. training hosted by the BSCC if it is available during the project period.

² There are multiple studies confirming the disparities in the criminal and juvenile justice systems. BSCC has done extensive work with The W. Haywood Burns Institute (<http://www.burnsinstitute.org/>) on this issue as well as working with the National Council on Crime and Delinquency (NCCD) and the Center for Juvenile Justice Reform, Georgetown University (<http://cjjr.georgetown.edu/certprogs/racialdisparities/racialdisparities.html>)

Created Equal: Racial and Ethnic Disparities in the US Criminal Justice System (NCCD: Hartney/Vuong March 2009)

Grantees will be advised of the dates and locations after the start of the grant period. Additional information about R.E.D. can be found at: https://www.bscc.ca.gov/s_correctionsplanningandprograms/ or applicants may contact the R.E.D. Coordinator, Field Representative Timothy Polasik, by telephone at (916) 350-0879 or by email: Timothy.Polasik@bscc.ca.gov

General 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. To see a sample contract (State of California: Contract and General Terms and Conditions), please visit the [BSCC website](#).

The Grant Agreement start date is expected to be **July 1, 2024**. 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.

Board Resolution

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 **Attachment D**. Grant recipients must have a resolution on file before a fully executed grant agreement can be completed. *A signed resolution is not required at the time of proposal submission, but applicants are advised that no financial invoices will be processed for reimbursement until the appropriate documentation has been received by the BSCC.*

Match Requirements

As previously mentioned, funding for the RSAT Program requires a 25 percent match of the funds awarded to the recipient (cash or in-kind). Matching funds may be either state or local dollars. Federal funds are not an allowable match source for this grant.

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. When using outside funds as match, applicants must be careful not to supplant. 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.

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.

Audit Requirements

All grantees are required to have an audit completed and submitted to the BSCC within six months following the completion of the grant period. A grantee that willfully fails to submit an audit as required may be deemed ineligible for future BSCC grant funds pending compliance with the audit requirements of this grant.

The Grantee must provide to the BSCC copies of reports generated from either:

- the annual City/County Single Audit (as submitted to the State Controller's Office), or
- a Grant-Specific audit.

The audit must cover the three-year service delivery period, from July 1, 2024 to June 30, 2027. The BSCC reserves the right to call for a program or financial audit at any time between the execution of the contract and three years following the end of the grant period.

Quarterly Invoices

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. The State Controller's Office will issue the warrant (check) to the individual designated on the proposal form as the Financial Officer for the grant. Grantees must submit invoices online to the BSCC on a quarterly basis, 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 on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

For additional information, refer to the BSCC Grant Administration Guide, found on the BSCC [website](#).

Quarterly Progress Reports

Grant award recipients are required to submit quarterly 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. Once grants are awarded, BSCC will work with grantees to create custom progress reports. Applicable forms and instructions will be available to grantees on the BSCC's website.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a virtual Grantee Orientation via Zoom (on a date to be determined later). 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, and Day-to-Day Contact must attend. Grantees are also strongly encouraged to include the individual tasked with Data Collection and Evaluation. Award recipients will be provided additional details regarding the Grantee Orientation.

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 this RFP or outlined in the terms of the program.

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.

Non-Governmental Organizations (NGOs)

Grantees that are NGOs using 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 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 proposal submission 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 **Attachment E** certifying that they are in compliance with the BSCC's policies on debarment, fraud, theft and embezzlement.

Criteria for Non-Governmental Organizations Receiving Subawards

Applicants for the MAT Grant Program may elect to partner, contract, or establish agreements with non-governmental organizations (NGOs)³ in the implementation of their program. All NGOs must adhere to terms described in the box below:

Eligibility Criteria for Non-Governmental Organizations Providing Services with BSCC Grant Funds

Any non-governmental organization that receives MAT Grant Program funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the Organized Retail Theft Prevention Grant Program 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 (6) 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;
- Be registered with the California Office of the Attorney General, Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- 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.

All applicants must complete, sign, and submit the BSCC *Grantee Assurance for Non-Governmental Organizations (Attachment F)*, even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms, should the applicant choose to enter into an agreement with an NGO at a later date.

Once under contract, grantees must submit an updated *Grantee Assurance for Non-Governmental Organizations* throughout the life of the grant agreement for any additional NGOs that receive funds through subcontracts after awards are made. The BSCC will not reimburse for costs incurred by NGOs that do not meet the BSCC's requirements.

³ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Compliance Monitoring Visits

The 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, and provide technical assistance as needed regarding fiscal, programmatic, evaluation and administrative requirements. For your reference, a Sample Monitoring Visit Checklist is available on the [BSCC website](#).

RSAT National Conference

At least one grantee will be invited to attend the National RSAT Conference. This conference typically runs for 2-3 days with no associated registration fees. RSAT grant funds may be used to reimburse departments for travel related expenditures such as airfare, mileage, meals, lodging, and other per diem costs. Applicants who would like to be invited to attend this conference may include these costs in the budget section of this proposal under the “Other” category. Registration information regarding the date, time and location have not yet been determined.

Evaluation Requirements

Local Evaluation Plan and Final Local Evaluation Report

In addition to quarterly progress reports, projects selected for funding will be required to submit to the BSCC: (1) a Local Evaluation Plan (due December 31, 2024) and, (2) a Local Evaluation Report (due December 31, 2027). See **Attachment G** for key definitions related to project evaluation.

- **Local Evaluation Plan** - The purpose of the Local Evaluation Plan 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 relationship to each of its goals and objectives identified in the Proposal. The Local Evaluation Plan 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 Local Evaluation Plan must be approved in advance by the BSCC. More detailed instructions on the Local Evaluation Plan will be made available to successful applicants.
- **Local Evaluation Report** - Following project completion, grantees are required to complete a Local Evaluation Report which must be in a format prescribed by the BSCC. The purpose of the Local Evaluation Report is to determine whether the overall project (including each individual component) was effective in meeting the goals laid out in the Local Evaluation Plan. To do this, the grantee must assess and document the effectiveness of the activities that were implemented within each individual project component. These activities should have been identified in the previously submitted Local Evaluation Plan. More detailed instructions on the Local Evaluation Plan and Report 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. To assist in these efforts, applicants must set aside five (5) percent of the grant award requested for data collection, evaluation, and reporting activities and reflect this amount in the Proposed Budget section.

Note: To the extent the local evaluation plan involves research in which either: (1) data is obtained through intervention or interaction with an individual or (2) identifiable private information is obtained from program participants, the local evaluation plan must comply with the requirements of 28 C.F.R. Part 46. This includes compliance with all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent. For additional information on whether 28 C.F.R. Part 46 applies to your local evaluation plan, please see:

<https://ojp.gov/funding/Apply/Resources/ResearchDecisionTree.pdf>

Overview of the RFP Process

Confirmation of Receipt of Proposal

Upon submission of a proposal, applicants will receive a confirmation email from the BSCC stating that the proposal has been received.

Disqualification - **PLEASE READ CAREFULLY**

“Disqualification” means the proposal will not move forward to the ESC for the Proposal Rating Process and, therefore, will NOT be considered for funding under this grant.

The following will result in disqualification:

- Submission is not received by 5:00 P.M. (PST) on **Friday, February 2, 2024**. (Allow sufficient time to upload all required documents in the BSCC Submittable portal. Do not wait until the last minute!)
- The proposal and all required attachments are not submitted via the BSCC Submittable portal. Emails to BSCC will not be accepted.
- The Applicant does not meet the eligibility criteria.
- The funding request exceeds the maximum allowed.
- The Budget Attachment is not included.
- Attachments are illegible.
- Attachments will not open, or the files are corrupted.



