

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
Thursday, April 19, 2017

Meeting Held At:
The DoubleTree by Hilton Ontario Airport
First Floor - Lake Silverwood Ballroom
222 North Vineyard Avenue
Ontario, CA 91764

I. Call to Order:

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

Chair Penner welcomed Board Members and the public to the meeting and thanked Carmen Green Executive Director of the California State Sheriff's Association for hosting the meeting in Ontario, California.

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

The following members were in attendance:

Ms. Penner	Mr. Growdon	Mr. Budnick
Ms. Perez	Mr. Bejarano	Ms. Tournour
Mr. Powers	Mr. Dean	Mr. Ertola
Mr. Kernan	Ms. Brown	

ABSENT BOARD MEMBERS

Mr. Steinhart and Judge Garrett

II. INFORMATION ITEMS:

1. Chair's Report

Chair Penner reported that Board Member Judge Garrett submitted her resignation from the Board for personal reasons.

Chair Penner thanked Growdon and Ertola for their continued membership on the Board.

2. Executive Director's Report

Executive Director Kathleen Howard provided updates on the following:

Thanked the CSSA for hosting the Board meeting.

Howard welcomed Adam Lwin as the new Board Secretary and announced that the Board will recognize Maria Rodriguez-Rieger for her prior service at the June Board meeting in Sacramento.

Reported that the Assembly Budget Subcommittee heard the BSCC budget on Monday, April 16, 2018. There were a few questions about the annual savings calculations for Proposition 47; no action was taken. The BSCC's budget was left open.

Howard congratulated Mr. Growdon and Mr. Ertola for their confirmation by the Senate Rules committee to new three-year terms on the BSCC.

Howard reported her attendance as a panelist at the Survivors Speak conference on April 10, 2018 in Sacramento during victims' week, where she shared information about Prop 47 and the Board's work.

Howard indicated that the State Controller's Office has completed its first audit of Proposition 47 and did not have any findings or recommendations. Howard thanked BSCC Staff Mary Jolls, Juanita Reynaga, and Rosa Pargas for their work to provide information to the auditors.

Howard thanked Santa Barbara County Sheriff Bill Brown, and Senior Researcher Ashley Mills from the Mental Health Services Oversight & Accountability Commission for their attendance at the meeting and their presentation on "Together We Can (Reducing Criminal Justice Involvement for People with Mental Illness)."

3. Legislative Update Report (presented by Executive Director Howard):

Presented the Legislative Board Report.

4. Legal update:

General Counsel Maguire reported that there will not be a closed session at today's meeting.

Maguire reported that at the June Board meeting there will be an item to delegate signature authority to the Executive Director to execute documents related to the sale of bonds for the lease revenue bond project.

Maguire reported that Yolo County is constructing a new facility that had initially planned

to take down the existing in-person visitation space. BSCC reached out to Yolo as to compliance with recent legislation, AB 103. The County has agreed to revise their plan to include in-person visitation space. The BSCC has notified Yolo that they would be allowed to proceed with construction of the new building with in person visitation.

Maguire added information about the Byrne/JAG funds. The federal government requested information from the BSCC on the policy and procedures on communication with law enforcement employees in terms of immigration. BSCC responded that the BSCC does not have law enforcement employees. The Byrne/JAG funds will be held until the litigation is resolved.

Lastly, Maguire reported that in March 2018, the United States Government made new proceedings against the State of California to enjoin three laws that were enacted regarding immigration, which included Senate Bill 54. The hearing will be held in May which may also impact the Byrne/JAG litigation and the State's compliance with 8 U.S.C § 1373.

Maguire asked for questions from the Board.

Ms. Perez asked if there would be changes to Prop 47 with new legislation requirements and if it would impact current operations.

Counsel Maguire stated that there is some legislation that could impact funding to Prop 47, but the current Prop 47 operations will not be impacted.

Mr. Dean asked about retroactivity on the Byrne/JAG grant.

Counsel Maguire reported that Bureau of Justice Administration has included that it would allow reimbursement back to October 2016. If current agencies have used their own funds the agencies would need to request reimbursement when the Byrne/JAG funds become available, but the information on reimbursement is still uncertain.

Mr. Dean asked if the BSCC has sent notices to the awardees that the funds for Byrne/JAG may not be available for quite some time.

Counsel responded that the BSCC will be reaching out to the awardees.

End of Legal Update

III. Mental Health Services Oversight & Accountability Commission (MHSOAC):

Chair Penner introduced Sheriff Brown to present this agenda item.

Presentation “Together We Can (Reducing Criminal Justice Involvement for People with Mental Illness)” Findings and Recommendations. Santa Barbara County Sheriff Bill Brown and Senior Researcher Ashley Mills: **Information Only**

Sheriff Brown discussed the report, which focuses on the intersection between mental illness and law enforcement. This report encapsulates the problem and creates achievable solutions for counties. Brown stated that fiscal and human resources are challenges that the state faces.

