

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, NOVEMBER 14, 2019

Meeting Held At:
BSCC Board Room
2590 Venture Oaks Way Suite 101
Sacramento, CA 95833

I. Call to Order

Chair Linda Penner called the meeting to order at 10:24 AM.

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

Chair Penner announced the resignation of Ms. Francine Tournour from the Board.

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

The following members were in attendance:

| | | | |
|--------------|------------|-------------|---------------|
| Chair Penner | Mr. Diaz | Mr. Green | Mr. Growdon |
| Mr. Seale | Mr. Ertola | Mr. Baranco | Mr. Steinhart |

ABSENT BOARD MEMBERS

Ms. Tournour, Mr. Budnick, Mr. Gore, Mr. Mills

II. Information Items

1. Chair's Report

Nothing to report.

2. Executive Director Report

Executive Director Kathleen Howard reported on the following:

- The ESC for Proposition 64 Grant, Chaired by Chair Penner has met, and staff is working on the development of the Request for Proposals (RFP).
- The California Violence Prevention and Intervention (CalVIP) ESC, Chaired by Chief Mills, has had two meetings and another one coming up.
- The Adult Regulations Revision ESC will meet on Monday, December 2, 2019 at the BSCC. The ESC will be discussing topics that will be addressed by subject-matter-expert working groups that will help develop revisions to the regulations.

- The public is invited to provide feedback on suggested revisions. Details are posted on the BSCC's homepage.
- The 2019-20 Community Corrections Partnership (CCP) Survey was released on November 10. The CCP Survey is a mechanism to collect valuable information to educate and inform California lawmakers, the public, and the media of the continued efforts counties have made in implementing public safety realignment.
 - Information provided in this year's CCP Survey will be used to formulate the Eighth Annual Report on the Implementation of Community Corrections Partnership Plans. Counties responding to the survey are compensated for those efforts (\$100,000 to counties with a population of 200,000 or less; \$150,000 goes to those of 200,001 to 749,999; and \$200,000 to counties of 750,000 and above).
 - Responses to the CCP Survey are due Friday, December 13, 2019.
- January 23, 2020 Board meeting has been cancelled and the first meeting in 2020 will be on February 13, 2020.

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

Howard referred to the Legislative Board Report in the Board binders.

4. Legal Update:

General Counsel Aaron Maguire reported on the following:

The state of California has filed a third lawsuit on the Byrne/JAG funding. Officials are trying to expedite the court case. A settlement or a resolution is expected soon.

The City of Los Angeles was successful in its suit against the federal government on the Byrne/JAG funding at the Ninth Circuit.

The BSCC continue to spend its JAG funds.

5. Proposition 47 Grant Program: Two-Year Preliminary Evaluation Findings

Deputy Director Ricardo Goodridge introduced the Proposition 47 presentation. The Proposition 47 began in 2016 and has had various positive outcomes. Goodridge introduced Stacy Rilea from the BSCC research department to report on the preliminary findings.

Stacy Rilea, Research Specialist presented data and information on the Proposition 47 grant:

The Proposition 47 RFP was released in November 2016. 58 proposals were received and approximately \$225 million was requested. Of these, 23 proposals were funded. Approximately \$103 million was allocated over 38 months based on the three years of Proposition 47 savings.

In September 2018 the Board approved a one-year no-cost extension, which 19 of the 23 grantees accepted.

73 percent of the grant funds have been passed through to CBOs.

For the first two years 11,349 unduplicated participants were served varying in gender, age, and ethnicity. The grant required that grantees must provide mental health, substance use disorder (SUD), and diversion programs. Most common support services provided job skills training, case management, and transportation. Family support and advocacy services, along with jail in-reach and social skills were provided to participants. Each quarter, grantees report the number of individuals that received services.

AB 1056 added additional funding priorities to the grant, including housing related assistance and community-based supportive services. Supportive services included case management, basic necessities, food, financial literacy, public benefits enrollment, education services, independent living skills training, health care, transportation, family advocacy, and social skills.

Rilea introduced the Proposition 47 Dashboard that the BSCC posted on its website. The Dashboard allows users to view descriptions of the grantees, demographics of participants, types of services and number of services provided. Rilea said that recidivism rates will be added to the dashboard when that data becomes available.

Rilea was followed by a presentation from a grant recipient.

Dr. Angelica Almeida and Dr. Danielle Toussaint from the San Francisco Department of Public Health, presented *Promoting Recovery and Services to Present Recidivism (PRSPR)*:

The goal of the PRSPR program is to work with individuals with behavioral health needs who have had contact with the criminal justice system in order to reduce recidivism or improve health and housing status of participants.

Some of the services include the following:

The Substance Use Disorder Residential Treatment (Salvation Army) had 32 residential treatment beds. It included five social detox beds and a developed community plan of care.

Outreach and engagement in the community by the Felton Institute was another service that the program provided. This included outreach to transitional age youth, support with linkage to SUD services and development of developmentally appropriate SUD curriculum.

The third service included peer support for participants by Richmond Area Multi Services. This service provided support for 60 days after completion of the program. It also provides support implementing the community plan of care.

The San Francisco Department of Public Health has met five of the eight objectives. These included 96 individuals enrolled in residential treatment. 100 percent of community care plans were individually tailored to each client, and 89 percent of those who have completed the program have been enrolled in Medi-Cal.

Almeida and Toussaint stated that the participants demonstrated improved sense of well-being, and the project partners have demonstrated flexibility, adaptability, and responsiveness to the program challenges.

III. Action: Consent Items

A. Minutes from the September 12, 2019 Board Meeting: Requesting Approval

Mr. Green moved approval. Mr. Seale seconded. The motion carried.