Proposal Rating Process

Unless disqualified, proposals will advance to the RSAT ESC for funding consideration. Proposals will be evaluated in accordance with the BSCC’s [Grant Proposal Evaluation Process](#) and as described below. The RSAT ESC will read and assign ratings to each proposal in accordance with the prescribed rating factors listed in the table below. ESC members will base their ratings on how well an applicant addresses the criteria listed under each rating factor within the Proposal Narrative and Budget Sections. ESC ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the Board’s funding recommendations. It is anticipated that the Board will act on the recommendations at its meeting on April 18, 2024. Applicants and their partners are not to contact members of the Scoring Panel or the BSCC Board to discuss proposals.

Rating Factors

The rating factors that will be used and the maximum points allocated 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 level of importance (see Percent of Total Value column).

RSAT Grant Program Rating Factors and Point Values

Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
Project Need	0-5	20%	40
Project Description	0-5	50%	100
Project Organizational Capacity and Collaboration	0-5	15%	30
Data Collection and Evaluation	0-5	10%	20
Project Budget	0-5	5%	10
Maximum Proposal Score		100%	200

Raters will score an applicant's response in each of the Rating Factor categories using the six-point scale 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.

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.

Minimum Scoring Threshold

A proposal must meet a threshold of 60 percent, or a minimum score of 120 total points to be qualified for funding.

Summary of Key Dates

The table below shows a timeline with key dates related to implementation of the RSAT Grant Program

Activity	Tentative Timeline
Release Request for Proposals (RFP) Solicitation	December 1, 2023
Virtual Grant Information Session	December 14, 2023
Letter of Intent Due to the BSCC	December 22, 2023
Proposals Due to the BSCC	February 2, 2024
Proposal Rating Process and Development of Funding Recommendations	February to March 2024
BSCC Board Considers Funding Recommendations	April 18, 2024
Contract Development	April to June 2024
Grant Agreement Begins	July 1, 2024
Mandatory Grantee Orientation	TBD August 2024
Service Delivery Period Ends	June 30, 2027
Final Evaluation Report Due and Grant Agreement Ends	December 31, 2027

PART II: PROPOSAL INSTRUCTIONS

This section contains the necessary information for completing the Residential Substance Abuse Treatment (RSAT) Grant Program Proposal Package. The proposal and all required attachments are provided on the [BSCC website](#).

Proposal Narrative and Budget Sections

The five rating factors that will be addressed in the Proposal Narrative and the Proposal Budget sections, are shown below.

	Rating Factor	Percent of Total Value	Addressed In:
1	Project Need	20%	Proposal Narrative
2	Project Description	50%	
3	Project Organizational Capacity and Coordination	15%	
4	Data Collection and Evaluation	10%	
5	Project Budget	5%	Proposal Budget Attachment

Proposal Narrative Instructions

Applicants will complete the Proposal Narrative by accessing the BSCC Submittable portal (see Submittable instructions on page 1) and responding to a series of prompts.

The Proposal Narrative must address Rating Factors 1-4, as listed in the table above. Within the narrative, label each of the four Rating Factor sections accordingly, i.e., 1) Project Need, 2) Project Description, 3) Project Organizational Capacity and Coordination and 4) Data Collection and Evaluation. Within each section, address the rating criteria (found on the following pages) in a cohesive, comprehensive narrative format. Addressing each criterion does not in itself merit a high rating; although each criterion is to be addressed, it is the quality of the response to each that will be evaluated.

Character Counter

The RSAT Proposal Narrative has a total character limit of 44,740. In Microsoft Word, this is approximately 20 pages in Arial 12-point font, with one-inch margins on all four sides, at 1.5-line spacing. Applicants are encouraged to draft the Proposal Narrative in a Word document and then cut and paste the text into the BSCC Submittable portal.

It is up to the applicant to determine how to use the total character limit in addressing each section. However as a guide, the percent of total point value for each section is listed in the table above.

The BSCC Submittable portal includes a character counter. This feature shows the number of characters used and the remaining number of characters before the limit is met. If the limit is exceeded, a red prompt will appear with the message **"You have exceeded the character limit."** Characters include all alpha/numeric characters, punctuation, and spaces. The BSCC Submittable portal will not allow applicants to submit the RSAT Proposal Narrative until they comply with all character limit requirements.

Bibliography

Applicants may, but are not required to, include a bibliography containing citations, using either the Modern Language Association (MLA) or American Psychological Association (APA) style in the "OPTIONAL Bibliography" field in the BSCC Submittable portal. The bibliography may not exceed **2,218 total characters**. In Microsoft Word, this is approximately one page in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing.

Required Attachments

In addition to the Proposal Narrative, the following attachments must be completed and uploaded in the identified fields in the BSCC Submittable portal at the time of submission (the BSCC Submittable portal will not allow you proceed without these attachments):

- RSAT Implementation Workplan (**Attachment B**)
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (**Attachment E**)
- Grantee Assurance for Non-Governmental Organizations Receiving BSCC Subawards (**Attachment F**)

The following attachment may be completed and uploaded in the identified fields in the BSCC Submittable portal at the time of submission, but is not required:

- Governing Board Resolution – *Not required at time of submission; may be submitted later* (**Attachment D**)

Note: Letters of general support (i.e., from elected officials, community members, etc.) from individuals not actually working on the grant project will not be accepted. If these are uploaded to Submittable, they will be discarded.

Proposal Narrative Rating Factors

Section 1: Project Need (Percent Value – 20%)

Within this section, address the criteria that defines the Project Need Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Need: The applicant described a need that is pertinent to the intent of the grant. The elements that comprise this Rating Factor are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
1.1	Describe the need(s) related to the goals of the RSAT program.
1.2	Identify service gaps that contribute to the need(s) described above.
1.3	Provide relevant qualitative and/or quantitative data with citations in support of the need(s).
1.4	Describe how racial and ethnic disparity information influences programming choices for in-jail and aftercare services.

Section 2: Project Description (Percent Value – 50%)

Within this section address the criteria that defines the Project Description Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Project Description: The applicant provided a description of the project that is pertinent to the intent of the grant. The elements that comprise this Rating Factor are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
2.1	Describe the proposed project that will address the need(s) discussed in the Project Needs section. The description should: <ul style="list-style-type: none"> Describe the target population which will be the focus of the project, including criteria for including or excluding participants into the program. Describe the process for assessing the risk, need, and responsivity of program participants.

2.2	<p>Described the proposed services/interventions of the project in relation to the target population, including:</p> <ul style="list-style-type: none"> • A description of existing and proposed new or enhanced evidence-based substance use disorder treatment programming for the in-custody component of the jail-based program (that includes program content, duration, dosage/intensity, criteria for successful completion, drug testing policy and how services will be provided and tracked. Include a program schedule as an attachment). • A description of existing and proposed new or enhanced evidenced-based substance use disorder treatment programming for the after-care component that supports successful community reintegration resources and services (that includes program content, duration, dosage/intensity, criteria for successful completion, drug testing policy and how services will be provided and tracked. Include a program schedule as an attachment). • A description of the model of release planning and follow-up in the community, including leveraging other funds (e.g. Drug Medi-Cal) and coordination with human service agencies and other community partners.
2.3	Provide an estimate of the number of individuals to be served.
2.4	Describe the extent to which Medication Assisted Treatment (MAT) may be incorporated into the RSAT program to address opioid use reduction and aftercare needs.
2.5	Describe how the program will approach recidivism reduction.
2.6	Describe how the program will continue to serve the target population during extended emergency situations (e.g., COVID-19, natural disasters).
2.7	<p>Provide a Project Work Plan (Attachment B) that:</p> <ul style="list-style-type: none"> • Identifies the project goals and measurable objectives (see Attachment G for definitions) related to the need and intent of the grant. • Identifies how the goals will be achieved in terms of the activities, responsible staff/partners, start and end dates, and data to measure outcomes associated with goals. • Is appropriate to the proposed project.

