



# Proposition 47 Grant Program Request for Proposals

**Grant Purpose:** Mental Health Services, Substance Use Disorder Treatment and Diversion Programs for People in the Criminal Justice System.

**Grant Period:** June 16, 2017 to August 15, 2020

**Eligible Applicants:**

- Public Agencies in Partnership with the Communities they Serve

**Released:** November 18, 2016

**Notice of Intent to Apply Due:** January 20, 2017

**Proposal Due Date:** February 21, 2017

This RFP was updated on December 12, 2016 to correct a typographical error on page 79.



BOARD OF STATE & COMMUNITY CORRECTIONS  
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SACRAMENTO CA 95833  
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**CONFIDENTIALITY NOTICE:** All documents submitted as a part of the Proposition 47 proposal are considered to be public documents and may be subject to a request via the California Public Records Act. The BSCC, as a state agency, may have to disclose these documents to the public. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal.

**PART I:**

**BACKGROUND AND  
GRANT INFORMATION**

## Contact Information

This Request for Proposals (RFP) provides the information necessary to prepare a proposal to the Board of State and Community Corrections (BSCC) for grant funds available through the Proposition 47 Grant Program.

The BSCC staff cannot assist the public agency applicant or 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: [Prop47@bscc.ca.gov](mailto:Prop47@bscc.ca.gov).

The BSCC will accept and respond to questions about this RFP from November 18, 2016 to January 20, 2017. Questions and answers will be posted on the BSCC website up to January 31, 2017.

## Grant Purpose

Pursuant to Proposition 47, this grant is to provide mental health services, substance use disorder treatment and diversion programs for people in the criminal justice system. The grant program may also provide housing-related assistance and other community-based supportive services, including job skills training, case management and civil legal services. The grant can fund programs that serve adults and/or juveniles.

## Proposal Due Date and Submission Instructions

Public agency applicants must submit one original signed Proposal and one electronic copy of the original signed Proposal.

The signed Proposal must be received by the BSCC by **5:00 p.m. on February 21, 2017**.

1. Mail one original signed Proposal to the following address:

Board of State and Community Corrections  
Corrections Planning and Programs Division  
2590 Venture Oaks Way, Suite 200  
Sacramento, CA 95833  
**Attn: Proposition 47 Grant**

2. Email one legible electronic copy of the signed Proposal to: [Prop47@bscc.ca.gov](mailto:Prop47@bscc.ca.gov).

Note: BOTH the original hard copy and electronic version must be received by the date and time listed above.

Proposals received after the due date and time will not be considered, regardless of postmark date.

## Notice of Intent to Apply

Public agency applicants interested in applying for the Proposition 47 Grant are asked but not required to submit a non-binding Notice of Intent to Apply. Notices will aid the BSCC in planning for its proposal review process.

The notice should include the following information:

- Name of the Lead Agency (see page 6 for definition of Lead Agency);
- Name and title of the head of the Lead Agency;
- Contact information for interested public; and
- A brief statement indicating the agency's intent to submit a proposal.

Failure to submit a Notice of Intent to Apply is not grounds for disqualification. Further, prospective public agency applicants that submit a Notice of Intent to Apply and decide later not to apply will not be penalized.

Please submit your non-binding Notice of Intent to Apply by January 20, 2017 via email or U.S. mail, using one of the following submission options:

**Email Responses:**            [Prop47@bscc.ca.gov](mailto:Prop47@bscc.ca.gov)  
(Subject line: Notice of Intent to Apply)

**U.S. Mail Responses:**    Board of State and Community Corrections  
   Corrections Planning and Programs Division  
   2590 Venture Oaks Way, Suite 200  
   Sacramento, CA 95833  
   Attn: BSCC Proposition 47

## Bidders' Conferences

The BSCC plans to hold three Bidders' Conferences in advance of the proposal due date, in Central, Southern and Northern California. The purpose of these conferences is to provide clarity on the RFP instructions and respond to questions.

Exact dates, locations and times will be posted to the BSCC website ([www.bscc.ca.gov](http://www.bscc.ca.gov)) by November 22, 2016.

## Background

Proposition 47 was a voter-approved initiative on the November 2014 ballot. As stated in the ballot measure its purpose is:

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 (*Attachment A*).

