

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS



November 17, 2022
Board Meeting Agenda
& Reports



WWW.BSCC.CA.GOV

916-445-5073

KATHLEEN T. HOWARD
Executive Director, BSCC

BOARD MEMBERS

LINDA M. PENNER
Chair, BSCC

KATHLEEN ALLISON
Secretary, CDCR

GUILLERMO VIERA ROSA
Director, Adult Parole
Operations, CDCR

DEAN GROWDON
Sheriff, Lassen County

SHANNON D. DICUS
Sheriff
San Bernardino County

CINDY CHAVEZ
Supervisor
Santa Clara County

KIRK HAYNES
Chief Probation Officer
Fresno County

KELLY M. VERNON
Chief Probation Officer
Kings County

JANET GAARD
Retired Judge
Yolo County

ANDREW MILLS
Chief of Police
City of Palm Springs

SCOTT BUDNICK
Founder
Anti-Recidivism Coalition
Film Producer

MIGUEL GARCIA
Specialist
Office of Youth & Community
Restoration

NORMA CUMPIAN
Associate Director
Anti-Recidivism Coalition
Women's & Non-Binary
Services

BOARD MEETING AGENDA

November 17, 2022
10:00 a.m.

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

Zoom link & instructions appear at the end of the Agenda

Masking and social distancing are strongly recommended, but not required, for those participating in-person.

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 Items

1. Chair's Report
2. Executive Director's Report
 - COVID-19 Update
3. Legal Update
4. Legislative Update

III. Action: Consent Items

- A. Minutes from the September 8, 2022 Board Meeting: **Requesting Approval**
- B. Proposition 47 Cohort II Grant Program, 12-Month, No-Cost Extension: **Requesting Approval**

IV. Action: Discussion Items

- C. Medication-Assisted Treatment Grant Program, Appointment of Chair and Establishment of an Executive Steering Committee: **Requesting Approval**
- D. California Violence Intervention and Prevention (CalVIP) Grant Program Service Contracts: **Requesting Approval**
- E. Title II Grant Program Funding Recommendations: **Requesting Approval**
- F. Mobile Probation Service Centers Grant – Request for Proposals: **Requesting Approval**
- G. Standards and Training for Corrections Compliance Report and Annual Update: **Information Only**
- H. Local Detention Facilities Inspection Update: **Requesting Approval**

V. Public Comments

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

VI. Adjourn

Next Board Meeting: February 9, 2023

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.

Webinar ID: 871 9362 0557

Join Zoom*: [November 17, 2022 Board Meeting](#)

Or join by phone:

Dial: US: +1 669 900 9128 or +1 669 444 9171

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

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:

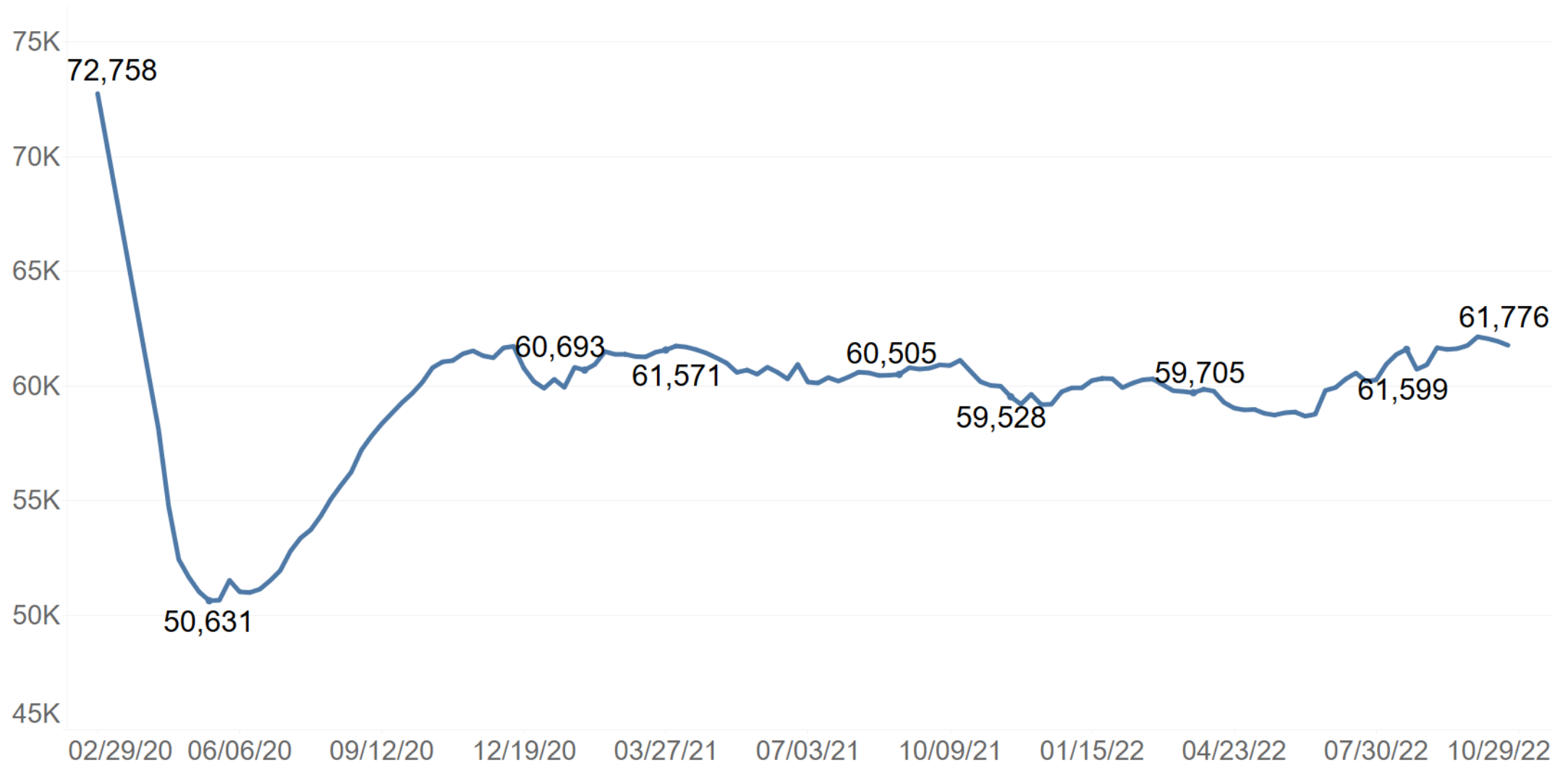
Adam.Lwin@bscc.ca.gov or call (916) 324-2626.

*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*

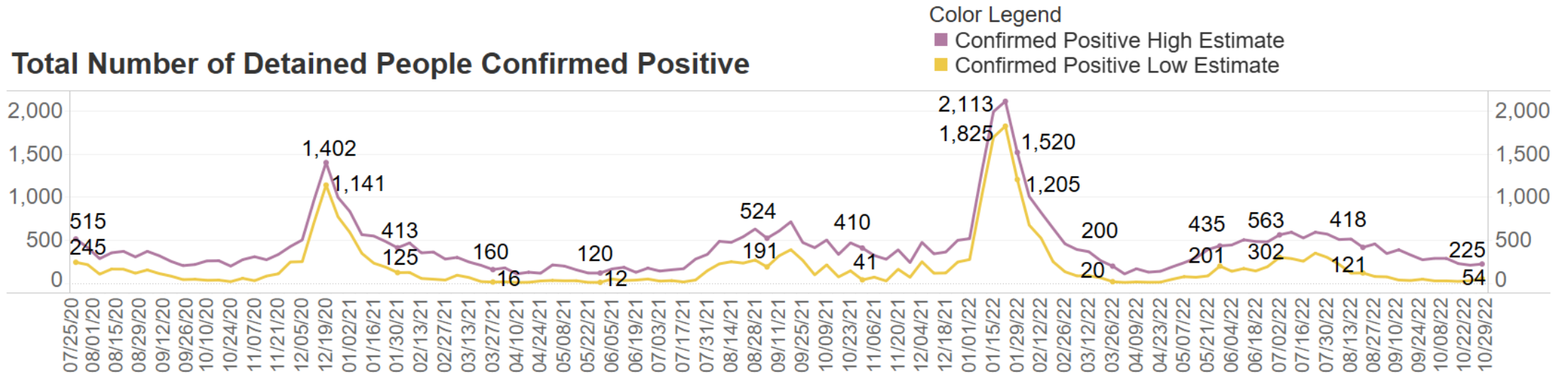
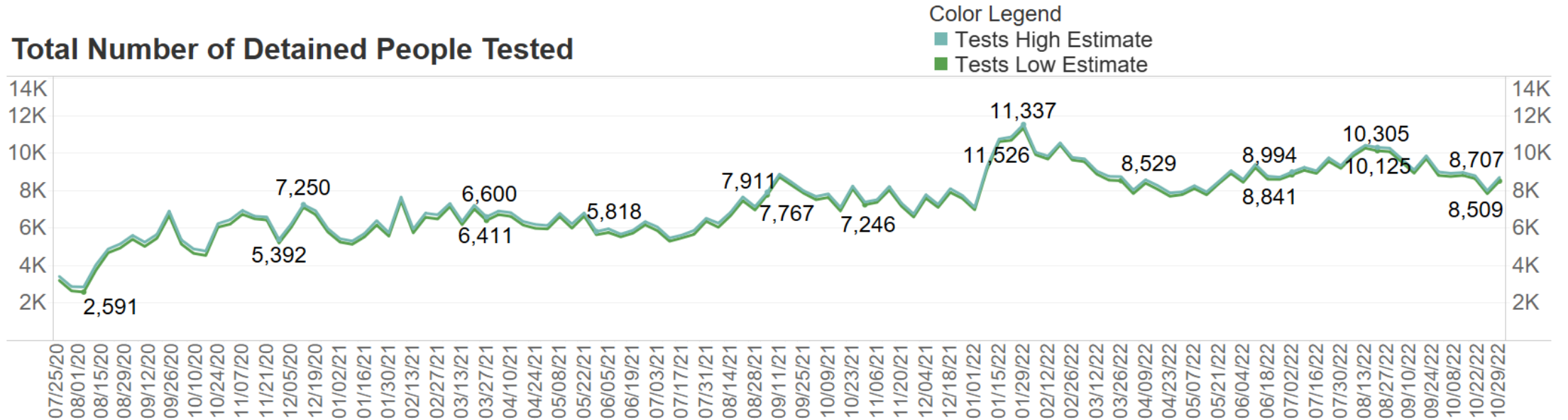
Information Item 2
COVID - Update

Recent Population Trends in County Jails

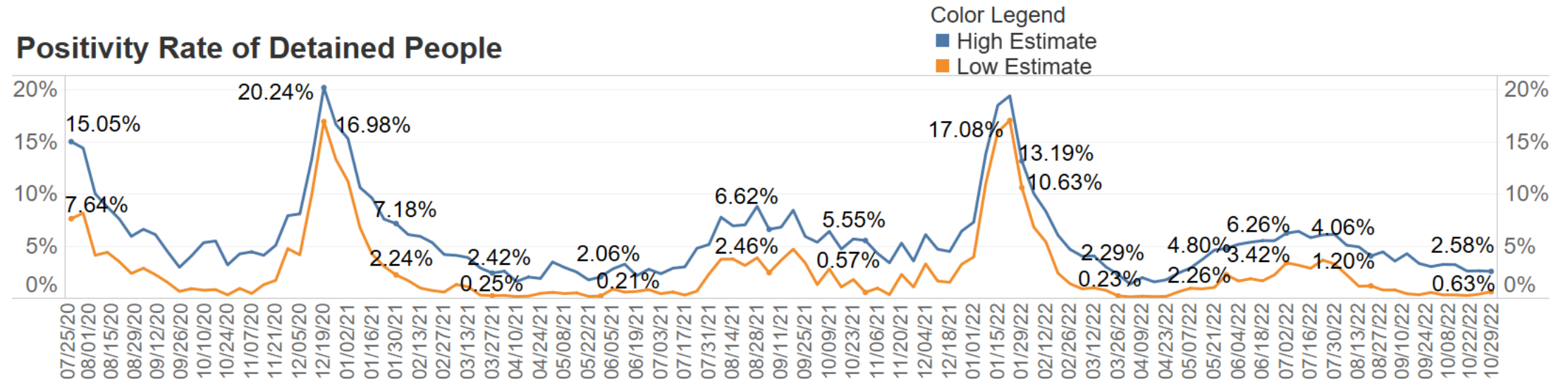
Statewide Average Daily Population of Detained People from 2/29/20 to 10/29/22



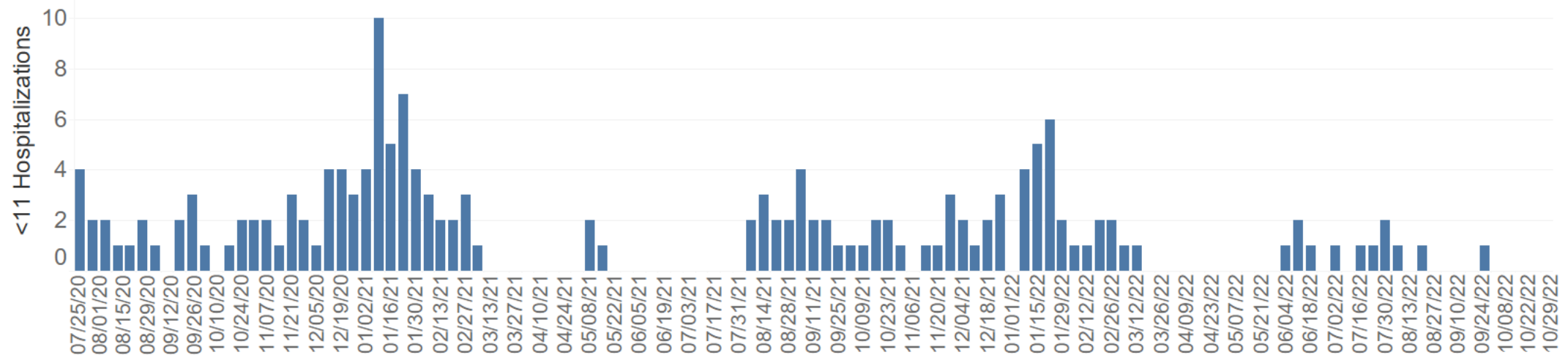
Recent COVID-19 Case Trends in County Jails



Recent COVID-19 Case Trends in County Jails

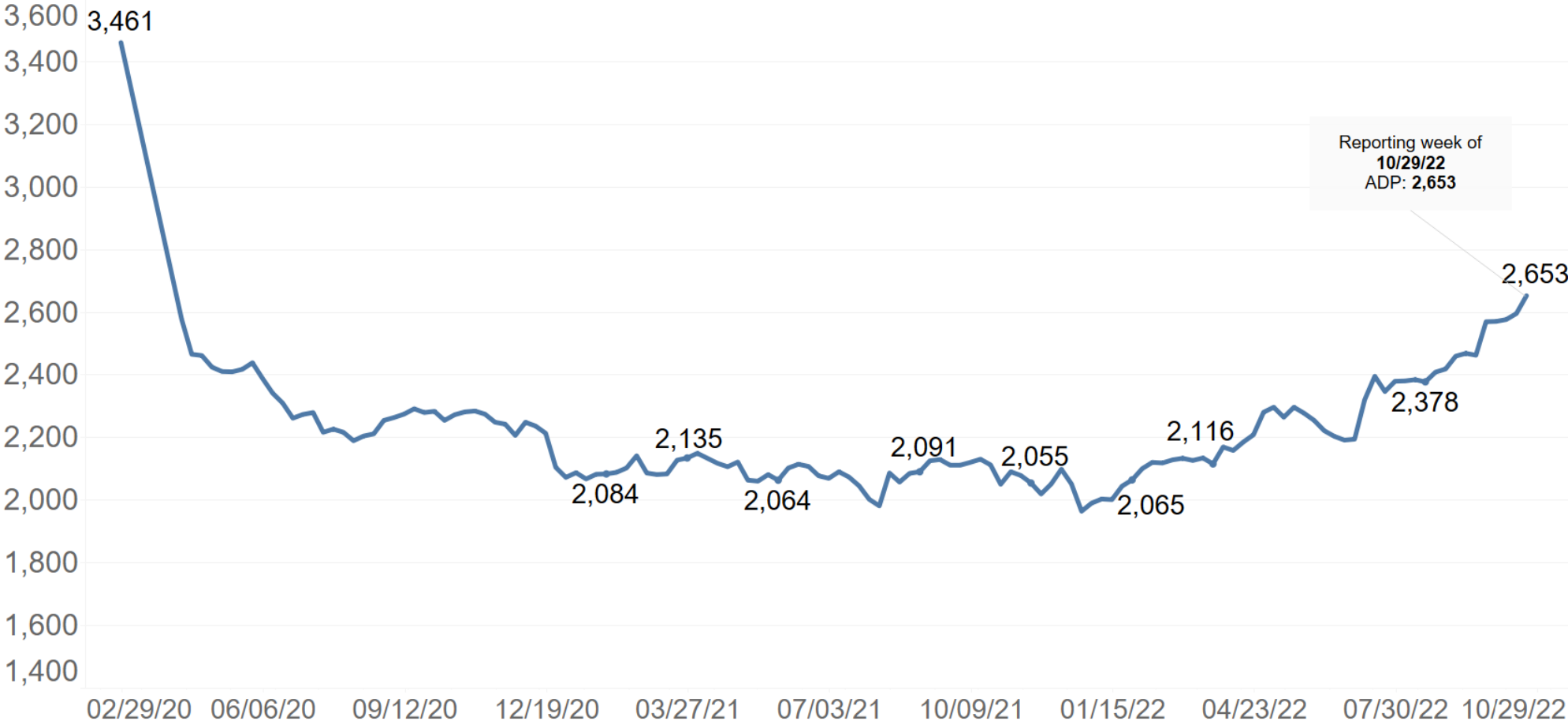


Hospitalizations of Detained People



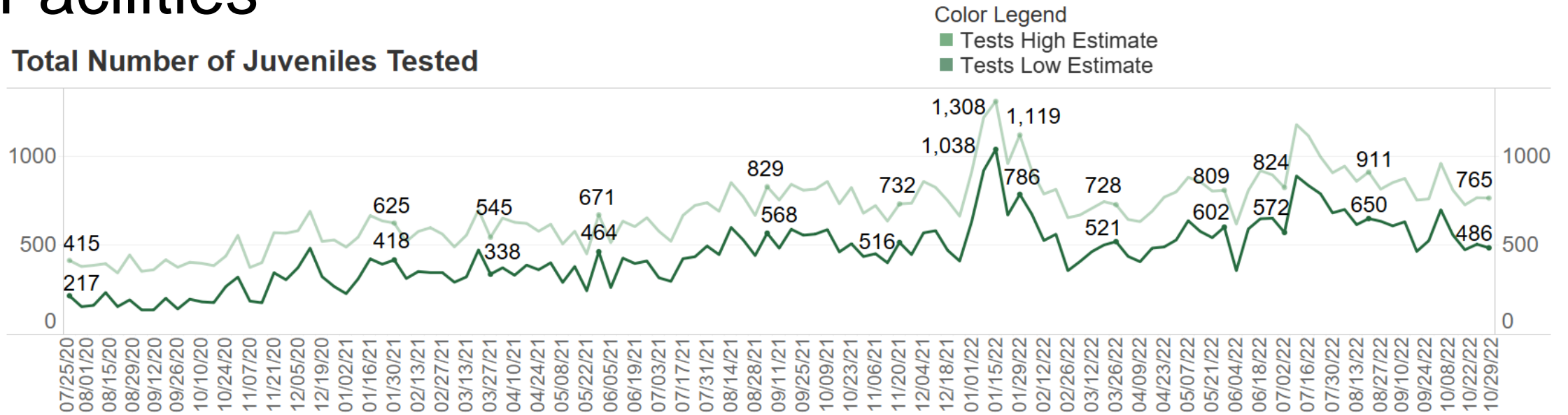
Recent Population Trends in County Juvenile Facilities

Statewide Average Daily Population of Juveniles in County Detention Facilities from 2/29/20 to 10/29/22

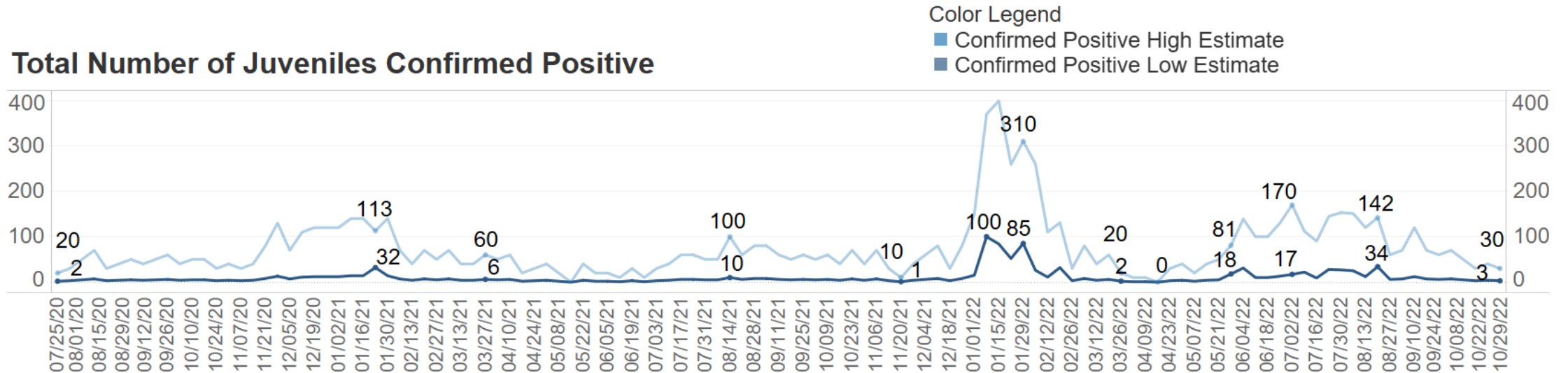


Recent COVID-19 Case Trends in County Juvenile Facilities

Total Number of Juveniles Tested

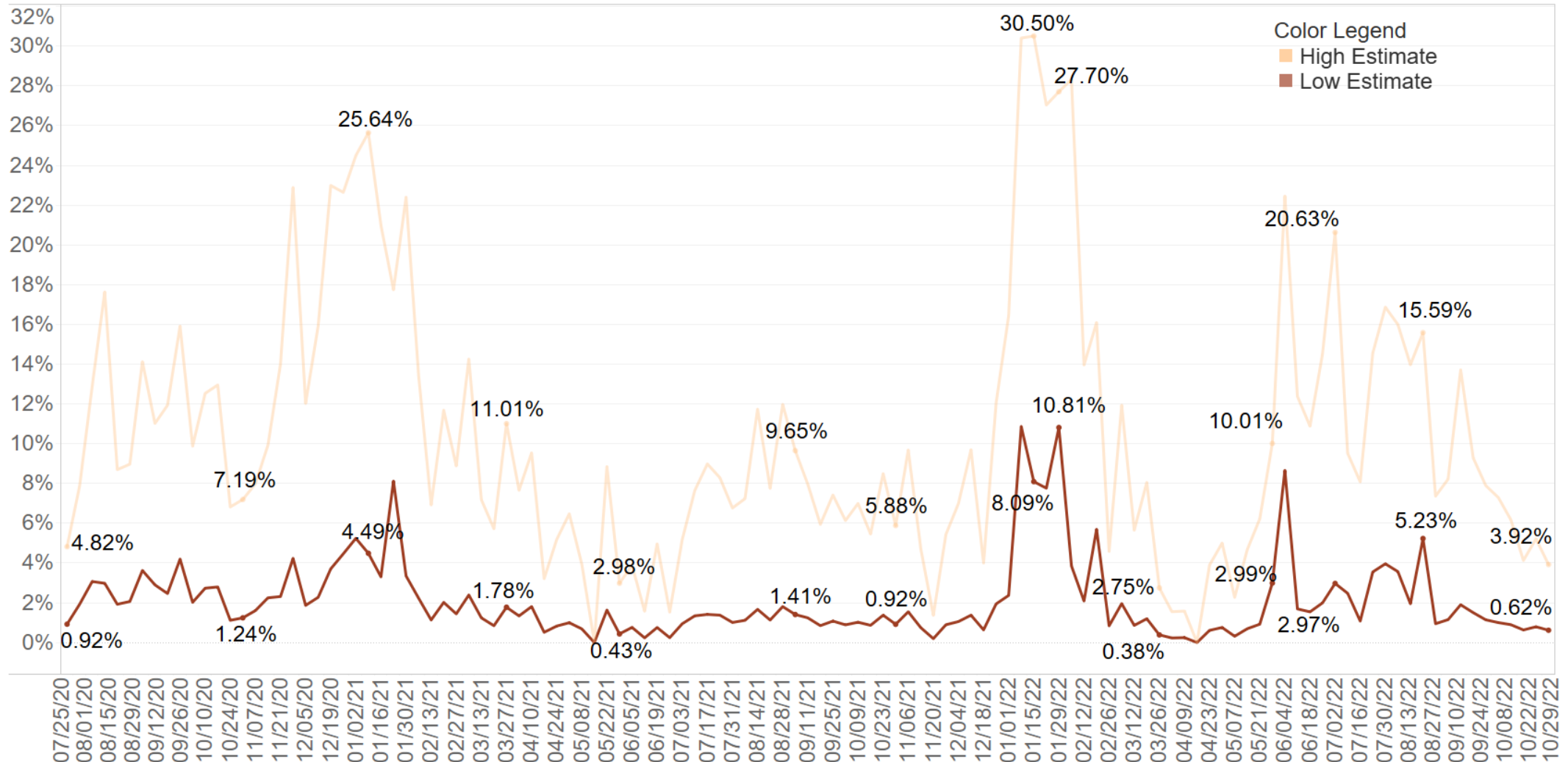


Total Number of Juveniles Confirmed Positive



Recent COVID-19 Case Trends in County Juvenile Facilities

Positivity Rate of Juveniles



Information Item 4
Legislative Update

	Bill & Author	Summary/ Version	BSCC Duties Impact	Status
1	<p><u>AB 731</u></p> <p><u>County jails: recidivism: reports</u></p> <p><u>Assemblymember Bauer-Kahan, Rebecca</u></p> <p><u>(D-16)</u></p>	<p>ENROLLED AUGUST 26, 2022</p> <p>This bill would have required the sheriff in each county to compile and submit to the BSCC on or before January 1, 2023 and would have required the board to compile a report based upon those findings and submit the report to the Legislature by July 2023.</p> <p>Governor's Message:</p> <p><i>To the Members of the California State Assembly: I am returning Assembly Bill 731 without my signature. This bill requires the sheriff in each county to compile and send extensive data to the Board of State and Community Corrections (Board) about educational and rehabilitative programs in county jail and their success rates in reducing recidivism. It further requires the Board to report to the legislature. While I agree that data relating to the efficacy of local programs is important, this bill is overly broad and creates a large mandate, potentially costing the state millions of dollars. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety, and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom</i></p>	<p>Would have required the BSCC to collect and compile data then submit a report to the Legislature.</p>	<p>9/28/22</p> <p>Vetoed by Governor</p>

2	<p><u>AB 2294</u></p> <p><u>Diversion for repeat retail theft crimes</u></p> <p><u>Assemblymember</u></p> <p><u>Jones-Sawyer (D-59)</u></p>	<p>CHAPTER 856</p> <p>This bill, until January 1, 2026, would include in the reasons for nonrelease that the person has been cited, arrested, or convicted for misdemeanor or felony theft from a store in the previous 6 months and that there is probable cause to believe that the person arrested is guilty of committing organized retail theft.</p> <p>Upon appropriation by the Legislature, and until January 1, 2026, the Board of State and Community Corrections is to award a competitive grant funding to four or more county superior courts or county probation departments to create demonstration projects to reduce the recidivism of high-risk misdemeanor probationers. The board shall develop reporting requirements for the participating entities and would require those entities to report the results of the demonstration project to the board. The board shall be required to report to the Legislature and county criminal justice officials two years after the appropriation by the Legislature a report that compiles the information it receives from each county receiving a grant. This remains in effect until January 1, 2026, and as of that date is repealed.</p>	<p>Upon appropriation by the Legislature, the BSCC will administer the grant in accordance with the provisions therein.</p>	<p>9/30/22</p> <p>Approved by the Governor.</p> <p>Chaptered by Secretary of State</p> <p>Chapter 856, Statutes of 2022.</p>
---	---	---	---	--

3	<p><u>AB 2321</u></p> <p><u>Juveniles: room confinement</u></p> <p><u>Assemblymember</u></p> <p><u>Jones-Sawyer (D-59)</u></p>	<p>CHAPTER 781</p> <p>This bill limits exclusion of minors or wards who are confined in a juvenile facility to periods of no longer than two (2) hours. The bill would also require minors and wards who are confined to be provided reasonable access to toilets at all hours. By increasing the duties of local entities in connection with local juvenile facilities, the bill would impose a state-mandated local program.</p>	<p>Title 15 regulations will reflect the updated changes and is being discussed as part of the juvenile regulations revision process.</p>	<p>9/29/22</p> <p>Approved by the Governor.</p> <p>Chaptered by Secretary of State</p> <p>Chapter 781, Statutes of 2022.</p>
---	--	--	---	--

4	<p><u>AB 2343</u></p> <p><u>Board of State and Community Corrections</u></p> <p><u>Assemblymember</u></p> <p><u>Weber (D-79)</u></p>	<p>ENROLLED SEPTEMBER 01, 2022</p> <p>This bill would have added two additional members to the board, a licensed health care provider and a licensed mental health care provider, each appointed by the Governor, subject to confirmation by the Senate.</p> <p>Would have also required the board to develop and adopt regulations pertaining to standards of care for incarcerated persons with mental health issues by local correctional facilities, including requirements for training of correctional staff in-service training of correctional officers shall include no fewer than four hours of training on mental and behavioral health annually. Requirements for mental health screening, and requirements for 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.</p> <p>Governor's Message:</p> <p><i>To the Members of the California State Assembly: I am returning Assembly Bill 2343 without my signature. This bill would, commencing July 1, 2023, require the Board of State and Community Corrections (BSCC) to develop and adopt minimum mental health care standards for local correctional facilities and would add both a licensed healthcare provider and a licensed mental health provider to the Board. BSCC has had a thirteen-member board since 2013. I am concerned that adding two members unnecessarily grows the board and could impede its ability to timely carry out its mission. For this reason, I cannot sign this bill.</i></p>	<p>Would have added two additional members to the Board and required the Board to make changes to Title 15 regulations and STC training standards.</p>	<p>9/29/22</p> <p>Vetoed by Governor.</p>
---	--	---	--	---

5	<p><u>AB 2417</u></p> <p><u>Juveniles: Youth Bill of Rights</u></p> <p><u>Assemblymember Ting (D-19)</u></p>	<p>CHAPTER 786</p> <p>Under current law, the Youth Bill of Rights applies to youth confined in a facility of the Division of Juvenile Justice in the Department of Corrections and Rehabilitation.</p> <p>This bill would make the Youth Bill of Rights applicable to youth confined in any juvenile justice facility. The bill would further require, as part of the Youth Bill of Rights, that youth have access to postsecondary academic and career technical education and programs and access to information regarding parental rights, among other things. The bill would require the Division of the Ombudsperson of the Office of Youth and Community Restoration, in consultation with other specified parties, to develop standardized information explaining these rights no later than July 1, 2023.</p>	<p>Will be discussed as part of the juvenile regulations revision process and incorporated into Title 15, when appropriate.</p>	<p>9/29/22</p> <p>Approved by the Governor.</p> <p>Chaptered by Secretary of State</p> <p>Chapter 786, Statutes of 2022.</p>
---	--	---	---	--

<p>6</p>	<p><u>AB 2632</u></p> <p><u>Segregated confinement</u></p> <p><u>Assemblymember Holden</u></p> <p><u>(D-41)</u></p>	<p>ENROLLED SEPTEMBER 01, 2022</p> <p>Would require every jail, prison, public or privately operated detention facility, and a facility in which individuals are subject to confinement or involuntary detention to develop and follow written procedures governing the management of segregated confinement. Would prohibit involuntarily placing an individual in segregated confinement if the individual belongs to a special population, including, among others, that the individual has a mental or physical disability or that the individual is under 26 years of age or over 59 years of age. Require the facility to additionally periodically check on the individual and have a medical or mental health professional periodically assess the individual. Require a facility to offer out-of-cell programming to individuals in segregated confinement for at least 4 hours per day. Authorize a facility to use segregated confinement to help treat and protect against the spread of communicable disease and other specified provisions.</p> <p>Governor's Message:</p> <p><i>To the Members of the California State Assembly: I am returning Assembly Bill 2632 without my signature. This bill would establish rules governing the use of segregated confinement within prisons, jails, and detention facilities. I have prioritized improving the conditions within custodial settings, and I support limiting the use of segregated confinement. Segregated confinement is ripe for reform in the United States -- and the same holds true in California. AB 2632, however, establishes standards that are overly broad and exclusions that could risk the safety of both the staff and incarcerated population within these facilities. Specifically, this bill would categorically prohibit the placement of large portions of the incarcerated population in segregated housing- even if such a placement is to protect the safety of all incarcerated individuals in the institution. I am additionally concerned that the restrictions in this bill could interrupt the rehabilitation efforts of other incarcerated people and the staff at these facilities. But in light of the deep need to reform California's use of segregated confinement, I am directing the California Department of Corrections and Rehabilitation (CDCR) to develop regulations that would restrict the use of segregated confinement except in limited situations, such as where the individual has been found to have engaged in violence in the prison. To this end, when placement in segregated confinement is necessary, these regulations must include utilization of small group yards, when feasible and available, and development of a positive behavioral model to aid in rehabilitation efforts.</i></p>	<p>Would have impacted Title 15 regulations.</p>	<p>9/29/22</p> <p>Vetoed by Governor.</p>
----------	---	--	--	---

Agenda Item A

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY SEPTEMBER 8, 2022 – 10:00 A.M.
BOARD MEETING

Meeting Held In-Person, Zoom & Teleconference

Board Room
2590 Venture Oaks Way
Sacramento, California, 95833

The full recording of the meeting can be viewed here:
<https://www.youtube.com/watch?v=x1-kJeStvPQ>

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.

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

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

The following members were in attendance:

Chair Penner	Mr. Dicus	Ms. Gaard	Mr. Budnick
Ms. Allison	Ms. Chavez	Mr. Mills	
Mr. Viera Rosa	Mr. Haynes	Mr. Garcia	
Mr. Growdon	Ms. Vernon	Ms. Cumpian	

II. Information Items

1. Chair's Report

Chair Penner reported on her recent visit to the Los Angeles County Barry J. Nidorf Juvenile Hall with Board Member Scott Budnick and Deputy Director Allison Ganter. Penner reported that based on her own observations, it appears that recent issues of safety for youth and staff have improved and the Board will continue to monitor the facility closely and keep the Board apprised of any outstanding issues.