Section 3: Project Organizational Capacity & Coordination (Percent Value – 15%)

Within this section, address the criteria that define the Project Organizational Capacity and Coordination Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Organizational Capacity and Coordination: The applicant described their organization's ability to implement the proposed project. The elements that comprise this Rating Factor are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
3.1	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.
3.2	Describe how those providing services to the target population will be involved in the project and demonstrate their experience with serving the target population.
3.3	Provide a plan for how the program can be sustained beyond the grant cycle.

Section 4: Data Collection and Evaluation (Percent Value – 10%)

Within this section, address the criteria that define the Data Collection and Evaluation Rating Factor (see table below) in a cohesive, comprehensive, and concise narrative format.

Data Collection and Evaluation: The applicant described how it will monitor and evaluate the effectiveness of the proposed project. The elements that comprise this Rating Factor are listed below. Addressing each element does not itself merit a high rating; although each element is to be addressed (as applicable), it is the quality of the response to each that is to be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
4.1	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).
4.2	Identify and define process and outcome measures that are quantifiable and in line with the goal and objectives of the project and the intent of the grant.
4.3	Describe a plan for monitoring the project to ensure that the project components are implemented as intended.
4.4	Describe a preliminary plan for collecting and evaluating baseline and outcome data related to the outcome measures. Provide data sharing agreements, if necessary.
4.5	Describe the research strategy/methodology used to determine whether the goals identified in the Project Work Plan were achieved.
4.6	Describe previous project evaluation experience and capabilities, including outside resources used.

Project Budget Instructions

As part of the RFP process, applicants are required to complete and upload a Project Budget Table and Budget Narrative (Budget Attachment) in the Budget Section of the BSCC Submittable portal. The Budget Attachment is provided on the [BSCC website](#).

Applicants should be aware that, even after award, 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 Project 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. **Do not submit an annual budget; the Budget Table must cover the entire grant period.**

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

Project Budget Rating Factor

Section 5: Project Budget (Percent Value – 5%)

The following items are rated as part of this section and must be addressed by the applicant in the Budget Attachment.

Project Budget: The applicant provided a complete Budget Attachment (Budget Table and Budget Narrative) for the proposed project. The elements against which the Budget Attachment will be rated are listed below. Addressing each element does not in itself merit a high rating; although each element is to be addressed (when applicable), it is the quality of the response to each that will be evaluated. The response will be evaluated with a single rating based on a scale of 0-5.	
5.1	Provide a complete Budget Table that is appropriate for the proposed project.
5.2	Provide budget narrative that relates the expenses to the proposed project and is inclusive of all project components.

PART III: ATTACHMENTS

This section includes the following attachments:

- Attachment A: RSAT ESC Membership
- Attachment B: RSAT Implementation Workplan **(REQUIRED)**
- Attachment C: Evidence-Based Resources
- Attachment D: Sample Governing Board Resolution **(must be submitted, if awarded grant funds)**
- Attachment E: Certification of Compliance with BSCC Policies on Debarment,
 - Fraud, Theft and Embezzlement **(REQUIRED)**
- Attachment F: Criteria for Non-Governmental Organizations Receiving BSCC Subawards **(REQUIRED)**
- Attachment G: Glossary of Terms

Attachment A: Executive Steering Committee

**Residential Substance Abuse Treatment (RSAT) Program
Executive Steering Committee
Membership**

Name	Title	Organization
Dean Growdon, Chair	Sheriff-Coroner	Lassen County Sheriff's Department & BSCC Board Member
Douglas Snell	Captain, Prison Programs	California Department of Corrections and Rehabilitation
Renee Smith	Criminal Justice Program Services Manager	Solano County Sheriff's Office
Jared Sparks	Lieutenant	Inyo County Sheriff
Jennifer Kaufman	Bureau Chief	Los Angeles County Probation

Attachment B: Sample RSAT Implementation Workplan

Required Attachment: Applicants will be prompted to upload this document from the [RSAT webpage](#) to the BSCC Submittable portal.

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 three goals and objectives; (2) identify how the top three goals will be achieved in terms of the activities, responsible staff/partners, start and end dates, and outcome measures; and (3) provide goals, objectives, and measures 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.			
List data and sources used to measure outcomes:			
(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.			
List data and sources used to measure outcomes:			

(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.			
List data and sources used to measure outcomes:			

Attachment 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

https://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>

Find Youth Information

<https://youth.gov/>

Justice Research and Statistic Association

<http://www.jrsa.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 Institute of Justice, New Tool for Law Enforcement Executives

<http://nij.gov/five-things/>

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/>

Peabody Research Institute, Vanderbilt University

<https://peabody.vanderbilt.edu/research/>

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/>

The National Documentation Centre on Drug Use

<http://www.drugsandalcohol.ie/3820/>

University of Cincinnati, Effective Programs/Curricula Recommendations

http://www.bscc.ca.gov/univ_of_cincinnati_curricula_recommendations_oct_2011/

Washington State Institute for Public Policy

<http://www.wsipp.wa.gov/>

Attachment D: Sample Governing Board Resolution

Before grant funds can be reimbursed, a grantee must submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement.

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

A Governing Board Resolution does not have to be uploaded at time of submission but must be submitted in order for the grant agreement to be executed.

WHEREAS the (insert name of Lead Agency) desires to participate in the Residential Substance Abuse Treatment Program (RSAT) Grant administered by the Board of State and Community Corrections (hereafter referred to as 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 Lead Agency) 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: _____

**Attachment E:
Sample Certification of Compliance with BSCC Policies Regarding Debarment,
Fraud, Theft and Embezzlement**

Required Attachment: Applicants will be prompted to upload this document from the [RSAT webpage](#) to the BSCC Submittable portal.

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 proposal submission 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 <small>(This document must be signed by the person who is authorized to sign the Grant Agreement.)</small>			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable) X			DATE

Attachment F: Sample Criteria for Non-Governmental Organizations Receiving Subawards

Required Attachment: Applicants will be prompted to upload this document from the [RSAT webpage](#) to the BSCC Submittable portal.

Instructions: The form on the following page must be submitted with the proposal even if there are no plans to subcontract at the time of submission, or if the name of the subcontract party is unknown. In either of these cases, the applicant should write “N/A” in the Name of Subcontracted Party column and complete the signature box. A signature on this form provides an assurance to BSCC that the signing authority has read and acknowledged these terms.

The RSAT Grant Program RFP includes requirements that apply to non-governmental organizations (NGOs)⁴ providing services with grant funds. Grantees are responsible for ensuring that all contracted third parties continually meet these requirements as a condition of receiving funds. The RFP describes these requirements as follows:

Any non-governmental organization that receives RSAT Grant Program funds (as either a subgrantee or subcontractor) must:

- Have been duly organized, in existence, and in good standing for at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the RSAT Grant Program 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 (6) 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;
- Be registered with the California Office of the Attorney General, Registry of Charitable Trusts, if applicable;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have a valid business license, if applicable;
- Have no outstanding civil judgments or liens; and
- 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.

Completing the NGO Assurance (next page)

1. Provide the name of the Applicant Agency (the Grantee).
2. List all contracted parties (if known*).
3. Check Yes or No to indicate if each contracted part meets the requirements.
4. Sign and submit with the proposal.

***NOTE:** If the name of the contracted party is unknown or if there will be no contracted parties. Write N/A in the “Name of Contracted Party” field and sign the document.

⁴ For the purposes of this RFP, NGOs include nonprofit and for-profit community-based organizations, faith-based organizations, evaluators (except government institutions such as universities), grant management companies, and any other non-governmental agency or individual.