As further stated in the proposition, 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 (Statutes of 2015, Chapter 438) added additional priorities to the grant program including housing-related assistance and community-based supportive services such as job skills training, case management and civil legal services (*Attachment B*).

## Proposition 47 Executive Steering Committee

To ensure successful program design and implementation, the BSCC uses Executive Steering Committees to inform decision making related to the Board’s programs. BSCC’s Executive Steering Committees (ESCs) typically are composed of subject matter experts and stakeholders representing both the public and private sectors. The BSCC makes every attempt to include diverse representation on its ESCs, in breadth of experience, geography and demographics. ESCs are convened and approved by the BSCC Board, as the need arises, to carry out specified tasks, including the development of RFPs for grant funds. ESCs submit grant award recommendations to the BSCC Board for final disposition. The Board then approves, rejects or revises those recommendations. Members of the ESCs are not paid for their time but are reimbursed for travel expenses incurred to attend meetings.

AB 1056 added requirements for the Prop 47 ESC membership. It required the Executive Steering Committee to include a balanced and diverse membership from relevant state and local government entities, community-based treatment and service providers, and the formerly incarcerated community. The ESC is also required to have expertise in homelessness and housing, behavioral health and substance abuse treatment, and effective rehabilitative treatment for adults and juveniles.

The Proposition 47 ESC includes a cross-section of subject matter experts on mental health and substance use disorder treatment, diversion programs, reentry, housing and other areas, including individuals who were directly impacted by the criminal justice system. Information about the ESC, including a list of members, can be found on the BSCC [website](#).

### Conflicts of Interest

Existing law prohibits any non-governmental sub-grantee, partner or like party who participated on the above referenced Proposition 47 ESC from receiving funds from the Proposition 47 grants awarded under this RFP. Applicants who are awarded grants under this RFP are responsible for reviewing the Prop 47 ESC membership roster and ensuring that no grant dollars are passed through to any non-governmental entity represented by the members of the Proposition 47 ESC.

Attachment K-4



## Guiding Principles for the Proposition 47 Grant

In developing this RFP, the ESC agreed on guiding principles listed below. These guiding principles reflect the priorities and values of the ESC. They will be woven throughout the RFP and incorporated into the rating criteria. Public agency applicants should develop proposals that reflect these principles.

### Guiding Principles for the Proposition 47 Grant

- Value community partnerships and collaborations.
- Encourage culturally competent services and approaches that foster the principles of restorative justice.
- Define target populations, especially those populations that are traditionally underserved.
- Identify and address known barriers to serving target populations.
- Prioritize client-focused/client-centered and holistic programs and approaches, including healing strategies and trauma informed care.
- Include community-based organizations with diverse staffing, including those who are system-impacted individuals, or who have varying educational levels and life experiences.
- Demonstrate capacity building for service providers at every level.
- Be mindful of regional equity and geographic diversity, including smaller and rural counties.
- Collect program data and measure/evaluate outcomes, and publish and share information.
- Encourage community engagement, where members of the community participate in the identifying, informing, and shaping of policies, goals, services, and solutions.

## Description of the Grant

### Eligible Applicants

Applicants must be public agencies. (Pen. Code, §6046.3, subd. (a)(3).) A public agency is defined as:

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. (Pen. Code, §6046.1, subd. (c).)

For the purposes of this RFP, the public agency will be considered the “**Lead Agency.**” In order to be eligible, a Lead Agency must:

- Subcontract with one or more non-governmental, community organizations for a **minimum of 50 percent** of the total grant award in order to demonstrate a shared partnership rooted in community engagement and economic equity. Additional points will be awarded to applicants that pass through 60 percent or 70 percent.

Any non-governmental, community-based organization that receives Proposition 47 grant funds must:

- Have been duly organized, in existence, and in good standing as of October 17, 2016;
- Be registered with the California Secretary of State’s Office, if applicable;
- Have a valid business license, Employer Identification Number (EIN), and/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.
- Have a physical address.

In addition to the administrative criteria listed above, any non-governmental, community organization that receives Proposition 47 grant funds must have a proven track record working with the target population and the capacity to support data collection and evaluation efforts.

Lead agencies (e.g., individual agencies or departments within a city, county or other jurisdiction) may not submit more than one proposal.

Non-lead agencies (including community-based organizations, faith-based organizations, non-governmental or governmental entities, etc.) may serve as a partner on more than one proposal.