2. Executive Director's Report

a. [COVID-19 Update: Power Point Presentation](#)

Executive Director Kathleen Howard reported on the COVID-19 Data:

- In recent weeks, the ADP has increased to 62,000.
- Total Number of Detained People Tested has increased in recent weeks across the majority of facilities. The number of confirmed positive cases has held steady following the increase in January 2022.
- In the last six weeks, there has been a slight decline in confirmed cases.
- After the increase in January 2022, positivity rates returned to pre-January spike levels. Rates are currently comparable to what they were this time last year.
- After the increase of hospitalizations in January 2022, hospitalizations have also decreased. There were no hospitalizations reported from March 13, 2022 through May 21, 2022. In the last four weeks, there have been 4 <11 hospitalizations reported.
- Deaths: Sixteen <11 figures have been reported during the data collection period. All fifteen <11 figures have been confirmed to be one death per <11 reported. 1 death in Fresno, 6 deaths in Los Angeles, 1 death in Marin, 1 death in Mariposa, 1 death in Mendocino, 2 deaths in Orange, 1 death in Santa Barbara, and 3 deaths in San Diego. The most recent death reported is from reporting period ending on 2/12/22, the first reported death since 9/18/21.
- Total number of juveniles tests have returned to typical figures following a fluctuation in testing between June 4, 2022 and July 16, 2022. Testing had been trending down until after 4th of July weekend, where there was a small spike likely due to case increases in past years.
- Despite increased testing during the post-July 4 period, there was only a slight increase in confirmed positives for the low, more conservative estimate of confirmed positive tests.

Executive Directors Report Continued:

- Howard noted Consent Item D: [Establishing Process for Emergency Grantmaking Procedures](#), which addresses a recommendation from the State Auditor in the 2021 audit of the Coronavirus Emergency Supplemental Fund (CESF) Grant.
- Howard reported that [Assembly Bill 179 Budget Act of 2022](#) provided \$10 million to the BSCC to administer the Medicated Assisted Treatment Grant (MAT). Staff will bring a recommendation to launch an ESC for this grant to the November Board meeting.
- Howard also noted Agenda Item I: *Proposition 47 Grant Program: [Evaluation of Program Participation and Analysis of Outreach to Underserved Communities](#)*, which focuses on improving the Proposition 47 grant program through two separate research projects.
- Howard also reported that there has been difficulty in seating Executive Steering Committees. For the next cohort on Prop 64 and Byrne JAG, we are proposing today that RFP modifications that have been drafted by staff be release for public comment, and that scoring panels should be used to rate the proposals received.
- Howard said that that the BSCC is moving to a new online program for the submission of grants, and the Proposition 64 and Byrne/JAG grants will be the first to use the new software, which is called Submittable.
- The software is intended to address the issues that most often lead to technical disqualification of grants.

3. Legal Update

- General Counsel Aaron Maguire reminded Board Members to review the Agenda Items and recuse themselves of items that may have potential conflicts of interest pursuant to Government Code section 1091.
- Maguire reported on recent decision out of the Ninth Circuit: *The City and County of San Francisco vs. Garland*, which related to conditions imposed by the Trump Administration on JAG, Title II, and the RSAT grants. This was the final case and counties will be able to freely use these funds.
- Maguire also reported that the Board will need to meet in closed session after voting on the consent agenda.

4. Legislative Update

Legislative Analyst Adam Lwin provided an update on the following bills that impact the BSCC:

- [AB 2343](#) by Assemblymember Dr. Akilah Weber would add two additional Board members to the current 13-member board: a mental health care provider and a licensed health care provider. The bill would also require the Board to promulgate regulations on safety check and intake, which have already been taken care of in Adult Regulations Revisions. AB 2343 also requires four hours of mental and behavioral health content as part of the annual training for correctional officers.
- Lwin also mentioned AB 731 (Bauer-Kahan), which would require the Sheriff of each county to submit to the BSCC specified recidivism data until 2027.
- [AB 2632](#) by Assemblymember Holden would require local detention facilities to develop written procedures on segregated confinement. It would also require the BSCC to monitor for compliance and report to the Legislature annually.

Public Comment was heard for the Information Items

Nancy Juarez: Asked that BSCC require counties to upload crucial COVID-19 data and establish routine tests to ensure incarcerated people and staff are safe and tested regularly.

End of Public Comment

III. Action: Consent Items

- A. [Minutes from the July 25, 2022 Board Meeting: Requesting Approval](#)
- B. [Proposed 2023 Board of State and Community Corrections Meeting Schedule: Requesting Approval](#)

This Agenda item requested Board approval of the following 2023 Board meeting dates:

- February 9, 2023
- April 13, 2023
- June 15, 2023
- July 27, 2023
- September 14, 2023
- November 16, 2023

D. [Establishing Process for Emergency Grantmaking Procedures: Requesting Approval](#)

This Agenda item requested Board's approval of the following:

- Approve the updated [Grant Proposal Evaluation Process \(September 2022\)](#), make it effective immediately, and authorize its posting on the BSCC website

Mr. Growdon moved approval. Mr. Dicus seconded. The motion was approved by all other Board members for Agenda items A, B and D.

C. [Adult Title 15 Regulations: Final Approval of Proposed Regulations for Submission to Office of Administrative Law: Requesting Approval](#)

This Agenda item requested approval of the following:

- Approve the modifications to text of proposed regulations in the [Title 15 Minimum Standards for Local Detention Facilities: Text of Modified Regulations](#)
- Approve the final rulemaking package
- Direct staff to submit the final rulemaking package to the Office of Administrative Law including the modified text of the proposed regulations, final proposed regulations, final statement of reasons, and any other final rulemaking documents required by the Administrative Procedures Act.

Mr. Growdon moved approval. Ms. Allison seconded. Ms. Chavez Abstained. The motion was approved by all other Board members for Agenda Item C.

IV. Closed Session

Board Members went into Closed Session at 10:37 a.m.

Consultation with Legal Counsel Regarding Significant Exposure to Litigation and Deciding Whether to Initiate Litigation (Gov. Code, § 11126, subd. (e)(1) & (e)(2)(B)-(C).)

Ms. Gaard recused from Closed Session discussion.

Board Members returned from Closed Session at 11:30 a.m.

V. Action: Discussion Items

E. [Proposition 64 Health and Safety Grant Program, Cohort III Request for Proposals: Requesting Approval](#)

This Agenda item was presented by Field Representative Helene Zentner, which requested approval of the Proposition 64 Health & Safety Grant Program Cohort 3 Request for Proposals development process.

Staff recommended the Board:

- Approve the modified Prop 64 PH&S Grant, Cohort 3 RFP for posting to the BSCC website for a 30-day written public comment period.
- Delegate authority to the ESC Chair, in consultation with staff, to release the Prop 64 PH&S Grant, Cohort 3 RFP, if there are only minor, non-substantive edits.
- Delegate authority to the ESC Chair to consider and incorporate relevant written public comments into the Prop 64 PH&S Grant, Cohort 3 RFP for Board consideration at its November meeting.
- Delegate authority to the ESC Chair to work with staff to establish a diverse Scoring Panel with relevant subject matter experts and to modify membership as needed, including the potential inclusion of BSCC staff as raters.
- Authorize the Scoring Panel to make funding recommendations; and
- Approve the proposed activities and tentative timeline associated with the Prop 64 PH&S Grant, Cohort 3 RFP.

Public Comment was heard:

Adwoa Akyianu: Stated concerns about cannabis marketing targeting young people. Stated the Proposition 64 funding should be allocated to larger counties with larger population.

End of Public Comment

Ms. Cumpian thanked the public speaker for her comment.

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

F. [Edward Byrne Memorial Justice Assistance Grant Program Request for Proposals: Requesting Approval](#)

This Agenda item was presented by Field Representative John Prince, and it requested the Board's approval for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Request for Proposals development process.

Staff recommended the Board:

- Approve the revised JAG RFP for posting to the BSCC website for a 30-day public comment period;
- Delegate authority to the ESC Chair to consider and incorporate non-substantive public comments into the JAG RFP;
- Delegate authority to the ESC Chair to consider and incorporate relevant written public comments into the JAG RFP for Board consideration at its November meeting;
- Delegate authority to the ESC Chair to work with staff to establish a diverse Scoring Panel with relevant subject matter expertise and to modify membership as needed, including the potential inclusion of BSCC staff as raters.
- Authorize the Scoring Panel to make funding recommendations; and
- Approve the proposed activities and tentative timeline associated with the JAG RFP.

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

G. [Adult Reentry Grant Cohort III Funding Recommendations: Requesting Approval](#)

This Agenda item was presented by Field Representative Tanya Thompson, and it requested Board's approval of the Adult Reentry Grant Program awards as recommended by the Executive Scoring Committee. A total of 103 community-based organizations would be funded. Twenty-Three community-based organizations would be eligible to receive \$58,900,000 for Rental Assistance, and 80 community-based organizations will be eligible to receive \$56,615,557 for Warm Handoff and Reentry Services. Proposals selected for funding would be under agreement from October 1, 2022, through April 30, 2026.

The full list of funding recommendation and their project summaries may be found below:

- [Adult Reentry Grant Proposals Recommended for Funding](#)
- [Adult Reentry Grant Proposal Summaries](#)

Ms. Vernon and Mr. Garcia echoed thanks to the Executive Steering Committee and the Staff for the work on the grant and getting the funding out to needed communities.

Mr. Growdon moved approval of the staff's recommendation, and further directed BSCC staff to take actions consistent with the Board's discussion in closed session. Mr. Garcia seconded. Ms. Gaard abstained. Mr. Budnick and Ms. Cumpian recused pursuant to Government Code section 1091. The motion was approved by all other Board members.

H. [California Violence Intervention and Prevention Grant Program \(CalVIP\) Funding Recommendations: Requesting Approval](#)

[CalVIP - Power Point Presentation](#)

This Agenda was presented by Field Representative Katrina Jackson and it requested the Board's approval to award the remaining \$53 million of a \$209 million allocation for the California Violence Intervention and Prevention (CalVIP) Grant Program. On June 9, 2022, the Board approved funding recommendations for 79 proposals totaling \$156,209,171. This agenda item proposed funding a total of 29 additional proposals. Five

proposals were submitted by cities disproportionately impacted by violence, 15 were submitted by community-based organizations, and nine were submitted by small scope CBOs.

Staff recommended the Board to:

- Fully fund five city proposals, 14 CBO, and eight small scope CBO proposals for programs and initiatives to prevent and reduce violence.
- Partially fund Urban Peace Institute and Hope Now for Youth, Inc., which fell at the funding cut-off on the CBO and Small Scope CBO rank ordered list.
- Authorize staff to continue to make awards from the rank-ordered list if any applicant is unable to accept the award or relinquishes an award, first by offering funds to any partial awardee and then to the next highest-ranked application(s); and
- Authorize staff to continue to make awards from the rank-ordered list if staff determines 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.

The full list of funding recommendation and their project summaries may be found below:

- [Proposals Recommended for Funding](#)
- [CalVIP Proposal Summaries](#)

Mr. Mills thanked the staff thanked the staff for the hard work on this grant.

Public Comment was heard

Jesus Sandoval: Described how he turned his life around as a former gang member and is now trying to reform youth in his own community. Thanked the Board for the grant funding and explained how these funds will further help the community.

John Jones III: Described his lived experience in the community and thanked the Board for the CalVIP funding.

Henry Community Healer: Asked for clarification of the cities awarded and the process for selection of the awardees and explained that the awards should be allocated to communities that really need the funding.

Chair Penner and Director Howard explained the award process the listed the cities that will receive the award and deferred the public speaker to the BSCC website at www.bscc.ca.gov.

End of Public Comment

Mr. Growdon moved approval of the staff's recommendation, and further directed BSCC staff to take actions consistent with the Board's discussion in closed session. Dicus seconded. Ms. Gaard abstained. Mr. Budnick and Ms. Cumpian recused pursuant to Government Code section 1091. Ms. Chavez was not present during the vote. The motion was approved by all other Board members.

I. [Proposition 47 Grant Program: Evaluation of Program Participation and Analysis of Outreach to Underserved Communities: Requesting Approval](#)

This Agenda Item was presented by Field Representative Dameion Renault and Research Data Specialist Stacy Rilea and proposed two projects to improve the Proposition 47 Grant Program:

- An outside, professional review and evaluation of the procedures for informing the field about the purpose and availability of Proposition 47 grant funding, with a focus on enhancing the number of qualified grant applicants across the state; and
- An analysis of the existing grantees' experiences in reaching underserved communities. Specifically, staff is interested in conducting semi-structured focus group interviews to examine strategies and procedures used by Proposition 47 grantees to successfully engage, recruit, and retain Latino participants.

The full projection description may be viewed here: [Evaluation Project Description](#)

Mr. Growdon stated that smaller counties are often ineligible for Prop 47 grants because they do not have CBOs in small counties and asked if there could be an exception for smaller governmental agencies.

Director Howard responded that those impediments would be reviewed in the study and reviewed for future RFPs.

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

J. Local Detention Facilities Inspection Update: Requesting Approval

This Agenda item was presented by Deputy Director Allison Ganter as a regular update on the local detention facility inspections completed in the 2020/2022 Biennial Inspection Cycle. Ganter provided a summary of current outstanding items of noncompliance for biennial inspections, and a summary of current outstanding items of noncompliance for targeted inspections.

The list of outstanding items of noncompliance, and their statuses may be viewed here: <https://app.smartsheet.com/b/publish?EQBCT=721da257110c4f80bd92d8215c165fe1>

The list of items of noncompliance for juvenile detention facilities may be viewed here: <https://app.smartsheet.com/b/publish?EQBCT=aafefb79b5d446b984d16a013d541c0d>

Ganter reported that the current inspection cycle will close December 31, 2022 and a new cycle will begin January 1, 2023, which will include comprehensive and unannounced inspections.

Mr. Growdon stated that the deficiency of the low number of personnel is a struggle and a common issue throughout the state.

Director Howard commended the FSO team for the enhancements in the inspection process in the field and the analytical staff for work they are currently doing.

This item did not require a vote.

VI. **Public Comments**

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

Sheri Wiedenhofer: Thanked the Board for the Adult Reentry Grant funding and said how beneficial it will be for the community and successful reintegration for the clientele.

VII. **Adjourn**

The Board adjourned at 12:31 p.m.

Next Board Meeting: November 17, 2022

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Ms. Allison, Secretary, California Department of Corrections & Rehabilitations (CDCR)
3. Mr. Viera Rosa, Director Division of Adult Parole (CDCR)
4. Mr. Growdon, Sheriff, Lassen County
5. Mr. Dicus, Sheriff, San Bernardino County
6. Ms. Chavez, Supervisor, Santa Clara County
7. Mr. Haynes, Chief Probation Officer, Fresno County
8. Ms. Vernon, Chief Probation Officer, Kings County
9. Ms. Gaard, Retired Judge, Yolo County
10. Mr. Mills, Chief of Police, Santa Cruz
11. Mr. Budnick, Founder, Anti-Recidivism Coalition
12. Mr. Garcia, Specialist, Office of Youth and Community Restoration
13. Ms. Cumpian, Associate Director Anti-Recidivism Coalition Women's and Non-Binary Services

BSCC STAFF:

Kathleen T. Howard, Executive Director
Aaron Maguire, Chief Deputy Director & General Counsel
Tracie Cone, Communications Director
Adam Lwin, Board Secretary
Allison Ganter, Deputy Director, Facility Standards and Operations
Ricardo Goodridge, Deputy Director, Corrections Planning and Grants Program
Helene Zentner, Field Representative, Corrections Planning and Grants Program
John Prince, Field Representative, Corrections Planning and Grants Program
Tanya Thompson, Field Representative, Corrections Planning and Grants Program
Katrina Jackson, Field Representative, Corrections Planning and Grants Program
Dameion Renault, Field Representative, Corrections Planning and Grants Program
Stacy Riley, Research Data Specialist II, Facility Standards and Operations

Agenda Item B

MEETING DATE: November 17, 2022

AGENDA ITEM: B

TO: BSCC Chair and Members

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

SUBJECT: Proposition 47 Cohort II Grant Program, 12-Month, No-Cost Extension: **Requesting Approval**

Summary

This agenda item requests Board approval of a twelve-month (12), no-cost grant term extension for four (4) Proposition 47 Cohort II grantees through May 15, 2024. These grantees experienced implementation delays and service interruptions due to the coronavirus (COVID-19) and were unable to deliver services as planned. A twelve-month (12), no-cost extension will allow for additional time to implement programming as originally intended, and to spend down funds in accordance with their grant agreements

Background

Proposition 47 was a 2014 voter-approved initiative, codified in Government Code sections 7599-7599.2, that reduced sentencing penalties for some lower-level crimes (Attachment B-1). Its purpose, as stated in the initiative, is as follows:

The people enact the Safe Neighborhoods and Schools Act to ensure that prison spending is focused on violent and serious offenses, maximize alternatives for nonserious, nonviolent crime, and invest the savings generated from this Act into prevention and support programs in K–12 schools, victim services, and mental health and drug treatment. (Ballot Pamp., General Elec. (November 4, 2014) text of Prop. 47, p. 70.)

The BSCC's responsibilities are to:

Administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems. (Gov. Code, § 7599.2, subd. (a)(3).)

Assembly Bill 1056 (Chapter 438, Statutes of 2015) added related legislative priorities for this grant program, including housing-related assistance and other community-based supportive services, such as job-skills training, case management and civil legal services. Grants may fund programs that serve both adults and juveniles (Attachment B-2).

The City of Corning, Nevada County Behavioral Health, Orange County Behavioral Health, and Pasadena Unified School District have experienced staffing shortages, service delays, or significant reductions in program referrals while complying with COVID-19 health and

safety protocols (Attachment B-3). To maximize the number of clients that can be served, deliver services as intended, and to meet grant obligations, a 12-month extension from May 15, 2023 to May 15, 2024 is requested. No additional funding is requested to complete the programs.

Recommendation/Action Needed

Staff recommends that the Board approve a 12-month (12), no-cost grant term extension for the City of Corning, Nevada County Behavioral Health, Orange County Behavioral Health, and Pasadena Unified School District Proposition 47 Cohort II grantees through May 15, 2024.

Attachments

- B-1: Proposition 47 Summary
- B-2: AB 1056 Summary
- B-3: Proposal Summaries

Attachment B-1

Proposition 47

Proposition 47

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution. This initiative measure adds sections to the Government Code, amends and adds sections to the Penal Code, and amends sections of the Health and Safety Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

Proposed Law

THE SAFE NEIGHBORHOODS AND SCHOOLS ACT

SECTION 1. Title.

This act shall be known as “the Safe Neighborhoods and Schools Act.”

SEC. 2. Findings and Declarations.

The people of the State of California find and declare as follows:

The people enact the Safe Neighborhoods and Schools Act to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonserious, nonviolent crime, and to invest the savings generated from this act into prevention and support programs in K–12 schools, victim services, and mental health and drug treatment. This act ensures that sentences for people convicted of dangerous crimes like rape, murder, and child molestation are not changed.

SEC. 3. Purpose and Intent.

In enacting this act, it is the purpose and intent of the people of the State of California to:

- (1) Ensure that people convicted of murder, rape, and child molestation will not benefit from this act.
- (2) Create the Safe Neighborhoods and Schools Fund, with 25 percent of the funds to be provided to the State Department of Education for crime prevention and support programs in K–12 schools, 10 percent of the funds for trauma recovery services for crime victims, and 65 percent of the funds for mental health and substance abuse treatment programs to reduce recidivism of people in the justice system.
- (3) Require misdemeanors instead of felonies for nonserious, nonviolent crimes like petty theft and drug possession, unless the defendant has prior convictions for specified violent or serious crimes.

(4) Authorize consideration of resentencing for anyone who is currently serving a sentence for any of the offenses listed herein that are now misdemeanors.

(5) Require a thorough review of criminal history and risk assessment of any individuals before resentencing to ensure that they do not pose a risk to public safety.

(6) This measure will save significant state corrections dollars on an annual basis. Preliminary estimates range from \$150 million to \$250 million per year. This measure will increase investments in programs that reduce crime and improve public safety, such as prevention programs in K–12 schools, victim services, and mental health and drug treatment, which will reduce future expenditures for corrections.

SEC. 4. Chapter 33 (commencing with Section 7599) is added to Division 7 of Title 1 of the Government Code, to read:

Chapter 33. Creation of Safe Neighborhoods and Schools Fund

7599. (a) A fund to be known as the "Safe Neighborhoods and Schools Fund" is hereby created within the State Treasury and, notwithstanding Section 13340 of the Government Code, is continuously appropriated without regard to fiscal year for carrying out the purposes of this chapter.

(b) For purposes of the calculations required by Section 8 of Article XVI of the California Constitution, funds transferred to the Safe Neighborhoods and Schools Fund shall be considered General Fund revenues which may be appropriated pursuant to Article XIII B.

7599.1. Funding Appropriation.

(a) On or before July 31, 2016, and on or before July 31 of each fiscal year thereafter, the Director of Finance shall calculate the savings that accrued to the state from the implementation of the act adding this chapter ("this act") during the fiscal year ending June 30, as compared to the fiscal year preceding the enactment of this act. In making the calculation required by this subdivision, the Director of Finance shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data. The Director of Finance shall certify the results of the calculation to the Controller no later than August 1 of each fiscal year.

(b) Before August 15, 2016, and before August 15 of each fiscal year thereafter, the Controller shall transfer from the General Fund to the Safe Neighborhoods and Schools Fund the total amount calculated pursuant to subdivision (a).

(c) Moneys in the Safe Neighborhoods and Schools Fund shall be continuously appropriated for the purposes of this act. Funds transferred to the Safe Neighborhoods and Schools Fund shall be used exclusively for the purposes of this act and shall not be subject to appropriation or transfer by the Legislature for any other purpose. The funds in the Safe Neighborhoods and Schools Fund may be used without regard to fiscal year.

7599.2. Distribution of Moneys from the Safe Neighborhoods and Schools Fund.

(a) By August 15 of each fiscal year beginning in 2016, the Controller shall disburse moneys deposited in the Safe Neighborhoods and Schools Fund as follows:

(1) *Twenty-five percent to the State Department of Education, to administer a grant program to public agencies aimed at improving outcomes for public school pupils in kindergarten and grades 1 to 12, inclusive, by reducing truancy and supporting students who are at risk of dropping out of school or are victims of crime.*

(2) *Ten percent to the California Victim Compensation and Government Claims Board, to make grants to trauma recovery centers to provide services to victims of crime pursuant to Section 13963.1 of the Government Code.*

(3) *Sixty-five percent to the Board of State and Community Corrections, to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems.*

(b) *For each program set forth in paragraphs (1) to (3), inclusive, of subdivision (a), the agency responsible for administering the programs shall not spend more than 5 percent of the total funds it receives from the Safe Neighborhoods and Schools Fund on an annual basis for administrative costs.*

(c) *Every two years, the Controller shall conduct an audit of the grant programs operated by the agencies specified in paragraphs (1) to (3), inclusive, of subdivision (a) to ensure the funds are disbursed and expended solely according to this chapter and shall report his or her findings to the Legislature and the public.*

(d) *Any costs incurred by the Controller and the Director of Finance in connection with the administration of the Safe Neighborhoods and Schools Fund, including the costs of the calculation required by Section 7599.1 and the audit required by subdivision (c), as determined by the Director of Finance, shall be deducted from the Safe Neighborhoods and Schools Fund before the funds are disbursed pursuant to subdivision (a).*

(e) *The funding established pursuant to this act shall be used to expand programs for public school pupils in kindergarten and grades 1 to 12, inclusive, victims of crime, and mental health and substance abuse treatment and diversion programs for people in the criminal justice system. These funds shall not be used to supplant existing state or local funds utilized for these purposes.*

(f) *Local agencies shall not be obligated to provide programs or levels of service described in this chapter above the level for which funding has been provided.*

SEC. 5. Section 459.5 is added to the Penal Code, to read:

459.5. (a) Notwithstanding Section 459, shoplifting is defined as entering a commercial establishment with intent to commit larceny while that establishment is open during regular business hours, where the value of the property that is taken or intended to be taken does not exceed nine hundred fifty dollars (\$950). Any other entry into a commercial establishment with intent to commit larceny is burglary. Shoplifting shall be punished as a misdemeanor, except that a person with one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290 may be punished pursuant to subdivision (h) of Section 1170.

(b) Any act of shoplifting as defined in subdivision (a) shall be charged as shoplifting. No person who is charged with shoplifting may also be charged with burglary or theft of the same property.

SEC. 6. Section 473 of the Penal Code is amended to read:

473. (a) Forgery is punishable by imprisonment in a county jail for not more than one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(b) Notwithstanding subdivision (a), any person who is guilty of forgery relating to a check, bond, bank bill, note, cashier's check, traveler's check, or money order, where the value of the check, bond, bank bill, note, cashier's check, traveler's check, or money order does not exceed nine hundred fifty dollars (\$950), shall be punishable by imprisonment in a county jail for not more than one year, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290. This subdivision shall not be applicable to any person who is convicted both of forgery and of identity theft, as defined in Section 530.5.

SEC. 7. Section 476a of the Penal Code is amended to read:

476a. (a) Any person who, for himself or herself, as the agent or representative of another, or as an officer of a corporation, willfully, with intent to defraud, makes or draws or utters or delivers a check, draft, or order upon a bank or depository, a person, a firm, or a corporation, for the payment of money, knowing at the time of that making, drawing, uttering, or delivering that the maker or drawer or the corporation has not sufficient funds in, or credit with the bank or depository, person, firm, or corporation, for the payment of that check, draft, or order and all other checks, drafts, or orders upon funds then outstanding, in full upon its presentation, although no express representation is made with reference thereto, is punishable by imprisonment in a county jail for not more than one year, or pursuant to subdivision (h) of Section 1170.

(b) However, if the total amount of all checks, drafts, or orders that the defendant is charged with and convicted of making, drawing, or uttering does not exceed ~~four hundred fifty dollars (\$450)~~ nine hundred fifty dollars (\$950), the offense is punishable only by imprisonment in the county jail for not more than one year, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290. This subdivision shall not be applicable if the defendant has previously been convicted of a ~~three or more violation~~ violations of Section 470, 475, or 476, or of this section, or of the crime of petty theft in a case in which defendant's offense was a violation also of Section 470, 475, or 476 or of this section or if the defendant has previously been convicted of any offense under the laws of any other state or of the United States which, if committed in this state, would have been punishable as a violation of Section 470, 475 or 476 or of this section or if he has been so convicted of the crime of petty theft in a case in which, if defendant's offense had been committed in this state, it would have been a violation also of Section 470, 475, or 476, or of this section.

(c) Where the check, draft, or order is protested on the ground of insufficiency of funds or credit, the notice of protest shall be admissible as proof of presentation, nonpayment, and protest and shall be presumptive evidence of knowledge of insufficiency of funds or credit with the bank or depository, person, firm, or corporation.

(d) In any prosecution under this section involving two or more checks, drafts, or orders, it shall constitute prima facie evidence of the identity of the drawer of a check, draft, or order if both of the following occur:

(1) When the payee accepts the check, draft, or order from the drawer, he or she obtains from the drawer the following information: name and residence of the drawer, business or mailing address, either a valid driver's license number or Department of Motor Vehicles identification card number, and the drawer's home or work phone number or place of employment. That information may be recorded on the check, draft, or order itself or may be retained on file by the payee and referred to on the check, draft, or order by identifying number or other similar means.

(2) The person receiving the check, draft, or order witnesses the drawer's signature or endorsement, and, as evidence of that, initials the check, draft, or order at the time of receipt.

(e) The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or depository, person, firm, or corporation for the payment of a check, draft, or order.

(f) If any of the preceding paragraphs, or parts thereof, shall be found unconstitutional or invalid, the remainder of this section shall not thereby be invalidated, but shall remain in full force and effect.

(g) A sheriff's department, police department, or other law enforcement agency may collect a fee from the defendant for investigation, collection, and processing of checks referred to their agency for investigation of alleged violations of this section or Section 476.

(h) The amount of the fee shall not exceed twenty-five dollars (\$25) for each bad check, in addition to the amount of any bank charges incurred by the victim as a result of the alleged offense. If the sheriff's department, police department, or other law enforcement agency collects a fee for bank charges incurred by the victim pursuant to this section, that fee shall be paid to the victim for any bank fees the victim may have been assessed. In no event shall reimbursement of the bank charge to the victim pursuant to this section exceed ten dollars (\$10) per check.

SEC. 8. Section 490.2 is added to the Penal Code, to read:

490.2. (a) Notwithstanding Section 487 or any other provision of law defining grand theft, obtaining any property by theft where the value of the money, labor, real or personal property taken does not exceed nine hundred fifty dollars (\$950) shall be considered petty theft and shall be punished as a misdemeanor, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290.

(b) This section shall not be applicable to any theft that may be charged as an infraction pursuant to any other provision of law.

SEC. 9. Section 496 of the Penal Code is amended to read:

496. (a) Every person who buys or receives any property that has been stolen or that has been obtained in any manner constituting theft or extortion, knowing the property to be so stolen or obtained, or who conceals, sells, withholds, or aids in concealing, selling, or withholding any property from the owner, knowing the property to be so stolen or obtained, shall be punished by imprisonment in a county jail for not more than one year, or imprisonment pursuant to subdivision (h) of Section 1170. However, ~~if the district attorney or the grand jury determines that this action would be in the interests of justice, the district attorney or the grand jury, as the case may be, may,~~ if the value of the property does not exceed nine hundred fifty dollars (\$950), ~~specify in the accusatory pleading that the offense shall be a misdemeanor, punishable only by imprisonment in a county jail not exceeding one year, if such person has no prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290.~~ A principal in the actual theft of the property may be convicted pursuant to this section. However, no person may be convicted both pursuant to this section and of the theft of the same property.

(b) Every swap meet vendor, as defined in Section 21661 of the Business and Professions Code, and every person whose principal business is dealing in, or collecting, merchandise or personal property, and every agent, employee, or representative of that person, who buys or receives any property of a value in excess of nine hundred fifty dollars (\$950) that has been stolen or obtained in any manner constituting theft or extortion, under circumstances that should cause the person, agent, employee, or representative to make reasonable inquiry to ascertain that the person from whom the property was bought or received had the legal right to sell or deliver it, without making a reasonable inquiry, shall be punished by imprisonment in a county jail for not more than one year, or imprisonment pursuant to subdivision (h) of Section 1170. Every swap meet vendor, as defined in Section 21661 of the Business and Professions Code, and every person whose principal business is dealing in, or collecting, merchandise or personal property, and every agent, employee, or representative of that person, who buys or receives any property of a value of nine hundred fifty dollars (\$950) or less that has been stolen or obtained in any manner constituting theft or extortion, under circumstances that should cause the person, agent, employee, or representative to make reasonable inquiry to ascertain that the person from whom the property was bought or received had the legal right to sell or deliver it, without making a reasonable inquiry, shall be guilty of a misdemeanor.

(c) Any person who has been injured by a violation of subdivision (a) or (b) may bring an action for three times the amount of actual damages, if any, sustained by the plaintiff, costs of suit, and reasonable attorney's fees.

(d) Notwithstanding Section 664, any attempt to commit any act prohibited by this section, except an offense specified in the accusatory pleading as a misdemeanor, is punishable by imprisonment in a county jail for not more than one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

SEC. 10. Section 666 of the Penal Code is amended to read:

666. ~~(a) Notwithstanding Section 490, every person who, having been convicted three or more times of petty theft, grand theft, a conviction pursuant to subdivision (d) or (e) of Section 368, auto theft under Section 10851 of the Vehicle Code, burglary, carjacking, robbery, or a felony violation of Section 496 and having served a term therefor in any penal institution or having been imprisoned therein as a condition of probation for that offense, and who is subsequently convicted of petty theft, is punishable by imprisonment in a county jail not exceeding one year, or imprisonment pursuant to subdivision (h) of Section 1170.~~

~~(b) (a) Notwithstanding Section 490, any person described in subdivision (b) paragraph (1) who, having been convicted of petty theft, grand theft, a conviction pursuant to subdivision (d) or (e) of Section 368, auto theft under Section 10851 of the Vehicle Code, burglary, carjacking, robbery, or a felony violation of Section 496, and having served a term of imprisonment therefor in any penal institution or having been imprisoned therein as a condition of probation for that offense, and who is subsequently convicted of petty theft, is punishable by imprisonment in the county jail not exceeding one year, or in the state prison.~~

~~(1) (b) This subdivision Subdivision (a) shall apply to any person who is required to register pursuant to the Sex Offender Registration Act, or who has a prior violent or serious felony conviction, as specified in subdivision (e) of Section 667.5 or subdivision (e) of Section 1192.7 clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667, or has a conviction pursuant to subdivision (d) or (e) of Section 368.~~

~~(2) (c) This subdivision section shall not be construed to preclude prosecution or punishment pursuant to subdivisions (b) to (i), inclusive, of Section 667, or Section 1170.12.~~

SEC. 11. Section 11350 of the Health and Safety Code is amended to read:

11350. (a) Except as otherwise provided in this division, every person who possesses (1) any controlled substance specified in subdivision (b), ~~or~~ (c), (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment *in a county jail for not more than one year, except that such person shall instead be punished* pursuant to subdivision (h) of Section 1170 of the Penal Code *if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 of the Penal Code or for an offense requiring registration pursuant to subdivision (c) of Section 290 of the Penal Code.*

~~(b) Except as otherwise provided in this division, every person who possesses any controlled substance specified in subdivision (e) of Section 11054 shall be punished by imprisonment in a county jail for not more than one year or pursuant to subdivision (h) of Section 1170 of the Penal Code.~~

~~(e) (b) Except as otherwise provided in this division, whenever a person who possesses any of the controlled substances specified in subdivision (a) ~~or~~ (b), the judge may, in addition to any punishment provided for pursuant to subdivision (a) ~~or~~ (b), assess~~

against that person a fine not to exceed seventy dollars (\$70) with proceeds of this fine to be used in accordance with Section 1463.23 of the Penal Code. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

~~(d)~~ (c) Except in unusual cases in which it would not serve the interest of justice to do so, whenever a court grants probation pursuant to a felony conviction under this section, in addition to any other conditions of probation which may be imposed, the following conditions of probation shall be ordered:

(1) For a first offense under this section, a fine of at least one thousand dollars (\$1,000) or community service.

(2) For a second or subsequent offense under this section, a fine of at least two thousand dollars (\$2,000) or community service.

(3) If a defendant does not have the ability to pay the minimum fines specified in paragraphs (1) and (2), community service shall be ordered in lieu of the fine.

SEC. 12. Section 11357 of the Health and Safety Code is amended to read:

11357. (a) Except as authorized by law, every person who possesses any concentrated cannabis shall be punished by imprisonment in the county jail for a period of not more than one year or by a fine of not more than five hundred dollars (\$500), or by both such fine and imprisonment, ~~or shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code~~ *except that such person may instead be punished pursuant to subdivision (h) of Section 1170 of the Penal Code if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 of the Penal Code or for an offense requiring registration pursuant to subdivision (c) of Section 290 of the Penal Code.*

(b) Except as authorized by law, every person who possesses not more than 28.5 grams of marijuana, other than concentrated cannabis, is guilty of an infraction punishable by a fine of not more than one hundred dollars (\$100).

(c) Except as authorized by law, every person who possesses more than 28.5 grams of marijuana, other than concentrated cannabis, shall be punished by imprisonment in a county jail for a period of not more than six months or by a fine of not more than five hundred dollars (\$500), or by both such fine and imprisonment.

(d) Except as authorized by law, every person 18 years of age or over who possesses not more than 28.5 grams of marijuana, other than concentrated cannabis, upon the grounds of, or within, any school providing instruction in kindergarten or any of grades 1 through 12 during hours the school is open for classes or school-related programs is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500), or by imprisonment in a county jail for a period of not more than 10 days, or both.