Grantee:

RSAT Grant Program Non-Governmental Organization (NGO) Assurances			
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 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 RSAT RFP. These records will be subject to all records and retention language in the Standard Agreement.

The BSCC will not disburse or reimburse for costs incurred by any third party 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 NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (e-signature acceptable) X			DATE

Attachment G: Glossary of Key Terms

Recidivism

Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed (date of offense) within three years of placement on supervision for a previous criminal conviction.

https://www.bscc.ca.gov/s_recidivism/

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 Proposals, CBOs and nonprofit organizations are referred to as Non-Governmental Organizations (NGOs).

Process Evaluation versus Outcome Evaluation

Process Evaluation⁵

The purpose of the process evaluation is to assess how program activities are being carried out in accordance with goals and objectives. Process measures are designed to answer the question: “What is the program actually doing and is this what we planned it to do?” Examples of process measures could include:

- Project staff have been recruited, hired and trained according to the proposal.
- Activities/strategies have been implemented on time according to the proposal.
- Number of interagency agreements entered into by the program compared to the number planned.
- Number of trainings conducted.
- Number of neighborhood meetings conducted.

Outcome Evaluation⁶

The purpose of the outcome evaluation is to identify whether the program “worked” in terms of achieving its goals and objectives. Outcome measures are designed to answer the question: “What results did the program produce?” Examples of outcome measures include:

- Results of pre/post surveys (e.g., changes in the reported confidence/trust in law enforcement among community members).
- Implementation of regular, ongoing community forums where law enforcement/community dialogue takes place.
- Changes in policies at the Lead Agency level to reflect procedural justice principles.

⁵Justice 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/nijec/publications/program-evaluation.pdf>.

⁶ *Id* at pp. 7-8.

In an evidence-based practice approach, outcome evaluations must include not only the measures but also analysis of the extent to which the measured results can be attributed to the program rather than to coincidence or alternative explanations.

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 statements⁷:

- To reduce the number of serious and chronic program participants.
- To reduce the number of program participants with addiction-related needs.
- To increase the amount of in-custody treatment provided to program participants.

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 elements⁹:

- 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 objectives⁸:

- By the end of the program, drug-addicted participants will recognize the long-term consequences of drug use.
- To place eligible participants in an aftercare service within two weeks of release to ensure participants accountability and community safety.
- To ensure that participants carry out all of the terms of their probation.
- To place eligible participants in job training within 8 weeks.

⁷ *Id.* at p. 4.

⁸ *Id.*

Attachment F-2

**Residential Substance Abuse Treatment (RSAT) Program
2021 Executive Steering Committee**

	Name	Title	Organization
1	Dean Growdon, Chair	Sheriff-Coroner	Lassen County Sheriff's Department & BSCC Board Member
2	Douglas Snell	Captain, Prison Programs	California Department of Corrections and Rehabilitation
3	Renee Smith	Criminal Justice Program Services Manager	Solano County Sheriff's Office
4	Jared Sparks	Lieutenant	Inyo County Sheriff's Office
5	Jennifer Kaufman	Bureau Chief	Los Angeles County Probation Department

Agenda Item G

MEETING DATE: November 16, 2023

AGENDA ITEM: G

TO: BSCC Chair and Members

FROM: Gregory Hosman, Interim Deputy Director,
gregory.hosman@bscc.ca.gov

SUBJECT: Standards and Training for Corrections Compliance Report and Annual Update: **Information Only**

Summary

Section 318 of Title 15 of the California Code of Regulations directs the Board of State and Community Corrections (BSCC) to annually monitor local correctional agency compliance with the Standards and Training for Corrections (STC) Program. This agenda item provides compliance findings and program information for the STC Division for Fiscal Year (FY) 2022-23.

Background

Program Statistics for Fiscal Year 2022-23

In Fiscal Year 2022-23, 150 Sheriffs' Offices, Departments of Corrections, Probation Departments and Police Departments participated in the STC Program.

Participation in the STC program is voluntary. Agencies that choose to participate in the program receive access to selection exams that have been validated for correctional classifications and technical assistance to support their training programs. STC administers \$20.9 million annually for participating agencies to offset the cost of meeting STC standards.

Attachment G-1 provides data reflecting the number of:

- STC participating agencies for FY 2022-23;
- STC participating staff by job classification;
- Job applicants tested using BSCC's selection examinations by position;
- STC training hours by type of training; and
- STC staff training hours received by job classification.

These tables also provide comparative data for FY 2021-22.

Compliance Findings for Fiscal Year 2022-23

In accordance with Penal Code section 6035 and section 318 of Title 15 of the California Code of Regulations, STC is required to annually monitor participating agencies' adherence to the standards, policies and procedures of the STC Program. The purpose of this compliance monitoring process is to ensure that each agency operates in accordance with its approved and funded Annual Training Plan, the program regulations, and the law.

Of the 150 agencies that participated in the STC Program in 2022-23, 136 agencies were found to be “In Compliance” and 14 agencies were found to be “Out of Compliance” with STC training requirements (Attachment G-2).

Across the state, in FY 2022-23 there were 31 staff who did not receive the required core training within one year of assignment and 25 staff who did not receive all their required annual training. Note, however, 31,084 individuals participate in the STC program. As such, the number of staff not meeting the full STC training requirement represents less than one quarter of one percent of local corrections personnel statewide.

In Compliance: 136 agencies

An agency is “in compliance” when it has met 100 percent of its training obligation, or if mitigating circumstances were identified that prevented an agency from meeting its training obligation. Each training file with a mitigating circumstance was evaluated to determine whether it met the criteria required by policy and adopted by the Board, which states:

Agencies can be found in compliance if staff fail to meet the training standard but meet the following criteria for approved mitigating circumstances:

- a. an employee’s significant unanticipated leave at the end of the fiscal training year made it impractical to complete the required training;
- b. an employee was absent from work for six months or more within the fiscal training year;
- c. a personnel problem involving an employee, but the participating department has taken positive steps to correct the problem;
- d. an innocent error (e.g., record keeping error, clerical error, computer data entry error, etc.); or
- e. the number of staff or the number of hours lacking for full compliance is insignificant compared to the agency’s total training obligation, and this occurred despite the agency exercising due diligence in the management and oversight of the training program.

In addition to the above criteria, Field Representatives may consider other unforeseen or extraordinary circumstances such as cancellation or non-availability of training courses.

STC’s annual review found 136 agencies to be in compliance with the policy.

Out of Compliance: 14 agencies

An agency is “out of compliance” when it has not met 100 percent of its training obligation and does not meet the criteria for an approved mitigating circumstance. Fourteen agencies were found to be out of compliance with the requirements of the STC Program. Ten of those agencies are in their first year of non-compliance status and four agencies are out of compliance for a second consecutive year.

The following are the mandatory sanctions adopted by the Board for local agencies found to be out of compliance:

- First Year: Notice to department head and respective county administrative officer (CAO) or city manager; detailed Annual Training Plan; corrective action plan; quarterly on-site technical review; regular quarterly allocation.
- Second Year: Notice to department head and county CAO or city manager; detailed Annual Training Plan; comprehensive corrective action plan; quarterly on-site STC monitoring; retroactive allocation of funds quarterly.
- Third Year: Deny department participation in the STC Program for one year.

Attachment G-3 contains a list of agencies that are out of compliance, the number of eligible staff, the minimum required training hours and the number of staff that failed to meet the training standard. Attachment G-4 provides a compliance history for all participating agencies.

All agencies found to be out of compliance for FY 2022-23 have submitted responsive corrective actions plans, as required by the STC, to remedy the deficiencies in the subsequent fiscal year.