The report focused on three priorities:

1. Collaborate and combine resources, which includes, state, county and private sector.
2. Counties provide crisis services to mentally ill individuals along with community-based care.
3. Those Incompetent to Stand Trial (IST) expand jail and community based services. Counties should expand jail and community based competency programs.

Sheriff Brown thanked his fellow commissioners of MHSOAC, Executive Director Tobey Ewing, and Senior Researcher Ashley Mills.

Ms. Mills presented a detailed overview of the report and the efforts of MHSOAC. Stated that the problem is the increase in the number of people with mental health needs in the criminal justice system. She suggested that the solutions should include opportunities for diversion and opportunities for prevention.

Ms. Mills reported on the six findings and recommendations:

Finding One: Too many mental health consumers, particularly those from African American, Latino, Native American, and LGBTQ communities, end up in jails because of unmet needs. MHSOAC recommends that mental health agencies, in partnership with law enforcement, should have a comprehensive prevention-focused plan that reduces the incarceration of mental health consumers in their communities.

Finding Two: Reported that California jails are not equipped to serve mental health consumers and that diversion should be prioritized to include more effective in-custody options. MHSOAC recommends that the BSCC facilitate a collaborative effort with counties to identify, develop, and deploy services and strategies that improve outcomes for mental illness in jails.

Finding Three: Reported that many people are found incompetent to stand trial because

of unmet mental health needs are forced to spend months in jail awaiting services necessary for their cases. MHSOAC recommends reducing the backlog by maximizing diversion from the criminal justice system and the state and that counties expand options for restoring competency.

Finding Four: Reported that there is no statewide systematic approach for prevention and diversion to reduce the involvement of criminal justice for the mentally ill. MHSOAC recommends that the Council on Criminal Justice and Behavioral Health collaborate with state agencies to support local prevention and diversion.

Finding Five: The lack of data by state and local agencies to improve outcomes. MHSOAC recommends that the California Health and Human Services Agency should reduce barriers so that data are used to drive decision-making.

Finding Six: Reported that criminal justice and mental health professionals will need new knowledge, skills, and abilities to better serve the mentally ill. MHSOAC recommends partnering state and counties and expanding technical assistance resources to improve cross-professional training, data, and community-driven and evidence-based practices.

Ms. Perez asked for clarification of the percentage of mental illness in jails and how jail settings are not adequate to house mental illness.

Sheriff Brown stated that there should be a statewide system to work with mentally ill inmates rather than the counties having their own programs. We need more crisis beds and long-term beds. The current number of beds for mentally ill is too low and we need to increase it statewide.

Board Member Brown asked if juveniles will be included in the research and report as county probation is experiencing the same results with juveniles.

Mr. Dean asked about the step-down model and if it would be the best way to spend money.

Sheriff Brown suggested that there should be a one stop shop for those with mental illness and to engage law enforcement as well as community organizations.

Chair Penner echoed Sheriff Brown and the Board members' comments on barriers and the need to address the situation as a whole. She thanked Sheriff Brown and Ms. Mills for their attendance and presenting their findings on mental illness in California.

Chair Penner introduced Deputy Director Evonne Garner to provide an update on the proposed BSCC training module on behavioral health.

Deputy Director Garner explained that the current review of training standards for Juvenile Correctional Officers, Adult Correctional Officers, and Probation Officers has focused significantly on the need for training in behavioral health. BSCC gathered subject matter

experts who identified new or expanded training topics, including trauma, substance use and co-occurring disorders, stigma and bias, crisis intervention and de-escalation, emotional survival, safety and liability, interventions and referrals, and identifying signs and symptoms. Garner stated that the subject matter experts recommended statewide standardization of these core training topics with room to insert specific agency policies. In response to that recommendation, Garner added that the BSCC has entered into a contract with University of Colorado to develop a behavioral health lesson plan that will be made available to agencies to use in core or more broadly.

IV. CONSENT ITEMS:

A. Minutes from the April 19, 2018 Board Meeting: Requesting Approval

Mr. Kernan moved approval. Mr. Growdon seconded. The motion carried.

V. DISCUSSION ITEMS:

B. California Violence Intervention and Prevention (CalVIP) Grant Funding Recommendations: Requesting Approval

This agenda item was presented by Field Representative Colleen Curtin and requested Board approval of the California Violence Intervention and Prevention grant awards as recommended by its Executive Steering Committee. The two-year grant period will begin May 1, 2018 and end April 30, 2020. Proposals recommended for funding include 10 submitted by cities and 10 submitted by community-based organizations.

The CalVIP RFP received 121 proposals from cities and CBOs. The 12-member ESC, Chaired by Chief Michelle Brown, was divided up to rate each proposal. The BSCC's research team led by Kasey Warmuth developed analyses on the rating and the following recommendations were made:

This agenda item recommended funding the City of Los Angeles for a \$1 million non-competitive grant, as authorized in statute, and funding nine city proposals and nine CBOs for programs and initiatives to prevent and reduce violence. Partially fund the City of Pasadena and the Young Visionaries Youth Leadership Academy. In the event a grantee is unable to accept the conditional grant award, authorize staff to accept relinquished awards and offer conditional award to grantee next in line on the rank order list.