(e) Except as authorized by law, every person under the age of 18 who possesses not more than 28.5 grams of marijuana, other than concentrated cannabis, upon the grounds of, or within, any school providing instruction in kindergarten or any of grades 1 through 12 during hours the school is open for classes or school-related programs is guilty of a misdemeanor and shall be subject to the following dispositions:

(1) A fine of not more than two hundred fifty dollars (\$250), upon a finding that a first offense has been committed.

(2) A fine of not more than five hundred dollars (\$500), or commitment to a juvenile hall, ranch, camp, forestry camp, or secure juvenile home for a period of not more than 10 days, or both, upon a finding that a second or subsequent offense has been committed.

SEC. 13. Section 11377 of the Health and Safety Code is amended to read:

11377. (a) Except as authorized by law and as otherwise provided in subdivision (b) or Section 11375, or in Article 7 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business and Professions Code, every person who possesses any controlled substance which is (1) classified in Schedule III, IV, or V, and which is not a narcotic drug, (2) specified in subdivision (d) of Section 11054, except paragraphs (13), (14), (15), and (20) of subdivision (d), (3) specified in paragraph (11) of subdivision (c) of Section 11056, (4) specified in paragraph (2) or (3) of subdivision (f) of Section 11054, or (5) specified in subdivision (d), (e), or (f) of Section 11055, unless upon the prescription of a physician, dentist, podiatrist, or veterinarian, licensed to practice in this state, shall be punished by imprisonment in a county jail for a period of not more than one year ~~or pursuant to subdivision (h) of Section 1170 of the Penal Code, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 of the Penal Code if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 of the Penal Code or for an offense requiring registration pursuant to subdivision (c) of Section 290 of the Penal Code.~~

~~(b) (1) Any person who violates subdivision (a) by unlawfully possessing a controlled substance specified in subdivision (f) of Section 11056, and who has not previously been convicted of a violation involving a controlled substance specified in subdivision (f) of Section 11056, is guilty of a misdemeanor.~~

~~(2) Any person who violates subdivision (a) by unlawfully possessing a controlled substance specified in subdivision (g) of Section 11056 is guilty of a misdemeanor.~~

~~(3) Any person who violates subdivision (a) by unlawfully possessing a controlled substance specified in paragraph (7) or (8) of subdivision (d) of Section 11055 is guilty of a misdemeanor.~~

~~(4) Any person who violates subdivision (a) by unlawfully possessing a controlled substance specified in paragraph (8) of subdivision (f) of Section 11057 is guilty of a misdemeanor.~~

~~(c) (b) In addition to any fine assessed under subdivision (b), the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates subdivision (a), with the proceeds of this fine to be used in accordance with Section 1463.23 of the Penal Code. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.~~

SEC. 14. Section 1170.18 is added to the Penal Code, to read:

1170.18. (a) *A person currently serving a sentence for a conviction, whether by trial or plea, of a felony or felonies who would have been guilty of a misdemeanor under the act that added this section ("this act") had this act been in effect at the time of the offense*

may petition for a recall of sentence before the trial court that entered the judgment of conviction in his or her case to request resentencing in accordance with Sections 11350, 11357, or 11377 of the Health and Safety Code, or Section 459.5, 473, 476a, 490.2, 496, or 666 of the Penal Code, as those sections have been amended or added by this act.

(b) Upon receiving a petition under subdivision (a), the court shall determine whether the petitioner satisfies the criteria in subdivision (a). If the petitioner satisfies the criteria in subdivision (a), the petitioner's felony sentence shall be recalled and the petitioner resentenced to a misdemeanor pursuant to Sections 11350, 11357, or 11377 of the Health and Safety Code, or Section 459.5, 473, 476a, 490.2, 496, or 666 of the Penal Code, those sections have been amended or added by this act, unless the court, in its discretion, determines that resentencing the petitioner would pose an unreasonable risk of danger to public safety. In exercising its discretion, the court may consider all of the following:

(1) The petitioner's criminal conviction history, including the type of crimes committed, the extent of injury to victims, the length of prior prison commitments, and the remoteness of the crimes.

(2) The petitioner's disciplinary record and record of rehabilitation while incarcerated.

(3) Any other evidence the court, within its discretion, determines to be relevant in deciding whether a new sentence would result in an unreasonable risk of danger to public safety.

(c) As used throughout this Code, "unreasonable risk of danger to public safety" means an unreasonable risk that the petitioner will commit a new violent felony within the meaning of clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667.

(d) A person who is resentenced pursuant to subdivision (b) shall be given credit for time served and shall be subject to parole for one year following completion of his or her sentence, unless the court, in its discretion, as part of its resentencing order, releases the person from parole. Such person is subject to Section 3000.08 parole supervision by the Department of Corrections and Rehabilitation and the jurisdiction of the court in the county in which the parolee is released or resides, or in which an alleged violation of supervision has occurred, for the purpose of hearing petitions to revoke parole and impose a term of custody.

(e) Under no circumstances may resentencing under this section result in the imposition of a term longer than the original sentence.

(f) A person who has completed his or her sentence for a conviction, whether by trial or plea, of a felony or felonies who would have been guilty of a misdemeanor under this act had this act been in effect at the time of the offense, may file an application before the trial court that entered the judgment of conviction in his or her case to have the felony conviction or convictions designated as misdemeanors.

(g) If the application satisfies the criteria in subdivision (f), the court shall designate the felony offense or offenses as a misdemeanor.

(h) Unless requested by the applicant, no hearing is necessary to grant or deny an application filed under subsection (f).

(i) The provisions of this section shall not apply to persons who have one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph

(2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290.

(j) Any petition or application under this section shall be filed within three years after the effective date of the act that added this section or at a later date upon a showing of good cause.

(k) Any felony conviction that is recalled and resentenced under subdivision (b) or designated as a misdemeanor under subdivision (g) shall be considered a misdemeanor for all purposes, except that such resentencing shall not permit that person to own, possess, or have in his or her custody or control any firearm or prevent his or her conviction under Chapter 2 (commencing with Section 29800) of Division 9 of Title 4 of Part 6.

(l) If the court that originally sentenced the petitioner is not available, the presiding judge shall designate another judge to rule on the petition or application.

(m) Nothing in this section is intended to diminish or abrogate any rights or remedies otherwise available to the petitioner or applicant.

(n) Nothing in this and related sections is intended to diminish or abrogate the finality of judgments in any case not falling within the purview of this act.

(o) A resentencing hearing ordered under this act shall constitute a "post-conviction release proceeding" under paragraph (7) of subdivision (b) of Section 28 of Article I of the California Constitution (Marsy's Law).

SEC. 15. Amendment.

This act shall be broadly construed to accomplish its purposes. The provisions of this measure may be amended by a two-thirds vote of the members of each house of the Legislature and signed by the Governor so long as the amendments are consistent with and further the intent of this act. The Legislature may by majority vote amend, add, or repeal provisions to further reduce the penalties for any of the offenses addressed by this act.

SEC. 16. Severability.

If any provision of this measure, or part of this measure, or the application of any provision or part to any person or circumstances, is for any reason held to be invalid, the remaining provisions, or applications of provisions, shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable.

SEC. 17. Conflicting Initiatives.

(a) This act changes the penalties associated with certain nonserious, nonviolent crimes. In the event that this measure and another initiative measure or measures relating to the same subject appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure shall be null and void. However, in the event that this measure and another measure or measures containing provisions that eliminate penalties for the possession of

concentrated cannabis are approved at the same election, the voters intend such provisions relating to concentrated cannabis in the other measure or measures to prevail, regardless of which measure receives a greater number of affirmative votes. The voters also intend to give full force and effect to all other applications and provisions of this measure, and the other measure or measures, but only to the extent the other measure or measures are not inconsistent with the provisions of this act.

(b) If this measure is approved by the voters but superseded by law by any other conflicting measure approved by the voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force and effect.

SEC. 18. Liberal Construction.

This act shall be liberally construed to effectuate its purposes.

Attachment B-2

Assembly Bill 1056**Assembly Bill No. 1056**

[Approved by Governor October 02, 2015. Filed with Secretary of State
October 02, 2015.]

AB 1056, Atkins. Second Chance Program.

(1) Existing law, until January 1, 2020, establishes the Social Innovation Financing Program, and requires the Board of State and Community Corrections to administer the program. Existing law, among other things, authorizes the board, upon appropriation of funds by the Legislature for deposit into the Recidivism Reduction Fund, to award grants in amounts of not less than \$500,000 and not more than \$2,000,000 to each of 3 counties, selected as specified, for the purpose of entering into a pay for success or social innovation financing contract, pursuant to which private investors agree to provide financing to service providers to achieve social outcomes agreed upon in advance and the government agency that is a party to the contractual agreement agrees to pay a return on the investment to the investors if successful programmatic outcomes are achieved by the service provider. Existing law limits the total amount of the grants awarded to \$5,000,000. Existing law requires each county receiving an award to report annually to the Governor and Legislature on the status of its program. Existing law requires the board to compile the county reports and submit a summary report to the Governor and the Legislature annually.

This bill would extend the operation of that program and the reporting requirements until January 1, 2022.

This bill would also require the board to administer a competitive grant program that focuses on community-based solutions for reducing recidivism. The bill would establish minimum criteria for the grant program and would require the board to establish an executive steering committee, as specified, to make recommendations regarding the design, efficacy, and viability of proposals and to make recommendations on guidelines for the submission of proposals for the grant program, including threshold or scoring criteria, or both. Among other things, the bill would require those guidelines to prioritize proposals that advance principles of restorative justice while demonstrating a capacity to reduce recidivism, and that leverage certain other federal, state, and local funds or social investments. The bill would define recidivism, for the purposes of these provisions, as a conviction of a new felony or misdemeanor committed within 3 years of release from custody or committed within 3 years of placement on supervision for a previous criminal conviction.

(2) The Safe Neighborhoods and Schools Act establishes within the State Treasury the Safe Neighborhoods and Schools Fund to receive moneys transferred from the General Fund in an amount equal to the savings resulting from the implementation of the act, as specified. The act requires that 65% of the moneys in the Safe Neighborhoods and Schools Fund be allocated the Board of State and Community Corrections to

administer a grant program to public agencies aimed at supporting specified types of programs, including diversion programs, for people in the criminal justice system with an emphasis on programs that reduce recidivism, as specified.

This bill would create the Second Chance Fund in the State Treasury for the purpose of funding the above-described recidivism reduction program. The bill would require the Controller, upon order of the Director of Finance, to transfer the moneys available to the Board of State and Community Corrections from the Safe Neighborhoods and Schools Fund into the Second Chance Fund. The bill would also authorize the Second Chance Fund to receive moneys from any other federal, state, or local grant, or from any private donation. The bill would prohibit the board from using the moneys in the fund to supplant existing programs and from spending more than 5% per year of the total moneys in the fund for administrative purposes.

The bill would require the board to administer these provisions, and moneys in the fund would be continuously appropriated to the board for expenditure for these purposes. By creating a continuously appropriated fund, this bill would make an appropriation.

(3) The Safe Neighborhoods and Schools Act provides that its provisions may be amended by a statute, passed by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor, that is consistent with and furthers the intent of the act.

This bill would declare that its provisions further the intent of the Safe Neighborhoods and Schools Act.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

(a) California voters approved Proposition 47, known as the Safe Neighborhoods and Schools Act of 2014. The measure was enacted to ensure that prison spending is focused on violent and serious offenses, to maximize alternatives for nonviolent and nonserious crime, and to invest the resulting savings into prevention and support programs.

(b) Research has shown that people in the criminal justice system disproportionately suffer from mental health issues and substance use disorders. Nationally, over one-half of all people in prisons or jails have experienced a mental health issue within the last year, and over one-half of women and 44 percent of men in jail have a drug or alcohol dependency.

(c) People in the criminal justice system and formerly incarcerated individuals have difficulty securing housing and employment following their incarceration. These challenges are compounded for people living with mental health issues or substance use disorders. As a result, many formerly incarcerated people, especially those with mental health issues or substance abuse disorders experience homelessness. Experiencing homelessness greatly increases the likelihood that a formerly incarcerated person will recidivate.

(d) Offering people in the criminal justice system and formerly incarcerated individuals meaningful access to mental health services, substance use treatment services, housing, housing-related job assistance, job skills training, and other community-based supportive services has been shown to decrease the likelihood of future contact with law enforcement and the criminal justice system.

(e) Prioritizing the state savings realized by the implementation of the Safe Neighborhoods and Schools Act of 2014 for projects that combine mental health services, substance use treatment services, housing, housing-related job assistance, job skills training, and other community-based supportive services will help the state meaningfully reduce recidivism.

(f) By prioritizing projects that offer comprehensive interventions, the Legislature intends for public agencies, nonprofits, and other community-based providers of services to people in the criminal justice system and formerly incarcerated individuals to leverage additional federal, state, and local funds for social investment resources.

(g) The Legislature intends to promote the use of restorative justice principles in addressing recidivism.

SEC. 2.

Section 97013 of the Government Code is amended to read:

97013.

(a) Each county receiving an award shall report annually to the board on the status of its ongoing social innovation financing program. The report shall also contain an accounting of the moneys awarded.

(b) The board shall compile the county reports and submit a summary report to the Governor and Legislature annually.

(c) A report made pursuant to this section shall be made in accordance with the requirements of Section 9795.

(d) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 3.

Section 97015 of the Government Code is amended to read:

97015.

This title shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 4.

Article 5 (commencing with Section 6046) is added to Chapter 5 of Title 7 of Part 3 of the Penal Code, to read:

Article 5. Second Chance Program

6046.

(a) The purpose of this article is to build safer communities by investing in community-based programs, services, and initiatives for formerly incarcerated individuals in need of mental health and substance use treatment services.

(b) The program established pursuant to this article shall be restricted to supporting mental health treatment, substance use treatment, and diversion programs for persons in the criminal justice system, with an emphasis on programs that reduce recidivism of persons convicted of less serious crimes, such as those covered by the Safe Neighborhoods and Schools Act of 2014, and those who have substance use and mental health problems.

(c) The Board of State and Community Corrections shall administer a grant program established pursuant to this article.

6046.1.

For the purposes of this article, the following definitions shall apply:

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

(b) "Fund" means the Second Chance Fund established pursuant to Section

6046.2.

(c) "Public agency" means a county, city, whether a general law city or a chartered city, or city and county, the duly constituted governing body of an Indian reservation or rancheria, a school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, entities that are legislative bodies of a local agency pursuant to subdivision (c) or (d) of Section 54952 of the Government Code, a housing authority organized pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code, a state agency, public district, or other political subdivision of the state, or any instrumentality thereof, which is authorized to engage in or assist in the development or operation of housing for persons and families of low or moderate income.

(d) "Recidivism" means a conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

6046.2.

(a) The Second Chance Fund is hereby created in the State Treasury. The board shall be responsible for administering the fund. Moneys in the fund are hereby continuously appropriated without regard to fiscal year for the purposes of this article.

(b) (1) The Controller, upon order of the Director of Finance, shall transfer moneys available to the Board of State and Community Corrections pursuant to paragraph (3) of subdivision (a) of Section 7599.2 of the Government Code into the Second Chance Fund.

(2) The Second Chance Fund may receive moneys from any other federal, state, or local grant, or from any private donation or grant, for the purposes of this article.

(c) The board shall not spend more than 5 percent annually of the moneys in the fund for administrative costs.

6046.3.

(a) The board shall administer a competitive grant program to carry out the purposes of this article that focuses on community-based solutions for reducing recidivism. The grant program shall, at minimum, do all of the following:

(1) Restrict eligibility to proposals designed to serve people who have been arrested, charged with, or convicted of a criminal offense and have a history of mental health or substance use disorders.

(2) Restrict eligibility to proposals that offer mental health services, substance use disorder treatment services, misdemeanor diversion programs, or some combination thereof.

(3) Restrict eligibility to proposals that have a public agency as the lead applicant.

(b) The board shall form an executive steering committee that includes, but is not limited to, a balanced and diverse membership from relevant state and local government entities, community-based treatment and service providers, and the formerly incarcerated community. The committee shall have expertise in homelessness and housing, behavioral health and substance abuse treatment, and effective rehabilitative treatment for adults and juveniles. The committee shall make recommendations regarding the design, efficacy, and viability of proposals, and make recommendations on guidelines for the submission of proposals, including threshold or scoring criteria, or both, that do all of the following:

(1) Prioritize proposals that advance principles of restorative justice while demonstrating a capacity to reduce recidivism.

(2) Prioritize proposals that leverage other federal, state, and local funds or other social investments, such as the following sources of funding:

(A) The Drug Medi-Cal Treatment Program (22 Cal. Code Regs. 51341.1, 51490.1, and 51516.1).

(B) The Mental Health Services Act, enacted by Proposition 63 at the November 2, 2004, general election, as amended.

(C) Funds provided for in connection with the implementation of Chapter 15 of the Statutes of 2011.

(D) The Community Corrections Performance Incentives Act (Stats. 2009, Ch. 608; Chapter 3 (commencing with Section 1228) of Title 8 of Part 2).

(E) The tax credits established pursuant to Sections 12209, 17053.57, and 23657 of the Revenue and Taxation Code.

(F) The federal Department of Housing and Urban Development funds, such as the Emergency Solutions Grant program (42 U.S.C. Sec. 11371 et seq.).

(G) The federal Department of Veterans Affairs Supportive Services for Veteran Families program (38 U.S.C. Sec. 2044).

(H) Social Innovation Funds established by the Corporation for National and Community Service pursuant to Section 12653k of Title 42 of the United States Code.

(I) The Edward Byrne Memorial Justice Assistance Grant Program (42 U.S.C. Sec. 3750 et seq.).

(3) Prioritize proposals that provide for all of the following:

(A) Mental health services, substance use disorder treatment services, misdemeanor diversion programs, or some combination thereof.

(B) Housing-related assistance that utilizes evidence-based models, including, but not limited to, those recommended by the federal Department of Housing and Urban Development. Housing-related assistance may include, but is not limited to, the following:

(i) Financial assistance, including security deposits, utility payments, moving-cost assistance, and up to 24 months of rental assistance.

(ii) Housing stabilization assistance, including case management, relocation assistance, outreach and engagement, landlord recruitment, housing navigation and placement, and credit repair.

(C) Other community-based supportive services, such as job skills training, case management, and civil legal services.

(4) Prioritize proposals that leverage existing contracts, partnerships, memoranda of understanding, or other formal relationships to provide one or more of the services prioritized in paragraph (3).

(5) Prioritize proposals put forth by a public agency in partnership with a philanthropic or nonprofit organization.

(6) Prioritize proposals that promote interagency and regional collaborations.

(7) Consider ways to promote services for people with offenses identical or similar to those addressed by the Safe Neighborhoods and Schools Act of 2014, without precluding assistance to a person with other offenses in his or her criminal history.

(8) Consider geographic diversity.

(9) Consider appropriate limits for administrative costs and overhead.

(10) Consider proposals that provide services to juveniles.

(11) Permit proposals to expand the capacity of an existing program and prohibit proposals from using the fund to supplant funding for an existing program.

SEC. 5.

The Legislature finds and declares that this act furthers the intent of the Safe Neighborhoods and Schools Act enacted by Proposition 47 at the November 4, 2014, general election.

Attachment B-3

Proposition 47 Grant Program: Cohort II
Original Grant Term: August 2019 - May 2023

Project Descriptions

Corning, City of

Project Title: Tehama County RESTORE Program

Grant Award: \$3,535,485

The Tehama County RESTORE Program is an adolescent and young adult (ages 12 to 26) diversion program. RESTORE is a tripartite diversion program that links: a) Michigan State's Adolescent Diversion program (ADP); b) mental health treatment; and c) substance abuse treatment through coordinated case management services which links clients and their families to housing, education, and employment services. RESTORE leverages federal, state, regional, and local resources to target arrested, charged, and/or convicted adolescents with criminal offenses and a history of mental health issues and/or substance use disorders.

Nevada County Department of Behavioral Health

Project Title: Prop 47 Homeless & Justice Involved Project

Grant Award: \$1,000,000

The Nevada County Behavioral Health Department and its dedicated community service partners will utilize Prop 47 funding to expand and enhance the existing Homeless Outreach and Medical Engagement (HOME) Team. The HOME Team will meet the needs of a traditionally service-resistant cohort of justice-involved, homeless individuals who present a myriad of untreated behavioral health and physical health needs. The overarching goal of the Project is to reduce recidivism and conserve community resources by diverting this population from jail into mental health and substance use disorder treatment, with targeted housing supports. Specific strategies the mobile Team will utilize include homeless outreach, building rapport through Motivational Interviewing and other engagement strategies; connecting individuals to trauma informed mental health services; and providing screenings and access to substance use disorder assessments and treatment. In addition, this grant will fund new low-barrier and sober housing supports, as well as rental assistance which will allow the Team to quickly link individuals to stable living environments and legal support.

Orange County Health Care Agency

Project Title: Community of Hope: Gateway to Successful Reentry

Grant Award: \$6,000,000

The program serves as a safety net and gateway to successful reentry in Orange County for individuals with substance use and/or mild to moderate mental health disorders who are high risk to recidivate. The program provides jail in-reach services, sanctuary for those being released from jail at night, and a spectrum of treatment, housing, and supportive services provided in the community by individuals with specialized knowledge and training in meeting the needs of the reentry population. The continuum of supportive housing options will be expanded for this reentry population. Trainings will be provided to existing

Proposition 47 Grant Program: Cohort II
Original Grant Term: August 2019 - May 2023

and prospective service and housing providers on principles of trauma, recovery, and reentry needs, in order to build a system of integrated services that address the needs of formerly incarcerated individuals.

Pasadena Unified School District

Project Title: Pasadena Intervention and Directional Alternative Program

Grant Award: \$999,528

Pasadena Unified School District (PUSD) has a significant need for funding for our Pasadena Intervention and Directional Alternatives (PIDA) Prop 47 grant program to expand capacity to effectively meet the needs of juveniles in the criminal justice system. PUSD will use grant funds to support mental health services; substance use disorder treatment; diversion programs that include mentoring, case management, and alternatives to adjudication through the juvenile court system; supportive services for foster and homeless youth, which include transitional housing; job skills training, certification and placement; and evidence-based curriculum Why Try? and Aggression Replacement Training.

Agenda Item C

MEETING DATE: November 17, 2022 **AGENDA ITEM:** C

TO: BSCC Chair and Members

FROM: Helene Zentner, Field Representative, helene.zentner@bscc.ca.gov

SUBJECT: Medication-Assisted Treatment Grant Program, Appointment of Chair and Establishment of Executive Steering Committee: **Requesting Approval**

Summary

This agenda item requests approval to establish an Executive Steering Committee (ESC) to develop a Request for Proposals (RFP) for the Medication-Assisted Treatment (MAT) Grant Program. Staff is also requesting the Board appoint a Chair to oversee the grant development process, authorize staff to work with the ESC Chair to establish a diverse ESC with relevant subject-matter expertise, and delegate authority to the Chair to modify ESC membership, if needed.

Background

Assembly Bill 653 (AB 653) (Chapter 745, Statutes of 2021) was approved by Governor Newsom on October 9, 2021 (Attachment C-1). This bill requires funding competitive grants to counties, and require counties receiving grants to use these funds for various purposes relating to the treatment of substance use disorders and the provision of medication-assisted treatment. The bill also 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

AB 653 also added language to the California Penal Code Section 1., Article 6 (commencing with Section 6047), Chapter 5 of Title 7 of Part 3 to read, in pertinent part:

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.

On September 6, 2022, Governor Newsom approved Assembly Bill 179 (AB 179) (Chapter 249, Statutes of 2022) (Attachment C-2), amending the Budget Act of 2022 to include \$10

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

million in funding for a new MAT Grant Program to be administered by the Board of State and Community Corrections (BSCC). (The BSCC is permitted to use up to five percent of this appropriation for administrative costs).

Proposed Activities

In consultation with the appointed Chair, staff will establish and convene an ESC of relevant subject-matter experts representing both the public and private sectors and a membership representing diverse professional and lived experience, geographic regions, and demographics. The BSCC will contact known experts and invite any interested person to submit a statement of interest to serve on the ESC through the BSCC's website at: http://www.bscc.ca.gov/s_bsccescsseekingmembership.php.

The ESC will meet to develop the Request for Proposals (RFP) in accordance with the Penal Code, read and rate proposals, and develop funding recommendations for the Board's approval.

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

Tentative Timeline	Activity
November 17, 2022	Establish ESC and Appoint Chair
Mid-November 2022- Mid-January 2023	Establish the MAT Grant ESC Membership
February - March 2023	RFP development by ESC
Mid-April 2023	Present the RFP for BSCC Board approval
Mid-April 2023	Release the RFP to the field
Early May 2023	Bidders' Conference
June 2023	Proposals due to BSCC
June 2023	ESC Rater Training
August 2023	ESC rating of proposals complete
Mid-September 2023	Present funding recommendations to the BSCC Board
October 1, 2023	Grants Begin

Recommendation/Action Needed

Staff recommends that the Board:

1. Establish the Medication-Assisted Treatment Grant Executive Steering Committee and appoint a Chair.
2. Delegate authority to the Chair to work with BSCC staff to establish an ESC membership with relevant subject-matter expertise and to modify membership, if needed.
3. Authorize the ESC to oversee development of the Medication-Assisted Treatment Grant Program RFP and make funding recommendations.

Attachments

- C-1: Assembly Bill 653, in pertinent part
- C-2: Assembly Bill 179, in pertinent part

Attachment C-1

AB 653: Medication-Assisted Treatment Grant Program.**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.

(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 C-2

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 D

MEETING DATE: November 17, 2022

AGENDA ITEM: D

TO: BSCC Chair and Members

FROM: Katrina Jackson, Field Representative, katrina.jackson@bscc.ca.gov

SUBJECT: California Violence Intervention and Prevention (CalVIP) Grant Program Service Contracts: **Requesting Approval**

Summary

This agenda item requests Board approval to allocate an additional \$1.8 million in funding to the service contracts and supplemental grants for technical assistance, expanded capacity, and training for the California Violence Intervention and Prevention (CalVIP) program. The Board previously approved \$1.8 million in funding on February 10, 2022, which was allocated through the State Budget Act of 2021 (Senate Bill 129, Chapter 69, Statutes of 2021). Since that time, the State Budget Act of 2022 (Senate Bill 154, Chapter 43, Statutes of 2022) allocated an additional \$1.8 million that would increase the funding for service contracts and supplemental grants for technical assistance, expand capacity and training for the CalVIP program to \$3.6 million.

Background

The Budget Act of 2021 appropriated a total of \$1.8 million in funding to build capacity in the field of community-based violence intervention and prevention. The funding was designed to be used to hire technical assistance providers with experience in implementing community-based violence intervention and prevention programs, to contract with or provide grants to organizations that provide training and certifications to community-based violence intervention and prevention professionals to expand the field of frontline workers and technical assistance providers, and to contract with independent researchers to evaluate the impact of selected initiatives supported by CalVIP.

The CalVIP Executive Steering Committee (ESC) recommended funding five categories to assist in capacity building, technical assistance, and training for the maximum \$1.8 million. The services and funding recommendations were as followed:

1. Provide training and certifications to community-based violence intervention and prevention professionals to expand the field of frontline workers, including street outreach, hospital-based Interventions, community intervention workers and ambassadors.
2. Provide supplemental grants for CalVIP grantees to provide mental health services to frontline workers and their families to help deal with the stress and trauma of the job.

3. Provide regional technical assistance for grantees to build capacity in data collection, data entry, development of sharing agreements, financial and billing needs, accounting, communication support, and fiscal structure.
4. Convene specific strategy meetings (e.g., all Hospital-based Violence Intervention, street outreach, etc.), that would bring together the entire Cohort to identify and share best practices.
5. Institute a culturally Relevant Professional Development Pilot Program for frontline workers.

The Board approved the ESC's recommendation and staff released the Convening Capacity and Regional Technical Assistance Request for Proposals with the funding amounts approved by the Board and, unfortunately, the BSCC did not receive any applications.

Proposed Activities

The Budget Act of 2022 allocated an additional \$1.8 million in funding to promote CalVIP and building capacity in the field of community-based violence intervention and prevention. With the additional funding staff recommends the Board double the funding allocations (as shown in the table below) for each category previously recommended by the CalVIP ESC.

Service	FY 2021 Funding	FY 2022 Funding	Total
Training and Certifications for Frontline Workers	\$750,000	\$750,000	\$1,500,000
Mental Health Services for Frontline Workers	\$500,000	\$500,000	\$1,000,000
Regional Technical Assistance	\$250,000	\$250,000	\$500,000
Convening Capacity	\$150,000	\$150,000	\$300,000
Professional Development	\$150,000	\$150,000	\$300,000
Total	\$1,800,000	\$1,800,000	\$3,600,000

Recommendation/Action Needed

Staff recommends that the Board:

1. Approve \$1.8 million to increase the previously approved funding (for a total of \$3.6 million) to develop service contracts and supplemental grants for technical assistance, and to expand capacity and provide training for the CalVIP program.

Attachments

D-1: CalVIP Grant Budget Bill Language

Attachment D-1

State Budget Act 2022-23
Senate Bill No. 840

5227-108-0001—For local assistance, Board of State and Community Corrections

Scheduled:

(1)	4945-Corrections Planning and Grant Programs	\$76,000,000
	a. Grants to the City of Los Angeles	(2,000,000)
	b. Competitive grants to all other cities or community-based organizations	(74,000,000)

Provisions:

1. The Board of State and Community Corrections program awarding state funds from subdivisions (a) and (b) of Scheduled (1) shall be named the California Violence Intervention and Prevention Grant Program (CalVIP). The board shall administer CalVIP in accordance with the Breaking the Cycle of Violence Act (Title 10.2 (commencing with Section 14130) of Part 4 of the Penal Code.), subject to the following:
 - a. The amount appropriated in subdivision (b) of Schedule (1) shall be competitive grants in a three-year grant cycle to cities or community-based organizations. Notwithstanding paragraph (1) of subdivision (h) of Section 14131 of the Penal Code, a grant shall not exceed \$2,000,000 per year, and at least two grants shall be awarded to cities with populations of 200,000 or less.
2. Funds appropriated in this item are available for encumbrance and expenditures until June 30, 2027.
3. Upon order of the Director of Finance, up to 5 percent of the amount appropriated in Schedule (1) shall be transferred to Schedule (1) of Item 5227-001-0001 for costs to administer and support CalVIP. The board may use up to \$500,000 of those funds for the cost of administering CalVIP and may, with the advice and assistance of the CalVIP grant selection advisory committee pursuant to subdivision (k) of Section 14131 of the Penal Code, use remaining funds under this provision to promote CalVIP and build capacity in the field of community-based violence intervention and prevention. Promotion includes activities such as contracting with or hiring technical assistance providers with experience in implementing community-based violence intervention and prevention programs, contracting with or providing grants to organizations that provide training and certifications to community-based violence intervention and prevention professionals to expand the field of frontline workers and technical assistance providers, and contracting with independent researchers to evaluate the impact of selected initiatives supported by CalVIP. Funds transferred pursuant to this provision are available for encumbrance and expenditure until June 30, 2027.

Agenda Item E

MEETING DATE: November 17, 2022

AGENDA ITEM: E

TO: BSCC Chair and Members

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

SUBJECT: Title II Grant Program Funding Recommendations: **Requesting Approval**

Summary

This agenda item requests Board approval of the Title II Grant Program funding recommendation developed by the Title II Grant Program Executive Steering Committee (ESC) (Attachment E-1) and approved by the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) (Attachment E-2). If the proposed list of award recommendations is approved, a total of eight nonprofit nongovernmental organizations, and three governmental agencies will be funded; and 1 nonprofit nongovernmental organization would be partially funded. Proposals selected for funding will be under agreement from January 1, 2022, through March 31, 2026. A list of applicants recommended for funding is provided in Attachment E-3, and corresponding proposal summaries are provided in Attachment E-4.

Background

The Juvenile Justice and Delinquency Prevention Act (JJDP), as amended by the Juvenile Justice Reform Act of 2018, is the federal statute that establishes the Title II Grant Program. The U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers the grant, in part, by awarding grants to states to support delinquency prevention and juvenile justice system improvement. The Board of State and Community Corrections is the state agency that receives and administers California's Title II award. The BSCC must competitively award these funds to units of local government, nongovernmental organizations (NGOs) (referred to as local private agencies in the JJDP), and Indian tribes consistent with the purpose and intent of the JJDP.

OJJDP requires that states that receive Title II awards establish a State Advisory Group to advise on Title II activities. In California, this State Advisory Group is the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP), a governor-appointed committee that works to support policy and programs that improve outcomes for young people in the justice system. The SACJJDP developed California's Title II 2021-2023 State Plan. This grant program will fulfill the goals and objectives of this State Plan and JJDP requirements.

This Title II grant will fund the following six Program Purpose Areas (PPAs):

1. Aftercare/Reentry
2. Alternatives to Detention
3. Community-Based Programs & Services
4. Diversion
5. Mentoring, Counseling & Training Programs
6. Job Training

The BSCC received 49 proposals. After a technical review, 45 proposals requesting \$13,813,026 in funding met all submission criteria and were provided to the ESC for funding consideration. On September 7, 2022, BSCC staff trained the Title II ESC on the proposal reading and rating process established in the RFP (Attachment E-5). Once all ESC scores were submitted, BSCC staff generated a ranked list of all proposals that were considered for funding.

Statewide, \$4,000,000 is available for the first year of the Title II Grant Program 3-year cycle. Funding and amounts for the second year (January 1, 2024 - December 31, 2024) and the third year (January 1, 2025 – March 31, 2026) are contingent on future OJJDP Title II awards and the amounts are not yet known.

Concurrence by OYCR

Welfare and Institutions Code section 2200, subdivision (f), provides that the Board shall not award juvenile grants without concurrence from the Office of Youth and Community Restoration. OYCR has reviewed the proposed Title II awards and concurs with the SACJJDP recommendations. A letter of concurrence is attached (Attachment E-6).

Recommendation/Action Needed

Staff recommends that the Board:

- Approve the funding recommendation as adopted by the SACJJDP at its October 27, 2022, meeting (see Attachment E-3).
- Authorize staff to continue to make awards from the proposal rank ordered lists if any applicant is unable to accept the award or relinquishes an award, first by offering to any partial awardee(s) and then to the next highest-ranked proposal.
- Authorize 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 award is relinquished during the grant cycle.
- Authorize staff to further fund proposals with unspent, prior-year grant cycle funds that become available following reversion.