It should be noted that in FY 2022-23, COVID-19 was no longer considered a mitigation issue for correctional training. Many agencies were still relying heavily on virtual training, and STC maintained a list of certified courses for agency reference. Still, others are using on-the-job training modules and delivering training on-site and some agencies are participating in multiple on-site locations throughout California. The barriers and available solutions are unique to each agency and STC is working closely with participating agencies to assist them.

STC Activities in the Field

In addition to monitoring local corrections agencies for compliance with training requirements, STC Field Representatives perform the following functions throughout the year:

- certify courses submitted by local agencies and providers;
- sit in and monitor STC-certified courses to ensure they meet STC standards; and
- provide technical assistance to agencies struggling to meet STC requirements.

STC also offers two in-house certified training courses: a Training Managers' Course (TMC) and an Instructor Development Course (IDC). The TMC is a two-day course offered at least four times per year, to new training managers and their staff, to familiarize them with STC policies and procedures, their agency's roles and responsibilities as a participant in the STC program, and funding, reimbursement and course certification processes. STC offers this course in both a virtual and in-person setting.

Recommendation/Action Needed

This is an information item and does not require Board action.

Attachments

- G-1: FY 2022-23 STC Program Statistics
- G-2: FY 2022-23 Compliance Monitoring Findings
- G-3: FY 2022-23 Out of Compliance Agencies
- G-4: STC Compliance History

Attachment G-1

FY 2022-23 STC Program Statistics

1. STC Participating Agencies

Agency Type	Fiscal Year 2021/22	Fiscal Year 2022/23
Probation Departments	59	59
Sheriffs' Office	55	55
Police Departments	35	35
Local Departments of Corrections	1	1
Total Participating Departments	150	150

2. Participating STC Staff by Category

Category	Fiscal Year 2021/22	Fiscal Year 2022/23	Gain/Loss
Adult Corrections Officers	15,408	15,527	119
Juvenile Corrections Officers	4,907	4,766	-141
Probation Officers	6,331	6,282	-49
Supervisors, Adult Corrections	1,690	1,724	34
Supervisors, Probation	1,590	1,597	7
Managers, Adult Corrections	451	452	1
Managers, Probation	479	477	2
Administrators, Adult Corrections	120	115	-5
Administrators, Probation	141	144	3
Total Participating Staff	31,117	31,084	-29

3. STC Selection Examinations Administered by Position

Position	Fiscal Year 2021/22	Fiscal Year 2022/23
Adult Corrections Officers	3,842	4,216
Juvenile Corrections Officers	4,315	5,545
Probation Officers	2,669	1,995
Total Exams Administered	10,826	11,756

4. STC Training Hours Completed by Type

Type of Training	Fiscal Year 2021/22	Fiscal Year 2022/23
Annual Hours	800,448	777,880
Core Hours	400,764	510,413
Total Training Hours	1,201,212	1,288,293

5. STC Staff Training Hours by Category

Category	Fiscal Year 2021/22	Fiscal Year 2022/23
Adult Corrections Officers	555,633	607,218
Juvenile Corrections Officers	173,208	189,696
Probation Officers	304,827	313,283
Supervisors	128,392	133,760
Managers	31,616	36,168
Administrators	7,536	8,168
Total Staff Training Hours	1,201,212	1,288,293

6. STC Delivered Training

Category	Fiscal Year 2022/23
Training Managers Course	5
Instructor Development Course	9
Test Development	
Lesson Plan Development	4
Using STC's Learning Portal	9
New Training Manager/Private Provider Orientation	22
Course Monitoring	39
Total Courses Delivered	88

Attachment G-2

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
1	Alameda County	Probation Department	◆	
2	Alameda County	Sheriff's Office	◆	
3	Alpine County	Probation Department	◆	
4	Amador County	Probation Department	◆	
5	Amador County	Sheriff's Office	◆	
6	Anaheim	Police Department	◆	
7	Bell Gardens	Police Department	◆	
8	Berkeley	Police Department	◆	
9	Burbank	Police Department	◆	
10	Butte County	Probation Department	◆	
11	Butte County	Sheriff's Office	◆	
12	Calaveras County	Probation Department	◆	
13	Calaveras County	Sheriff's Office	◆	
14	Chula Vista	Police Department	◆	
15	Claremont	Police Department	◆	
16	Colusa County	Probation Department	◆	
17	Colusa County	Sheriff's Office	◆	
18	Contra Costa County	Probation Department	◆	
19	Contra Costa County	Sheriff's Office	◆	
20	Covina	Police Department	◆	
21	Del Norte County	Probation Department	◆	
22	Del Norte County	Sheriff's Office		1
23	El Dorado County	Probation Department	◆	
24	El Dorado County	Sheriff's Office	◆	
25	El Monte	Police Department	◆	
26	Fresno County	Probation Department	◆	
27	Fresno County	Sheriff's Office	◆	
28	Gardena	Police Department	◆	
29	Glendale	Police Department	◆	
30	Glendora	Police Department	◆	
31	Glenn County	Probation Department	◆	
32	Glenn County	Sheriff's Office	◆	
33	Hawthorne	Police Department	◆	
34	Hayward	Police Department	◆	
35	Hermosa Beach	Police Department	◆	
36	Humboldt County	Probation Department	◆	

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
37	Humboldt County	Sheriff's Office	◆	
38	Huntington Beach	Police Department	◆	
39	Huntington Park	Police Department	◆	
40	Imperial County	Probation Department	◆	
41	Imperial County	Sheriff's Office	◆	
42	Inglewood	Police Department	◆	
43	Inyo County	Probation Department	◆	
44	Inyo County	Sheriff's Office	◆	
45	Kern County	Probation Department	◆	
46	Kern County	Sheriff's Office	◆	
47	Kings County	Probation Department	◆	
48	Kings County	Sheriff's Office	◆	
49	Lake County	Probation Department	◆	
50	Lake County	Sheriff's Office	◆	
51	Lassen County	Probation Department	◆	
52	Lassen County	Sheriff's Office	◆	
53	Lompoc	Police Department	◆	
54	Long Beach	Police Department	◆	
55	Los Angeles	Police Department	◆	
56	Los Angeles County	Probation Department	◆	
57	Los Angeles County	Sheriff's Office	◆	
58	Madera County	Probation Department	◆	
59	Madera County	Sheriff's Office	◆	
60	Manhattan Beach	Police Department	◆	
61	Marin County	Probation Department	◆	
62	Marin County	Sheriff's Office		2
63	Mariposa County	Probation Department	◆	
64	Mariposa County	Sheriff's Office	◆	
65	Mendocino County	Probation Department	◆	
66	Mendocino County	Sheriff's Office		2
67	Merced County	Probation Department	◆	
68	Merced County	Sheriff's Office	◆	
69	Modoc County	Probation Department	◆	
70	Modoc County	Sheriff's Office	◆	
71	Mono County	Probation Department	◆	
72	Mono County	Sheriff's Office	◆	