Two or more public agencies may partner to submit a joint proposal, but one must be designated as Lead Agency for contracting purposes. Joint proposals must comply with all other eligibility criteria. A public agency may not apply on both an individual and a joint proposal.

### **Eligible Activities**

Proposition 47 grant funds must be used for mental health services, substance use disorder treatment, diversion programs, or some combination thereof. In addition to these required services and programs, applicants are encouraged to provide supplemental housing-related services and other community-based supportive services, such as job skills training, case management, and civil legal services (as detailed below).

Assembly Bill 1056 mandates in part that the Executive Steering Committee:

- (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.

Pen. Code, § 6046.3, subd. (b).

Examples of Substance Use Disorder Treatment and Diversion Programs can be found in *Attachment C*.

### **Existing Services or Programs**

Public agency applicants will be allowed to EITHER implement new services or programs OR expand existing services or programs.

### **Ineligible Grant Expenditures**

Grant funds may be used to supplement existing funds dedicated to the project but may not replace (supplant) funds that have been appropriated for the same purpose.

Proposition 47 grant funds may not be used for:

- the acquisition of real property, or
- programs or services provided in a custodial setting (with the exception of outreach and reentry planning).

For information on eligible and ineligible costs, refer to the *BSCC Grant Administration Guide*, found on the BSCC [website](#).

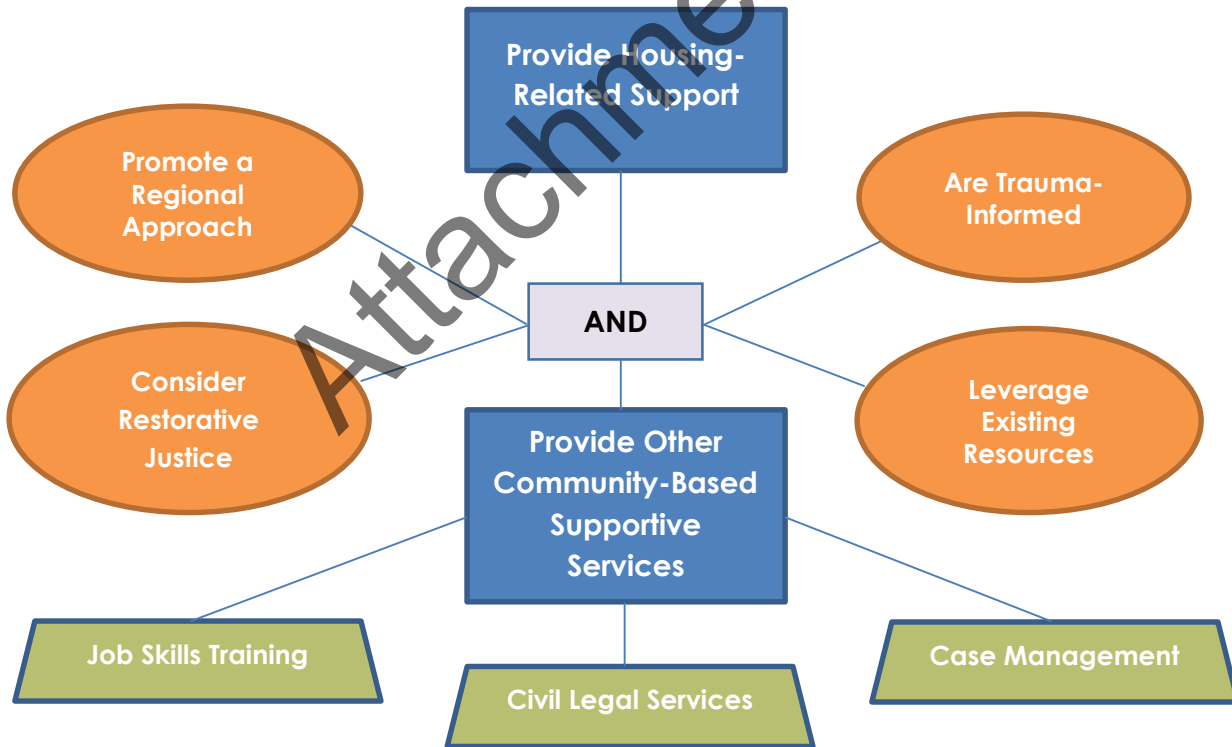
The following flowchart provides a visual representation of required and eligible services under the Proposition 47 Grant Program:

## BSCC PROPOSITION 47 GRANT

### REQUIRED for ALL APPLICANTS



### With PRIORITY given to projects that also:



**Eligible Population: Adults and/or Juveniles**  
 Arrested, charged with, or convicted of a criminal offense AND a history of mental health issues or substance use disorders.