Attachments

- E-1: Request for Proposal Executive Steering Committee Roster
- E-2: State Advisory Committee on Juvenile Justice and Delinquency Prevention Member Roster
- E-3: List of Title II Proposals Recommended for Funding
- E-4: Title II Proposal Summaries
- E-5: Title II Request for Proposals
- E-6: Letter of concurrence, dated November 3, 2022, from the Office of Youth and Community Restoration

Attachment E-1

**BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC)
STATE ADVISORY COMMITTEE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION (SACJJDP)
2022 Executive Steering Committee Membership Roster**

	Name	Title	Organization
1	Rachel Rios, Chair	Executive Director	La Familia Counseling Center
2	B.J. Davis	Senior Manager of Training and Clinical Quality	WellSpace Health
3	Denise Villamil	Program Director and Chair of the Board	ALMA Family Services and Girls Today Women Tomorrow
4	Hon. Brian Back	Juvenile Court Judge (Retired)	Ventura County Juvenile Court
5	Elliott Housman-Turrubiate	Youth & Family Advocate Manager	Sacramento Native American Health Center
6	Hailey Jures	Nonprofit JJ Consultant	Hailey Jures Consulting, LLC.
7	Amanda Ayala	Project Manager II	Santa Clara County
8	Gordon Jackson	National Director	3Strands Global Foundation

Attachment E-2

BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC)
STATE ADVISORY COMMITTEE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION (SACJJDP)
 Membership Roster

	Name	Title	Organization/Agency	County
1	Rachel Rios (Chair)	Director	La Familia Counseling Center, Inc.	Sacramento
2	Carol Biondi (Vice-Chair)	Commissioner	Los Angeles County Commission for Children and Families	Los Angeles
3	Hon. Brian Back	Superior Court Judge	Ventura County Juvenile Court	Ventura
4	Dr. B.J. Davis	Adjunct Professor	Alliant International University	Sacramento
5	Dr. Carly Dierkhising	Assistant Professor	CSU Los Angeles	Los Angeles
6	Juan Gomez	Director	Motivating Individual Leadership for Public Advancement	Los Angeles
7	Michelle Guymon	Director, Child Trafficking Unit	LA County Probation	Los Angeles
8	Susan Harbert	Staff Attorney	Loyola Law School	Los Angeles

BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC)
STATE ADVISORY COMMITTEE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION (SACJJDP)
 Membership Roster

9	Gordon Jackson	National Director of Protect	3Strands Global Foundation	Sacramento
10	Ramon Leija	Advocate	Anti-Recidivism Coalition	Los Angeles
11	Kent Mendoza	Policy Coordinator	Anti-Recidivism Coalition	Los Angeles
12	Amika Mota	Prison Reentry Director	Young Women's Freedom Center	San Francisco
13	Vanessa Najar	Peer mentor	Puente Project at Sacramento City College	Sacramento
14	District Attorney Nancy O'Malley	District Attorney	Alameda County District Attorney's Office	Alameda
15	Winston Peters	Assistant Public Defender	Los Angeles County Public Defender's Office	Los Angeles
16	Dr. Mimi Silbert	Chief Executive Officer	Delancey Street Foundation	San Francisco

BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC)
STATE ADVISORY COMMITTEE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION (SACJJDP)
Membership Roster

17	Dante Williams	Youth Advocate Manager	Stanford Youth Solutions	Sacramento
18	Elliot Housman- Turrubiate	Youth Victim Advocate	Native American Health Center	Sacramento

Attachment E-3

Title II Grant Proposals Recommended for Funding

Rank	APPLICANT	Program Purpose Area						Amount Requested Annually	Recommended Annual Allocation
		1	2	3	4	5	6		
1	Santa Cruz County Probation Department	X		X				\$350,000	\$350,000
2	Youth Mentoring Connection			X			X	\$350,000	\$350,000
3	The City of Gilroy				X			\$349,984	\$349,984
4	Fresh Lifelines for Youth, Inc.						X	\$349,999	\$349,999
5	Center for Training & Careers, Inc. DBA ConXion to Community						X	\$349,669	\$349,669
6	Pacific Clinics					X		\$350,000	\$350,000
7	Volunteers of America of Los Angeles					X	X	\$350,000	\$350,000
8	Anti-Recidivism Coalition	X				X	X	\$348,752	\$348,752
9	Operation New Hope	X	X	X	X	X	X	\$265,140	\$265,140
10	Reading and Beyond			X			X	\$350,000	\$350,000
*31	Arcata Police Department		X	X		X		\$31,690	\$31,690
**11	Retraining the Village	X						\$350,000	\$204,766
***Total:									\$3,650,000

*Small county population proposal recommended for funding.

**Partially funded due to funding limitations.

***\$350,000 set aside for Native American Tribe Proposals

Program Purpose Areas:

1. Aftercare/Reentry
2. Alternatives to Detention
3. Community-Based Programs & Services
4. Diversion
5. Job Training/Programs
6. Mentoring, Counseling & Training Programs

Attachment E-4

**Title II Grant Program
Funding Recommendation
Project Summaries**

Applicant: Santa Cruz County Probation Department
Project Title: Stable Transitions After Reentry (STAR)
Funding Amount: \$350,000 annually
Project Total: \$1,050,000

Proposal Abstract: The Santa Cruz County Probation Department Stable Transitions After Reentry (STAR) program is designed to increase youth's stability and chance of success in their community, and to prevent their continued involvement in the justice system with particular focus on reducing disparities for Latinx youth. To accomplish this outcome, the program engages natural support networks, coordinates prosocial activities within the community, and increases the capacity of the family to support the youth in the community. The target population is youth transitioning from Juvenile Hall, Short Term Residential Placements, Juvenile Ranch Camp Placements, and Department of Juvenile Justice/Secure Youth Track Placements, and youth who have been taken into custody but released within 72 hours. STAR planning consists of two phases: in-custody case planning and reentry and after care services which include bilingual whole family services, provided by community-based organizations. The STAR program aims to intervene at every community transition point to optimize and leverage services and supports that engage youth and families in culturally responsive ways that are inclusive of their voice and choices.

Applicant: Youth Mentoring Connection
Project Title: Mentors Making Resiliency Real (MMRR)
Funding Amount: \$350,000 annually
Project Total: \$1,050,000

Proposal Abstract: The Youth Mentoring Connection Mentors Making Resiliency Real (MMRR) program builds youth resiliency by addressing individual, family, peer, school, and community factors to reduce juvenile justice involvement, increase Social Emotion Learning, and improve life outcomes. MMRR will address LA County youth, ages 13-24, needs related to high crime and gang activity, academic failure, and a high prevalence of system-involved youth which are linked to increasing the likeliness of engaging in delinquent behaviors and vulnerability to negative development outcomes. The MMRR program uses a comprehensive approach of intensive one-on-one, group, and workplace mentoring, trauma-informed counseling, and training, in partnership with Youth Build's employment development programs, to prepare youth for adulthood and employment. YMC recruitment strategies ensure that enrolled youth are at-risk, have previously offended and/or have regular contact with an incarcerated/previously incarcerated parent/guardian. The MMRR utilizes credible messengers to mentor youth that have similar race/ethnicity and life experiences and who are successful in their adult lives. The added elements of access to professional mental health, substance abuse treatment, and workforce development strengthen the overall mentoring program.

**Title II Grant Program
Funding Recommendation
Project Summaries**

Applicant: The City of Gilroy

Project Title: South County Restorative Justice Youth Diversion Program (RJYDP)

Funding Amount: \$349,984 annually

Project Total: \$1,049,952

Proposal Abstract: The South County Restorative Justice Youth Diversion Program (RJYDP) provides an opportunity for South Santa Clara County youth who engaged in conduct that harms others and themselves to come together with those who have been impacted by the behavior, including victims and community members, to collectively address harm at a community level through a process called the Restorative Justice Circle. RJYDP is based on a restorative justice framework, operates through a trauma-informed lens, and seeks to address root causes of harmful behaviors. The program counselors guide youth through program milestones where youth are supported by trained residents, the community, and government partners. By recognizing that juvenile citations and arrests disproportionately affect youth of color, the diversion program provides a path that is an alternative to involvement in the juvenile justice system. Completion of the voluntary program diverts youth away from the juvenile justice system by striving to decrease historical and systematic inequities and barriers and provides local supports that youth and families feel they need to heal and thrive.

Applicant: Fresh Lifelines for Youth, Inc.

Project Title: Mentoring Through Leadership Development

Funding Request: \$349,999 annually

Project Total: \$1,049,998

Proposal Abstract: Fresh Lifelines for Youth (FLY) provides mentoring, counseling, leadership training, and connection to services through the Leadership Training Program for high-risk and system-involved youth in the counties of Santa Clara, San Mateo, and Alameda. FLY is uniquely designed the Leadership Training Program to uncover and address the key needs of youth using a four-pronged approach: case management mentoring, peer mentoring, leadership training, and connection to service. The core curriculum and training is 10 months and includes three evidence-informed phases with distinctive activities for youth based on their assessed needs. The Leadership Training Program targets youth assessed as moderate to high need, a subset of whom are currently or formally on probation or have been incarcerated. The program incorporates one-on-one and group-peer mentoring. Additionally, through the program's non-clinical counseling tools of needs assessment, youth receive referral, warm-handoff, and follow up to clinical counseling for mental health and substance abuse.

**Title II Grant Program
Funding Recommendation
Project Summaries**

Applicant: Center for Training and Careers, dba ConXión to Community
Project Title: Bright Futures Mentoring and Counseling Program
Funding Request: \$349,669 annually
Project Total: \$1,049,006

Proposal Abstract: The ConXión to Community Bright Futures program offers an after-school, culturally relevant mentoring and counseling/intervention program that enhances resilience and empowers youth based on positive youth development principles to increase protective factors in their lives and reduce the risk factors that permeate the lives of these youth. Bright Futures will provide supportive services at one middle school and two high schools in Santa Clara County. The program is offered to youth that are low income, high-risk and underperforming, high-risk/gang impacted, and have prior arrests/citations or a parent previously/currently incarcerated. The targeted neighborhoods, designated as 'hot spots' by the City of San Jose Police Department, represent a majority of Latino youth with the remainder being Native American and Black American. The program provides a comprehensive intake that includes risk and protective factor assessment and will provide a minimum of 150 hours of case management/intervention services to each enrolled youth, each year, and youth receive an additional 60 hours of mentor engagement.

Applicant: Pacific Clinics
Project Title: Individual Placement and Support Employment Services (IPS)
Funding Amount: \$350,000 annually
Project Total: \$1,050,000

Proposal Abstract: Pacific Clinics provides youth employment services to at-risk transition age youth. The program will utilize the evidence-based Individual Placement and Support (IPS) model to serve transition age youth (TAY) ages 18 – 25 with juvenile justice involvement as well as foster/former foster youth of the same age range who are at heightened risk for justice involvement annually. The program emphasize relationship building to encourage youth to participate in mental health and substance abuse services, health navigation, housing support, among others. The IPS model includes three phases of service are 1) Pre-Employment, 2) Job Development and Placement, and 3) Employment Retention. The program will remove barriers to access and utilize employment as an intervention to improve employment and health and well-being outcomes and reduce disparities.

**Title II Grant Program
Funding Recommendation
Project Summaries**

Applicant: Volunteers of America of Los Angeles

Project Title: VOALA Youth Re-Entry Program

Funding Amount: \$350,000 annually

Project Total: \$1,050,000

Proposal Abstract: VOALA Youth Re-Entry Program provides evidence-based and culturally specific case management, mentoring, academic support, and job training/placement services to medium-to-high risk youth offenders, ages 18-26, who are being released from LA County jails. Services are provided in the community are based on participants' assessed risks and needs, with targeting needs that affect recidivism. VOALA works alongside LASD and Probation to accept referrals of eligible youth in need. The program includes Case Manager and mentorship to assess educational and vocational skills and needs and works together with the youth to build an Individual services plan. The VOALA Case Manager meets with participants at least every week for the first 30 days, and every other week thereafter via community-based visits and phone calls. Program services include linkages to housing and supportive service in the immediate hours/days following release, post-release case management, housing navigation, education services, employment services, life skills training, mentoring, and referrals to support services.

Applicant: Anti-Recidivism Coalition

Project: Expanding Supportive Services for Currently Incarcerated and Recently Released Youth in Los Angeles County

Funding Request: \$348,752 annually

Project Total: \$1,046,257

Proposal Abstract: The Anti-Recidivism Coalition (ARC) provides in-reach, warm handoff, and reentry services for currently and formerly incarcerated youth under the age of 26 in Los Angeles County. ARC provides in-custody programming weekly/monthly in the LA County Probation Secure Youth Treatment Facility and juvenile halls. Both in-custody and reentry programs work together to create a continuum of care and promote participants' successful integration into their communities. Programs and services are based in ARC's credible messenger model of having service providers with lived experience of incarceration and will improve youth outcomes, reduce recidivism, and reduce the overrepresentation of youth of color in contact with the juvenile justice system. ARC and its partners provide aftercare and reentry services in juvenile facilities in the County, warm handoffs directly from ARC in-reach staff to ARC reentry staff, and full wraparound services including mentorship, counseling, training, and job training to youth reentering the community after incarceration.

**Title II Grant Program
Funding Recommendation
Project Summaries**

Applicant: Operation New Hope
Project Title: Youth Opportunity Pathways Project (YOPP)
Funding Amount: \$265,140 annually
Project Total: \$795,419

Proposal Abstract: Operation New Hope Youth, Opportunity Pathways Project (YOPP) is a community-based program providing a set of best practices to address the needs and provide solutions for aftercare/reentry, alternatives to diversion, diversion, workforce development, mentoring, counseling, and life skills programming. The YOPP targets high-risk and probation youth, ages 14-26, who are on the verge of dropping out of school, chronic truancy, justice impacted, homeless youth, teen parents, and ESL youth. For disconnected youth who are neither in school or working for long periods of time, they are more likely to fall into a lifestyle of criminogenic needs, experience incarceration as adults, poor health, lower incomes, and unemployment. The program is designed to assist chronic, high-risk with their navigation in the community after traumatic experiences and reentry.

Applicant: Reading and Beyond
Project Title: Youth Academy
Funding Amount: \$350,000 annually
Project Total: \$1,050,000

Proposal Abstract: Reading and Beyond provides community-based programs, mentoring, and training services to reentry youth in Southeast Fresno neighborhoods based at the Mosqueda Center and will target the 18 and under population. Reading and Beyond leverages relationships with the Juvenile Public Defender's Office, multiple Fresno County schools, over 1,000 community members who completed a community survey, and other community organizations to support delinquency prevention and juvenile system improvement. The program works with youth and parents to build education, economic assets, social capital, and health and wellbeing to create economic security that passes from one generation to the next. An innovative parenting curriculum, "Food for Thought," will be used in eight-week cohorts to increase protective factors, increase parental efficacy, knowledge, and skills, and increase positive instances of family interactions to build resilience. Youth and Family Navigators (YFNs) will provide culturally relevant one-on-one mentoring and will help expose youth to a variety of career and technical certification opportunities as well as college readiness strategies.

**Title II Grant Program
Funding Recommendation
Project Summaries**

Applicant: Arcata Police Department
Project Title: The Parent Project
Funding Amount: \$31,690 annually
Project Total: \$95,071

Proposal Abstract: Arcata Police Department Juvenile Diversion program supports the Parent Project which is a 10-week series of classes, occurring in the Arcata and McKinleyville areas, for parents of strong-willed children. The project discusses the use of effective structure and discipline to influence children's behavior and deter unwanted outcomes. Topics also include recognizing and discussing substance use, improving school attendance and performance, and how to address and support teens' mental health needs. The Parent Project results in creating a supportive peer group to discuss needs and brainstorm strategies for improving their children's behavior. The program also supports youth involvement with the Teen Court Organization by referring teens and reimbursing the program for costs of hearings and other diversionary interventions. Teen Court provides an array of valuable services including substance use intervention, truancy intervention, and mentoring.

Applicant: Retraining the Village
Project Title: Retraining the Village San Mateo County Aftercare/Re-Entry Program
Funding Amount: \$204,766 annually
Project Total: \$614,298, partially funded

Proposal Abstract: Retraining the Village is an Aftercare/Re-Entry program that provides comprehensive pre- and post-release reentry services for individuals under age 26 exiting the juvenile justice system to San Mateo County, California. Services include assessment, individualized case management, individual and group counseling, substance use disorder assessment and treatment services, employment and educational services, life skills education, housing, mentoring, and linkages to healthcare and other supportive services. The Retraining the Village's program also provides transitional housing. The program 20 transitional housing beds in two transitional homes available to reentry project participants. The program objectives are to reduce participant recidivism by 50% by end of year three; securing employment for 30% of participants within six months of release; provide stable housing for 80% of participants within one-month of release; reduce substance use by 60% of participants; and improved mental health for 60% of participants within 12 months of release. The project prepares youth for release and provides a continuum of follow-up services to promote successful reintegration into the community.

Attachment E-5



2022 Title II Grant Program

REQUEST FOR PROPOSALS

Eligible Applicants:
California Counties
California Cities
California School Districts
Nonprofit Nongovernmental Organizations
Federally Recognized Indian Tribes in California

Grant Period: January 1, 2023, to March 31, 2026

RFP Released: June 10, 2022
Letters of Intent Due: July 15, 2022
Proposals Due: August 12, 2022



This page was intentionally left blank.

TABLE OF CONTENTS

PART I: GRANT INFORMATION	1
Grant Program Background.....	1
Contact Information	2
Proposal Due Date and Submission Instructions.....	2
Bidder’s Conference	3
Letter of Intent to Apply.....	3
Title II 2021-2023 State Plan	4
Target Population	4
Grant Program Description.....	4
Project Cycle and Funding Information.....	8
Project Evaluation Requirements	9
BSCC Executive Steering Committee Process.....	11
Overview of the RFP Process.....	11
General BSCC Grant Requirements.....	14
Federal Requirements	17
Promising, Data-Driven, and Innovative Approaches	17
Reducing Racial and Ethnic Disparity.....	19
Summary of Key Dates.....	19
PART II: PROPOSAL INSTRUCTIONS AND RATING FACTORS	21
Proposal Abstract	22
Instructions for Program Proposal Narrative and Program Budget.....	22
APPENDICES	26
Appendix A: Juvenile Justice Delinquency and Prevention Act of Reauthorization 2018	27
Appendix B: Federally Recognized California Tribes.....	28
Appendix C: Criteria for Non-Governmental Organizations	33
Appendix D: County Population Index	35
Appendix E: Glossary of Terms	36

Appendix F: Sample Local Evaluation Plan Components.....	41
Appendix G: SACJJDP Membership Roster.....	42
Appendix H: 2022 Title II Grant Executive Steering Committee	44
Appendix I: Sample Grant Agreement	45
Appendix J: Sample Governing Board or Tribal Council Resolution	86
Appendix K: Sample Title II Grant Program Progress Report.....	87
Appendix L: Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft, and Embezzlement.....	91
Appendix M: Evidence-Based Resources.....	92
PROPOSAL PACKAGE	95
Title II Grant Program Proposal Checklist.....	96
Applicant Information Form.....	98
Proposal Abstract	100
Proposal Narrative	101
1. Project Need (Percent of Total Value: 25%).....	101
2. Project Description (Percent of Total Value: 30%).....	101
3. Project Organizational Capacity and Coordination (Percent of Total Value: 20%)	101
4. Project Evaluation and Monitoring (Percent of Total Value: 10%)	101
5. Project Budget (Percent of Total Value: 15%)	101
Title II Grant Program Work Plan.....	102

NOTICE: California Public Records Act

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

PART I: GRANT INFORMATION

Grant Program Background

The Juvenile Justice and Delinquency Prevention Act¹ (JJDP) is the federal statute that establishes the Title II Grant Program. The U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers the grant, in part, by awarding grants to states to support delinquency prevention and juvenile justice system improvement. The Board of State and Community Correction (BSCC) is the state agency that receives and administers California's Title II award. The BSCC must competitively award funds to units of local government, nonprofit, nongovernmental organizations (NGOs) (referred to as local private agencies in the JJDP), or Indian tribes consistent with the purpose and intent of the JJDP and California's Title II State Plan.

OJJDP requires states that receive Title II awards to establish a State Advisory Group to advise on Title II activities. In California, this State Advisory Group is the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP). The SACJJDP is a governor-appointed committee serving as a standing BSCC Executive Steering Committee (ESC) that works on behalf of the Governor to support policy and programs that improve outcomes for young people in the justice system. The SACJJDP developed California's 2021-2023 State Plan, which was then approved by the Board and accepted by OJJDP. This grant program will fulfill the goals and objectives of this State Plan and JJDP requirements.

For more information about SACJJDP and the Title II State Plan click here: https://www.bscc.ca.gov/s_titleiigrant/

This Title II grant will fund:

1. Aftercare/Reentry
2. Alternatives to Detention
3. Community-Based Programs & Services
4. Diversion
5. Mentoring, Counseling & Training Programs
6. Job Training

This grant will also target the reduction of the overrepresentation of youth of color in contact with the juvenile justice system.

Funds from the Title II Grant program have been set aside for federally recognized tribal governments that serve tribal youth, which will be awarded through this Request for Proposal (RFP) process.

This Title II Grant cycle will be funded from Federal Fiscal Year (FFY) 2021, 2022, and 2023 awards contingent upon OJJDP funding OJJDP has not disclosed the amount of

¹ Pub. L No. 93-415 (1974), reauthorized and amended as the Juvenile Justice Reform Act (JJRA) of 2018 Pub. L. No. 115-385 (2018).

funding California will receive as of May 2022. BSCC awards to grantees are contingent upon federal appropriations in FFY 2021, 2022, and 2023.

Contact Information

This RFP provides the necessary information to submit a proposal to the BSCC. 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: jj_grants@bscc.ca.gov.

The BSCC will accept and respond to questions about this RFP until August 12, 2022. A frequently asked questions and answers (FAQs) document will be posted to the BSCC website and periodically updated through August 12, 2022.

Proposal Due Date and Submission Instructions

Proposals must be received by **5:00 p.m. on Friday, August 12, 2022**. Applicants must ensure the proposal package is signed with a digital signature **OR** a wet blue ink signature that is then scanned with the completed proposal package. Please submit one (1) completed proposal package via email to: jj_grants@bscc.ca.gov.

A complete proposal package will include:

- One (1) Portable Document Format (PDF) file that contains the signed Proposal Narrative and all required attachments as described on the Proposal Checklist.
- An Excel version of the Budget Attachment (Budget Tables and Budget Narrative). Do not submit the Budget Attachment in a PDF version.

Note: If the BSCC does not receive an email containing the complete proposal package by 5:00 p.m. (PST) on August 12, 2022, the proposal **will not** be considered for funding.

Bidder's Conference

Prospective applicants are invited – but not required – to attend a Bidders' Conference. The purpose of the Title II Grant Program Bidders' Conference is to answer technical questions from prospective bidders (applicants) and provide clarity on RFP instructions. Topics may include but are not limited to proposal submission instructions, eligibility, program purpose areas, funding, and an overview of the evaluation requirements.

Prospective bidders may appear in-person, join via Zoom, or call in. Public access options for the Bidders' Conference are listed below:

Title II Grant Program Bidder's Conference

Wednesday, June 29, 2022 | 10:00 a.m.

Appear In Person

- Board of State and Community Corrections
2590 Venture Oaks Way
1st Floor, Board Room
Sacramento, CA 95833

Join by Zoom

- <https://us02web.zoom.us/j/81304759594?pwd=ZlhFV0pYK1BPTIVSbXYxNTB6V Vg1Zz09>
- Meeting ID: 813 0475 9594 | Passcode: 847483

Call In

- Phone: 1-6699009128
- Meeting ID: 813 0475 9594 | Passcode: 847483

Letter of Intent to Apply

Applicants interested in applying for the Title II Grant Program are asked, but not required, to submit a non-binding letter indicating their intent to apply. These letters will aid the BSCC in planning for the proposal review process. Please submit the letter in Microsoft Word or as a PDF.

There is no formal template for the letter, but it should be submitted via email and include the following information:

- Name of the Applicant (County Department, City Department, School District, Nonprofit Nongovernmental Organization, or eligible Tribe);
- A brief statement indicating the Applicant's intent to submit a Proposal;
- Applicant representative's name and contact information

Failure to submit a Letter of Intent to Apply 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 **July 15, 2022**. Please identify

the email subject line as “Title II Letter of Intent to Apply” and email the letter to: jj_grants@bscc.ca.gov

Title II 2021-2023 State Plan

This Title II Grant Program provides alternatives to detention, promotes youth safety and well-being while in custody, and identifies and supports successful and emerging reentry models. It intends that in-custody programs focus on rehabilitation and building individual strengths instead of punishment for past mistakes and deficits. It intends that California’s disproportionate representation of youth of color in the juvenile justice system be addressed. In support of these efforts, funded programs should:

- Align with the recommendations, as applicable, identified in the Title II 2021-2023 State Plan;
- Use promising, data-driven, and innovative practices;
- As applicable, use individualized case plans;
- Be culturally responsive;
- Be locally relevant; and
- Offer measurable outcomes.

Target Population

Services and programs proposed in response to this RFP must be designed to serve people who are at-risk and/or have been under the jurisdiction of the juvenile justice system and are under the age of 26.

Grant Program Description

Eligibility to Apply ²

Applicants for Title II Grant Program must be a:

1. Unit of local government (including individual agencies or departments within a City and County or a School District) that partner with private nonprofit agencies, organizations, and institutions.
2. Private nonprofit agency, organization, or institution; **Or**
3. A federally recognized Indian tribe (at least one eligible program will be funded).

Applicants that do not meet the above criteria will not be considered for funding.

Definition of Lead Agency

Two or more applicants may partner to submit a joint proposal, but one must be designated as Lead Agency for contracting purposes. An applicant may not apply as Lead Agency for more than one proposal.

Non-lead agencies (including NGOs) may serve as a partner on more than one proposal. All NGOs must meet the eligibility criteria in Appendix C, “Criteria for Non-governmental Organizations Receiving Title II Grant Program Funds”.

² See Appendix A.

Eligible Activities – Program Purpose Areas

To support targeted delinquency prevention and intervention efforts, OJJDP developed a comprehensive list of Program Purpose Areas (PPAs) that are permissible uses of Title II funds. The SACJJDP further refined the PPAs that California would fund in the 2021-2023 Title II State Plan.

Applicants for Title II Grant Program must identify at least one PPA that the program will address. Applicants may address more than one PPA or a combination of PPAs. There are six (6) PPAs an applicant may select from as shown below:

- Aftercare/Reentry
- Alternatives to Detention and Placement
- Community Based Programs
- Diversion
- Mentoring, Counseling, and Training Programs
- Job Training

The Goals and Objectives for each PPA are provided below as context for the specific proposal requirements.

Aftercare/Reentry

Community-based programs that prepare targeted youth to successfully return to their homes and communities after confinement in a training school, youth correctional facility, or other secure institution. These programs focus on preparing youth for release and providing a continuum of follow-up, post-placement services to promote successful reintegration into the community.

Goal: Ensure that youth, upon entering a secure detention facility, are informed about and engaged in developing a robust reentry plan. This should be part of a comprehensive case planning process that addresses the most critical needs of the individual and provides a broad array of services.

Objectives:

- Increase the number of youth in custodial settings with individual case plans in place that incorporates robust reentry models/plans;
- Identify and support successful and emerging aftercare/reentry models;
- Examine strategies to incentivize successful reentry programs that also address basic needs such as housing, employment and mental health care.
- Increase the number of case plans, including reentry components, that consider the youth's environment and rely on collaboration with families and local support systems; and
- Educate the public about the importance of affording youth a second chance.

Alternatives to Detention and Placement

These are community and home-based alternatives to incarceration and institutionalization, including for youth who need temporary placement such as crisis intervention, shelter, and aftercare, and for youth who need residential placement such as a continuum of foster care or group home alternatives that provide access to a comprehensive array of services.

Goal: Reduce the number of youth arrested and held in secure juvenile facilities.

Objectives:

- Expand the use of and increase the options for holistic alternatives to arrest, detention and out of home placement;
- Increase awareness regarding the detrimental effect of arrest and incarceration on youth;
- Build strategic local partnerships that will serve to increase the awareness and use of effective alternatives to arrest, detention and placement; and
- Create a vehicle for community-based, self-esteem-building and healing-centered alternatives to arrest, detention and placement.

Community Based Programs

Designed to include Parents and other family members to strengthen families and to help keep youth in the home; programs support youth and their families during and after confinement to ensure the youth's safe return to the home and to strengthen the families; and can be designed for parents with limited English-speaking ability.

Goal: Increase the availability of, and access to, community-based and community-run programs and services that help youth, and their families, who are at risk of entering the juvenile justice system or have already entered the system.

Objectives:

- Increase access to community-based and community-run support programs and services for youth, parents and families;
- Promote community-defined success through effective, culturally relevant and gender responsive evaluation strategies and policies; Expand cultural and linguistic services for youth, parents and families; and Foster collaboration between community-based and community-run providers and justice system agencies including law enforcement, probation, and the courts.

Diversion

Programs to divert youth from entering the juvenile justice system, including restorative justice programs such as youth or teen courts, victim-youth mediation, and restorative circles.

Goal: Increase the number of youth diverted from the juvenile justice system.

Objectives:

- Increase the availability and use of diversion practices and programs;
- Use evidence-based assessments that increase objectivity and reduce implicit bias in decision making; and
- Expand awareness and resources for effective non-arrest alternatives, including restorative justice programs, that teach youth to accept responsibility for their actions.

Mentoring, Counseling, and Training Programs

Programs to develop and sustain a one-to-one supportive relationship between a responsible adult age 18 or older (a mentor) and an at-risk youth, a youth who has offended, or a youth who has contact with a parent or legal guardian who is or was incarcerated and contact is on a regular basis (a mentee). These programs may support academic tutoring, vocational and technical training, and drug and violence prevention counseling.

Goal: Promote culturally relevant mentoring, counseling, and training programs that enhance resilience and empower youth.

Objectives:

- Increase mentor recruitment and development to foster more mentor-mentee matches;
- Expand opportunities for youth to participate in drug and violence prevention counseling; and
- Increase vocational and technical training opportunities.

Job Training

Providing job training services is an effective strategy to dissuade delinquency and system involvement for at-risk youth, particularly those out of school and in high-risk situations. The SACJJDP intends to support employment training programs for at-risk youth that prepare participants for employment, provide mentorship and other support services, provide job placements, and make resources available to assist participants retain employment. This comprehensive approach requires collaboration among community-based organizations and employment service agencies. SACJJDP will support projects that enhance the employability of youth or prepare them for future employment by supporting the collaboration between these community-based organizations that provide mentorship and agencies that provide job training and job placement services such as: advocacy centers, educational institutions, and workforce investment boards.

Goal: Incorporate projects that enhance the employability of youth and prepare them for future employment and provide job training and placement services.

Objectives:

- Enhance collaboration between community-based organizations and service providers to provide job training services for youth and job placement services.

Project Cycle and Funding Information

Grant Period

Successful applicants will be funded for a three-year grant project service period commencing on January 1, 2023, and ending on December 31, 2025, and a final evaluation period commencing on January 1, 2026, ending March 31, 2026.

An additional three (3) months (January 1, 2026 through March 31, 2026) will be included in the grant agreement for the sole purposes of:

- Finalizing and submitting a required Local Evaluation Report, and
- Finalizing and submitting any required financial audit.

Funding Availability

Successful applicants will be funded subject to California receiving federal Title II funding for the next (3) three years. In addition to this funding contingency, funding is contingent upon adherence to federal guidelines, Title II RFP and BSCC grant agreement requirements and applicable statutes, and the grantee's ability to demonstrate that annual successful progress is being made towards its proposal goals and objectives.

Approximately \$4,000,000 will be available for the first year of the grant cycle (January 1, 2023 – December 31, 2023). Funding amounts for the second year (January 1, 2024 - December 31, 2024), third year (January 1, 2025 – December 31, 2025), and final evaluation period (January 1, 2026 – March 31, 2026) are contingent on OJJDP Title II awards and amounts not yet known.

The maximum amount of funding available per grant is \$350,000 annually.

Applicants must apply for the same amount of funding for all three years (e.g., first year: \$350,000, second year: \$350,000, and third year: \$350,000; totaling \$1,050,000 for a three-year period). Grantees may be able to carry unspent funds into the next calendar year, with prior BSCC approval. It is extremely important applicants plan and budget carefully and apply only for funding they can justify by services offered and the target population served each year of the three-year grant period.

Applicants are required to request only the amount of funds needed to support their proposal and not base the request solely on the maximum allowed annually (\$350,000).

Funding Distribution & Funding Thresholds

Applicants must receive at least 66% of the total points available to be considered for funding. These eligible applicants will compete in one category. However, as described below, funding shall be prioritized so that (1) at least one "small population" proposal will be funded, (2) at least one Native American Tribe Proposal will be funded, and (3) each of the six priority categories listed on page 1 of this RFP will be funded. These three funding priorities will be implemented as follows:

1. Highest Scoring "Small County Population" Proposal: The highest scoring proposal that meets the minimum scoring threshold submitted by an applicant entity located in a county with a population of less than 200,001 will be funded even if it scores are lower than other proposals. Population shall be determined by using the 2021 population estimates published by the California Department of Finance (see Appendix

D 2021 County Population Index). For an entity with more than one physical location, the address used on the applicant form shall be used to determine in which county the applicant is located.

2. Highest Scoring Native American Tribe Proposal: The highest scoring proposal that meets the minimum scoring threshold submitted by a California tribal applicant or applicant Lead agency partnering with a California tribe will be funded.

3. Six Program Purpose Areas: Applicants will identify one or more Program Purpose Areas (PPAs) that their proposal will address on the Applicant Information Form. It is the intent of this grant to fund at least one proposal in each of the six PPAs, of those that meet the minimum scoring threshold. This means a proposal that funds a particular PPA may be funded even if the proposal scores lower than other proposals that fund different priority areas.

Match Requirement

The Title II Grant Program Grant does not require a match.

Pass-Through Requirement for Government Agencies and Tribes

Lead applicant government agencies or Indian Tribes are required to pass through a minimum of 70% of grant funding to at least one direct service provider. A direct service provider must be a non-governmental organization. An Indian Tribe can satisfy the pass-through requirement if the Indian Tribe provides direct services.

For purposes of the pass-through requirement, pass-through NGOs include community-based organizations (CBOs), faith-based organizations (FBOs), non-profit organizations/501(c)(3)s, evaluators (except government institutions such as universities), grant management companies and any other non-governmental agency or individual. Note: The NGO criteria does not apply to government organizations (e.g., counties, cities, school districts, or federally recognized Indian tribes).

Project 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 (LEP), three months post-award, and, (2) a Local Evaluation Report (LER), after the conclusion of the grant. Evaluation planning, oversight, and reporting activities may be funded by up to 5% of the total Title II Grant Program award and can be included within the applicant's proposed budget. See Appendix E Glossary of Terms, for key definitions related to project evaluation.

- **Local Evaluation Plan** - The purpose of the LEP is to ensure that projects funded by the BSCC can be evaluated. Applicants will be expected to include a detailed description of how they plan to assess the effectiveness of the proposed program in relationship to each of its goals and objectives identified in the Proposal. LEP should describe the evaluation design or model that will be used to evaluate the effectiveness of the project component(s), with the project goals and the objectives clearly stated. Applicants should include criteria for both process and outcome

evaluations. Once submitted, any modifications to the LEP must be approved in advance by the BSCC. More detailed instructions on the LEP will be made available to successful applicants. See Appendix F for a sample of the evaluation components.

- **Local Evaluation Report** - Following project completion, grantees are required to complete a final LER which must be in a format prescribed by the BSCC. The purpose of the final LER is to determine whether the overall project was effective in meeting the goals laid out in the LEP. To do this, the grantee must assess and document the effectiveness of the activities that were implemented. These activities should have been identified in the previously submitted LEP. More detailed instructions on the LER will be made available to successful applicants.

Applicants are strongly encouraged to identify research partners early on and include them in the development of the proposal, to better ensure that the goals and objectives listed in the proposal are realistic and measurable. Applicants are also strongly encouraged (but not required) to use outside evaluators to ensure objective and impartial evaluations. Applicants are encouraged to partner with state universities or community colleges for evaluations. Evaluation planning, oversight, and reporting activities may be funded by the Title II Grant Program monies and should be identified within the applicant's proposed budget.

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>

BSCC Executive Steering Committee Process

Title II Grant Program Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees (ESCs) to inform decision making related to the Board's programs. The BSCC's ESCs 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 a 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. Not only do the ESCs develop RFPs, but 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 ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

The SACJJDP established a Title II ESC for the purpose of this grant cycle. This Title II Grant Program ESC includes subject matter experts on community engagement, prevention and intervention programs, mental/behavioral health, social services, law enforcement, including individuals who have been impacted by the justice and/or child welfare systems. A list of ESC members can be found in Appendix H.