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
73	Monterey	Police Department	◆	
74	Monterey County	Probation Department	◆	
75	Monterey County	Sheriff's Office		2
76	Monterey Park	Police Department	◆	
77	Napa County	Dept. of Corrections		1
78	Napa County	Probation Department	◆	
79	Nevada County	Probation Department	◆	
80	Nevada County	Sheriff's Office	◆	
81	Newport Beach	Police Department	◆	
82	Orange County	Probation Department	◆	
83	Orange County	Sheriff's Office	◆	
84	Palos Verdes Estates	Police Department		1
85	Pasadena	Police Department	◆	
86	Placer County	Probation Department	◆	
87	Placer County	Sheriff's Office	◆	
88	Plumas County	Probation Department	◆	
89	Plumas County	Sheriff's Office	◆	
90	Pomona	Police Department	◆	
91	Redondo Beach	Police Department	◆	
92	Riverside County	Probation Department	◆	
93	Riverside County	Sheriff's Office	◆	
94	Sacramento County	Probation Department		1
95	Sacramento County	Sheriff's Office		1
96	San Benito County	Probation Department	◆	
97	San Benito County	Sheriff's Office	◆	
98	San Bernardino County	Probation Department	◆	
99	San Bernardino County	Sheriff's Office	◆	
100	San Diego County	Probation Department	◆	
101	San Diego County	Sheriff's Office	◆	
102	San Fernando	Police Department	◆	
103	San Francisco Co Adult	Probation Department	◆	
104	San Francisco Co Juv.	Probation Department		1
105	San Francisco County	Sheriff's Office	◆	
106	San Joaquin County	Probation Department	◆	
107	San Joaquin County	Sheriff's Office	◆	
108	San Luis Obispo Co	Probation Department	◆	

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
109	San Luis Obispo Co	Sheriff's Office	◆	
110	San Mateo County	Probation Department	◆	
111	San Mateo County	Sheriff's Office	◆	
112	Santa Ana	Police Department	◆	
113	Santa Barbara County	Probation Department	◆	
114	Santa Barbara County	Sheriff's Office	◆	
115	Santa Clara County	Probation Department	◆	
116	Santa Clara County	Sheriff's Office	◆	
117	Santa Cruz County	Probation Department	◆	
118	Santa Cruz County	Sheriff's Office	◆	
119	Santa Monica	Police Department	◆	
120	Shasta County	Probation Department	◆	
121	Shasta County	Sheriff's Office	◆	
122	Sierra County	Probation Department	◆	
123	Signal Hill	Police Department	◆	
124	Siskiyou County	Probation Department	◆	
125	Siskiyou County	Sheriff's Office		1
126	Solano County	Probation Department	◆	
127	Solano County	Sheriff's Office	◆	
128	Sonoma County	Probation Department	◆	
129	Sonoma County	Sheriff's Office	◆	
130	South Gate	Police Department	◆	
131	Stanislaus County	Probation Department	◆	
132	Stanislaus County	Sheriff's Office	◆	
133	Sutter County	Probation Department	◆	
134	Sutter County	Sheriff's Dept.		1
135	Tehama County	Probation Department	◆	
136	Tehama County	Sheriff's Office		1
137	Torrance	Police Department	◆	
138	Trinity County	Probation Department	◆	
139	Trinity County	Sheriff's Office		2
140	Tulare County	Probation Department	◆	
141	Tulare County	Sheriff's Office	◆	
142	Tuolumne County	Probation Department	◆	
143	Tuolumne County	Sheriff's Office	◆	
144	Ventura County	Probation Department	◆	

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
145	Ventura County	Sheriff's Office	◆	
146	West Covina	Police Department		1
147	Yolo County	Probation Department	◆	
148	Yolo County	Sheriff's Office	◆	
149	Yuba County	Probation Department	◆	
150	Yuba County	Sheriff's Office	◆	
TOTALS		150	136	14

Attachment G-3

STC Agencies Found Out of Compliance in FY 2022-23

	Agency	Number of Eligible Positions	Positions Filled	Number of Staff Out of Compliance	Percent of Staff Out of Compliance	Summary of Non-Compliance Issues*
1	Del Norte Sheriff	14	17	7	41%	6 Annual; 1 Core
2	Marin Sheriff	84	84	4	5%	4 Core
3	Mendocino Sheriff	50	49	12	24%	12 Annual
4	Monterey Sheriff	197	172	4	2%	4 Core
5	Napa Department of Corrections	83	74	1	1%	1 Annual
6	Palos Verdes Estates Police	7	8	2	25%	2 Core
7	Sacramento Probation	566	534	N/A	N/A	Administrative
8	Sacramento Sheriff	484	443	9	2%	1 Annual; 8 Core
9	San Francisco Juvenile Probation	100	95	6	6%	3 Core; 3 Annual
10	Siskiyou Sheriff	22	25	4	2%	4 Core
11	Sutter Sheriff	60	50	3	6%	3 Core
12	Tehama Sheriff	41	30	2	7%	2 Annual
13	Trinity Sheriff	20	19	1	5%	1 Core
14	West Covina Police	7	7	1	14%	1 Core

*Core = Staff failed to complete the required core academy within one year of assignment.
 Annual = Staff failed to complete the required number of annual training hours.

Attachment G-4

STC Compliance History

Fiscal Year	Total Participating Agencies	Out of Compliance	Percent Out of Compliance	In Compliance
2013/14	156	11	7%	145
2014/15	156	7	4%	149
2015/16	161	6	4%	155
2016/17	161	4	2%	157
2017/18	161	9	6%	152
2018/19	160	8	5%	152
2019/20	157	2	1%	155
2020/21	152	4	3%	148
2021/22	150	14	9%	136
2022/23	150	14	9%	136

Agenda Item H

MEETING DATE: November 16, 2023**AGENDA ITEM:** H**TO:** BSCC Chair and Members**FROM:** Allison Ganter, Deputy Director, allison.ganter@bscc.ca.gov**SUBJECT:** Opioids in Local Detention Facilities - Review of Survey:
Requesting Approval

Summary

At the June 15, 2023 Board Meeting, Board members discussed the increasing incidence of overdoses in both adult and juvenile local detention facilities. The Board requested that BSCC staff develop a survey to assess the impact of overdoses in adult and juvenile local detention facilities.

Background

In response to the BSCC Board's request, BSCC staff have designed a survey to assess the occurrence of drug overdoses within local detention facilities by collecting information related to the availability of, and incidents of, opioid antagonist (e.g., Narcan) use within the facilities. The survey focuses on the availability of and use of opioid antagonists as a proxy for the occurrence of drug overdoses within local detention facilities. There are challenges associated with getting access to medical information that would definitively confirm opioid overdoses involving people housed in detention facilities. Data on the use of opioid antagonists should be readily available within local detention facilities and information related to their use should be reasonably easy to obtain.

BSCC staff will begin collecting information in January 2024, first requesting baseline data on the availability of opioid antagonists available within the facility and preparing facilities to track incidents of the use of opioid antagonists. In April 2024, the BSCC will begin collecting, on a quarterly basis, the total number of uses of opioid antagonists during each month. BSCC staff will collect data from each individual facility for the duration of 2024 and will provide updates to the BSCC Board throughout the year. A summary report will be provided to the BSCC Board subsequent to the conclusion of the reporting period.

Recommendation/Action Needed

Staff recommends that the Board approve the Survey of Opioid Antagonists in Local Detention Facilities and direct staff to begin collecting information in January 2024.

Attachments

H-1: Draft Survey of Opioid Antagonists in Local Detention Facilities

H-2: Survey of Opioid Antagonists in Local Detention Facilities – Overview

Attachment H-1

Use of Opioid Antagonists in Local Detention Facilities

Note: Before completing this survey, review the *Survey Overview* which provides detailed instructions and pertinent definitions of key terms.