## Service Delivery Approach

Public agency applicants will be required to describe the service delivery approach, i.e. who will deliver the services and how, and why it is most appropriate for the community and target population. Key questions to consider include:

- What are the needs of your community and how does your project provide services reflective of the racially and ethnically diverse communities served?
- How does your project ensure services will be provided in locations accessible to the community?
- How does your project ensure services will be tailored to meet an individual's holistic needs, e.g. wraparound services?
- How does your project provide services in a culturally competent manner?
- How does your approach ensure that services and programs adhere to the principles of trauma-informed care?
- How does your project provide services in a collaborative manner with the community, governmental and nongovernmental agencies?
- How does your project take steps to advance the principles of Restorative Justice and reduce recidivism in your community?
- How will this project change or improve the lives of participants?

Definitions for Trauma-Informed Care, Recidivism, and Restorative Justice can be found in *Attachment C*.

## Target Population

As mandated by AB 1056, services and programs proposed in response to this RFP must be designed to serve people who:

- have been arrested, charged with, or convicted of a criminal offense AND have a history of mental health issues or substance use disorders.

For purposes of this RFP, a person has a history of mental health issues or substance use disorders if the person:

- has a mental health issue or substance use disorder that limits one or more of their life activities;
- has received services for a mental health issue or substance use disorder;
- has self-reported to a provider that they have a history of mental health issues, substance use disorders, or both; or
- has been regarded as having a mental health issue or substance use disorder.

Public agency applicants are required to describe how they will ensure that this target population is the one to be served by the proposed program. This could include a description of the program’s referral, screening, assessment and documentation processes.

**Grant Period**

Successful proposals will be funded for a 38-month period, commencing June 2017 and ending August 2020.

**Funding**

Proposition 47 created the Safe Neighborhoods and Schools Fund. State savings that result from the implementation of Proposition 47 are deposited annually into this fund. AB 1056 established the Second Chance Fund where these savings are deposited for a competitive grant program.

In Fiscal Year (FY) 2016-17, the total available for grant awards is \$34.36 million. This includes a \$10 million legislative augmentation and accounts for 5 percent of the initial \$24.36 million that goes to the BSCC for administrative costs. The FY 2017-18 savings appropriation to the BSCC is estimated to be \$28,616,000. The FY 2018-19 savings appropriation to the BSCC is estimated to be \$40,675,000.

These awards will be funded using the first three years of deposits into the BSCC’s Proposition 47 fund, estimated at \$103,651,000.

Year 1 (14 months)	Year 2 (12 months)	Year 3 (12 months)
June 16 2017-August 15, 2018	August 16, 2018-August 15, 2019	August 16, 2019-August 15, 2020

Continued funding for Years 2 and 3 will be contingent on:

- 1) the amount of funds available in the Safe Neighborhoods and Schools Fund for the prior year’s Proposition 47 savings deposit to the BSCC;
- 2) adherence to the Proposition 47 RFP requirements and applicable statutes; and
- 3) the grantee’s ability to demonstrate that annual implementation goals and objectives (as listed on the Proposition 47 Project Work Plan) have been met.

The BSCC may select additional proposals in Year 2 or Year 3 of this grant cycle from the ranked list if the deposit into the Second Chance Fund from either of those two years significantly increases the BSCC’s grant fund allocation.

**Funding Categories and Corresponding Funding Thresholds**

Recognizing that different-sized jurisdictions have different capacities, resources, and needs, there are two categories within which public agency applicants will compete. Maximum funding thresholds have been set within each category. These categories were established so that projects of a smaller scope do not compete against projects of a larger scope.