Conflicts of Interest

Existing law prohibits any grantee, subgrantee, partner or like party who participated on the Title II ESC or who is a member of the SACJJDP that participated in the development of the RFP or approving awards from receiving funds awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Title II ESC membership and the SACJJDP rosters and ensuring that no grant dollars are passed through to any entity represented by the Title II ESC or participating member of the SACJJDP.

See Appendix G for the State Advisory Committee for Juvenile Justice and Delinquency Prevention Membership Roster and Appendix H for the Title II Grant ESC Roster or visit the website at: http://www.bscc.ca.gov/s_titleiigrant

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 the proposal has been received. The email will be sent to the individual who signed the application and the person listed as the Project Director.

Disqualification - PLEASE REVIEW CAREFULLY

Disqualification means the proposal will not advance to the Proposal Rating Process and, therefore, will NOT be considered for funding under this grant.

The following will result in a disqualification:

- An electronic version of the complete proposal package is not received by 5:00 p.m. PST on Friday, August 12, 2022.
- The applicant does not meet the following criteria: (1) a government agency, which includes individual agencies or departments within a County, City, School District, (2) a Nonprofit Nongovernmental Organization, or (3) a Federally recognized Indian Tribe (See Appendix B for list of eligible Indian Tribes).
- The Proposal does not address one of the required Program Purpose Areas
- Applicant's funding request exceeds allowable amounts
- Budget Attachment (Excel document) is incomplete, or the total amount included in the budget table does not match the requested amount included elsewhere in the application.
- Proposal Package does not contain items #1-10 listed in the Proposal Checklist. (Note: all of the items on the Proposal Checklist should be submitted and are required prior to grant agreement executed.)

Proposal Rating Process

Unless disqualified, proposals will advance to the Proposal Rating Process. The Title II Grant Program ESC will then read and rate each proposal in accordance with the prescribed rating factors listed in the table below. During the ESC rating period, the SACJJDP will also have a 30-day review period of each eligible proposal.

The ESC members will base their ratings on how well an applicant addresses the items listed under each rating factor within the Proposal Narrative and Budget Sections. ESC member ratings, once submitted to the BSCC, will be final.

At the conclusion of this process, applicants will be notified of the ESC's funding recommendations. It is anticipated that SACJJDP will act on those recommendations at its October 27, 2022, meeting and the BSCC Board will act on the recommendations at its meeting on November 17, 2022. Applicant agencies and partners are not to contact members of the ESC, SACJJDP or the BSCC Board to discuss proposals.

Rating Factors

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

Title II Grant Program Rating Factors and Scoring System

Rating Factors	Point Range	Percent of Total Value	Weighted Rating Factor Score
Project Need	0 - 5	25%	37.5
Project Description	0 - 5	30%	45
Project Organizational Capacity and Coordination	0 - 5	20%	30
Project Evaluation and Monitoring	0 - 5	10%	15
Project Budget	0 - 5	15%	22.5
Maximum Proposal Score		100%	150

*****PLEASE NOTE: TO BE CONSIDERED FOR FUNDING, A PROPOSAL MUST MEET A MINIMUM WEIGHTED SCORE OF 99 (66% OF THE 150 MAXIMUM PROPOSAL SCORE)*****

Raters will score an applicant's response in each of the Rating Factor categories on a scale of 0-5, according to the Six-Point Rating Scale shown below. For each rating factor, the rating point 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 Weighted Rating Factor Score. The Weighted Rating Factor Scores are 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.

Scoring Threshold/Minimum Score

To be considered for funding, a proposal must meet a threshold of **66 percent (66%)**, or minimum proposal score of **99** total points, to be considered for funding.

General BSCC Grant Requirements

Grant Agreement

Applicants approved for funding by the BSCC are required to enter into a Grant Agreement with the BSCC. Grantees must agree to comply with all terms and conditions of the Grant Agreement. See Appendix I for a Sample Grant Agreement.

The Grant Agreement start date is expected to be January 1, 2023. 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 which occur after the start date but prior to grant agreement execution have the potentiality of being disallowed or not being reimbursed. Grantees are responsible for maintaining their Grant Agreement, all invoices, records, and relevant documentation for at least three (3) years after the final payment under the contract.

Governing Board/Tribal Council Resolution

Before the grant award can be finalized and funds awarded, a successful applicant must submit either a resolution from its Governing Board or tribal council that delegates authority to the individual authorized to execute the grant agreement or sufficient documentation indicating that the individual who signs the grant agreement has been vested with plenary authority to execute grant agreements (e.g., a municipal ordinance or county ordinance/charter delegating such authority to a city manager or county executive officer or other governing board resolution delegating authority).

Non-profit/501(c)(3) applicants or business entities with boards of directors must provide evidence that the person signing the grant agreement has signing authority, which may include articles of incorporation, bylaws, or a board resolution conferring authority to the signatory.

This documentation is not required at the time of proposal submittal, but applicants are advised that the grant agreement will not be fully executed, nor will any financial invoices be processed for reimbursement until the required documentation has been received by the BSCC.

A sample Resolution can be found in *Appendix J*.

Audit Requirements

An organization that expends \$750,000 or more during the fiscal year in federal awards must have a single or program-specific audit conducted for that year in accordance with the federal provisions.

Organizations expending less than \$750,000 during their fiscal year are not required to have an annual audit for the year but must ensure that their grant related records are made available to the BSCC.

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.

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.

Grantee Orientation Process

Following the start of the grant period, BSCC staff will conduct a Grantee Orientation in Sacramento (at 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, Day-to-Day Contact, and the Evaluator must attend. Grant recipients may use Title II Grant Program funds for travel-related expenditures such as airfare, mileage, meals, lodging, and other per diem costs. Applicants should include anticipated costs in the budget section of the proposal under the "Other" category.

Disbursements

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. The State Controller's Office (SCO) will issue the warrant (check) to the individual designated on the application form as the Financial Officer for the grant. Grantees must submit invoices to the BSCC on a quarterly basis through the online process no later than 45 days following the end of each quarter. Grantees must maintain adequate supporting documentation for all costs claimed on invoices. BSCC staff will conduct on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

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 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. See Appendix K for a sample progress report.

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.

Tribes

Tribes 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.

Units of Government

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

Non-Governmental Organizations (NGOs)

An NGO receiving BSCC funds must use the State travel and per diem policy, unless the grantee's written travel policy is more restrictive than the State's, in which case it must be used. Reimbursement is allowed for the cost of commercial carrier fares, parking, bridge, and road tolls, as well as necessary taxi, bus, and streetcar fares. This policy applies equally to NGOs that receive grant funds directly from the BSCC and those that receive grant funds indirectly through a subcontract with another NGO that received a BSCC grant award..

Out-of-State Travel

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

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

Debarment, Fraud, Theft, or Embezzlement

It is the policy of the BSCC to protect grant funds from unreasonable risks of fraudulent, criminal, or other improper use. As such, the 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 (3) years following conviction.

Furthermore, the BSCC requires grant recipients to provide an assurance that there has been no applicable debarment, disqualification, suspension, or removal from a federal,

state or local grant program on the part of the grantee at the time of application and that the grantee will immediately notify the BSCC should such debarment or conviction occur during the term of the grant contract.

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

All applicants must complete Appendix L certifying they are in compliance with the BSCC's policies on debarment, fraud, theft, and embezzlement.

Compliance Monitoring Visits

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, the Comprehensive Monitoring Visit checklist can be found on our [website](#).

Federal Requirements

If selected for funding, in addition to implementing the funded project consistent with the approved application, grantees must comply with all grant award requirements, which include all applicable federal statutes, regulations, policies, guidelines and requirements, including all Title II Award Federal Conditions.

Refer to Exhibits E of the Sample Grant Agreement (Appendix I) to review the 2020 Title II Award Federal Conditions. Please note that federal award conditions are subject to change in subsequent funding years and grantees will be required to comply with any future changes to remain eligible for federal funding

Promising, Data-Driven, and Innovative Approaches

The BSCC is committed to supporting a focus on better outcomes in the criminal justice system and for those involved in it. Applicants seeking funding through this grant process are required to use data and research to drive decision-making in the development, implementation, and evaluation of their overall projects.

Applicants are therefore required to use data to drive conscientious decision-making in the development, implementation, and appraisal of their overall projects. Applicants should be able to demonstrate that their proposal is linked to the implementation of practices and strategies supported by data.

The SACJJDP also encourages grantees to employ the core principles of evidence-based practice (EBP) or community defined evidence practices (CDEP), which places an

emphasis on achieving measurable outcomes, and making sure the services provided and the resources utilized are effective.

While grantees are encouraged to develop projects that incorporate the principles of evidence-based practice, the SACJJDJP also recognizes that services must be tailored to fit the needs of the communities they serve. Innovation and creativity are permitted but should be founded upon existing data and research on best practices in this field.

Applicants seeking funding through this grant process are required to demonstrate that they will adhere to the basic principles of evidence-based practice (e.g., using data and research to drive decision-making) in the development, implementation, and evaluation of their overall projects.

The concept of evidence-based practice was developed outside of criminal justice and is commonly used in other applied fields such as medicine, nursing, and social work. In criminal justice, this term marks a significant shift by emphasizing measurable outcomes and ensuring that services and resources are effective in achieving the desired outcomes. The BSCC is committed to supporting this focus on better outcomes for the entire criminal justice system and for those involved in it.

For this RFP, applicants should focus on the following three basic principles:

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

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

2. Once an intervention or strategy is selected, will you be able to demonstrate that it is being carried out as intended?

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

3. Is there a plan to collect evidence or data that will allow for an evaluation of whether the intervention or strategy worked?

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

Applicants are encouraged to develop an overall project that incorporates these principles and is tailored to fit the needs of the communities they will serve. Plans to measure the effectiveness of a project should include the use of both qualitative and quantitative data/information. While quantitative data/information is based on numbers and mathematical calculations, qualitative data/information is based on written or spoken

narratives. The purpose of quantitative data/information is to explain, predict and/or control events through focused collection of numerical data, while the purpose of qualitative data/information is to explain and gain insight and understanding of events through the collection of narrative data/information.

Additional resources on evidence-based programs and promising programs and practices are provided in Appendix N.

Reducing Racial and Ethnic Disparity

Research shows that youth and adults of color are significantly overrepresented in the criminal justice system in California³. BSCC supports efforts to reduce racial and ethnic disparities and encourages others to do the same. The BSCC has undertaken several activities to ensure that California addresses this concern including trainings.

Title II Grant Program funding recipients may be included in training opportunities and will be invited to attend R.E.D. training by the BSCC if it is available during the project period. Grantees will be advised of the dates and locations after the start of the grant period.

For additional information about reducing racial and ethnic disparity (R.E.D.), prospective applicants may contact the R.E.D. Coordinator, Field Representative Timothy Polasik, at Timothy.Polasik@bscc.ca.gov.

Summary of Key Dates

The following table shows a timeline of key dates related to the Title II Grant Program.

Activity	Tentative Date
Release Request for Proposals Solicitation	June 10, 2022
Bidders' Conference	June 29, 2022
Letter of Intent Due to the BSCC	July 15, 2022
Grant Proposal/Application Due to the BSCC No later than 5:00 p.m.	August 12, 2022

³ 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)

Activity	Tentative Date
Proposal Rating Process and Development of Funding Recommendations	September 2022
SACJJDP Meeting for approval of Funding Recommendation to BSCC Board.	October 27, 2022
BSCC Board Meeting for Funding Approval	November 17, 2022
Grants Begin/Contracts Expected to Commence	January 1, 2023
Mandatory Grantee Orientation	To Be Determined (January 2023)

PART II: PROPOSAL INSTRUCTIONS AND RATING FACTORS

The following section contains pertinent information on how to complete the Request for Proposal package to the BSCC. Submittal information is contained in Part I, page 1.

- Proposal Abstract
- Program Proposal Narrative and Program Budget
 1. Project Need
 2. Project Description and Work Plan
 3. Project Organizational Capacity and Coordination
 4. Project Evaluation and Monitoring
 5. Project Budget

*****THE ENTIRE REQUEST FOR PROPOSALS PACKAGE FOR SUBMITTAL TO THE BSCC IS CONTAINED AT THE END OF THIS ENTIRE DOCUMENT.*****

Proposal Abstract

Instructions: Provide a brief summary of the proposed project. The Proposal Abstract must be submitted in Arial 12-point font with one-inch margins on all four sides. Narrative must be 1.5-line spaced and cannot exceed **1 page** in length. This section will not be included in the rating of the Proposal

Instructions for Program Proposal Narrative and Program Budget

Instructions: The Proposal Narrative section must be submitted in Arial 12-point font with one-inch margins on all four sides. The narrative must be 1.5-line spaced and cannot exceed **15 numbered pages** in length.

Note: Proposals exceeding the page limit shall not automatically be disqualified. However, BSCC staff shall remove ALL pages in excess of the page limit before forwarding the proposal to the ESC for rating, which may negatively impact a proposal's score. If line spacing, formatting, or font size results in the inclusion of additional content in excess of prescribed page limits, excess pages shall be removed, or the proposal may be disqualified. Illegible or unreadable proposals shall be disqualified.

For the Proposal Narrative, address each of the five (5) sections below. Each section should be titled according to its section header as provided (e.g., Project Need, Project Description, Project Organizational Capacity and Collaboration, and Project Evaluation and Monitoring). Within each section, address the bulleted items in a cohesive, comprehensive narrative format. Do not include website links.

The 15-page limitation for this section does not include the mandatory Cover Sheet, Proposal Checklist, Applicant Information Form, Project Abstract, Budget Table, Budget Narrative, Project Work Plan, endnotes, letters of commitment, or other required attachments.

It is up to the applicant to determine how to best use the total 15-page limit in addressing each section; however, as a guide, the percent of total point value for each section is listed within each header.

Address the following in narrative form:

Rating Criteria for Project Need Weighted at 25%	
1.1	Describe the need to be addressed including how the need relates to one or more of the Title II program purpose areas.
1.2	Describe current racial and ethnic disparities which demonstrate need in the proposed project.

1.3	Identify service gaps that contribute to the need (e.g., programs, accessibility, service area, geographic location).
1.4	Identify the target population (e.g., gender, age, system involved, criminogenic factors, or other risk factors) to be served by the grant. Selection of the target population includes, when appropriate: <ul style="list-style-type: none"> needs of underserved populations (e.g., disparities based on race, ethnicity, gender, LGBTQIA+, immigration status, socioeconomic status, abilities). relationship of the identified target population to the purpose of the grant.
1.5	Relevant local qualitative and/or quantitative data with endnote citations in support of the need are provided.
1.6	Describe the process used to receive input to determine the need of the community or impacted populations.

Address the following in narrative form:

Rating Criteria for Project Description Weighted at 30%	
2.1	Describe the proposed project goals, objectives and impact that include the relationship to the need and intent of the Title II Grant Program and the identified program purpose areas.
2.2	Provide a completed Work Plan (Attachment A of the Title II proposal) which is appropriate for the proposed project and aligns with the need and intent of the Title II Grant Program. The plan identifies the top three goals and objectives and how these will be achieved in terms of the activities, responsible staff/partner agencies, outcome measures, data sources and start and end dates.
2.3	Describe the proposed services/interventions of the project. Description should include: <ul style="list-style-type: none"> how the services will be delivered, including length and duration. how trauma-aware approaches will be implemented. how the program includes key elements of one or more of the Title II program purpose areas. how the services/interventions will address the racial and ethnic disparities identified in Program Need.
2.4	Provide a rationale for the proposed project which includes: <ul style="list-style-type: none"> The selection of evidence-based, promising, informed, data-driven, community/culturally defined or innovative practices, interventions, and services.

	<ul style="list-style-type: none"> • A description of relevant evidence, findings, or research to support the selection of the proposed project for the target population and the community.
2.5	<p>For project participants, describe:</p> <ul style="list-style-type: none"> • The total number of individuals projected to be served in relation to the target population. • The plan for selecting individuals for the program who are representative of the target population (e.g., enrollment process). • The plan for selecting the types and kinds of services that will be received by participants (e.g., screening, assessment tools).

Address the following in narrative form:

Rating Criteria Project Organizational Capacity and Coordination Weighted at 20%	
3.1	Describe the readiness for development and implementation of the proposed project.
3.2	<p>If collaborating with other partner agencies, describe:</p> <ul style="list-style-type: none"> • The process to select project partners or potential partners (agencies, contractors, stakeholders, private and/or public). • Suitability of the services provided by the project partners or potential partners. • Include key partners' letters of commitment describing involvement aligned with the proposed strategy.
3.3	Describe the applicant agencies and partner's (if known) history and experience with providing similar programming or working with the target population. (If the applicant's partners are unknown, describe the criteria that partners will need to meet.)
3.4	Describe a plan for continued engagement with the larger community throughout the grant cycle.

Address the following in narrative form:

Rating Criteria for Project Evaluation and Monitoring Weighted at 10%	
4.1	Describe the plan to determine the staff and/or entity that will conduct the project evaluation (process and outcome) and how monitoring activities will be incorporated in the various phases of the project (e.g. start-up, implementation, service delivery period).

4.2	Identify the process and outcome measures that are quantifiable and in line with the intent of the proposal and the objectives listed in the Work Plan.
4.3	Describe the preliminary plan for how to collect and evaluate baseline and outcome data related to the process and outcome measures identified in 4.2. Describe a plan for entering into data sharing agreements, if necessary.

As part of the application process, applicants are required to submit the 2022 Title II RFP Budget Attachment (Budget Attachment). Upon submission, the Budget Attachment will become Section 5: Project Budget of the official proposal package and will be rated as such based on the criteria listed below. Applicants are solely responsible for the accuracy and completeness of the information entered in the Budget Attachment.

Detailed instructions for completing the Budget Attachment are listed on the Instructions tab of the workbook. Applicants must complete the Project Budget worksheet in the Budget Attachment and submit it to the BSCC in excel format.

All project costs must be directly related to the objectives and activities of the project. The Budget Attachment covers the entire three-year grant period.

The following items will be rated as a part of this section, and must be addressed by the applicant in the 2022 Title II RFP Budget Attachment:

Rating Criteria for Project Budget Applied to both Program Budget Table and Program Budget Narrative Weighted at 15%	
5.1	Provide complete and detailed budget information in each section of the Budget Attachment (link below) which includes: <ul style="list-style-type: none"> • Expenses that are appropriate for the project's goals and planned activities. • A brief explanation justifying each expense tied to the services offered and target population served. • Describe within each budget section how the expenditures are being applied to the benefit of project participants.

To access the Budget Attachment, click [here](#). Do not modify the Budget Attachment. The Budget Attachment must be submitted in Excel format.

For additional guidance related to grant budgets, refer to the *BSCC Grant Administration Guide*, found under Grantee Resources on the Corrections Planning and Grant Programs page:

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

APPENDICES

Appendix A: Juvenile Justice Delinquency and Prevention Act of Reauthorization 2018

The Juvenile Justice and Delinquency Prevention Act of 1974 (as Amended Through P.L. 115-385, enacted December 21, 2018):

<https://ojjdp.ojp.gov/publications/JJRA-2018>

Appendix B: Federally Recognized California Tribes
U.S. Department of Interior, Bureau of Indian Affairs as of January 28, 2022

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	Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California)

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

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

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

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

Appendix C: Criteria for Non-Governmental Organizations Receiving Title II Grant Program Funds

The Title II Grant Program Request for Proposals (RFP) includes requirements that apply to non-governmental, community-based organizations providing service with grant funds⁴. Grantees are responsible for ensuring that all contracted third parties continually meet these requirements as a condition of receiving any Title II Grant Program funds.

Any non-governmental organization that receives Title II grant funds (as either a direct grantee, subgrantee, or subcontractor) must:

- Have been duly organized, in existence, and in good standing at least six (6) months prior to the effective date of its fiscal agreement with the BSCC or with the Title II grantee;
 - Non-governmental entities that have recently reorganized or have merged with other qualified non-governmental entities that were in existence prior to the six-month date are also eligible, provided all necessary agreements have been executed and filed with the California Secretary of State prior to the start date of the grantee-subcontractor fiscal agreement.
- Be registered with the California Secretary of State's Office, if applicable;
- Have a valid business license, if required by the applicable local jurisdiction;
- Have a valid Employer Identification Number (EIN) or Taxpayer ID (if sole proprietorship);
- Have any other state or local licenses or certifications necessary to provide the services requested (e.g., facility licensing by the Department of Health Care Services), if applicable; and,
- Have a physical address in the State of California. (An agent for service of process with a California address is insufficient.)

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

Grantee:

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

⁴ Non-Governmental Organizations (NGOs) include community-based organizations, faith-based organizations, non-profit organizations/501(c)(3)s, for profit service providers, evaluators (except government institutions such as universities), grant management companies and any other non-governmental agency or individual.

NOTE: These criteria do not apply to government organizations (e.g., counties, cities, school districts, etc.).

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 Title II RFP. These records will be subject to all records and retention language in the Standard Agreement.

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

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

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

SAMPLE

Appendix D: County Population Index

Source: California Department of Finance, Population Estimates, January 1, 2021

Large Counties (700,001+)

Alameda	1,656,591
Contra Costa	1,153,854
Fresno	1,026,681
Kern	914,193
Los Angeles County	10,044,458
Orange	3,153,764
Riverside	2,454,453
Sacramento	1,561,014
San Bernardino	2,175,909
San Diego	3,315,404
San Francisco	875,010
San Joaquin	783,534
San Mateo	765,245
Santa Clara	1,934,171
Ventura	835,223

Medium Counties (200,001-700,000)

Butte	202,669
Marin	257,774
Merced	284,836
Monterey	437,318
Placer	404,994
San Luis Obispo	271,172
Santa Barbara	441,172
Santa Cruz	261,115
Solano	438,527
Sonoma	538,207
Stanislaus	555,968
Tulare	481,773
Yolo	217,500

Small Counties (<200,001)

Alpine	1,135	Mendocino	86,669
Amador	37,377	Modoc	9,491
Calaveras	45,036	Mono	13,295
Colusa	22,248	Napa	137,637
Del Norte	26,949	Nevada	97,466
El Dorado	195,362	Plumas	18,116
Glenn	29,679	San Benito	63,526
Humboldt	136,851	Shasta	177,797
Imperial	186,034	Sierra	3,189
Inyo	18,563	Siskiyou	44,330
Kings	152,543	Sutter	101,289
Lake	63,940	Tehama	65,354
Lassen	27,572	Trinity	13,535
Madera	158,474	Tuolumne	53,465
Mariposa	18,037	Yuba	79,407

Appendix E: Glossary of Terms

Community Defined Evidence Practice

Community Defined Evidence Practice (CDEP) is 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. The central goal is to develop an evidence-base using cultural and/or community indicators that identify community-defined and community-based practices that work for, and matter to, these communities.

Cultural Competence

Cultural competence⁵ is a set of congruent behaviors, attitudes, and policies that come together in a system, agency or among professionals and enable that system, agency or those professions to work effectively in cross-cultural situations.

The word **culture** is used because it implies the integrated pattern of human behavior that includes thoughts, communications, actions, customs, beliefs, values and institutions of a racial, ethnic, religious or social group. The word **competence** is used because it implies having the capacity to function effectively. Five essential elements contribute to a system's institution's, or agency's ability to become more culturally competent which include:

1. Valuing diversity
2. Having the capacity for cultural self-assessment
3. Being conscious of the dynamics inherent when cultures interact
4. Having institutionalized culture knowledge
5. Having developed adaptations to service delivery reflecting an understanding of cultural diversity

These five elements should be manifested at every level of an organization including policy making, administrative, and practice. Further these elements should be reflected in the attitudes, structures, policies and services of the organization.

Evidence-based

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

Promising Practices

Promising practices are programs and strategies that have shown some positive results and potential for improving desired health outcomes. They may have evidence from use in real-world settings, a strong theoretical framework, and/or expert opinion, but have not been fully replicated in scientific studies. Depending on the level of scientific evidence, these are sometimes referred to as “evidence-informed,” “research-supported,” or “emerging” practices.

⁵ Cross, T., Bazron, B., Dennis, K., & Isaacs, M., (1989). *Towards A Culturally Competent System of Care, Volume I*. Washington, DC: Georgetown University Child Development Center, CASSP Technical Assistance Center.

Applicants may find it helpful to review the information on evidence-based practices in Appendix K of this RFP as well as in the Substance Abuse and Mental Health Services Administration's (SAMHSA) Guide to Evidence-Based Practices available at: <https://www.samhsa.gov/ebp-resource-center>.

Financial Audit

A financial audit provides assurances that an organization's financial statements are free of material misstatement based upon the application of generally accepted accounting principles.

Non-Governmental Organization

A non-governmental organization (NGO) is a local public organization that provides services to a community consisting of individuals, groups, or other organizations that constitute the local or community service population. In the context of the Proud Parenting Grant Program, an NGO is generally considered to be a non-government, non-law enforcement organization that provides services individuals that are at risk of involvement or already involved with the justice system. In this RFP, NGOs and nonprofit organizations are also referred to as CBOs or Community-Based Organizations (CBOs).

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 Approach

A trauma-informed approach is one in which all parties involved recognize and respond appropriately to the impact of traumatic stress designed to the youth's individual needs and ensure the physical and psychological safety of all youth, family members, and staff. A trauma-informed approach realizes the prevalence of trauma and why a trauma-informed approach is important; recognize how trauma affects all individuals in an organization, program, system, and/or workforce; responds effectively and with compassion; and actively works to resist re-traumatization.

Trauma-Informed Care

Trauma-informed care is a strengths-based service delivery approach "that is grounded in an understanding of and responsiveness to the impact of trauma, that emphasizes physical, psychological, and emotional safety for both providers and survivors, and that creates opportunities for survivors to rebuild a sense of control and empowerment" (Hopper, Bassuk, & Olivet, 2010, p. 82). It also involves vigilance in anticipating and avoiding institutional processes and individual practices that are likely to retraumatize individuals who already have histories of trauma, and it upholds the importance of consumer participation in the development, delivery, and evaluation of services.

Examples of program objectives⁶:

- By the end of the program, young, drug-addicted juveniles will recognize the long-term consequences of drug use.

⁶ Hopper, E. K., Bassuk, E. L., & Olivet, J. (2010). *Shelter from the storm: Trauma-informed care in homelessness services settings*. The Open Health Services and Policy Journal, 3, 80–100. As cited in the SAMSHA TIP 57 *A treatment Improvement Protocol: Trauma-Informed Care in Behavioral Services*. .

- 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 of the terms of the mediation agreements they have worked out with their victims by program completion.

EVALUATIVE TERMS

Local Evaluation Plan and Local Evaluation Report⁷

The purpose of the Local Evaluation Plan and the Local Evaluation Report is to identify whether the program achieved its goals and objectives. Outcome measures are designed to answer the question: “What results did the program produce?” Examples of outcome measures could include:

- Results of pre/post surveys (e.g., improvements in the number of high school graduates or reductions in law enforcement contacts).
- Implementation of programs aimed at increasing the number of youth enrolled in mentoring programs.
- Changes in policies that improve access to alcohol and substance use prevention services for youth.

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 program⁸.

Examples of goal statements⁹:

- To reduce the number of serious and chronic juvenile offenders.
- To reduce the number of youths who exhibit a pattern of chronic offending.
- To divert youth who commit nonviolent offenses from state juvenile correctional institutions.
- To restore the losses suffered by the victims of crimes.
- To make improvements in academic behavior and/or achievement.
- To reduce rates of youth substance use in the target area.

Objectives are statements of specific, measurable aims of program activities. Objectives detail the tasks that must be completed to achieve goals. Descriptions of objectives in the proposals should include three (3) elements:¹⁰

⁷ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 7. Retrieved from <https://ojjdp.ojp.gov/library/publications/juvenile-justice-program-evaluation-overview>

⁸ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)*. Retrieved <https://ojjdp.ojp.gov/library/publications/juvenile-justice-program-evaluation-overview>. See also New York State Division of Criminal Justice Services. *A Guide to Developing Goals and Objectives for Your Program*. Retrieved from <https://www.criminaljustice.ny.gov/ofpa/goalwrite.htm>

⁹ *Id.* At p. 4.

¹⁰ Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 5. Retrieved from <https://ojjdp.ojp.gov/library/publications/juvenile-justice-program-evaluation-overview>

- 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:¹¹

- By the end of the program, drug-addicted youth will recognize the long-term consequences of drug use.
- To place eligible youth in an intensive supervision program within two weeks of adjudication to ensure their accountability and the community's safety.
- To ensure the youth in this program carry out all the terms of the mediation agreements they have worked out with their victims by program completion.
- To improve the self-discipline and study habits of youth enrolled.

Process Evaluation versus Outcome Evaluation

Process Evaluation¹²

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 Evaluation¹³

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.

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.

Principles of Effective Intervention

During the past two decades, there has been renewed interest in examining correctional research. These efforts have been led by researchers such as Gendreau, Andrews,

¹¹ *Id.*

¹² *Id.* at pp. 7.

¹³ *Id.* at pp. 7-8.

Cullen, Lipsey and others.¹² Much evidence has been generated, leading to the conclusion that many rehabilitation programs have, in fact, produced significant reductions in recidivism. The next critical issue became the identification of those characteristics most commonly associated with effective programs. Through the work of numerous scholars (Andrews et al., 1990¹³; Cullen and Gendreau, 2000¹⁴; Lipsey 1999¹⁵), several “principles of effective intervention” have been identified. These principles can be briefly categorized as the following:

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

Qualitative Data

Qualitative data (information) 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

Quantitative data 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

¹² For a thorough review of this research, see Cullen, F.T. and B.K. Applegate. 1998. *Offender rehabilitation: Effective correctional intervention*. Brookfield, Vt.: Ashgate Dartmouth.

¹³ Andrews, D.A., I. Zinger, R.D. Hoge, J. Bonta, P. Gendreau and F.T. Cullen. 1990. Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology* 28(3):369-404.

¹⁴ Cullen, F.T. and P. Gendreau. 2000. Assessing correctional rehabilitation: Policy, practice, and prospects. In *Criminal justice 2000: Volume 3 – Policies, processes, and decisions of the criminal justice system*, ed. J. Horney, 109-175. Washington, D.C.: U.S. Department of Justice, National Institute of Justice.

¹⁵ Lipsey, M.W. 1999. Can intervention rehabilitate serious delinquents? *The Annals of the American Academy of Political and Social Science*, 564(2):142-166.

Appendix F: Sample Local Evaluation Plan Components

The Title II Grant Program Local Evaluation Plan (LEP) should, at a minimum, address the following:

Project Description as it pertains to the Title II Grant Program Project-

- Describe the intervention(s)/services/activities to be used in the project
- Define the target population (for example: gender age, system-involvement history, criminogenic factors, etc.)
- Define the criteria for participant eligibility
- Estimate the number of participants to receive an intervention(s)
- Describe the process for determining which interventions(s) a participant will receive
- Describe a plan to document the services within the intervention(s) provided to each participant
- Describe a plan for tracking participants in terms of progress in the project (for example start dates, attendance logs, dropouts, successful completions, etc.)

Project Evaluation Design-

- Define project goals
- Define project objectives
- Define variables and measures that will be used to demonstrate whether each goal, and their corresponding objectives, were achieved
- Indicate who will be conducting the outcome evaluation (i.e., external contractor/agency, internal team/individual, etc.)
- Identify data sources
- Define criteria for determining participant success/failure in the project
- Describe the research design that will be used to complete the evaluation
 - o Identify and define all outcome measures
 - o How will the results be used to determine whether your project was effective?
 - o Include any comparisons made

Project Oversight-

- Describe the project-oversight structure and overall decision-making process for the project
 - o Describe the research design for the process evaluation
 - o Identify and define all process evaluation measures
 - o Describe how the process measure data will be used to monitor the effectiveness of the project

Appendix G: SACJJD Membership Roster

State Advisory Committee on Juvenile Justice and Delinquency Prevention Membership Roster

	Name	Title	Organization/Agency	County
1	Rachel Rios (Chair)	Director	La Familia Counseling Center, Inc.	Sacramento
2	Carol Biondi (Vice-Chair)	Commissioner	Los Angeles County Commission for Children and Families	Los Angeles
3	Hon. Brian Back	Superior Court Judge	Ventura County Juvenile Court	Ventura
4	Dr. B.J. Davis	Adjunct Professor	Alliant International University	Sacramento
5	Dr. Carly Dierkhising	Assistant Professor	CSU Los Angeles	Los Angeles
6	Miguel A. Garcia	Youth Member	Legal Assistant, Daniel H. Cargnelutti, Esq.	Riverside
7	Juan Gomez	Director	Motivating Individual Leadership for Public Advancement	Los Angeles
8	Susan Harbert	Staff Attorney	Loyola Law School	Los Angeles
9	Gordon Jackson	National Director of Protect	3Strands Global Foundation	Sacramento
10	Ramon Leija	Advocate	Anti-Recidivism Coalition	Los Angeles
11	Kent Mendoza	Policy Coordinator	Anti-Recidivism Coalition	Los Angeles
12	Amika Mota	Prison Reentry Director	Young Women's Freedom Center	San Francisco

13	Vanessa Najar	Peer mentor	Puente Project at Sacramento City College	Sacramento
14	District Attorney Nancy O'Malley	District Attorney	Alameda County District Attorney's Office	Alameda
15	Winston Peters	Assistant Public Defender	Los Angeles County Public Defender's Office	Los Angeles
16	Dr. Mimi Silbert	Chief Executive Officer	Delancey Street Foundation	San Francisco
17	Dante Williams	Volunteer Juvenile Justice Chaplain	Sacramento County Probation Department	Sacramento
18	Elliott Housman-Turrubiate	Youth & Family Advocate Manager	Sacramento Native American Health Center	Sacramento
19	Michelle Guymon	Director	Child Trafficking Unit, Los Angeles County Sheriff's Department	Los Angeles

Appendix H: 2022 Title II Grant Executive Steering Committee

Title II Grant Program ESC Membership Roster

	Name	Title	Organization/Agency	County
1	Rachel Rios (Chair)	Executive Director	La Familia Counseling Center, Inc.	Sacramento
2	Hon. Brian Back	Judge	SACJJDP member, Ventura Juvenile Court	Ventura
3	Denise Villamil	Program Director Chair of the Board	ALMA Family Services Girls Today Women Tomorrow	Los Angeles
4	Hailey Jures	Consultant	Hailey Jures Consulting, LLC.	Los Angeles
5	Elliott Housman- Turrubiate	Youth & Family Advocate Manager	Sacramento Native American Health Center	Sacramento
6	Dr. B.J. Davis	Senior Manager of Training and Clinical Quality	WellSpace Health	Sacramento
7	Amanda Ayala	Project Manager II	Santa Clara County	Santa Clara
8	Gordon Jackson	National Director	3Strands Global Foundation	Sacramento

Appendix I: Sample Grant Agreement

Attachment E-5

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)

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

XXX

2. The term of this Agreement is:

START DATE

January 1, 2023

THROUGH END DATE

March 31, 2026

3. The maximum amount of this Agreement is:

\$000,000.00

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

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	X
Exhibit B	Budget Detail and Payment Provisions	X
Exhibit C	General Terms and Conditions (04/2017)	4
Exhibit D	Special Terms and Conditions	X
Exhibit E	2020 Title II Award Federal Conditions	X
Attachment 1*	2022 Title II Grant Program Request for Proposals	*
Attachment 2	2022 Title II Grant Program Application for Funding	XX

* This item is hereby incorporated by reference and can be viewed at: xxxxxxxxx

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

CONTRACTOR

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

GRANTEE NAME

CONTRACTOR BUSINESS ADDRESS

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 – TITLE II GRANT PROGRAM

This Grant Agreement is between the State of California, Board of State and Community Corrections (hereafter referred to as BSCC) and XXX (hereafter referred to as the Grantee).