General Information

1. Please select the reporting period. [dropdown menu which will include the baseline of 2023 and each quarterly reporting period]
2. Please select your county. [dropdown menu]
3. Please select the facility name. You may only select one facility at a time and will need to submit a separate form for each facility. [dropdown menu, will only include list of facilities for the county selected in question 2]
4. Please enter the full name of the reporting person. [text box]
5. Please enter your email address. [text box]

Availability of Opioid Antagonists within the Facility

6. Does your agency have an opioid antagonist (e.g., Naloxone/Narcan) available within the detention facility? The information provided should be for the last day of the reporting period. [check boxes, single selection only]
 - a. Yes
 - b. No
7. [If yes to question 6] How is the opioid antagonist available within the facility? The information provided should be for the last day of the reporting period. [check boxes, check all that apply]
 - a. On custodial staff person
 - b. Accessibly by facility medical staff
 - c. Accessible to custodial staff supervisors
 - d. Accessibly to detained individuals (e.g., inside housing unit, common area)
 - e. Other (please describe) [text box]
8. [If no to question 6] When external medical responders (e.g., paramedics) respond to medical emergencies in the facility, do they have an opioid antagonist available? The information provided should be for the last day of the reporting period. You may need to check with your local agencies for external medical responders (e.g., paramedics) to answer this question. [check boxes, single selection only]
 - a. Yes
 - b. No

Incidents of Opioid Antagonist Use within the Facility

[Question 9 for baseline survey]

9. Report the total number of unique incidents in which an opioid antagonist was administered for each month in 2023. If these data were not collected during the reporting month, enter N/A. [text boxes, one for each month]

January 2023:

February 2023:

March 2023:

April 2023:

May 2023:

June 2023:

July 2023:

August 2023:

September 2023:

October 2023:

November 2023:

December 2023:

[Question 9 for quarterly survey]

9. Report the total number of unique incidents in which an opioid antagonist was administered for each of the months in the reporting period with Month 3 being the most recent month. [text boxes, one for each month]

Month 1:

Month 2:

Month 3:

Attachment H-2

USE OF OPIOID ANTAGONISTS WITHIN LOCAL DETENTION FACILITIES

Survey Overview

What is an Opioid Antagonist?

An opioid antagonist is medication that reverses respiratory depression during an opioid overdose. There are several opioid antagonists currently available including but not limited to Naloxone (Narcan), Naltrexone (ReVia), and Nalmefene (Revex).

What is the purpose of this survey?

The purpose of this survey is to better understand the occurrence of drug overdoses within local detention facilities (adult and juvenile) by collecting information related to the availability of and incidents of opioid antagonist use within the facilities.

Why focus on the use of opioid antagonists?

Collecting information to understand the occurrence of drug overdoses within local detention facilities is challenging. These challenges include (1) the considerable time and resource requirements necessary to confirm whether an incident is indeed the result of a drug overdose; and (2) the limited ability to share medical information between agencies (i.e., medical entities and detention agencies). Combined, these challenges result in reporting delays that limit the ability to identify important data shifts or trends in a timely manner. To overcome these challenges, the BSCC focused on the availability of and use of opioid antagonists, information more readily available to local detention facilities, to serve as a proxy for the occurrence of drug overdoses within local detention facilities.

How do you define an “Incident of Opioid Antagonist Use” within a facility?

When reporting the number of unique incidents of opioid antagonist use, data reporters are provided the following guidance:

- To the extent possible, exclude those incidents of opioid antagonist use that were later determined to not be in response to an overdose situation (e.g., turned out to be any other medical issue).
- If there are multiple doses of an opioid antagonist provided to one person during a single incident, count that as one incident. The intent is to count the number of incidents, not the number of doses/administrations.
- If one person had distinctly separate incidents during the reporting period (e.g., one incident on Tuesday and another on Friday) count them as two incidents.
- Count any incident where opioid antagonists were administered within the facility (regardless of who administered it).

When will the information be collected?

A baseline survey will be released in January 2024. The baseline survey will collect information about the availability of opioid antagonists within the facility as of December 31, 2023, and the number of incidents in which an opioid antagonist was used for each of the previous 12 months, if available.

The purpose of the baseline survey is two-fold:

1. To obtain baseline data on incidents of opioid antagonist use in local detention facilities as well as look for possible trends over the course of 2023.
2. To prepare facilities to track incidents of opioid antagonist use and be ready to report on a quarterly basis throughout 2024.

Beginning in April 2024, surveys will be released on a quarterly basis through January 2025. These quarterly surveys will request information about the availability of opioid antagonists within the facility as of the last day of the reporting period and the number of incidents in which an opioid antagonist was used for each of the three months in the reporting period.

Please refer to the table below for the survey schedule and each reporting period.

Survey	Release	Reporting Period	Due Date
Baseline	January 2024	Availability: as of Dec. 31, 2023 Incidents: for each month of 2023 (if available)	January 31, 2024
Q1 2024	April 2024	Availability: as of Mar. 31, 2024 Incidents: Jan., Feb., & Mar. 2024	April 30, 2024
Q2 2024	July 2024	Availability: as of Jun. 30, 2024 Incidents: Apr., May, & Jun. 2024	July 31, 2024
Q3 2024	October 2024	Availability: as of Sep. 30, 2024 Incidents: Jul., Aug., & Sep. 2024	October 31, 2024
Q4 2024	January 2025	Availability: as of Dec. 31, 2024 Incidents: Oct., Nov., & Dec. 2024	January 31, 2025

Will the survey continue after January 2025?

January 2025 is currently the last planned administration of the survey. Leading up to this date, the BSCC will reassess whether there is a need to continue the survey.

Who will receive and complete the survey?

Each agency (probation department, sheriff department) is asked to designate one person as the “agency data reporter” regardless of how many facilities there are within the jurisdiction. Unless notified, the BSCC will assume that this data reporter is the individual designated for one of the BSCC’s existing surveys (Jail Profile Survey or the Juvenile Detention Profile Survey).

How does a county with multiple facilities report the information?

The information requested in the survey will be collected for each local detention facility. If a county has more than one facility, a separate survey must be completed for each facility.

Have questions about this survey?

For general questions about this survey please email BSCC-Mail@bscc.ca.gov. Data reporters who have specific data reporting questions should email Research@bscc.ca.gov.

DRAFT

Written Public Comments



Feedback on Board of State and Community Corrections Opioid Survey

The undersigned community based organizations and advocacy groups are grateful that the BSCC is interested in better understanding the occurrence of drug overdoses within local detention facilities. Because the BSCC does not often send out statewide surveys of this kind, and considering the recent and concerning increase of in-custody overdose deaths across the state, we encourage the BSCC to expand the scope of this survey beyond opioid antagonist use. While we understand the difficulties in measuring the impact of drugs on the lives and wellbeing of incarcerated people, we feel that opioid antagonist use alone is an insufficient proxy for understanding this complex issue. Impacted families, incarcerated people, and local advocates often struggle to obtain crucial information about how Sheriff's Departments and Probation Departments are working to prevent and appropriately respond to overdoses in custody. The questions on the current survey draft will yield very little information from counties that do not closely track their opioid antagonist use in custody. We ask that the BSCC include the following questions so we can better understand how local law enforcement and the BSCC can further prevent tragic and avoidable drug overdoses in facilities.

1. Are facilities researching best practices for reducing smuggling of drugs, unsafe drug use and overdoses? If so, please share those best practices.
2. What procedures, if any, are in place to ensure jail staff aren't bringing drugs to facilities? How are line staff searched before entering facilities?
3. What is your disciplinary policy when opioids are found on staff? What is your disciplinary policy when opioids are found on an incarcerated individual?
4. What overdose prevention education programming is in place in facilities? What training and education is happening for all jail/facility staff on how to administer Naloxone/Narcan? What training is available to incarcerated people on how to administer Naloxone/Narcan. What is the cadence of these trainings?
5. What assessment is made upon booking to address whether an individual has an ongoing substance use history?
6. Are facilities using harm reduction models like Medication Assisted Treatment (MAT)? If so, do you continue MAT care for people who enter the jail on a MAT program? Do you have a MAT induction program for people who request MAT at the jail? What are the requirements to receive MAT at the jail? How many people are enrolled in these programs? How do overdose rates among the MAT-enrolled population compare to overdose rates prior to the use of the MAT program?
7. If an opioid is used/found, what are the facilities policies for aftercare and support? When an overdose occurs, what is the average time for a medical responder to arrive at the facility? What is the policy around notifying family members?
8. How do you identify people who require withdrawal monitoring? Do you have a housing unit specifically designated for people who require withdrawal monitoring? Do nurses conduct rounds with people who require withdrawal care? If so, how often?