To determine which category your application falls into, see the table below:

Project Category	For Public Agency Applicants requesting:	Prop. 47 Funds Allocated to this Category
1) Smaller Scope	Up to <b>\$1 million</b> for the entire 38-month grant period.	\$20,000,000
2) Larger Scope	More than \$1 million and up to <b>\$6 million</b> for the entire 38-month grant period.	\$83,651,000
	Special set-aside: The County of Los Angeles may submit a single application for up to <b>\$20 million</b> for the entire 38-month grant period.	
<b>Total</b>		<b>\$103,651,000</b>

Only one application may be submitted on behalf of the County of Los Angeles and its subsidiary departments and agencies. Other cities and eligible non-county, public entities within Los Angeles County may still submit individual applications in either the Small or Large category.

Public agency applicants will indicate which category they are applying under and build a budget accordingly. Public agency applicants are strongly encouraged to apply for only the amount of funding needed to meet their program goals within the 38-month grant period. The ESC will score proposals based in part on the reasonableness of the proposed budget.

**Note:** Applicants must earn at least 65 percent of the total weighted score in order to be considered for funding (see Rating Factors, page 20). If there are not sufficient qualified applicants in one category to exhaust all funds, those funds will be recommended for qualified applicants in the other category.

**Financial Leveraging**

This RFP does not have a match requirement. However, public agency applicants must demonstrate how they will leverage other federal, state, and local funds or other social investments, such as the following (per Assembly Bill 1056):

- 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.).

### **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 leveraging outside funds, public agency 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.

## **Proposition 47 Local Advisory Committee**

In order to apply for Proposition 47 funding, the Lead Agency must develop a Proposition 47 Local Advisory Committee that includes local stakeholders who have experience and expertise in the prospective programs and/or services to be implemented by the proposal. This advisory committee will, at a minimum, advise on:

- How to identify and prioritize the most pressing needs to be addressed (to include target population, target area, etc.);
- How to identify the strategies, programs and/or services to be undertaken to address those needs;
- The development of the grant project;
- Ongoing implementation of the grant project.

The Proposition 47 Local Advisory Committee must include a broad range of stakeholders from within the communities, organizations, departments, etc. impacted by the proposal.

Examples include: behavioral health professionals, educators, community-based and faith-based organizations, individuals impacted by the justice system, law enforcement, probation, prosecutors, defense attorneys, courts, social service providers, advocacy groups, housing providers, housing navigators and citizens.

Lead Agencies should consider state and local conflict of interest laws when selecting members of the Proposition 47 Local Advisory Committee. The Lead Agency is advised to check with its counsel about potential conflicts.

The Lead Agency may use an existing body, but it must include individuals with the appropriate experience and expertise and address all the requirements listed in this section.

The Lead Agency must host regular community meetings to invite ongoing feedback and non-confidential updates from the Proposition 47 Local Advisory Committee and the community.

Throughout the duration of the grant, Lead Agencies must maintain documentation of:

- public outreach efforts soliciting committee membership and publicizing community meeting information;
- attendance at both committee and community meetings; and
- agendas and minutes of committee and community meetings.

As a part of the application, each Lead Agency will be required to complete a Membership Roster and include Letters of Agreement for the Proposition 47 Local Advisory Committee (see *Attachments D and E*).

## Local Government Impacts

The Proposition 47 grant encourages community engagement, innovation and financial leveraging as avenues for communities to develop projects that best fit their needs. In supporting this approach, proposed projects may have unforeseen or unintended impacts on local government agencies that prevent projects from operating as intended (e.g., a significant increase in referrals to county behavioral health, lack of coordination between local agencies that provide similar services, duplication of services, etc.).

As a part of the application, each Lead Agency will be required to acknowledge any anticipated impacts (see *Attachment F*).

## Promising, Data-Driven and Innovative Approaches

Public agency 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.

The BSCC is committed to supporting a focus on better outcomes in the criminal justice system and for those involved in it. For the purpose of this RFP, public agency 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 you selected used by another jurisdiction with documented positive results? Is there published research on the intervention you are choosing 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 that you are following the model closely (so that you are more likely to achieve the 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 you selected allow for the collection of data or other evidence so that outcomes can be measured at the conclusion of the project? Do you have processes in place to identify, collect and analyze that data/evidence?*

Public agency applicants are encouraged to develop an overall project that incorporates these principles, but is tailored to fit the needs of the communities they serve. Innovation and creativity are encouraged, but projects that have not been validated must demonstrate a promising approach using existing data and research such as best practices in the field. Plans to measure the effectiveness of a project should include the use of both qualitative and quantitative research. While quantitative research is based on numbers and mathematical calculations, qualitative research is based on written or spoken narratives. The purpose of quantitative research is to explain, predict and/or control events through focused collection of numerical data, while the purpose of qualitative research is to explain and gain insight and understanding of events through intensive collection of narrative data.