2. PROJECT SUMMARY AND ADMINISTRATION

- A. Project Summary here....
- B. Grantee agrees to administer the project in accordance with Attachment 1: Title II Grant Program Request for Proposals (incorporated by reference) and Attachment 2: 2022 Title II Grant Program Application for Funding, which are attached and hereto 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:

Fax:

Email:

Project Director authorized to administer the project:

Name:

Title:

Address:

Phone:

Fax:

Email:

EXHIBIT A: SCOPE OF WORK

- C. Either party may change its project representatives upon written notice to the other party.
- D. By signing this Grant Agreement, the Authorized Officer listed above warrants that he or she has full legal authority to bind the entity for which he or she signs.

4. DATA COLLECTION

Grantees will be required to comply with all data collection and reporting requirements as described in the Title II Grant Program Request for Proposals.

5. REPORTING REQUIREMENTS

A. Quarterly Progress Reports

Grantee will submit quarterly progress reports in a format prescribed by the BSCC. These reports, which will describe progress made on program objectives and include required data, shall be submitted according to the following schedule:

Progress Report Periods	Due no later than:
1. January 1, 2023 to March 31, 2023	May 15, 2023
2. April 1, 2023 to June 30, 2023	August 15, 2023
3. July 1, 202, to September 30, 2023	November 15, 2023
4. October 1, 2023 to December 31, 2023	February 15, 2024
5. January 1, 2024 to March 31, 2024	May 15, 2024
6. April 1, 2024 to June 30, 2024	August 15, 2024
7. July 1, 2024 to September 30, 2024	November 15, 2024
8. October 1, 2024 to December 31, 2024	February 15, 2025
9. January 1, 2025 to March 31, 2025	May 15, 2025
10. April 1, 2025 to June 30, 2025	August 15, 2025
11. July 1, 2025 to September 30, 2025	November 15, 2025
12. October 1, 2025 to December 31, 2025	February 15, 2026

Note: Project service activity period ends December 31, 2025. The period of January 1, 2026 to March 31, 2026 is for completion of Final Local Evaluation Report and the financial audit only.

B. Evaluation Documents: Local Evaluation Plan and Final Evaluation Report

As described in the RFP, Grantee is required to submit to the BSCC: (1) a Local Evaluation Plan (three [3] months post-award) and, (2) a Local Evaluation Report (three [3] months after the conclusion of the grant).

	Due no later than:
1. Local Evaluation Plan	March 31, 2023
2. Final Local Evaluation Report	March 31, 2026

EXHIBIT A: SCOPE OF WORK

- C. Other: Grantees shall submit all other reports and data as required by the BSCC.
Financial Audit (if applicable) March 31, 2026

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.
- 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 (3) 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 (3) year period, whichever is later.

7. CONFLICT OF INTEREST

- A. Existing law prohibits any grantee, subgrantee, partner, or like party who participated on the Title II Grant Program Executive Steering Committee (see Contract Appendix A) from receiving funds from the Title II Grant Program awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Title II Grant Program ESC membership roster and ensuring no grant dollars are passed through to any entity represented by the members of the Title II Grant Program ESC.

EXHIBIT A: SCOPE OF WORK

- B. In cases of an actual conflict of interest with an ESC member, the Board may revoke the grant award and legal consequences could exist for the parties involved, including, but not limited to, repayment of the grant award.

8. AUDIT

Grantee is required to complete an audit annually for each fiscal year/audit period, or fraction thereof, for the entire three-year grant cycle. Grantees may choose either a program-specific audit or a single federal audit. Federal guidelines allow grantees receiving \$750,000 or more in federal funds in a fiscal year to use their federal justice assistance grant funds to pay for the cost of the audit. Grantees falling below the \$750,000 threshold must use non-federal funds (i.e., match funds) to pay for audit costs. For purposes of this grant award, please check one of the boxes below to indicate the grantee's choice for meeting the audit requirement.

- In conformance with Federal Office of Management and Budget (OMB) CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and the California State Controller's Accounting Standards and Procedures, Chapter 23, Grant Accounting Index, the identified grant will be included in the City/County Single Federal Audit Report, which will be submitted to the BSCC within 30 days of the Grantee's receipt of the report or within nine months following the end of the audit period, whichever is earlier.

OR

- In conformance with Federal Office of Management and Budget (OMB) CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and the California State Controller's Accounting Standards and Procedures Chapter 23, Grant Accounting Index, the grantee will provide a Program-Specific Final Audit Report to the BSCC within 30 days of the Grantee's receipt of the report or within nine months following the end of the audit period, whichever is earlier.

OR

- In conformance with Federal Office of Management and Budget (OMB) CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the non-governmental entity grantee **does not expend \$750,000 or more** in total federal awards during the fiscal year and is therefore, exempt from Federal audit requirements for this grant contract period. However, the entity understands that it must keep and maintain the grant records and make them available for review or audit by appropriate officials of the Federal agency, pass-through agency (i.e., the Board of State and Community Corrections) and Governmental Accountability Office.

9. DATA UNIVERSAL NUMBERS SYSTEM (DUNS)

EXHIBIT A: SCOPE OF WORK

The Contractor/grantee (entity entering into contract with the BSCC) must maintain active registration of their Data Universal Numbers System (DUNS) number, used for this Grant Agreement, throughout the term of the contract. An active DUNS number is also required to remain in compliance with the Federal Funding Accountability and Transparency Act (FFATA), a reporting tool Federal prime awardees (i.e. prime contractors and prime grants recipients) use to capture and report subaward and executive compensation.

SAMPLE
GRANT
AGREEMENT

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

1. INVOICING AND PAYMENTS (Grantee Selects Frequency After Award)

- A. The Grantee shall be paid in monthly in arrears by submitting an invoice (Form 201) to the BSCC that outlines actual expenditures claimed for the invoicing period.

Monthly Invoicing Periods

Due No Later Than:

- | | |
|---|--------------------|
| 1. January 1, 2023 to January 31, 2023 | March 15, 2023 |
| 2. February 1, 2023 to February 28, 2023 | April 15, 2023 |
| 3. March 1, 2023 to March 31, 2023 | May 15, 2023 |
| 4. April 1, 2023 to April 30, 2023 | June 15, 2023 |
| 5. May 1, 2023 to May 31, 2023 | July 15, 2023 |
| 6. June 1, 2023 to June 30, 2023 | August 15, 2023 |
| 7. July 1, 2023 to July 31, 2023 | September 15, 2023 |
| 8. August 1, 2023 to August 31, 2023 | October 15, 2023 |
| 9. September 1, 2023 to September 30, 2023 | November 15, 2023 |
| 10. October 1, 2023 to October 31, 2023 | December 15, 2023 |
| 11. November 1, 2023 to November 30, 2023 | January 15, 2024 |
| 12. December 1, 2023 to December 31, 2023 | February 15, 2024 |
| 13. January 1, 2024 to January 31, 2024 | March 15, 2024 |
| 14. February 1, 2024 to February 29, 2024 | April 15, 2024 |
| 15. March 1, 2024 to March 31, 2024 | May 15, 2024 |
| 16. April 1, 2024 to April 30, 2024 | June 15, 2024 |
| 17. May 1, 2024 to May 31, 2024 | July 15, 2024 |
| 18. June 1, 2024 to June 30, 2024 | August 15, 2024 |
| 19. July 1, 2024 to July 31, 2024 | September 15, 2024 |
| 20. August 1, 2024 to August 31, 2024 | October 15, 2024 |
| 21. September 1, 2024 to September 30, 2024 | November 15, 2024 |
| 22. October 1, 2024 to October 31, 2024 | December 15, 2024 |
| 23. November 1, 2024 to November 30, 2024 | January 15, 2025 |
| 24. December 1, 2024 to December 31, 2024 | February 15, 2025 |
| 25. January 1, 2025 to January 31, 2025 | March 15, 2025 |
| 26. February 1, 2025 to February 29, 2025 | April 15, 2025 |
| 27. March 1, 2025 to March 31, 2025 | May 15, 2025 |
| 28. April 1, 2025 to April 30, 2025 | June 15, 2025 |
| 29. May 1, 2025 to May 31, 2025 | July 15, 2025 |
| 30. June 1, 2025 to June 30, 2025 | August 15, 2025 |
| 31. July 1, 2025 to July 31, 2025 | September 15, 2025 |
| 32. August 1, 2025 to August 31, 2025 | October 15, 2025 |
| 33. September 1, 2025 to September 30, 2025 | November 15, 2025 |
| 34. October 1, 2025 to October 31, 2025 | December 15, 2025 |
| 35. November 1, 2025 to November 30, 2025 | January 15, 2026 |
| 36. December 1, 2025 to December 31, 2025 | February 15, 2026 |

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

Final Local Evaluation Report Period
37. January 1, 2026 through March 31, 2026

Due no later than
May 15, 2026

**Note: Only expenditures associated with completion of the Final Local Evaluation Report may be included on this last invoice.*

SAMPLE
GRANT
AGREEMENT

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

- A. The Grantee shall be paid in quarterly in arrears by submitting an invoice (Form 201) to the BSCC that outlines actual expenditures claimed for the invoicing period.

Quarterly Invoice Periods:

Quarterly Invoice Periods:	Due No Later Than:
1. January 1, 2023 to March 31, 2023	May 15, 2023
2. April 1, 2023 to June 30, 2023	August 15, 2023
3. July 1, 2023 to September 30, 2023	November 15, 2023
4. October 1, 2023 to December 31, 2023	February 15, 2024
5. January 1, 2024 to March 31, 2024	May 15, 2024
6. April 1, 2024 to June 30, 2024	August 15, 2024
7. July 1, 2024 to September 30, 2024	November 15, 2024
8. October 1, 2024 to December 31, 2024	February 15, 2025
9. January 1, 2025 to March 31, 2025	May 15, 2025
10. April 1, 2025 to June 30, 2025	August 15, 2025
11. July 1, 2025 to September 30, 2025	November 15, 2025
12. October 1, 2025 to December 31, 2025	February 15, 2026

Final Local Evaluation Report Period

38. January 1, 2026 through March 31, 2026

Due no later than

May 15, 2026

**Note: Only expenditures associated with completion of the Final Local Evaluation Report may be included on this last invoice*

- B. All project expenditures (excluding costs associated with the completion of the Final Local Evaluation Report) and all obligated match contributions must be incurred by the end of the grant project period, December 31, 2025, and included on the invoice due February 15, 2026. Project expenditures incurred after December 31, 2025 will not be reimbursed.
- C. The Final Local Evaluation Report is due to BSCC by March 31, 2026. Expenditures incurred solely for the completion of the Final Local Evaluation Report will be reimbursed for the close-out period of January 1, 2026 through March 31, 2026 and must be submitted on the last invoice, due May 15, 2026. All fiscal supporting documentation for the Final Local Evaluation Report expenditures must be submitted to the BSCC with this final invoice
- D. The Grantee shall submit an invoice to the BSCC each invoicing period, even if grant funds are not expended or requested during the invoicing period.
- E. Supporting documentation must be submitted for expenditures upon BSCC's request. All supporting documentation must be maintained by the grantee on site and be readily available for review during BSCC site visits.

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.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

- 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 Title II Grant 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 Assembly Bill 97 (Statutes of 2017, Chapter 14), also known as the California Budget Act of 2017. 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 Title II Grant Program funding is reduced or falls below estimates contained within the Title II Grant Program Request for Proposals, the BSCC shall have the option to either cancel this Grant Agreement with no liability occurring to the BSCC or offer an amendment to this agreement to the Grantee to reflect a reduced amount.
- C. If BSCC cancels the agreement pursuant to Paragraph 3(B) or Grantee does not agree to an amendment in accordance with the option provided by Paragraph 3(B), it is mutually agreed that the Grant Agreement shall have no further force and effect. In this event, the BSCC shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Agreement and Grantee shall not be obligated to perform any provisions of this Grant Agreement except that Grantee shall be required to maintain all project records required by Paragraph 6 of Exhibit A for a period of three (3) years following the termination of this agreement.

4. PROJECT COSTS

- A. Grantee is responsible for ensuring that actual expenditures are for eligible project costs. "Eligible" and "ineligible" project costs are set forth in the July 2020 BSCC Grant Administration Guide, which can be found under Quick Links here: 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.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

- B. Grantee is responsible for ensuring that invoices submitted to the BSCC claim actual expenditures for eligible project costs.
- C. Grantee shall, upon demand, remit to the BSCC any grant funds not expended for eligible project costs or an amount equal to any grant funds expended by the Grantee in violation of the terms, provisions, conditions or commitments of this Grant Agreement.
- D. Grant funds must be used to support new program activities or to augment existing funds that expand current program activities. Grant funds shall not replace (supplant) any federal, state and/or local funds that have been appropriated for the same purpose. Violations can result in recoupment of monies provided under this grantor suspension of future program funding through BSCC grants.

5. PROMPT PAYMENT CLAUSE

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

6. WITHHOLDING OF GRANT DISBURSEMENTS

- A. The BSCC may withhold all or any portion of the grant funds provided by this Grant Agreement in the event the Grantee has materially and substantially breached the terms and conditions of this Grant Agreement.
- B. At such time as the balance of state funds allocated to the Grantee reaches five percent (5%), the BSCC may withhold that amount as security, to be released to the Grantee upon compliance with all grant provisions, including:
 - 1) submittal and approval of the final invoice;
 - 2) submittal and approval of the final progress report; and
 - 3) submittal and approval of any additional required reports.
- C. The BSCC will not reimburse Grantee for costs identified as ineligible for grant funding. If grant funds have been provided for costs subsequently deemed ineligible, the BSCC may either withhold an equal amount from future payments to the Grantee or require repayment of an equal amount to the State by the Grantee.
- D. In the event that grant funds are withheld from the Grantee, the BSCC's Executive Director or designee shall notify the Grantee of the reasons for withholding and advise the Grantee of the time within which the Grantee may remedy the failure or violation leading to the withholding.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

7. PROJECT BUDGET

Program Budget (January 1, 2023 – March 31, 2026)	Total
1. Salaries and Benefits	\$0
2. Services and Supplies	\$0
3. Professional Services	\$0
4. Direct Service Provider Subcontracts (NGO & Government)	\$0
5. Equipment/Fixed Assets	\$0
6. Project Evaluation and Data Collection	\$0
7. Other (Travel, Training, etc.)	\$0
8. Indirect Costs	\$0
TOTAL	\$0

SAMPLE
GRANT
AGREEMENT

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

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

shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

- 8. INDEPENDENT CONTRACTOR:** Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.
- 9. RECYCLING CERTIFICATION:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).
- 10. NON-DISCRIMINATION CLAUSE:** During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require ascertaining 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.

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

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.

(<https://www.dgs.ca.gov/OLS/Resources>)

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be a paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

A. The Government Code Chapter on Antitrust claims contains the following definitions:

- 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
- 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

B. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

C. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

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

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 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION REPORTING REQUIREMENTS:

- A. If for this Contract the Contractor made a commitment to achieve small business participation, then the 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 the Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then the 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

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

amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER: If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

SAMPLE
GRANT
AGREEMENT

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 is solely for the purpose of proper administration of grant funds and shall not be deemed to relieve or restrict the Grantee's responsibility.
- B. Grantee is responsible for the performance of all project activities identified in Attachment 1: Title II Grant Program Request for Proposals and Attachment 2: 2022 Title II Application for Funding.
- C. Grantee shall immediately advise the BSCC of any significant problems or changes that arise during the course of the project.

2. GRANTEE ASSURANCES AND COMMITMENTS

- A. Compliance with Laws and Regulations
This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California. Grantee shall at all times comply with all applicable State laws, rules and regulations, and all applicable local ordinances.
- B. Compliance with Federal Laws and Regulations
The Grantee hereby assures and certifies compliance with all applicable federal statutes, regulations, policies, guidelines and requirements, including all Title II Federal Award Conditions. The 2020 Title II Federal Award Conditions are included in this Grant Agreement as Exhibit E. Please note that federal award conditions are subject to change in subsequent funding years and grantees will be required to comply with any future changes to remain eligible for federal funding.
- C. Fulfillment of Assurances and Declarations
Grantee shall fulfill all assurances, declarations, representations, and statements made by the Grantee in Attachment 1: Title II Grant Program Request for Proposals and Attachment 2: Title II Application for Funding, documents, amendments, approved modifications, and communications filed in support of its request for grant funds.
- D. 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.

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

- B. Nothing contained in this Grant Agreement or otherwise, shall create any contractual relation between the BSCC and any subcontractors, and no subcontract shall relieve the Grantee of his responsibilities and obligations hereunder. The Grantee agrees to be as fully responsible to the BSCC for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee. The Grantee's obligation to pay its subcontractors is an independent obligation from the BSCC's obligation to make payments to the Grantee. As a result, the BSCC shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.
- C. Grantee shall ensure that all subcontractors comply with the eligibility requirements stated in the Title II Grant Program RFP and described in Appendix A: Juvenile Justice Delinquency and Prevention Act of Reauthorization 2018
- D. Grantee assures that for any subcontract awarded by the Grantee, such insurance and fidelity bonds, as is customary and appropriate, will be obtained.
- E. Grantee agrees to place appropriate language in all subcontracts for work on the project requiring the Grantee's subcontractors to:
- 1) Books and Records
Maintain adequate fiscal and project books, records, documents, and other evidence pertinent to the subcontractor's work on the project in accordance with generally accepted accounting principles. Adequate supporting documentation shall be maintained in such detail so as to permit tracing transactions from the invoices, to the accounting records, to the supporting documentation. These records shall be maintained for a minimum of three (3) years after the acceptance of the final grant project audit under the Grant Agreement and shall be subject to examination and/or audit by the BSCC or designees, state government auditors or designees, or by federal government auditors or designees.
 - 2) Access to Books and Records
Make such books, records, supporting documentations, and other evidence available to the BSCC or designee, the State Controller's Office, the Department of General Services, the Department of Finance, California State Auditor, and their designated representatives during the course of the project and for a minimum of three (3) years after acceptance of the final grant project audit. The Subcontractor shall provide suitable facilities for access, monitoring, inspection, and copying of books and records related to the grant-funded project.

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

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. All funds received by the Grantee shall be deposited into separate fund accounts which identify the funds and clearly show the manner of their disposition. Grantee agrees that accounting procedures for grant funds received pursuant to this Grant Agreement shall be in accordance with generally accepted government accounting principles and practices, and adequate supporting documentation shall be maintained in such detail as to provide an audit trail, which will permit the tracing of transactions from such documents to relevant accounting records, financial reports and invoices.
- B. 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 the Application for Funding. Changes shall not be implemented by the project until authorized by the BSCC.

7. TERMINATION

- A. This Grant Agreement may be terminated by the BSCC at any time after grant award and prior to completion of project upon action or inaction by the Grantee that constitutes a material and substantial breach of this Grant Agreement. Such action or inaction includes but is not limited to:
- 1) substantial alteration of the scope of the grant project without prior written approval of the BSCC;
 - 2) refusal or inability to complete the grant project in a manner consistent with Attachment 1: Title II Grant Program Request for Proposal and Attachment 2: 2022 Title II Application for Funding, or approved modifications;

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

- 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 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

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

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. 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.

SAMPLE
GRANT
AGREEMENT

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

incorporated by reference through award conditions, and references set out in other award requirements.

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must—

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both—

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email EVerify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition:

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

(or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Post award Requirements" in the "DOJ Grants Financial Guide").

16. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

17. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

18. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

19. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "highrisk" for purposes of the DOJ high-risk grantee list.

20. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

23. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

24. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Reporting potential fraud, waste, and abuse, and similar misconduct

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

26. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both—

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

27. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

28. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

29. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

30. The recipient agrees that, consistent with applicable State law, staff directly associated with administration of the OJJDP Formula Grants Program will attend and participate in conferences, workshops, training sessions and other national or regional meetings deemed by OJJDP to be critical to the administration of this Program. OJJDP will determine which staff and the number of staff that should attend each meeting, consistent with the scope and subject matter of the meeting. Cost of attendance will be borne by the recipient as an administrative cost to the grant or paid from State Advisory Group set aside funds under Section 222(d), as appropriate.
31. The recipient agrees that, as required by federal law (31 U.S.C. 1301(a)), the funds allocated to support its State Advisory Group (SAG) pursuant to 34 U.S.C. 11132(d) must be expended in a manner consistent with the purposes set forth at 34 U.S.C. 11133(a)(3)(B), (C), and (D). If the recipient's SAG chooses to use a portion of its limited formula grant set-aside for organizational membership fees, such costs are only allowable if those costs meet the requirements of 2 C.F.R. 200.454. The use of federal funds for 1) cash or in-kind contributions, 2) donations, or 3) payment of membership fees in organizations substantially engaged in lobbying, is specifically prohibited by 2 C.F.R. 434 and 454.
32. Pursuant to Section 223(a)(3)(A)(iii) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (34 U.S.C. § 11101, et seq.), the chairperson of the State Advisory Group cannot be a full-time employee of the Federal, State, or local government. This prohibition applies also to an Acting Chair, or other person assuming the duties and responsibilities of the Chair, whether permanently or on a temporary basis.
33. The recipient agrees that it will submit quarterly financial status reports to OJP on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at <https://www.gsa.gov/forms-library/federal-financial-report>), not later than 30

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Authority to obligate award funds contingent on noninterference (within the funded "program or activity") with federal law enforcement: information-communication restrictions; unallowable costs; notification

1. If the recipient is a "State," a local government, or a "public" institution of higher education:

A. The recipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that is funded wholly or partly with award funds is subject to any "information-communication restriction."

B. Also, with respect to any project costs it incurs "at risk," the recipient may not obligate award funds to reimburse itself if -- at the time it incurs such costs -- the program or activity of the recipient (or of any subrecipient, at any tier, described in par. 1.A of this condition) that would be reimbursed wholly or partly with award funds was subject to any information-communication restriction.

C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and each subrecipient (regardless of tier) described in par. 1.A of this condition, is in compliance with the award condition entitled "Noninterference (within the funded 'program or activity') with federal law enforcement: information-communication restrictions; ongoing compliance."

D. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded program or activity of the recipient, or of any subrecipient (at

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

any tier) described in par. 1.A of this condition, may be subject to any information-communication restriction. Also, any subaward (at any tier) to a subrecipient described in paragraph 1.A of this condition must require prompt notification to the entity that made the subaward, should the subrecipient have such credible evidence regarding an information-communication restriction.

2. Any subaward (at any tier) to a subrecipient described in par. 1.A of this condition must provide that the subrecipient may not obligate award funds if, at the time of the obligation, the program or activity of the subrecipient (or of any further such subrecipient at any tier) that is funded in whole or in part with award funds is subject to any information-communication restriction.

3. Absent an express written determination by DOJ to the contrary, based upon a finding by DOJ of compelling circumstances (e.g., a small amount of award funds obligated by the recipient at the time of a subrecipient's minor and transitory non-compliance, which was unknown to the recipient despite diligent monitoring), any obligations of award funds that, under this condition, may not be made shall be unallowable costs for purposes of this award. In making any such determination, DOJ will give great weight to evidence submitted by the recipient that demonstrates diligent monitoring of subrecipient compliance with the requirements set out in the "Noninterference ... information-communication restrictions; ongoing compliance" award condition.

4. Rules of Construction

A. For purposes of this condition "information-communication restriction" has the meaning set out in the "Noninterference ... information-communication restrictions; ongoing compliance" condition.

B. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference ... information-communication restrictions; ongoing compliance" condition are incorporated by reference as though set forth here in full.

36. Authority to obligate award funds contingent on no use of funds to interfere with federal law enforcement: information-communication restrictions; unallowable costs; notification

1. If the recipient is a "State," a local government, or a "public" institution of higher education:

A. The recipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that is funded in whole or in part with award funds is subject to any "information-communication restriction."

B. In addition, with respect to any project costs it incurs "at risk," the recipient may not obligate award funds to reimburse itself if -- at the time it incurs such costs -- the program or activity of the recipient (or of any subrecipient, at any tier, described in paragraph 1.A

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

of this condition) that would be reimbursed in whole or in part with award funds was subject to any information-communication restriction.

C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and each subrecipient (regardless of tier) described in paragraph 1.A of this condition, is in compliance with the award condition entitled "No use of funds to interfere with federal law enforcement: information-communication restrictions; ongoing compliance."

D. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded program or activity of the recipient, or of any subrecipient (at any tier) described in paragraph 1.A of this condition, may be subject to any information-communication restriction. In addition, any subaward (at any tier) to a subrecipient described in paragraph 1.A of this condition must require prompt notification to the entity that made the subaward, should the subrecipient have such credible evidence regarding an information-communication restriction.

2. Any subaward (at any tier) to a subrecipient described in paragraph 1.A of this condition must provide that the subrecipient may not obligate award funds if, at the time of the obligation, the program or activity of the subrecipient (or of any further such subrecipient at any tier) that is funded in whole or in part with award funds is subject to any information-communication restriction.

3. Absent an express written determination by DOJ to the contrary, based upon a finding by DOJ of compelling circumstances (e.g., a small amount of award funds obligated by the recipient at the time of a subrecipient's minor and transitory non-compliance, which was unknown to the recipient despite diligent monitoring), any obligations of award funds that, under this condition, may not be made shall be unallowable costs for purposes of this award. In making any such determination, DOJ will give great weight to evidence submitted by the recipient that demonstrates diligent monitoring of subrecipient compliance with the requirements set out in the "No use of funds to interfere ...information-communication restrictions; ongoing compliance" award condition.

4. Rules of Construction

A. For purposes of this condition "information-communication restriction" has the meaning set out in the "No use of funds to interfere ... information-communication restrictions; ongoing compliance" condition.

B. Both the "Rules of Construction" and the "Important Note" set out in the "No use of funds to interfere ...information-communication restrictions; ongoing compliance" condition are incorporated by reference as though set forth here in full.

37. Noninterference (within the funded "program or activity") with federal law enforcement: information-communication restrictions; ongoing compliance

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

1. With respect to the "program or activity" funded in whole or part under this award (including any such program or activity of any subrecipient at any tier), throughout the period of performance, no State or local government entity, - agency, or -official may prohibit or in any way restrict-- (1) any government entity or -official from sending or receiving information regarding citizenship or immigration status to/from DHS; or (2) a government entity or -agency from sending, requesting or receiving, or exchanging information regarding immigration status to/from/with DHS, or from maintaining such information. Any prohibition (or restriction) that violates this condition is an "information-communication restriction" under this award.

2. The recipient's monitoring responsibilities include monitoring of subrecipient compliance with the requirements of this condition.

3. Allowable costs. Compliance with these requirements is an authorized and priority purpose of this award. To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) that the recipient, or any subrecipient at any tier that is a State, a local government, or a public institution of higher education, incurs to implement this condition.

4. Rules of Construction

A. For purposes of this condition:

(1) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(2) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(3) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).

(4) "Immigration status" means what it means under 8 U.S.C. 1373 and 8 U.S.C. 1644; and terms that are defined in 8 U.S.C. 1101 mean what they mean under that section 1101, except that "State" also includes American Samoa.

(5) "DHS" means the U.S. Department of Homeland Security.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

38. No use of funds to interfere with federal law enforcement: information-communication restrictions; ongoing compliance

1. Throughout the period of performance, no State or local government entity, -agency, or -official may use funds under this award (including under any subaward, at any tier) to prohibit or in any way restrict-- (1) any government entity or -official from sending or receiving information regarding citizenship or immigration status to/from DHS; or

(2) a government entity or -agency from sending, requesting or receiving, or exchanging information regarding immigration status to/from/with DHS, or from maintaining such information. Any prohibition (or restriction) that violates this condition is an "information-communication restriction" under this award.

2. The recipient's monitoring responsibilities include monitoring of subrecipient compliance with the requirements of this condition.

3. Allowable costs. Compliance with these requirements is an authorized and priority purpose of this award. To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) that the recipient, or any subrecipient at any tier that is a State, a local government, or a public institution of higher education, incurs to implement this condition.

4. Rules of Construction

A. For purposes of this condition:

(1) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(2) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(3) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).

(4) "Immigration status" means what it means under 8 U.S.C. 1373 and 8 U.S.C. 1644; and terms that are defined in 8 U.S.C. 1101 mean what they mean under that section 1101, except that "State" also includes American Samoa.

(5) "DHS" means the U.S. Department of Homeland Security.

EXHIBIT E: 2020 TITLE II AWARD FEDERAL CONDITIONS

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

39. The award recipient agrees, as a condition of award approval, to comply with the requirements of 28 CFR Part 22, including the requirement to submit a properly executed Privacy Certificate that is in compliance with 28 CFR § 22.23 to OJJDP for approval.
40. The award recipient agrees to comply with the requirements of 28 CFR Part 46 and all other Department of Justice/ Office of Justice Programs policies and procedures regarding the protection of human research subjects, including informed consent procedures and obtainment of Institutional Review Board (IRB) approval, if appropriate.
41. The grantee agrees that not later than 60 days after the date on which the award is made (or, if applicable, 60 days after OJJDP releases a grant condition requiring a revised state plan), the grantee shall make the state plan or amended plan required under 34 U.S.C. § 11133(a), and submitted as part of the application for this award, publicly available, by posting it on the state's publicly available website.
42. The recipient may not obligate, expend, or draw down funds until the recipient has submitted a revised budget and budget narrative reflecting the total amount of this award, and a Grant Adjustment Notice has been issued to remove this special condition.
43. Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

Appendix J: Sample Governing Board or Tribal Council Resolution

Before grant funds can be reimbursed, a prospective grantee must either (1) submit a resolution from its Governing Board that delegates authority to the individual authorized to execute the grant agreement or (2) provide sufficient documentation indicating that the prospective grantee has been vested with plenary authority to execute grant agreements (e.g., a municipal ordinance or county ordinance/charter delegating such authority to a city manager or county executive officer or other governing board resolution delegating authority).

Below is sample language for a resolution. Applicants are encouraged to submit the resolution with their application.

WHEREAS the ***(insert name of Applicant Agency)*** desires to participate in the Title II Grant Program funded through the US Office of Juvenile Justice and Delinquency Prevention and 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 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 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 or Tribal Council)*** in a meeting thereof held on ***(insert date)*** by the following:

Ayes:

Nos:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

Appendix K: Sample Title II Grant Program Progress Report

County, City, School District or Tribe:	BSCC Grant Award Number:
Project Title:	Date:
Prepared by:	Phone:
Title:	Email:

Year 1 Reporting Quarters			
<input type="checkbox"/> Quarter 1	<input type="checkbox"/> Quarter 2	<input type="checkbox"/> Quarter 3	<input type="checkbox"/> Quarter 4

SECTION 1

Please provide an update on your efforts with respect to administering the project as outlined in the grant proposal by addressing the following questions.

Expenditure Status:

Title II Award Amount - \$	
Amount Invoiced-to-Date (Sum of Quarterly Invoices)	\$
Percent of Award Invoiced to Date (Amount above ÷ Award Amount)	%

In relation to the overall grant budget, are state Title II grant funds being expended as planned and on schedule? Yes No

If not, please explain why, and describe what expenditure plan(s) exist for the grant period.

Overall Activities Implemented: Describe project activities this reporting period (hiring of staff, process development/improvement, service delivery, collaboration efforts, evaluation planning/implementation).

Overall Project Challenges: Identification and Resolution- Describe any challenges/issues the project has encountered during the reporting period. Consider what may be affecting project effectiveness or may have the potential of affecting program outcomes and stated goals. Examples of areas where problems may exist are program administration, service delivery, rate of referrals, and participant enrollment or participation, county processes, among others. Describe the plan to resolve identified challenges.

Overall Accomplishments and Highlights: What successes (other than participant-specific) has the project achieved (e.g., reaching participant enrollment for the period, reaching other stated project goals, recognition from public officials and/or other jurisdictions/agencies, receiving media coverage)? Please include any training project staff and/or local partnering agencies have received this reporting period.

Other Comments, Observations, and/or Project Notables:

Case Study/Anecdotal Information: Case studies are often the most compelling evidence of the value of a program. With this in mind, please provide a brief description of a client enrolled in your project (e.g., age, gender, race, criminal history, etc.), challenges with engaging and/or serving the client, and how the project is positively impacting him/her and their family.

Do not identify participant by name.

SECTION 2: County Identified Goals and Objectives

Section 2 lists the goals and objectives developed by the grantee and provided to the BSCC. There are three questions for each goal/objective listed. Provide responses specific to this reporting quarter below.

- **Goal:** Goal 1 from Proposal

Objectives:

- Objective 1a from Proposal
- Objective 1b from Proposal
- Objective 1c from Proposal

1. Describe progress towards the stated goal and objectives during the reporting period.
2. Describe any challenges towards the stated goal and objectives during the reporting period.
3. If applicable, what steps were implemented to address challenges.

- **Goal:** Goal 2 from Proposal

Objectives:

- Objective 2a from Proposal
- Objective 2b from Proposal
- Objective 2c from Proposal

1. Describe progress towards the stated goal and objectives during the reporting period.
2. Describe any challenges towards the stated goal and objectives during the reporting period.
3. If applicable, what steps were implemented to address challenges.

- **Goal:** Goal 3 from Proposal

- Objectives:**
- Objective 3a from Proposal
 - Objective 3b from Proposal
 - Objective 3c from Proposal

1. Describe progress towards the stated goal and objectives during the reporting period.
2. Describe any challenges towards the stated goal and objectives during the reporting period.
3. If applicable, what steps were implemented to address challenges.

SECTION 3: Technical Assistance/Other

Section 3 asks questions related to technical assistance and provides space for any additional information the grantee would like to report. Provide responses specific to this reporting quarter below.

1. What modifications, if any, have been made to programs/services funded with Title II Program Grant dollars?
2. What quality assurance methods are in place to ensure programs/services are being delivered as intended and with fidelity to the evidence-based model(s)?
3. Would you like technical assistance? If so, describe the nature of the request.
4. Other - Provide any additional information on the grant, its implementation, programming, etc. below.

SECTION 4: (SAMPLE) Data Collection

The Federal Government and the BSCC are dedicated to assessing the impact of local projects on the youth directly served by the OJJDP Title II Formula Grant funding. Request for Proposal (RFP) applicants will need to have the capacity, and be prepared, to collect and provide specific outcome measures by race/ethnicity and gender on a quarterly basis via BSCC Progress Reports, if awarded grant dollars.

Data measures will be collected on a short term (measured quarterly- prior to the time youth leave or complete the project) and long term (measured within 6-12 months after a youth leaves or completes the project). The following list contains sample data measures for the six Title II Program Purpose Areas:

Project Youth Demographics:

- Gender (male; female)
- Offender Status (at-risk population- no prior offense; first-time offenders; repeat offenders; sex offenders; status offenders; violent offenders)
- Age (Under 11; 12-13; 14-15; 16-17; 18 and over)
- Other factors (mental health; pregnant; substance abuse; truant/dropout)
- Project cost per youth

Project Assessment:

- Number of project youth served.
- Number and percent of program youth who offend or reoffend.
- Number and percent of program youth completing program requirements.
- Number and percent of program youth exhibiting a desired change in targeted behaviors: substance abuse; school attendance; gangs; employment status.
- Number and percent of program youth charged with formal probation violations.
- Number and percent of program youth committed to a detention facility.
- Average length of time between intake and referral for program youth.
- Number and percent of program youth who are re-victimized.
- Number and percent of families/youth/victims/staff satisfied with the project.