8. What units are experiencing a prevalent use of opioids? What support is offered in units where opioid use and possession is prevalent?

9. When opioid antagonists are used, how often is it administered by jail staff vs incarcerated people?

10. If your facility provides opioid antagonists, where are they located in each facility?

Question 6 of the draft survey asks: *Does your agency have an opioid antagonist (e.g., Naloxone/Narcan) available within the detention facility? The information provided should be for the last day of the reporting period. [check boxes, single selection only]*

- a. Yes
- b. No

We suggest adding as a follow up: *If you answered no, please expand on why your facility does not have access to an opioid antagonist (e.g., Naloxone/Narcan).*

Agenda Item I

MEETING DATE: November 16, 2023**AGENDA ITEM:** I**TO:** BSCC Chair and Members**FROM:** Allison Ganter, Deputy Director allison.ganter@bscc.ca.gov**SUBJECT:** Proposed Revisions to Section 1046 (Death in Custody) of Title 15 of California Code of Regulations: **Requesting Approval**

Summary

This agenda item requests that the Board begin the process of revising regulations for adult local detention facilities to report in-custody deaths in advance of the appointment of the Director of In-custody Death Review, a new position created by Senate Bill (SB) 519 (Chapter 306, Statutes of 2023).

Background

On October 4, 2023, Governor Newsom signed SB 519, which establishes the Director of In-Custody Death (Director) and, beginning July 1, 2024, requires the Director to “review investigations of any death incident... occurring within a local detention facility.” Following these reviews, the Director shall “make specific and customized recommendations to the sheriff or administrator of the local detention facility who operates the local detention facility regarding those incidents, including changes to policies, procedures, and practices, facility upgrades, staffing considerations, the delivery of medical and behavioral health services within local detention facilities, and operational and capital funding requirements to address the director’s recommendations.” (Pen. Code, § 6034, subd. (b).)

The BSCC is in the initial planning stages of preparing for these new requirements. Part of this preparation is anticipating any regulation revisions that may be necessary to facilitate the Director’s review of investigations of death incidents.

Government Code section 12525 requires correctional and law enforcement agencies to report in writing to the Attorney General within 10 days following any death that occurs while in the agency’s custody. Existing section 1046 of Title 15 of the California Code of Regulations requires each facility administrator to conduct an initial review of each in-custody death within 30 days. The regulation also requires that if a minor housed in an adult facility dies while in custody, that a copy of the report submitted to the Attorney General pursuant to Government Code Section 12525 is submitted to the BSCC within 10 calendar days of the death.

BSCC staff anticipates that the Director will need access to the initial review of each in-custody death and a copy of the Government Code section 12525 report to the Attorney General. BSCC staff is proposing to add language to Section 1046 of Title 15 that would require the facility administrator to provide a copy of each initial review of death in custody to the BSCC within 60 days of the death, and that a copy of the Attorney General’s report is submitted for all deaths, adult and juvenile, within 10 days of the death. The regulation would

also specify the minimum contents of the review, including information on the time, place, and circumstances surrounding the in-custody death.

BSCC is requesting approval to begin the rulemaking process for revisions to Section 1046 to ensure that final revisions are effective by July 1, 2024. Beginning the rulemaking process will include providing notice to the Office of Administrative law and opening a 45-day public comment process.

Staff is also requesting that if no changes result from the public comment process, that the Board provide approval to file the final revision as drafted in this report to the Office of Administrative Law.

Recommendation/Action Needed

BSCC Staff recommends the following:

1. That the Board direct staff to begin the rulemaking process for revisions to Title 15, Section 1046 as proposed.
2. That the Board direct staff to bring a final package for approval if substantive revisions are made to the draft language during the regulatory making process; and
3. That if no substantive changes are made to the draft regulatory language that staff is directed to file the final regulatory package with the Office of Administrative Law and that this Board action constitute the final approval.

Attachments

I-1: Proposed Revisions to Title 15, Section 1046, Death in Custody

Attachment I-1

1046. Death in Custody

~~(a) Death in Custody Reviews for Adults and Minors. The facility administrator shall develop written policy and procedures to comply with the in-custody death reporting requirements of Government Code section 12525. The facility administrator shall submit a copy of the report filed pursuant to section 12525 to the BSCC within 10 days of an in-custody death.~~

~~(b) The facility administrator, in cooperation with the health administrator, shall develop written policy and procedures to~~ conduct ~~ensure that there is~~ an initial review and complete a written report of every in-custody death within 30 days of the death. The ~~review team that conducts the initial review at a minimum~~ shall include, at a minimum, the facility administrator or designee, the health administrator, the responsible physician and other health care, and supervision staff who are relevant to the incident.

Deaths shall be reviewed to determine the appropriateness of clinical care; whether changes to policies, procedures, or practices are warranted; and to identify issues that require further study.

~~(c) The facility administrator shall submit a copy of the initial review report of every in-custody death to the BSCC within 60 days of the death. The facility administrator shall provide a copy of the initial review report that comports with the disclosure requirements of section 832.10 of the Penal Code.~~

The initial review report shall contain the following information:

(1) Demographic information

- (A) Full name of the decedent
- (B) Date of birth
- (C) Date of death
- (D) Time of death
- (E) Gender
- (F) Race and ethnicity
- (G) Relevant medical history

(2) Facility Information

- (A) Name and location of the detention facility
- (B) Description of the location where the death occurred within the facility
- (C) Date and time of the incident
- (D) Detention facility personnel (including names and roles) involved in the reporting of the death or incident

(3) Any relevant circumstances leading up to death, including behavioral health or medical issues.

~~(b) Death of a Minor~~

~~(d)~~ In any case in which a minor dies while detained in a jail, lockup, or court holding facility: the BSCC may inspect and evaluate the jail, lockup, or court holding facility

pursuant to the provisions of this subchapter within 30 calendar days of the death. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

~~(1) The administrator of the facility shall provide to the Board a copy of the report submitted to the Attorney General under Government Code Section 12525. A copy of the report shall be submitted within 10 calendar days after the death.~~

~~(2) Upon receipt of a report of death of a minor from the administrator, the Board may within 30 calendar days inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.~~

Agenda Item K

MEETING DATE: November 16, 2023

AGENDA ITEM: K

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director, allison.ganter@bscc.ca.gov

SUBJECT: Local Detention Facilities Inspection Update: **Information Only**

Summary

This report is a regular update on the local detention facility inspections completed in the 2023/2024 Biennial Inspection Cycle and a summary of current outstanding items of noncompliance.

Background

The 2023/2024 Biennial Inspection Cycle began on January 1, 2023, and will conclude on December 31, 2024. BSCC staff continue to track the corrective action plan status of items of noncompliance identified during inspections. We are on track to have all inspections completed by the end of December.

The list of outstanding items of noncompliance at adult detention facilities during the 2023/2024 cycle can be found here:

<https://app.smartsheet.com/b/publish?EQBCT=4f9dd585796945d2806d39284b9d190a>

The list of items of noncompliance for juvenile detention facilities is located here:

<https://app.smartsheet.com/b/publish?EQBCT=98032562aae146ed9b9d7102a46e8b1e>

There are no current items of noncompliance that require immediate attention (i.e., coded as red in the above links), and staff is not recommending any formal action at this time. Items of noncompliance that have been resolved are located at the bottom of each dashboard.

Recommendation/Action Needed

Information only.

Attachments

K-1: Outstanding Items of noncompliance: [ADULT](#) | [JUVENILE](#)