Ms. Brown commended Ms. Stoner, Ms. Warmuth, and the BSCC Staff for their work on the CalVIP grant.

Chair Penner echoed Ms. Brown's commendation of BSCC staff.

Ms. Tournor recused herself from the vote and left the room prior to the discussion pursuant to Government Code, Section 1091.5. Mr. Dean moved approval. Mr. Budnick seconded. The motion carried.

C. Title II Federal Fiscal Year 2018-2020 State Plan: Requesting Approval

Deputy Director Mary Jolls presented this agenda item. This agenda item requested Board approval of SACJJDP's Title II Federal Fiscal Year 2018-2020 State Plan, which also serves as BSCC's application for the 2018 Title II award. The State Plan establishes the two highest priority needs within California's juvenile justice system:

- Keeping youth out of the juvenile justice system by promoting community and family supports
- Promote youth success by reducing recidivism. Within the two priorities SACJJDP decided upon six Program Purpose Areas:
 1. Aftercare/Reentry
 2. Alternatives to Detention
 3. Community-Based Programs & Services
 4. Diversion
 5. Mental Health Services
 6. Mentoring, Counseling & Training Programs

This agenda item requested Board approval to submit this State Plan and application to the Office of Juvenile Justice and Delinquency Prevention.

Chair Penner and Ms. Brown thanked Chair Rachel Rios and the SCAJJDP for the work on the state plan.

Ms. Brown moved approval. Mr. Growdon seconded. Mr. Budnick was absent during the vote. The motion carried.

D. Assembly Bill 900 Phase II (Local Jail Construction Financing Program) Siskiyou County Requesting Extension - Project Establishment Extension to December 2018: Requesting Approval

This agenda item was presented by Deputy Director John Prince: This agenda item requested Board approval of staff's recommendation to extend to December 2018 from May 2018 the Siskiyou County AB 900 Phase II jail construction project establishment date with the State Public Works Board to allow the County the additional time necessary to complete both the project establishment documents and the California Environmental Quality Act process.

Public Comment For Agenda Item D Was Heard:

Sheriff John E. Lopey, Siskiyou County Sheriff's Office: Thanked the Board for approving this extension and the work the BSCC staff has done for Siskiyou County.

End of Public Comment

Mr. Dean moved approval. Ms. Brown seconded. Mr. Budnick was absent during the vote. The motion carried.

E. Senate Bill 844 (Adult Local Criminal Justice Facilities Construction Financing Program) Mendocino County Scope Change: **Requesting Approval**

This agenda item requested Board approval of Mendocino County's request for a scope change to (1) change the location of the project to an alternate site on the same property, and (2) allow for the retention of an existing 20-bed dormitory housing unit that initially was planned to be demolished.

Mr. Growdon moved approval. Ms. Perez seconded. Mr. Budnick was absent during the vote. The motion carried.

V. Public Comment

Dawn Demoray, Valerie Zermeno, Domonique Larry, Sereeta Reid (Time For Change Foundation) Spoke as a group for Proposition 47 and how it has benefited women and children in the community and thanked the Board for their role in Prop 47.

Brian Goldstein (Center on Juvenile and Criminal Justice): Asked staff to provide a total number of programs and total number of youth served by the state under the JJCPA.

VI. Closed Session - (Gov. Code, § 11126, subd. (e)(2)(B) & (C).)

- State of California v. Sessions, Case No. 17-cv-4701 (Byrne/JAG Litigation)

The Board did not meet in closed session.

The meeting adjourned at: 11:58 AM

Next meeting:

❖ BSCC Board Meeting: Thursday, June 7, 2018 (Sacramento)

ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Chair Penner, Chair, Board of State and Community Corrections
Mr. Kernan, Secretary, California Department of Corrections
Mr. Powers, Director, Adult Parole Operations, CDCR
Ms. Scray Brown, Chief Probation Officer, San Bernardino County
Mr. Growdon, Sheriff, Lassen County Sheriff's Department
Mr. Ertola, Chief Probation Officer, Nevada County Probation
Mr. Bejarano, Retired Chief of Police, City of Chula Vista Police Department
Mr. Dean, Sheriff, Ventura County Sheriff's Department
Mr. Budnick, Film Producer and Founder of The Anti-Recidivism Coalition
Ms. Tournour, Director, City of Sacramento Office of Public Safety Accountability
Ms. Perez, County Supervisor, Kern County

BSCC Staff

Kathleen Howard, Executive Director
Tracie Cone, Communications Director
Aaron Maguire, General Counsel
Mary Jolls, Deputy Director, Corrections Planning and Grant Programs
John W. Prince, Deputy Director, County Facilities Construction
Allison Ganter, Deputy Director, Facilities Standards and Operations
Evonne Garner, Deputy Director, Standards and Training for Corrections
Colleen Curtin, Field Representative, Corrections, Planning, Grants and Programs
Adam Lwin, Special Assistant to the Chair and Executive Director