If applicable, data measures may also be collected that are mandated by the Office of Juvenile Justice and Delinquency Prevention under the Native American/Tribal program purpose area.

Appendix L: Certification of Compliance with BSCC Policies Regarding Debarment, Fraud, Theft, and Embezzlement

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

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

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

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

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

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

I/We have not been convicted of any crime involving theft, fraud, or embezzlement of federal, state, or local grant funds within the last three (3) years. We will notify the BSCC as soon as possible, 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 or e-signature Only) X			DATE

Appendix M: 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_ebp/

California Institute of Behavioral Health Solutions

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

Coalition for Evidence-Based Policy

<http://evidencebasedprograms.org/>

Community Defined Evidence Project (CDEP) - National ...

<http://www.nlbha.org/index.php/projects/other-projects/cdep>

Community-Defined Evidence (CDE) Practices and Strategies

<https://mhttcnetwork.org/centers/pacific-southwest-mhttc/product/community-defined-evidence-cde-practices-and-strategies>

Community Defined Practices - California Institute for ...

<https://work.cibhs.org › community-defined-practices>

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, Director Mark Lipsey
<https://peabody.vanderbilt.edu/search/?q=evidence+based+practices&submit=>

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/resource-search/ebp>

Substance Abuse and Mental Health Services Administration (SAMHSA) National Registry of Evidence-Based Programs and Practices
<http://www.nrepp.samhsa.gov>

The National Documentation Centre on Drug Use
<https://www.drugsandalcohol.ie/11202/>

University of Cincinnati, Effective Programs/Curricula Recommendations
<https://cech.uc.edu/schools/education/grad-programs/curriculuminstructionsite0/curriculuminstructionsite.html>

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

2022 Title II Grant Application Packet

Title II Grant Program

PROPOSAL PACKAGE COVER SHEET

Submitted by:

<INSERT NAME OF APPLICANT>

Date submitted:

<INSERT DATE>

Title II Grant Program Proposal Checklist

A complete Title II Grant Program proposal package must contain the following (to be submitted in the order listed):

	Required Items:	✓
1	Cover Sheet (Previous Page)	
2	Title II Grant Program Proposal Checklist <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory or E-signature (no stamped signatures) 	
3	Applicant Information Form <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory or E-signature (no stamped signatures) 	
4	Proposal Abstract <ul style="list-style-type: none"> 1 page 	
5	Proposal Narrative <ul style="list-style-type: none"> 15 numbered pages in length or fewer 	
6	2022 Title II RFP Budget Attachment <ul style="list-style-type: none"> Use the provided Excel attachment provided. Do not alter the Budget Attachment. 	
7	Project Work Plan <ul style="list-style-type: none"> Use attachment provided. Do not alter the Project Work Plan 	
Required Attachment for <u>All Applicants</u>:		
8	Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement (Appendix L) <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory or E-signature (no stamped signatures) 	
9	Letters of commitment from partnering organizations.	
Required Attachment for <u>All Non-Governmental Organization Applicants</u>:		
10	Criteria for Non-Governmental Organizations Receiving Title II Grant Program Funds (Appendix C) <ul style="list-style-type: none"> Originally signed in blue ink by the authorized signatory or E-signature (no stamped signatures) 	
Optional with Proposal Package; Required prior to Grant Award Agreement		
11	Governing Board or Tribal Council Resolution (Appendix J) <ul style="list-style-type: none"> Note: The Governing Board Resolution is due prior to Grant Award Agreement, not required at time of proposal submission. 	

I have reviewed this checklist and verified that all required items are included in this proposal packet. *Originally signed in blue ink by the authorized signatory or E-signature (no stamped signatures)*

X

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

”Attachments other than those listed above will be removed from the proposal and not considered during the proposal evaluation process.”

Applicant Information Form: Instructions

- A. Applicant:** Complete the required information for the entity submitting the proposal. This entity will be the lead agency responsible for the overall development, implementation, and oversight of the project.
- B. Tax Identification Number:** Provide tax identification number of the Applicant. Not applicable to Indian Tribes.
- C. Location of Services:** List the name(s) of the city/cities and the county where the Title II Grant Program will provide funded services and activities.
- D. Project Title:** Provide the title of the proposed project.
- E. Project Summary:** Provide a summary (100-150 words) of the proposed project. Note: this information will be posted to the BSCC's website for informational purposes.
- F. Grant Funds Requested:** Identify the amount of grant funds requested for the first year of the proposed project.
- G. Project Director:** Provide the name, title, and contact information for the individual responsible for oversight and management of the proposed project. This person must be an employee of the Grantee.
- H. Financial Officer:** Provide the name, title, and contact information for the individual responsible for fiscal oversight and management of the project. Typically, this is the individual that will certify and submit invoices.
- I. Day-to-Day Project Contact:** Provide the name, title, and contact information for the individual who serves as the primary contact person for the grant. Typically, this individual has day-to-day oversight for the project.
- J. Day-to-Day Fiscal Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for fiscal matters related to the grant. This may be the individual who prepares the invoices for approval by the Financial Officer.
- K. Authorized Signature:** Complete the required information for the person authorized to sign for the Applicant. This individual must read the assurances under this section, then sign and date in the appropriate fields.

Title II Grant Program Applicant Information Form

Attachment E-5

A. APPLICANT:		B. TAX IDENTIFICATION NUMBER*:	
NAME OF APPLICANT		Tax Identification #	
		*Not applicable for Indian Tribes	
STREET ADDRESS	CITY	STATE	ZIP CODE
MAILING ADDRESS (if different)	CITY	STATE	ZIP CODE
C. LOCATION OF SERVICES:			
D. PROJECT TITLE:			
E. PROJECT SUMMARY (100-150 words):		F. GRANT FUNDS REQUESTED (January 1 – December 31, 2023:	\$

PROGRAM PURPOSE AREA (Check all that apply – Applicants MUST select at least one)	
<input type="checkbox"/> Aftercare / Reentry <input type="checkbox"/> Alternatives to Diversion <input type="checkbox"/> Community-Based Programs and Services	<input type="checkbox"/> Diversion <input type="checkbox"/> Job Programs <input type="checkbox"/> Mentoring, Counseling, and Training Programs

G. PROJECT DIRECTOR:			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		CITY	
STATE	ZIP CODE	EMAIL ADDRESS	
H. FINANCIAL OFFICER:			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		CITY	
STATE	ZIP CODE	EMAIL ADDRESS	
PAYMENT MAILING ADDRESS (if different)	CITY	STATE	ZIP CODE

I. DAY-TO-DAY PROGRAM CONTACT:		
NAME	TITLE	TELEPHONE NUMBER
STREET ADDRESS		CITY
STATE	ZIP CODE	EMAIL ADDRESS

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

K. AUTHORIZED SIGNATURE*:			
<p>By signing this application, I hereby certify I am vested by the Applicant with the authority to enter into contract with the BSCC, and the grantee and any subcontractors will abide by the laws, policies, and procedures governing this funding. In addition, I certify that the applicant entity meets the eligibility criteria set forth in the Grant Program Description section, which defines "eligible applicants."</p>			
NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			
SIGNATURE			DATE

CONFIDENTIALITY NOTICE:

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

Proposal Abstract

Proposal Narrative

1. Project Need (Percent of Total Value: 25%)

2. Project Description (Percent of Total Value: 30%)

3. Project Organizational Capacity and Coordination (Percent of Total Value: 20%)

4. Project Evaluation and Monitoring (Percent of Total Value: 10%)

5. Project Budget (Percent of Total Value: 15%)

To access the 2022 Title II RFP Budget Attachment, click [here](#).

Do not alter the Budget Attachment. The Budget Attachment must be submitted in Excel format.

The Program Budget does not count toward the Program Narrative 15-page limit.

Title II Grant Program Work Plan

Each applicant must address the goals and objectives for each chosen Program Purpose Area (PPA). Applicants for Title II Grant funds must complete a Project Work Plan for each PPA. The work plan for each PPA may not exceed two pages.

Note: Work Plans exceeding the page limit shall not automatically be disqualified. However, BSCC staff shall remove ALL pages in excess of the page limit before forwarding the proposal to the ESC for rating, which may negatively impact a proposal's score. If line spacing, formatting, or font size results in the inclusion of additional content in excess of prescribed page limits, excess pages shall be removed, or the proposal may be disqualified. Illegible or unreadable proposals shall be disqualified.

Completed Project Work Plans should (1) identify the top three project goal(s) and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, start and end dates, and outcome measures; and (3) provide goal(s), objectives, and measures with a clear relationship to the need and intent of the grant.

To build the Title II Grant Program Project Work Plan, please use the form provided below. This form does NOT count toward the 15-page limit for the Proposal Narrative.

Program Purpose Area:

Attachment E-5

(1) Goal:			
Objectives (A., B., etc.)			
Process & 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 & 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:			
(3) Goal:			
Objectives (A., B., etc.)			
Process & 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:			

Program Purpose Area:

Attachment E-5

(1) Goal:			
Objectives (A., B., etc.)			
Process & 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 & 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:			
(3) Goal:			
Objectives (A., B., etc.)			
Process & 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:			

Attachment E-6



State of California – Health and Human Services Agency
Office of Youth and Community Restoration



TO: Linda Penner, Chair
Board of State and Community Corrections

FROM: Katherine Lucero, Director
Office of Youth and Community Restoration

DATE: November 3, 2022

RE: **TITLE II FUNDING RECOMMENDATIONS FOR MEETING DATE NOVEMBER 17, 2022**

Welfare and Institutions Code section 2200, subdivision (f), provides that the Board of State and Community Corrections shall not award juvenile grants without concurrence from the Office of Youth and Community Restoration (OYCR).

OYCR has reviewed the proposed Title II awards recommended by the Title II Grant Program Executive Steering Committee (ESC) (Attachment E-1) and approved by the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJD) (Attachment E-2) that are being considered by the Board at the November 17, 2022, meeting.

OYCR **CONCURS** in these recommendations as proposed to be adopted.

1215 O STREET, MS-08, SACRAMENTO, CA 95814

OYCR@CHHS.CA.GOV · WWW.CHHS.CA.GOV/OYCR

Agenda Item F

MEETING DATE: November 17, 2022

AGENDA ITEM: F

TO: BSCC Chair and Members

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

SUBJECT: Mobile Probation Service Centers Grant Program, Request for Proposal and Scoring Panel: **Requesting Approval**

Summary

This agenda item requests Board approval to release a Request for Proposals for the Mobile Probation Service Centers Grant Program and to convene a Scoring Panel. It includes the following key components:

- Eligible applicants are county probation departments
- \$20,000,000 is available competitively to establish mobile probation service centers.
- Funding will be allocated across small, medium, and large sized counties
- A Scoring Panel will read and rate proposals and develop funding recommendations for the Board.

Background

The Budget Act of 2022 (Assembly Bill 178) established the Mobile Probation Service Centers Grant Program and appropriated \$20 million in funding (Attachment F-1). Per the Budget Act, \$20 million is available to fund a competitive grant program for county probation departments to establish mobile probation service centers. These grants will allow county probation departments to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.

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 Proposals (RFP), authorized staff to work with the ESC Chair to establish a diverse ESC with relevant subject-matter expertise and authorized the ESC Chair to oversee the grant-development process (Attachment F-2).

The Mobile Probation Service Centers Grant Program ESC recruitment process began after the July 2022 Board meeting. Notices were posted on the BSCC website, shared through email listservs, and communicated to county partners. A small number of individuals volunteered to serve on the ESC, but not enough interest was generated to convene an ESC that could read and rate all proposals that would likely be submitted.

In addition, the BSCC must encumber grant funds and execute grant agreements prior to June 30, 2023, so staff determined that the development and release of the RFP should be expedited to ensure that grant agreements can be executed timely. Staff has worked quickly

to consult with subject matter experts and draft the RFP and has reworked the timeline for the grant. Staff is also requesting that a Scoring Panel be convened in lieu of an Executive Steering Committee (Attachment F-3). ESCs are tasked with RFP development, reading, and rating proposals, and making funding recommendations to the Board. A Scoring Panel does not have the RFP development responsibilities. This may lead to increased interest from prospective members with limited meeting availability. If necessary, internal staff may also be used to supplement the Scoring Panel.

Proposed Activities

The BSCC will continue to seek interested persons to participate on a Scoring Panel for this grant program. Interested persons may submit a statement of interest to serve on the ESC through the BSCC's website: [Executive Steering Committees - Seeking Membership](#).

Below are the proposed activities and a revised tentative timeline necessary to administer a competitive RFP process for the Mobile Probation Service Centers Grant Program:

Activity	Tentative Timeline
Release Request for Proposals	November 17, 2022
Bidders' Conference	December 6, 2022
Letter of Intent Due to the BSCC	December 9, 2022
Proposals Due to the BSCC	January 6, 2023
Proposal Rating Process and Development of Funding Recommendations	January 2023 - March 2023
BSCC Board Considers Funding Recommendations	April 13, 2023
Notices to Applicants	April 2023
Grant Period Begins	May 1, 2023
Mandatory New Grantee Orientation	June 2023

Recommendation/Action Needed

Staff recommends that the Board:

1. Approve the Mobile Probation Service Centers Grant Program Request for Proposal for release;
2. Authorize the Scoring Panel to make funding recommendations; and
3. Approve the proposed activities and revised timeline associated with the Request for Proposal

Attachments

F-1: Budget Act of 2022 (Assembly Bill 178)

F-2: BSCC Board Agenda Item H, July 25, 2022

F-3: Mobile Probation Service Centers Grant Program Request for Proposal

Attachment F-1

Mobile Probation Service Centers Grant Program

5227-123-0001—For local assistance, Board of
State and Community Corrections
..... 20,000,000

Schedule:

4945-Corrections
Planning and Grant
Programs
(1) 20,000,000

Provisions:

- Of the funds appropriated in this item, \$20,000,000 shall be available to fund a competitive grant program for county probation departments to establish mobile probation service centers. These grants shall allow county probation departments to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.
- 1.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB178

Attachment F-2

MEETING DATE: July 25, 2022

AGENDA ITEM: H

TO: BSCC Chair and Members

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

SUBJECT: Mobile Probation Service Centers Grant Program, Appointment of Chair and Establishment of an Executive Steering Committee: **Requesting Approval**

Summary

This agenda item requests approval to establish an Executive Steering Committee to oversee the development of a Request for Proposals for the Mobile Probation Service Centers Grant Program. Staff is also requesting that the Board designate a Chair to oversee the grant development process, authorize staff to work with the ESC Chair to establish a diverse ESC with relevant subject-matter expertise, and delegate authority to the Chair to modify the ESC membership if needed.

Background

The Budget Act of 2022 (Senate Bill 178) established the Mobile Probation Service Centers Grant Program and appropriated \$20 million in funding (Attachment H-1). Per the Budget Act, \$20 million shall be available to fund a competitive grant program for county probation departments to establish mobile probation service centers. These grants shall allow county probation departments to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.

Proposed Activities

In consultation with the appointed Chair, Staff will establish an ESC that is diverse in professional and lived experience, geography, gender, and demographics. The BSCC will seek interested persons to submit a statement of interest to serve on the ESC through the BSCC's website: [Executive Steering Committees - Seeking Membership](#).

Below are the proposed activities and the tentative timeline necessary to administer a competitive RFP process for the Mobile Probation Service Centers Grant Program:

Activity	Tentative Timeline
BSCC Board Considers Chair Appointment and ESC Establishment	July 25, 2022
ESC Recruitment and Formation	July - August, 2022
RFP development	September - November 2022
Present the RFP for BSCC Board approval	November 17, 2022
Release the RFP to the Field	November 2022
Bidders' Conference	December 2022
Proposals Due to the BSCC	February 2023
Proposal Rating Process and Development of Funding Recommendations	March-May 2023
BSCC Board Considers Funding Recommendations	June 2023
Grants Begin	July 2023

Recommendation/Action Needed

Staff recommends that the Board:

1. Appoint a Chair to the Mobile Probation Service Centers Grant Program Executive Steering Committee;
2. Delegate authority to the Chair to work with BSCC staff to establish a diverse ESC with relevant subject-matter expertise and to modify membership as needed;
3. Authorize the ESC to oversee the development of the Mobile Probation Service Centers Grant Program RFP and to make funding recommendations; and
4. Approve the proposed activities and tentative timeline associated with development of the Mobile Probation Service Centers Grant RFP.

Attachments

H-1: Budget Act of 2022 ([Senate Bill 178](#))

Attachment F-3



Mobile Probation Service Centers Grant Program

Proposal Instruction Packet

Release Date: November 17, 2022

Letter of Intent due: December 9, 2022

Proposals Due: January 6, 2023



This page intentionally left blank

DRAFT

Table of Contents

Part I: Grant Information

Background Information	1
Contact Information	1
Proposal Due Date and Submission Instructions	1
Virtual Bidders' Conference	1
Notice of Intent to Apply	2
Scoring Panel	2
Description of the Grant	3
Funding Information	4
General Grant Requirements	6
Overview of the RFP Process	10

Part II: Proposal Instructions

Proposal Narrative Instructions	13
Proposal Budget Instructions	16

Part III: Appendixes

Appendix A: Assembly Bill 178	19
Appendix B: Project Work Plan	20
Appendix C: Glossary of Terms	22
Appendix D: County Population Index	23
Appendix E: Sample Grant Agreement	24
Appendix F: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement	42
Appendix G: Governing Board Resolution	43

PART I: GRANT INFORMATION

Background Information

The State Budget Act of 2022 (Assembly Bill 178) established the Mobile Probation Service Centers Grant Program. Funding is available to county probation departments to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.

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 Mobile Probation Service Centers Grant Program. The Mobile Probation Service Centers Grant Application and all other required attachments are available on the [BSCC website](#).

Any questions concerning the Mobile Probation Service Centers Grant Program must be submitted by email to: MobileProbation@bscc.ca.gov. The BSCC will accept and respond to written questions about this RFP until December 17, 2022. A frequently asked questions and answers (FAQs) document will be posted to the [BSCC website](#) and periodically updated through December 19, 2022.

Proposal Due Date and Submission Instructions

Proposals must be received by **5:00 P.M. (PST) on Friday, January 6, 2023**. The Mobile Probation Service Centers Grant Program Application and all required attachments are available on the [BSCC website](#). To apply, applicants must create a free Submittable account – or use an existing account – when prompted. After an account is established, applicants must submit all required documents using the BSCC-Submittable Application portal. Additional application details are provided in the Proposal Narrative and Budget Instructions Section and on the [BSCC website](#).

The BSCC-Submittable Application will not allow submissions after 5:00 p.m. (PST) on January 6, 2023. Please allow sufficient time to begin and submit your application. If the BSCC does not receive a submission by 5:00 p.m. (PST) on January 6, 2023, 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.

Virtual Bidders' Conference

Prospective applicants are invited to attend a virtual Bidders' Conference. Attendance at the virtual Bidders' Conference is not a requirement. The purpose of this Bidders' Conference is to answer technical questions from prospective bidders (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. There is no preference given to applicants who attend the Bidders' Conference. Details are listed below:

Mobile Probation Service Centers Grant Program

Virtual Bidders' Conference

Tuesday, December 6, 2022, at 10:00 a.m.

Public access options for this meeting include:

Join by Zoom:

- <https://us02web.zoom.us/j/87122539026?pwd=MVJqQVRPTDZCSzJjUllKa3pVZlZlZz09>
- Meeting ID: 871 2253 9026 | Passcode: 246810

Call In:

- 1-669-444-9171
- Meeting ID: 871 2253 9026 | Passcode: 246810

Notice of Intent to Apply

Applicants interested in applying for the Mobile Probation Service Centers Grant Program are asked (but not required) to submit a non-binding letter indicating their intent to apply. These letters will aid the BSCC in planning for the proposal evaluation process. Please submit the 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 Friday, December 9, 2022. Please identify the email subject line as "Mobile Probation Letter of Intent" and submit the letter to MobileProbation@bscc.ca.gov.

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. The BSCC's 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 Mobile Probation Service Centers Grant Program will convene a Scoring Panel. The Scoring Panel will read and rate submissions 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 rate proposals.

Conflicts of Interest

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

Description of the Grant

The Mobile Probation Service Centers Grant Program was established in the State Budget Act of 2022 (Appendix A). Per the Budget Act:

Of the funds appropriated in this item, \$20,000,000 shall be available to fund a competitive grant program for county probation departments to establish mobile probation service centers. These grants shall allow county probation departments to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.

In support of these efforts, each applicant will develop a Project Work Plan that identifies measurable project goals, objectives, and commensurate timelines (Appendix B). Please reference the Glossary of Terms (Appendix C) to view key definitions for this RFP.

Eligibility to Apply

This RFP is open to all County Probation Departments in the State of California.

Target Population

The Mobile Probation Service Centers Grant Program is designed to serve California probationers who are unhoused and struggling with meeting probation requirements.

Grant Period

Successful proposals will be under contract from May 1, 2023 to September 30, 2027 and will complete the following activities as described on the schedule below.

- May 1, 2023 - March 15, 2025: Purchase equipment: All vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers purchased.
- March 16, 2025 - April 30, 2025: Budget Reconciliation: Period designated for the sole purpose of finalizing and submitting final invoice. No new expenses may be incurred.

- [Equipment Purchase/Deployment Date] - June 30, 2027: Provide services at Mobile Probation Service Centers: Vehicles, equipment, telecommunications, and other technology purchased with grant funds are in use. Grantees may begin using equipment at any time once the Grant Agreement is executed by both parties
- July 1, 2027 - September 30, 2027: Designated for the sole purpose of finalizing and submitting an end-of-project report.

A visual display of the grant period is provided below:

Purchase Period	Reconciliation Period	Implementation Period	Closeout Period
May 1, 2023 - March 15, 2025	March 16, 2025 - April 30, 2025	May 1, 2023 - June 30, 2027	July 1, 2027 September 30, 2027
Time allotted to complete local procurement process, purchase all vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers. Grantees who do not need the full purchase period can use equipment at any time once under contract.	No new expenses may be incurred. Final invoice due April 30, 2025	Equipment in Use	No new expenses may be incurred. Final Report Submitted.

Collaboration

Applicants must consider the impacts of a mobile probation service center on fellow governmental and nongovernmental partners. This may include, but is not limited to, increases in referrals to community partners, increases in remote (e.g., video) court hearings, and increased partnerships and/or referrals to county behavioral health. As part of this application, applicants will be asked to acknowledge any anticipated impacts or necessary agency partnerships in the Proposal Narrative section.

Funding Information

This RFP makes \$20,000,000 available competitively to county probation departments to establish mobile probation service centers.

Funding will be allocated across small, medium, and large sized counties based on county population (see Appendix D, County Population Index). This means small counties will compete against small counties, medium against medium counties, and large against

large counties. Los Angeles County will be eligible to request more funding and will compete in the “Large County” category.

Applicants may apply for any dollar amount up to and including the maximum grant amount as shown below. Applicants are strongly encouraged to apply for only the amount of funding needed to implement the project for the entire grant period. Proposals will be scored, in part, on the reasonableness of the proposed budget.

Funding Distribution and Maximum Grant Amount				
Funding Categories		Population Size	Maximum Grant Amount*	Available Funding
1	Small Counties	< 200,001	\$500,000	\$3,000,000
2	Medium Counties	200,001 – 700,000	\$1,000,000	\$7,000,000
3	Large Counties	700,001 +	\$2,000,000	\$10,000,000
Los Angeles County Probation Department may apply for up to \$4,000,000 for the entire grant period within the Large County Category				
Total Funding Available for Competitive Grants:				\$20,000,000

*Total amount for the entire XX-month grant period

Los Angeles County

The County of Los Angeles is more than three times the size of the next largest county in the State of California. Los Angeles County may apply for up to \$4,000,000 for the entire grant period.

Eligible Funding Activities

Mobile Probation Service Centers Grant Program funds must be used to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.

Eligible expenses include, but are not limited to, the following:

- Computers/Laptops/Tablets
- Generator
- Headphones/Microphones
- Internal/External Shade Covering
- Microwave/Refrigerator
- Routers/Modems/Hotspots
- Vehicle Signage/Wraps
- Vehicle Restroom

Please note, the above list is not intended to be exhaustive. All equipment purchased with grant funds must be used for the Mobile Probation Service Centers Grant Program.

Vehicle Purchases and Considerations

Applicants may, but are not required to, purchase vehicles for this grant program. The types of vehicles that may be purchased and/or outfitted for this grant include but are not limited to Camper Vans, Motor Homes, Class C Vehicles, and Travel Trailers. It is up to each applicant to identify the vehicle that best meets the needs of the population that will be served.

Applicants should consider the following upfront and ongoing vehicle expenses when budgeting for a vehicle:

- Insurance
- Drivability - Who will drive the vehicle and are they comfortable driving the vehicle?
- Modifications to the interior/exterior of the vehicle
- Maintenance - Can the county service the vehicle or is a vendor required?
- Special Driver's Licenses
- Vehicle Cost

Vehicle/Equipment Ownership

All equipment purchased by the grantee is the property of the Grantee. BSCC does not claim title to the equipment but requires the grantee to maintain accountability for the equipment. Counties will be required to maintain an inventory log of all equipment purchased with grant funds. For additional information about equipment please review the [BSCC Grant Administration Guide](#).

Ineligible Funding Activities

Grant expenditures are limited to equipment and technology purchases as described in the State Budget Act of 2022 (Assembly Bill 178). Funding may not be used for the following:

- Gift Cards
- Indirect Costs
- Meals
- Personnel Expenses (e.g., Salaries and Benefits)

Match Requirement

No match is required for the Mobile Probation Service Centers Grant Program.

General Grant Requirements

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. See Appendix E for a sample BSCC Grant Agreement.

The Grant Agreement start date is expected to be May 1, 2023. 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 Appendix F certifying they are compliant with the BSCC's policies on debarment, fraud, theft, and embezzlement.

Governing Board Resolution

Successful applicants will be required to submit a Resolution from their Governing Board 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 Resolution has been received by the BSCC. A sample Governing Board Resolution can be found in Appendix G.

Grantee Orientation

Following the start of the grant period, BSCC staff will conduct a Virtual Grantee Orientation (June 2023, 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, in May 2023.

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 a 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](#).

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](#).

Reports

Grant award recipients are required to submit three (3) annual progress reports and one (1) end of project report to the BSCC. Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and show that funds are being spent in accordance with the Grant Agreement could be subject to a withholding of funds. Additional information on reporting will be provided at the Grantee Orientation.

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. Mobile Probation Service Centers Grant 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.

- **Units of Government**

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

- **Non-Governmental Organizations (NGOs)**

An NGO receiving BSCC funds must use the 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>.

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

Disqualification - **PLEASE REVIEW CAREFULLY**



The following will result in an automatic disqualification:

- Submission is not received by 5:00 p.m. PST on January 6, 2023
- Applicant does not meet the Eligibility Criteria
- Funding request exceeds allowable amounts
- Budget Attachment (Excel document) is incomplete, or the total amount included in the budget table does not match the requested amount included elsewhere in the application.
- Application, and all required attachments, are not submitted via the BSCC-Submittable Application portal
- Attachment(s) are illegible
- Attachment(s) are will not open or the file(s) are corrupted

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

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* ([link](#)) and as described below. The Scoring Panel will read and assign points to each proposal in accordance with the prescribed rating factors listed in the table below. Scoring Panel members will determine points based on how well an applicant addresses the items 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 13, 2023. Public agency applicants and 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. 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	Need	0-5	15%	30
2	Equipment	0-5	20%	40
3	Implementation	0-5	35%	70
4	Budget	0-5	30%	60
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.

BSCC Funding Decisions

Applicants will compete for funds within their applicable funding category (see Funding Distribution and Maximum Grant Amounts, page 5). Once the proposals have been scored and ranked, BSCC will move down the ranked lists to fund all qualified applicants in each of the three (3) 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 Category (1), after all qualified applicants in that category have been fully funded, will be used to fund any additional qualified applicants in Category (2).
- Funds remaining in Category (2), after all qualified applicants in that category have been funded, will be used to fund any additional qualified applicants first in Category 3 and then Category (1).

- Funds remaining in Category (3), after all qualified applicants in that category have been funded, will be used to fund any additional qualified applicants in first Category (2) and then Category (1).

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.

Summary of Key Dates

The following table shows a timeline of key dates for the Mobile Probation Service Centers Grant Program.

Activity	Date
Release Request for Proposals	November 17, 2022
Bidders' Conference	December 6, 2022
Letter of Intent Due to the BSCC	December 9, 2022
Proposals Due to the BSCC	January 6, 2023
Proposal Rating Process and Development of Funding Recommendations	January 2023 - March 2023
BSCC Board Considers Funding Recommendations	April 13, 2023
Notices to Applicants	April 2023
Grant Period Begins	May 1, 2023
Mandatory New Grantee Orientation	June 2023

PART II: PROPOSAL INSTRUCTIONS

This document/section contains the necessary information for completing the Mobile Probation Service Centers Grant Program Application. The Application and all required attachments are provided on the [BSCC website](#).

Proposal Narrative and Budget Sections

The four 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	Need	15%	Proposal Narrative
2	Equipment	20%	
3	Implementation	35%	
4	Budget	30%	Proposal Budget

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 Need, Equipment, and the Implementation Rating Factors. Please do not include website links, charts, tables or, graphs when responding.

Each Rating Factor has a character limit (paragraph or page limit) as shown below:

	Rating Factor	Total Characters	Microsoft Word Equivalent*
1	Need	2,237	Up to 1 (One) Page
2	Equipment	4,474	Up to 2 (Two) Pages
3	Implementation	4,474	Up to 2 (Two) Pages

**Assumes text 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 Mobile Probation Service Centers 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 addressing the Proposal Narrative criteria, the following attachments must be completed and uploaded in the identified fields in the BSCC-Submittable application portal at the time of submission:

- Project Work Plan (Appendix B).
- Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix F)
- Governing Board Resolution (Optional)

Proposal Narrative Rating Factors

Section 1: Need (Percent Value – 15%)

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

Need: The applicant described a need(s) that is pertinent to the intent of the grant. The elements that comprise the Need 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 including how the need is related to the target population and the intent of the grant program.
1.2	Identify the conditions or elements that contribute to the need (e.g., service area, geographic location, accessibility).
1.3	Relevant local qualitative and/or quantitative data in support of the need are provided.
1.4	Demonstrate a compelling justification for the grant funds.

Section 2: Equipment (Percent Value – 20%)

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

<p>Equipment: The applicant described equipment that is pertinent to the intent of the grant. The elements that comprise the Equipment 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.</p>	
2.1	<p>Describe the vehicles to be purchased with grant funds (if applicable). The descriptions should include:</p> <ul style="list-style-type: none"> • the number of vehicles to be purchased. • the number of vehicles currently in service operating as mobile probation service centers. • the type of vehicle that will be purchased and the equipment with which it will come equipped with at the time of purchase. • how secure data connectivity will be provided within the vehicle. • the specific characteristics the vehicle must have to address the safety of both probationers and agency staff. • any vehicle characteristics that may impact drivability (e.g., license required to operate, size, maneuverability, stability). • how the vehicle will be maintained (i.e., contract with county maintenance, motor pool, public works). • training of agency staff to use the vehicle and its installed equipment.
2.2	<p>Describe the equipment, telecommunications, and other technology (other than vehicles) that will be purchased. The description should include for each item:</p> <ul style="list-style-type: none"> • the number of items to be purchased. • the number of items currently owned and own the additional items will benefit the agency, if applicable. • why the item is required to provide mobile probation services.

Section 3: Implementation (Percent Value – 35%)

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

Implementation: The applicant described how the purchases will be used to address the identified need(s). The elements that comprise the Implementation 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>Describe how the vehicles, equipment, telecommunication, and other technology to be purchased will be used to address the identified need(s). The description should include:</p> <ul style="list-style-type: none"> • where it will be used. This may include geographical areas (e.g., city, zip code), specific locations (e.g., outside of the courthouse, jail, encampment area), or venues (e.g., community events). • how its use will benefit the target population. • the anticipated number of individuals within the target population, and by location (if applicable), who will benefit from its use. • how the proposed purchases help to achieve the goal of the grant program
3.2	<p>Describe any partnerships or coordination with other agencies necessary to implement the use of the purchased equipment as intended to benefit the target population. Describe the plan to coordinate with these agencies.</p>
3.3	<p>Describe the data that will be gathered and reported to show that the purchases addressed the need(s) identified in Project Need and the intent of the grant</p>
3.4	<p>Provide a Project Work Plan (Appendix B) that:</p> <ul style="list-style-type: none"> • identifies the project's goals and measurable objectives (see Appendix C for definitions) that address the identified need(s) and intent of the grant. • identifies how the goals will be achieved in terms of activities, responsible staff/partners, and start and end dates. • is appropriate for the proposed project.

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](#).

Budget Rating Factor

Section 4: Budget (Percent Value – 30%)

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

<p>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.</p>	
4.1	Provide a complete Budget (Proposal Budget Table and Budget Narrative) as appropriate for the proposed project.
4.2	Provide Budget Narrative that: <ul style="list-style-type: none"> • explains and supports each identified expense. • justifies expenses as appropriate for the proposed project, identified need, and the intent of the grant.

PART III: APPENDIXES

Appendixes

This section includes the following appendixes:

- Appendix A: Assembly Bill 178
- Appendix B: Project Work Plan
- Appendix C: Glossary of Terms
- Appendix D: County Population Index
- Appendix E: Sample Grant Agreement
- Appendix F: Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement
- Appendix G: Governing Board Resolution

Appendix A: Assembly Bill 178

5227-123-0001—For local assistance, Board of
State and Community Corrections
..... 20,000,000

Schedule:

4945-Corrections
Planning and Grant
Programs
(1) 20,000,000

Provisions:

- Of the funds appropriated in this item, \$20,000,000 shall be available to fund a competitive grant program for county probation departments to establish mobile probation service centers. These grants shall allow county probation departments to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.
- 1.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB178

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; (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	
1. 2. 3.		Start Date	End Date

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

(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: Glossary of Terms

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.¹

Examples of goal statements:²

- 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.³ Objectives detail the tasks that must be completed to achieve goals.⁴ Descriptions of objectives in the proposals should include three elements:⁵

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:⁶

- 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 of the terms of the mediation agreements they have worked out with their victims by program completion.

¹ 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 .

² *Id.* at p. 4.

³ 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>.

⁴ *Id.*; see *supra* fn 1.

⁵ 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>.