IV. Discussion Items

B. Standards and Training For Corrections Compliance Report and Annual Update: Information Only

This agenda item was presented by Deputy Director Evonne Garner and provided program statistics and compliance findings for the Standards and Training for Corrections (STC) Division for Fiscal Year 2018-19.

Of the 160 agencies that participated in the STC Program in 2018-19, 152 agencies were found to be “in compliance” and eight agencies were “out of compliance” with STC training requirements.

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.

An agency is “out of compliance” when it has not met 100 percent of its training obligation and does not have an approved mitigating circumstance. Eight agencies were found to be out of compliance with the requirements of the STC Program. Six of those agencies are in their first year of being out of compliance status. Two agencies are in their second consecutive year of being out of compliance.

All agencies found to be out of compliance for FY 2018-19 have submitted responsive corrective actions plans, as required by the STC, to remedy the deficiencies in the subsequent fiscal year.

The Chair and Board members expressed their appreciation to the STC team.

This was an information item and did not require a Board action.

Public comment was heard for agenda item B:

Dominique Nong (Children’s Defense Fund): Asked the STC department to review the efficacy of the training provided to staff.

End of Public Comment

C. 2019 Youth Reinvestment Grant, Request for Proposals: Requesting Approval

Field Representative Kimberly Bushard presented this agenda item, which requested the Board's approval and authorization to release the Request for Proposals (RFP) as recommended by the ESC of the 2019 Youth Reinvestment Grant.

Mr. Steinhart thanked the BSCC staff for a great job in developing this grant.

Public comment was heard for agenda item C:

Ales Lee (NextGen Policy): Asked if the scoring criteria is available to the public.

Miguel Garcia (Anti-Recidivism Coalition): Suggested that community partnerships should be incorporated when finalizing this grant.

End of Public Comment

Mr. Growdon moved approval. Mr. Diaz seconded. Prior to the discussion Mr Baranco recused himself and left the room pursuant to Government Code section 1091. The motion carried.

D. 2019 Tribal Youth Diversion Grant Request for Proposals: Requesting Approval

Field Representative Kimberly Bushard presented this agenda item, which requested approval and authorization to release the 2019 Tribal Youth Diversion Grant RFP as developed by the ESC.

Mr. Ertola, the Chair of the ESC, thanked the staff for hard work and expressed his gratitude for the larger amount of funding.

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

E. Title II Grant Program Funding Recommendations: Requesting Approval

Field Representative Timothy Polasik presented this agenda item, which requested Board approval of the Title II Grant Program funding awards developed by the Title II Grant Program ESC and approved by the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP).

Staff recommended the Board take the following actions:

- Approve the funding recommendations as adopted by the SACJJDP at its November 12, 2019 meeting (see table below).
- Approve the additional recommendation by the SACJJDP to reallocate the \$300,000 allocated for the Title II Tribal Youth RFP to further fund Title II Grant Program projects.
- Authorize staff to continue to make awards from the ranked-order lists if any applicant is unable to accept the award or relinquishes an award, first by offering to any partial awardee(s).
- Authorize staff to continue to make awards, as noted above, if staff determine during the follow-up award-making process that an applicant recommended for an award is ineligible or if a grantee becomes ineligible during the grant cycle
- Authorize staff to further fund proposals with unspent, prior-year grant cycle funds that become available following reversion.

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

V. Public Comments

Brian Goldstein (Center on Juvenile and Criminal Justice): Asked what the BSCC's role is when a violation is found during the jail inspections. Goldstein reference an article in the Sacramento Bee and ProPublica which Kern County used safety cells which were ineffective.

Chair Penner stated that the BSCC is not an enforcement agency and will need direction from the administration or Legislature to enforce the regulations.

Mr. Steinhart stated that juvenile facilities have corrective action plans and asked if adult facilities have the same regulations.

Chair Penner responded that the adult regulations and statutory definitions are different for adult and juvenile inspections.

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

The Board did not go into closed session.

- *State of California v. Barr, et al.*, Case No. 19-cv-6189 (FY 2019 Federal Grants Litigation). (Gov. Code, § 11126, subd. (e)(2)(B) & (C).)

VII. Adjourn

The meeting adjourned at: 12:45 PM

Next Meeting:

❖ BSCC Board Meeting:

February 13, 2020

ROSTER OF PERSONS IN ATTENDANCE

BSCC BOARD MEMBERS:

Chair Penner, Chair, Board of State and Community Corrections
Mr. Diaz, Secretary, California Department of Corrections and Rehabilitation (CDCR)
Mr. Green (A), Director, Adult Parole Operations, CDCR
Mr. Growdon, Sheriff, Nevada County
Mr. Seale, Chief Probation Officer, Sacramento County
Mr. Ertola, Chief Probation Officer, Nevada County
Mr. Baranco, Retired Judge, Alameda County
Mr. Steinhart, Director, Commonweal Juvenile Justice Program

BSCC STAFF:

Kathleen T. Howard, Executive Director
Aaron Maguire, General Counsel
Tracie Cone, Communications Director
Evonne Garner, Deputy Director, Standards and Training for Corrections
Ricardo Goodridge, Deputy Director, Corrections Planning and Grant Programs
Allison Ganter, Deputy Director, Facilities Standards & Operations
John W. Prince, Deputy Director, County Facilities Construction
Adam Lwin, Board Secretary
Kimberly Bushard, Field Representative, Corrections Planning and Grants Program
Tim Polasik, Field Representative, Corrections Planning and Grants Program
Stacy Rilea, Research Data Specialist II, Facilities Standards & Operations