⁶ *Id.*

Appendix D: County Population Index

Source: California Department of Finance, Population Estimates, January 1, 2022

Large Counties (700,001+)		Medium Counties (200,001-700,000)	
Alameda	1,651,979	Butte	201,608
Contra Costa	1,156,555	Marin	257,135
Fresno	1,011,273	Merced	284,338
Kern	909,813	Monterey	433,716
Los Angeles County	9,861,224	Placer	409,025
Orange	3,162,245	San Luis Obispo	280,721
Riverside	2,435,525	Santa Barbara	445,164
Sacramento	1,576,618	Santa Cruz	266,564
San Bernardino	2,187,665	Solano	447,241
San Diego	3,287,306	Sonoma	482,404
San Francisco	842,754	Stanislaus	549,466
San Joaquin	784,298	Tulare	475,014
San Mateo	744,662	Yolo	221,165
Santa Clara	1,894,783		
Ventura	833,652		
Small Counties (<200,001)			
Alpine	1,200	Mendocino	89,999
Amador	40,297	Modoc	8,690
Calaveras	45,049	Mono	13,379
Colusa	21,807	Napa	136,179
Del Norte	27,218	Nevada	101,242
El Dorado	190,465	Plumas	18,942
Glenn	28,750	San Benito	65,479
Humboldt	135,168	Shasta	180,531
Imperial	179,329	Sierra	3,229
Inyo	18,978	Siskiyou	43,830
Kings	152,023	Sutter	99,145
Lake	67,407	Tehama	65,052
Lassen	30,274	Trinity	16,023
Madera	157,396	Tuolumne	55,291
Mariposa	17,045	Yuba	82,275

Appendix E: Sample Grant Agreement

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

SCO ID:

STANDARD AGREEMENT

STD 213 (Rev 03/2019)

AGREEMENT NUMBER

BSCC XXX- 22

PURCHASING AUTHORITY NUMBER (If Applicable)

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

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTOR NAME

XXX

2. The term of this Agreement is:

START DATE

MAY 1, 2023

THROUGH END DATE

SEPTEMBER 30, 2027

3. The maximum amount of this Agreement is:

\$000,000.00

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

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	x
Exhibit B	Budget Detail and Payment Provisions	x
Exhibit C	General Terms and Conditions (04/2017)	4
Exhibit D	Special Terms and Conditions	x
Attachment 1*	Mobile Probation Service Centers Grant Program Request for Proposals	*
Attachment 2	Mobile Probation Service Centers Grant Program Grant Proposal	xx
Appendix A	Mobile Probation Service Centers Grant Program Scoring Panel	x

* This item is hereby incorporated by reference and can be viewed at: [enter web address](#)

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

CONTRACTOR

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

GRANTEE NAME

CONTRACTOR BUSINESS ADDRESS

XXX

CITY

XXX

STATE

XX

ZIP

XXX

PRINTED NAME OF PERSON SIGNING

XXX

TITLE

XXX

CONTRACTOR AUTHORIZED SIGNATURE



DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

BOARD OF STATE AND COMMUNITY CORRECTIONS

CONTRACTING AGENCY ADDRESS

2590 Venture Oaks Way, Suite 200

CITY

Sacramento

STATE

CA

ZIP

95833

PRINTED NAME OF PERSON SIGNING

RICARDO GOODRIDGE

TITLE

Deputy Director

CONTRACTING AGENCY AUTHORIZED SIGNATURE



DATE SIGNED

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

EXHIBIT A: SCOPE OF WORK

1. GRANT AGREEMENT – Mobile Probation Service Centers Grant 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).

2. PROJECT SUMMARY AND ADMINISTRATION

- A. The Mobile Probation Service Centers Grant Program was established in the State Budget Act of 2022. Mobile Probation Service Centers Grant Program funds must be used to purchase vehicles, equipment, telecommunications, and other technology needed to operate mobile probation service centers to assist probationers, particularly those individuals who are unhoused and struggling with meeting probation requirements.
- B. Grantee agrees to administer the project in accordance with Attachment 1: Mobile Probation Service Centers Grant Program Request for Proposals (incorporated by reference) and Attachment 2: Mobile Probation Service Centers Grant Program Grant Proposal, 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:

EXHIBIT A: SCOPE OF WORK

- C. Either party may change its project representatives upon written notice to the other party.
- D. By signing this Grant Agreement, the Authorized Officer listed above warrants that he or she has full legal authority to bind the entity for which he or she signs.

4. DATA COLLECTION

Grantees will be required to comply with all data collection and reporting requirements as described in Attachment 1: Mobile Probation Service Centers Grant Program Request for Proposals and Attachment 2: Mobile Probation Service Centers Grant Program Grant Proposal.

5. REPORTING REQUIREMENTS

- A. Grantees will submit three (3) annual progress reports and one (1) end of project report to the BSCC. These reports, which will describe progress made on program objectives and include required data, shall be submitted according to the following schedule:

Annual Progress Report Periods:

- 1. May 1, 2023 to June 30, 2024
- 2. July 1, 2024 to June 30, 2025
- 3. July 1, 2025 to June 30, 2026

Due no later than:

- August 15, 2024
- August 15, 2025
- August 15, 2026

Other

- 4. End of Project Report

Due no later than:

- September 30, 2027

Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and show that funds are being spent in accordance with the Grant Agreement could be subject to a withholding of funds.

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.
- D. The grantee shall maintain documentation of donated goods and/or services, including the basis for valuation.

EXHIBIT A: SCOPE OF WORK

- E. Grantee agrees to protect records adequately from fire or other damage. When records are stored away from the Grantee's principal office, a written index of the location of records stored must be on hand and ready access must be assured.
- F. All Grantee records relevant to the project must be preserved a minimum of three (3) years after closeout of the grant project and shall be subject at all reasonable times to inspection, examination, monitoring, copying, excerpting, transcribing, and auditing by the BSCC or designees. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until the completion of the action and resolution of all issues which arise from it or until the end of the regular three-year period, whichever is later.

7. CONFLICT OF INTEREST

- A. Existing law prohibits any grantee, subgrantee, partner or like party who participated on the Mobile Probation Service Centers Grant Program Scoring Panel from receiving funds awarded under the Mobile Probation Service Centers Grant Program RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Mobile Probation Service Centers Grant Program Scoring Panel roster (*Appendix A*) and ensuring that no grant dollars are passed through to any entity represented by the members of the Mobile Probation Service Centers Grant Program Scoring Panel.
- B. In cases of an actual conflict of interest with a Scoring Panel member, the Board may revoke the grant award and legal consequences could exist for the parties involved, including, but not limited to, repayment of the grant award.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

1. INVOICING AND PAYMENT (grantee will select one, quarterly or monthly invoicing)

- A. The Grantee shall be paid quarterly in arrears by submitting an invoice (Form 201) to the BSCC that outlines actual expenditures claimed for the invoicing period.

Quarterly Invoicing Periods:

1. May 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 December 31, 2024

Due no later than:

- August 15, 2023
November 15, 2023
February 15, 2024
May 15, 2024
August 15, 2024
November 15, 2024
February 14, 2025

Final Invoicing Period:

8. January 1, 2025 to March 15, 2025*

Due no later than:

- April 30, 2025

*Note: No new expenses may be incurred after March 15, 2022.

- A. The Grantee shall be paid monthly in arrears by submitting an invoice (Form 201) to the BSCC that outlines actual expenditures claimed for the invoicing period.

Monthly Invoicing Periods:

1. May 1, 2023 to May 31, 2023
2. June 1, 2023 to June 30, 2023
3. July 1, 2023 to July 31, 2023
4. August 1, 2023 to August 31, 2023
5. September 1, 2023 to September 30, 2023
6. October 1, 2023 to October 31, 2023
7. November 1, 2023 to November 30, 2023
8. December 1, 2023 to December 31, 2023
9. January 1, 2024 to January 31, 2024
10. February 1, 2024 to February 29, 2024
11. March 1, 2024 to March 31, 2024
12. April 1, 2024 to April 30, 2024
13. May 1, 2024 to May 31, 2024
14. June 1, 2024 to June 30, 2024
15. July 1, 2024 to July 31, 2024
16. August 1, 2024 to August 31, 2024
17. September 1, 2024 to September 30, 2024
18. October 1, 2024 to October 31, 2024
19. November 1, 2024 to November 30, 2024
20. December 1, 2024 to December 31, 2024
21. January 1, 2025 to January 31, 2025

Due no later than:

- July 15, 2023
August 15, 2023
September 15, 2023
October 15, 2023
November 15, 2023
December 15, 2023
January 15, 2024
February 15, 2024
March 15, 2024
April 15, 2024
May 15, 2024
June 15, 2024
July 15, 2024
August 15, 2024
September 15, 2024
October 15, 2024
November 15, 2024
December 15, 2024
January 15, 2025
February 14, 2025
March 15, 2025

Final Invoicing Period:

22. February 1, 2025 to March 15, 2025*

Due no later than:

- April 30, 2025

*Note: No new expenses may be incurred after March 15, 2022.

- B. All project expenses must be incurred by the end of the purchase period, March 15, 2025, and included on the final invoice due April 30, 2025. Project expenditures incurred after March 15, 2025 will not be reimbursed.

- C. Grantee shall submit an invoice to the BSCC each invoicing period, even if grant funds are not expended or requested during the invoicing period.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

- D. 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.

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. In no event shall changes be authorized for the Administrative Salaries and Benefits line item that would result in that item exceeding ten percent (10%) of the grant award.

3. BUDGET CONTINGENCY CLAUSE

- A. This grant agreement is valid through Grant name 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 Assembly Bill 178 (Statutes of 2022, Chapter 43), also known as the California Budget Act of 2022. 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 Mobile Probation Service Centers funding is reduced or falls below estimates contained within the Mobile Probation Service Centers Request for Proposals, 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. The Grantee agrees to comply with the BSCC Grant Administration Guide requirements as posted on the BSCC website (currently the BSCC Grant Administration Guide July 2020) including any updated version that may be posted during term of the grant

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

agreement. BSCC will notify grantees whenever an updated version is posted. The BSCC Grant Administration Guide is available at:

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

- B. 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.
- C. Grantee is responsible for ensuring that statements of expenditures submitted to the BSCC claim actual expenditures for eligible project costs.
- D. 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.
- E. Grant funds must be used to support new program activities or to augment existing funds that expand current program activities. Grant funds shall not replace (supplant) any federal, state and/or local funds that have been appropriated for the same purpose. Violations can result in recoupment of monies provided under this grantor suspension of future program funding through BSCC grants.

5. PROMPT PAYMENT CLAUSE

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

6. WITHHOLDING OF GRANT DISBURSEMENTS

- A. The BSCC may withhold all or any portion of the grant funds provided by this Grant Agreement in the event the Grantee has materially and substantially breached the terms and conditions of this Grant Agreement.
- B. At such time as the balance of state funds allocated to the Grantee reaches five percent (5%), the BSCC may withhold that amount as security, to be released to the Grantee upon compliance with all grant provisions, including:
 - 1) submittal and approval of the final invoice;
 - 2) submittal and approval of the final progress report; and
- C. The BSCC will not reimburse Grantee for costs identified as ineligible for grant funding. If grant funds have been provided for costs subsequently deemed ineligible, the BSCC may either withhold an equal amount from future payments to the Grantee or require repayment of an equal amount to the State by the Grantee.
- D. In the event that grant funds are withheld from the Grantee, the BSCC's Executive Director or designee shall notify the Grantee of the reasons for withholding and advise the Grantee of the time within which the Grantee may remedy the failure or violation leading to the withholding.
- E.

EXHIBIT B: BUDGET DETAIL AND PAYMENT PROVISIONS

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.

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. Equipment/Fixed Assets	\$0
5. Other (Travel, Training, etc.)	\$0
6. Indirect Costs	\$0
TOTALS	\$0

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 hold 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. This obligation shall survive any termination 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.

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

- 8. INDEPENDENT CONTRACTOR:** Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.
- 9. RECYCLING CERTIFICATION:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).
- 10. NON-DISCRIMINATION CLAUSE:** During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)
- Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.
- 11. CERTIFICATION CLAUSES:** The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 (<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>) are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

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

- 12. TIMELINESS:** Time is of the essence in this Agreement.
- 13. COMPENSATION:** The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.
- 14. GOVERNING LAW:** This contract is governed by and shall be interpreted in accordance with the laws of the State of California.
- 15. ANTITRUST CLAIMS:** The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.
- A. The Government Code Chapter on Antitrust claims contains the following definitions:
 - 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
 - 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.
 - B. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.
 - C. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.
 - D. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.
- 16. CHILD SUPPORT COMPLIANCE ACT:** For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

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

- A. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
- B. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

- A. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Gov. 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 is solely for the purpose of proper administration of grant funds, and shall not be deemed to relieve or restrict the Grantee's responsibility.
- B. Grantee is responsible for the performance of all project activities identified in Attachment 1: Mobile Probation Service Centers Grant Program Request for Proposals and Attachment 2: Mobile Probation Service Centers Grant Program Grant Proposal.
- C. Grantee shall immediately advise the BSCC of any significant problems or changes that arise during the course of the project.

2. GRANTEE ASSURANCES AND COMMITMENTS

- A. Compliance with Laws and Regulations

This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California. Grantee shall at all times comply with all applicable State laws, rules and regulations, and all applicable local ordinances.

- B. Fulfillment of Assurances and Declarations

Grantee shall fulfill all assurances, declarations, representations, and statements made by the Grantee in Attachment 1: Mobile Probation Service Centers Grant Program Request for Proposals and Attachment 2: Mobile Probation Service Centers Grant Program Grant Proposal, 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.

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

- C. Grantee shall ensure that all subcontractors comply with the eligibility requirements stated in the ARG Rehabilitation of Existing Property or Building Project RFP and described in Appendix B.
- D. Grantee assures that for any subcontract awarded by the Grantee, such insurance and fidelity bonds, as is customary and appropriate, will be obtained.
- E. Grantee agrees to place appropriate language in all subcontracts for work on the project requiring the Grantee's subcontractors to:

1) Books and Records

Maintain adequate fiscal and project books, records, documents, and other evidence pertinent to the subcontractor's work on the project in accordance with generally accepted accounting principles. Adequate supporting documentation shall be maintained in such detail so as to permit tracing transactions from the invoices, to the accounting records, to the supporting documentation. These records shall be maintained for a minimum of three (3) years after the acceptance of the final grant project audit under the Grant Agreement, and shall be subject to examination and/or audit by the BSCC or designees, state government auditors or designees, or by federal government auditors or designees.

2) Access to Books and Records

Make such books, records, supporting documentations, and other evidence available to the BSCC or designee, the State Controller's Office, the Department of General Services, the Department of Finance, California State Auditor, and their designated representatives during the course of the project and for a minimum of three (3) years after acceptance of the final grant project audit. The Subcontractor shall provide suitable facilities for access, monitoring, inspection, and copying of books and records related to the grant-funded project.

4. PROJECT ACCESS

Grantee shall ensure that the BSCC, or any authorized representative, will have suitable access to project activities, sites, staff and documents at all reasonable times during the grant period including those maintained by subcontractors. Access to program records will be made available by both the grantee and the subcontractors for a period of three (3) years following the end of the grant of the project.

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.

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

- B. The BSCC reserves the right to call for a program or financial audit at any time between the execution of this Grant Agreement and three years following the end of the grant period. At any time, the BSCC may disallow all or part of the cost of the activity or action determined to not be in compliance with the terms and conditions of this Grant Agreement or take other remedies legally available.

6. DEBARMENT, FRAUD, THEFT OR EMBEZZLEMENT

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

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

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

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

All Grantees must have on file with the BSCC a completed and signed Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft and Embezzlement (Required as Appendix E of the original Proposal Package).

7. MODIFICATIONS

No change or modification in the project will be permitted without prior written approval from the BSCC. Changes may include modification to project scope, changes to performance measures, compliance with collection of data elements, and other significant changes in the budget or program components contained in the Attachment 1: Mobile Probation Service Centers Grant Program Request for Proposals and Attachment 2: Mobile Probation Service Centers Grant Program Grant Proposal. Changes shall not be implemented by the project until authorized by the BSCC.

8. TERMINATION

- A. This Grant Agreement may be terminated by the BSCC at any time after grant award and prior to completion of project upon action or inaction by the Grantee that constitutes a material and substantial breach of this Grant Agreement. Such action or inaction includes but is not limited to:

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

- 1) substantial alteration of the scope of the grant project without prior written approval of the BSCC;
 - 2) refusal or inability to complete the grant project in a manner consistent with Attachment 1: Mobile Probation Service Centers Grant Program Request for Proposals and Attachment 2: Mobile Probation Service Centers Grant Program Grant Proposal, or approved modifications;
 - 3) failure to meet prescribed assurances, commitments, recording, accounting, auditing, and reporting requirements of the Grant Agreement.
- B. Prior to terminating the Grant Agreement under this provision, the BSCC shall provide the Grantee at least 30 calendar days written notice stating the reasons for termination and effective date thereof. The Grantee may appeal the termination decision in accordance with the instructions listed in Exhibit D: Special Terms and Conditions, Number 9. Settlement of Disputes.

9. SETTLEMENT OF DISPUTES

- A. The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, the Grantee shall submit to the BSCC Corrections Planning and Grant Programs Division Deputy Director a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to, or involving this Grant Agreement. Grantee's written demand shall be fully supported by factual information. The BSCC Corrections Planning and Grant Programs Division Deputy Director shall have 30 days after receipt of Grantee's written demand invoking this Section "Disputes" to render a written decision. If a written decision is not rendered within 30 days after receipt of the Grantee's demand, it shall be deemed a decision adverse to the Grantee's contention. If the Grantee is not satisfied with the decision of the BSCC Corrections Planning and Grant Programs Division Deputy Director, the Grantee may appeal the decision, in writing, within 15 days of its issuance (or the expiration of the 30-day period in the event no decision is rendered), to the BSCC Executive Director, who shall have 45 days to render a final decision. If the Grantee does not appeal the decision of the BSCC Corrections Planning and Grant Programs Division Deputy Director, the decision shall be conclusive and binding regarding the dispute and the Contractor shall be barred from commencing an action in court, or with the Victims Compensation Government Claims Board, for failure to exhaust Grantee's administrative remedies.
- B. Pending the final resolution of any dispute arising under, related to or involving this Grant Agreement, Grantee agrees to diligently proceed with the performance of this Grant Agreement, including the providing of services in accordance with the Grant Agreement. Grantee's failure to diligently proceed in accordance with the State's instructions regarding this Grant Agreement shall be considered a material breach of this Grant Agreement.
- 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

EXHIBIT D: SPECIAL TERMS AND CONDITIONS

for a final decision, it shall be deemed a final decision adverse to the Grantee's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless the Grantee commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.

- D. The dates of decision and appeal in this section may be modified by mutual consent, as applicable, excepting the time to commence an action in a court of competent jurisdiction.

10. 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.

11. WAIVER

The parties hereto may waive any of their rights under this Grant Agreement unless such waiver is contrary to law, provided that any such waiver shall be in writing and signed by the party making such waiver.

APPENDIX A: MOBILE PROBATION SERVICE CENTERS GRANT PROGRAM SCORING PANEL

Scoring Panel

Name, Title Agency Address	Name, Title Agency Address
Name, Title Agency Address	Name, Title Agency Address
Name, Title Agency Address	Name, Title Agency Address
Name, Title Agency Address	Name, Title Agency Address

SAMPLE

Appendix F: Certification of Compliance with BSCC Polices on Debarment, Fraud, Theft and Embezzlement

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

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

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

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

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

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

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

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

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

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

Appendix G: Governing Board Resolution

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

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

WHEREAS the ***(insert name of Local Government)*** desires to participate in the Mobile Probation Service Centers Grant 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 proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

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

BE IT FURTHER RESOLVED that the ***(insert name of Local Government)*** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

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

Ayes:

Notes:

Absent:

Signature: _____ Date: _____

Typed Name and Title: _____

ATTEST: Signature: _____ Date: _____

Typed Name and Title: _____

Agenda Item G

MEETING DATE: November 17, 2022

AGENDA ITEM: G

TO: BSCC Chair and Members

FROM: Colleen Curtin, Deputy Director, colleen.curtin@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 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 2021-22.

Background

The COVID-19 pandemic continued to impact training efforts during Fiscal Year 2021-22, though to a lesser degree than the previous two years. Over the course of the past two years, many STC training providers converted classroom courses to web-based platforms, offering live, virtual, instructor-led training. Agencies relied heavily on the new virtual training, and also took greater advantage of those providers that already offered self-paced online training, such as the National Institute for Corrections. For courses that could not be effectively delivered in a virtual setting, providers put into place safety precautions, such as vaccine and/or testing requirements and smaller class sizes.

Though there were many online options available for continuing training, known as *annual* training, this past year, those options were not as readily available for the initial officer training, known as *core* training. Due to the length and complexity of the STC core training programs, which are several weeks long and include many hands-on modules and behavioral skills demonstrations, virtual delivery can be difficult. And in-person training continued to be a challenge. STC saw agencies prohibited from traveling due to county-imposed travel restrictions, reduced in-person classroom capacity, cancelled classes due to illness and COVID-19 outbreaks at the jails. As a result, STC considered COVID-19 as a mitigating circumstance in most cases where agencies were unable to send newly hired staff to a core academy within one year of assignment.

On a positive note, one of STC's training providers, Yuba College, worked closely with STC to convert its Probation Officer core academy into a "hybrid" model. Within this model, three weeks of the course content is delivered in a computer-based virtual platform and the remaining one week—content that requires hands-on demonstration, such as defensive tactics—is delivered in-person. Offering this course in a hybrid format, where students can attend most of the training from their desks and not have to travel back and forth or stay in a hotel, keeps people at home and reduces the costs associated with travel and per diem. The hybrid Probation Officer core launched in Spring 2022 and 32 students from 28 probation

departments took advantage of the course in FY 2021-22, with an additional 32 students and four probation departments enrolled so far this year. Yuba College also offers the 80-hour Supervisor core academy in a 100 percent computer-based format. Since the launch of that course, 23 students from eleven probation departments and seven sheriffs' departments enrolled students in FY 2021-22, with an additional 16 students, six probation departments and one sheriff's department enrolled so far this year. The 80-hour Manager core academy is also offered in a 100 percent virtual format. There is a great demand for both the hybrid and online core training modules and STC will continue to work with its providers to expand those options.

While COVID-19 continued to impact the training efforts of local corrections agencies, STC training providers worked hard to minimize that impact. Many agencies have their own training departments and their county policies have allowed them to resume in-person training. Other agencies are relying more heavily on virtual training and STC is maintaining a list of certified courses for agency reference. Still others are using on the job training modules and delivering training on-site. The barriers and available solutions are unique to each agency and STC is working closely with participating agencies to assist them.

Program Statistics for Fiscal Year 2021-22

In Fiscal Year 2021-22, 150 Sheriff's 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 2021-22;
- 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 2020-21.

Compliance Findings for Fiscal Year 2021-22

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.

Due to COVID-related travel restrictions, for the past two years STC conducted most of its compliance reviews virtually. This year, almost all STC compliance visits were conducted in person, at the agency.

Across the state, there were 12 staff who did not receive the required core training within one year of assignment and were found to be out of compliance and 120 staff who did not receive all of their required annual training and were found to be out of compliance. That represents less than one percent of local corrections personnel statewide who did not comply with STC policy. There were an additional 47 in the core category that claimed COVID exemptions, down from 60 claimed last year. In the annual training category, COVID exemptions decreased from 2,800 to zero. These low numbers reflect the successful innovations that have been adopted to make training more available despite the continuing effects of the pandemic. (Attachment G-2).

Agencies that were unable to comply with STC training standards due to COVID-19 are required to document the staff that did not complete core training as well as the barriers they encountered. In the current year review, STC also followed up on core training exemptions granted during last year's review. Because there were many more online training options available, agencies could not assert COVID-19 as a mitigating factor for training non-compliance except in limited circumstances. For 2022-2023, STC will not accept COVID-19 as a mitigating circumstance for training non-compliance except in extraordinary cases.

Of the 150 agencies that participated in the STC Program in 2021-22, 136 agencies were found to be "In Compliance" and 14 agencies were found to be "Out of Compliance" with STC training requirements (Attachment G-3).

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 – including inability to train due to COVID-19. 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 unavailability 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. Thirteen of those agencies are in their first year of non-compliance status and one agency is 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-4 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-5 provides a compliance history for all participating agencies.

All agencies found to be out of compliance for FY 2021-22 have submitted responsive corrective actions plans, as required by the STC, to remedy the deficiencies in the subsequent fiscal year.

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 offered this course over Zoom the past two years but will now offer the course in both a virtual and in-person setting in the coming year. The IDC was suspended during the pandemic because it relies on role play, student/instructor interaction and small group exercises and therefore is not a course that can be taught effectively in a virtual setting. Prior to the end of FY 2021/22, however, STC relaunched the course and will now offer it up to eight times per year, as there is always a high demand for it among STC participating agencies.

Recommendation/Action Needed

This is an information item and does not require Board action.

Attachments

- G-1: FY 2021-22 STC Program Statistics
- G-2: COVID-19 Exemption Counts
- G-3: FY 2021-22 Compliance Monitoring Findings
- G-4: FY 2022-22 Out of Compliance Agencies
- G-5: STC Compliance History

Attachment G-1

FY 2021-22 STC Program Statistics

1. Participating Agencies

Agency Type	Fiscal Year 2020/21	Fiscal Year 2021/22
Probation Departments	59	59
Sheriffs' Office	54	55
Police Departments	37	35
Local Departments of Corrections	2	1
Total Participating Departments	152	150

2. Participating STC Staff by Category

Category	Fiscal Year 2020/21	Fiscal Year 2021/22
Adult Corrections Officers	15,346	15,408
Juvenile Corrections Officers	5,161	4,907
Probation Officers	6,449	6,331
Supervisors, Adult Corrections	1641	1690
Supervisors, Probation	1571	1590
Managers, Adult Corrections	438	451
Managers, Probation	495	479
Administrators, Adult Corrections	120	120
Administrators, Probation	150	141
Total Participating Staff	37,371	31,117

3. STC Selection Examinations Administered by Position

Position	Fiscal Year 2020/21	Fiscal Year 2021/22
Adult Corrections Officers	3,426	3,842
Juvenile Corrections Officers	4,058	4,315
Probation Officers	1,534	2,669
Total Exams Administered	9,018	10,826

4. STC Training Hours Completed by Type

Type of Training	Fiscal Year 2020/21	Fiscal Year 2021/22
Annual Hours	901,720	800,448
Core Hours	425,060	400,764
Total Training Hours	1,326,780	1,201,212

5. STC Staff Training Hours by Category

Category	Fiscal Year 2020/21	Fiscal Year 2021/22
Adult Corrections Officers	661,300	555,633
Juvenile Corrections Officers	188,080	173,208
Probation Officers	308,080	304,827
Supervisors	126,000	128,392
Managers	35,040	31,616
Administrators	8,280	7,536
Total Staff Training Hours	1,326,780	1,201,212

Attachment G-2

Number of Training Exemptions Granted due to COVID

Agency	CORE Exemptions		ANNUAL Exemptions	
	FY 20-21	FY 21-22	FY 20-21	FY 21-22
Alameda Probation				
Alameda Sheriff			48	
Alpine Probation				
Amador Probation				
Amador Sheriff		1		
Anaheim Police			3	
Bell Gardens Police				
Berkeley Police				
Burbank Police				
Butte Probation				
Butte Sheriff		1	2	
Calaveras Probation				
Calaveras Sheriff				
Chula Vista Police				
Claremont Police				
Colusa Probation				
Colusa Sheriff			3	
Contra Costa Probation			2	
Contra Costa Sheriff				
Covina Police				
Del Norte Probation				
Del Norte Sheriff		2	1	
El Dorado Probation	2			
El Dorado Sheriff	1		1	
El Monte Police			3	
Fresno Probation				
Fresno Sheriff			167	
Gardena Police			3	
Glendale Police			2	
Glendora Police			2	
Glenn Probation				
Glenn Sheriff	1			
Hawthorne Police				
Hayward Police			14	
Hermosa Beach Police			6	
Humboldt Probation	1			
Humboldt Sheriff				
Huntington Beach Police			12	
Huntington Park Police			2	
Imperial Probation				
Imperial Sheriff			5	

Number of Training Exemptions Granted due to COVID

Agency	CORE Exemptions		ANNUAL Exemptions	
	FY 20-21	FY 21-22	FY 20-21	FY 21-22
Inglewood Police			6	
Inyo Probation				
Inyo Sheriff				
Kern Probation	12		81	
Kern Sheriff		2	13	
Kings Probation				
Kings Sheriff	1		51	
Lake Probation				
Lake Sheriff	2			
Lassen Probation				
Lassen Sheriff				
Lompoc Police	1			
Long Beach Police			25	
Los Angeles Police	1		301	
Los Angeles Probation	1		592	
Los Angeles Sheriff			262	
Madera Probation	1			
Madera Sheriff				
Manhattan Beach Police			7	
Marin Probation			9	
Marin Sheriff				
Mariposa Probation			1	
Mariposa Sheriff				
Mendocino Probation				
Mendocino Sheriff			11	
Merced Probation			3	
Merced Sheriff				
Modoc Probation				
Modoc Sheriff				
Mono Probation				
Mono Sheriff				
Monterey Police				
Monterey Probation				
Monterey Sheriff		1	11	
Monterey Park			4	
Napa Probation			13	
Napa Dept. of Corrections			59	
Nevada Probation				
Nevada Sheriff				
Newport Beach	1		5	
Orange Probation	4		184	

Number of Training Exemptions Granted due to COVID

Agency	CORE Exemptions		ANNUAL Exemptions	
	FY 20-21	FY 21-22	FY 20-21	FY 21-22
Orange Sheriff	5			
Palos Verdes Estates				
Pasadena Police			7	
Placer Probation				
Placer Sheriff	1		12	
Plumas Probation				
Plumas Sheriff	1			
Pomona Police				
Redondo Beach Police			4	
Riverside Probation			2	
Riverside Sheriff	2		4	
Sacramento Probation				
Sacramento Sheriff		24	17	
San Benito Probation	1			
San Benito Sheriff				
San Bernardino Probation				
San Bernardino Sheriff	2		5	
San Diego Probation	5			
San Diego Sheriff		1	5	
San Fernando Police			7	
San Francisco Adult Probation				
San Francisco Juv. Probation			33	
San Francisco Sheriff		4	306	
San Joaquin Probation				
San Joaquin Sheriff	1			
San Luis Obispo Probation				
San Luis Obispo Sheriff			70	
San Mateo Probation				
San Mateo Sheriff		1	76	
Santa Ana Police	1			
Santa Barbara Probation				
Santa Barbara Sheriff			172	
Santa Clara Probation	1			
Santa Clara Sheriff			76	
Santa Cruz Probation				
Santa Cruz Sheriff	1			
Santa Monica Police			5	
Shasta Probation		1		
Shasta Sheriff				
Sierra Probation				
Signal Hill Police				

Number of Training Exemptions Granted due to COVID

Agency	CORE Exemptions		ANNUAL Exemptions	
	FY 20-21	FY 21-22	FY 20-21	FY 21-22
Siskiyou Probation				
Siskiyou Sheriff				
Solano Probation				
Solano Sheriff	4			
Sonoma Probation				
Sonoma Sheriff			5	
South Gate Police				
Stanislaus Probation	1		31	
Stanislaus Sheriff		2		
Sutter Probation	1			
Sutter Sheriff		3		
Tehama Probation				
Tehama Sheriff				
Torrance Police			11	
Trinity Probation				
Trinity Sheriff	1			
Tulare Probation				
Tulare Sheriff				
Tuolumne Probation				
Tuolumne Sheriff		1		
Ventura Probation				
Ventura Sheriff			35	
West Covina Police				
Yolo Probation	1			
Yolo Sheriff	2	1		
Yuba Probation		2		
Yuba Sheriff			3	
TOTALS	60	47	2,800	0

Attachment G-3

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		1
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	◆	
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	◆	

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
36	Humboldt County	Probation Department	◆	
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		1
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		1
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		1
63	Mariposa County	Probation Department	◆	
64	Mariposa County	Sheriff's Office	◆	
65	Mendocino County	Probation Department	◆	
66	Mendocino County	Sheriff's Office		1
67	Merced County	Probation Department	◆	
68	Merced County	Sheriff's Office	◆	
69	Modoc County	Probation Department	◆	
70	Modoc County	Sheriff's Office		1

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
71	Mono County	Probation Department	◆	
72	Mono County	Sheriff's Office		1
73	Monterey	Police Department	◆	
74	Monterey County	Probation Department	◆	
75	Monterey County	Sheriff's Office		1
76	Monterey Park	Police Department	◆	
77	Napa County	Dept. of Corrections	◆	
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	◆	
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	◆	
95	Sacramento County	Sheriff's Office	◆	
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	◆	
105	San Francisco County	Sheriff's Office		1

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
106	San Joaquin County	Probation Department	◆	
107	San Joaquin County	Sheriff's Office	◆	
108	San Luis Obispo Co	Probation Department	◆	
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		2
122	Sierra County	Probation Department	◆	
123	Signal Hill	Police Department		1
124	Siskiyou County	Probation Department	◆	
125	Siskiyou County	Sheriff's Office	◆	
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.	◆	
135	Tehama County	Probation Department	◆	
136	Tehama County	Sheriff's Office	◆	
137	Torrance	Police Department	◆	
138	Trinity County	Probation Department	◆	
139	Trinity County	Sheriff's Office		1
140	Tulare County	Probation Department		1

FY 2021-2022 STC COMPLIANCE MONITORING FINDINGS

	County/City	Agency Type	In Compliance	Out of Compliance*
141	Tulare County	Sheriff's Office	◆	
142	Tuolumne County	Probation Department	◆	
143	Tuolumne County	Sheriff's Office	◆	
144	Ventura County	Probation Department	◆	
145	Ventura County	Sheriff's Office		1
146	West Covina	Police Department	◆	
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-4

STC Agencies Found Out of Compliance in FY 2021-22

	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	Calaveras County Sheriff	37	31	2	6%	2 Core
2	Kings County Sheriff	118	107	3	3%	3 Core
3	Lompoc Police	5	5	1	20%	1 Annual
4	Marin County Sheriff	84	75	3	4%	2 Core; 1 Annual
5	Mendocino County Sheriff	44	43	17	40%	17 Annual
6	Modoc County Sheriff	9	7	2	28%	2 Annual
7	Mono County Sheriff	18	17	2	12%	2 Annual
8	Monterey County Sheriff	213	170	16	9%	16 Annual
9	San Francisco County Sheriff	450	359	5	2%	5 Annual
10	Shasta County Sheriff	74	70	2	3%	2 Core
11	Signal Hill Police	8	6	1	17%	1 Annual
12	Trinity County Sheriff	17	14	2	14%	2 Core
13	Tulare County Probation	243	176	1	<1%	1 Core
14	Ventura County Sheriff	311	253	75	30%	75 Annual

*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-5

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

Agenda Item H

MEETING DATE: November 17, 2022 **AGENDA ITEM:** H

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 2020/2022 Biennial Inspection Cycle, a summary of current outstanding items of noncompliance for biennial inspections, and a summary of current outstanding items of noncompliance for targeted inspections.

Background

The 2020/2022 Biennial Inspection Cycle began on July 1, 2020. This inspection cycle includes the implementation of the Enhanced Inspection Process (EIP), as approved by the Board at its February 2020 meeting.

As inspections are completed for the 2020/2022 Biennial Inspection Cycle, BSCC staff continue to track the corrective action plan status of items of noncompliance identified during inspections. The list of outstanding items of noncompliance, and their statuses is here: <https://app.smartsheet.com/b/publish?EQBCT=721da257110c4f80bd92d8215c165fe1>
Items of noncompliance that have been resolved are located at the bottom of the dashboard.

The list of items of noncompliance for juvenile detention facilities is located here: <https://app.smartsheet.com/b/publish?EQBCT=aafefb79b5d446b984d16a013d541c0d>

Information related to other outstanding items of noncompliance has been updated as appropriate. No current items of noncompliance are coded red, and the staff is not recommending any other formal action be taken at this time. In the case of yellow- and grey-coded items, staff remains in continuous contact with agency administrators to provide technical assistance.

Recommendation/Action Needed

Information only.

Attachments

H-1: Outstanding Items of noncompliance: [ADULT](#) | [JUVENILE](#)



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

CONTACT US

(916) 445-5073 | BSCC-Mail@bscc.ca.gov



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

California Governor
Gavin Newsom