## Data Collection and Evaluation

Projects selected for funding will be required to submit a Local Evaluation Plan (at the conclusion of the first quarter) a Two-Year Preliminary Evaluation Report (at the conclusion of year two), and a Final Local Evaluation Report (after the conclusion of the grant) to the BSCC. See *Attachment C* for key definitions related to project evaluation.

Public agency applicants are strongly encouraged to identify research partners early on and include them in the development of the proposal, so that the goals and objectives listed in the Proposition 47 Project Work Plan are measurable.

### **Required Set-Aside for Evaluation Efforts**

Grantees are required to set aside at least 5 percent (or \$25,000, whichever is greater) but not more than 10 percent of the total grant award for data collection and evaluation efforts, to include the development of the Local Evaluation Plan, Two-Year Preliminary Evaluation Report, and Final Local Evaluation Report.

Public agency applicants are strongly encouraged to use outside evaluators to ensure objective and impartial evaluations. Specifically, public agency applicants are encouraged to partner with state universities or community colleges for evaluations.

### **Local Evaluation Plan**

The purpose of the Local Evaluation Plan is to ensure that projects funded by the BSCC can be evaluated. Grantees will be expected to include a detailed description of how the public agency applicant will assess the effectiveness of the proposed program in relationship to each of its goals and objectives. A relationship between the goals and objectives identified in the Proposition 47 Project Work Plan should be apparent in the Local Evaluation Plan.

The Local Evaluation Plan should describe the evaluation design or model that will be used to evaluate the effectiveness of the project component(s), with the project goals and the project objectives clearly stated. Public agency applicants should also address process and outcome evaluations. Once submitted, any modifications to the Local Evaluation Plan must be approved in advance by the BSCC.

### **Two-Year Preliminary Evaluation Report**

The purpose of the Two-Year Preliminary Local Evaluation Report is to assess whether grantees are making sufficient progress toward the goals and objectives described in the original proposal. Second, it will allow the grantee to ensure that the methodology described in the Local Evaluation Plan is still appropriate for measuring the intended impact. As noted in the "Funding" section, second and third year funding is contingent on the grantee's ability to demonstrate that annual implementation goals and objectives have been met.

### **Final Local Evaluation Report**

Following project completion, grantees are required to complete a Local Evaluation Report. The Local Evaluation Report must be in a format prescribed by the BSCC. Within the Local Evaluation Report, an Executive Summary must be included that adheres to the format prescribed by the BSCC specifically for the Executive Summary.

The purpose of the Final Local Evaluation Report is to determine whether the overall project (including each individual component) was effective in meeting the goals laid out in the Local Evaluation Plan. To do this, the grantee must assess and document the effectiveness of the activities that were implemented within each individual project component. These activities should have been identified in the previously submitted Local Evaluation Plan.

### **Evaluation Dissemination**

The BSCC will make public the Final Local Evaluation Report from each grantee. Reports may be posted to the BSCC website and/or developed into a Summary Final Report to be shared with the Administration, the Legislature, and the public.

Projects selected for funding will be encouraged to make public (e.g., post online, disseminate, share at meetings) the Final Local Evaluation Report to the community and the grantee's Governing Board (e.g., Board of Supervisors, City Council, etc.).

If the grantee plans to publish the Final Local Evaluation Report, it must be submitted to the BSCC for review prior to publication.

## **General Grant Requirements**

### **Grant Agreement**

Public agency 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 *Attachment G* for the State of California: Contract and General Terms and Conditions.

The Grant Agreement start date is June 16, 2017. Contracts are considered fully executed only after they are signed by both the Grantee and the BSCC. Work, services and encumbrances cannot begin prior to the Grant Agreement start date. Work, services and encumbrances that occur after the start date but prior to contract execution may not be reimbursed. Grantees are responsible for maintaining their Grant Agreement, all invoices, records and relevant documentation for at least three years after the final payment under the contract.

### **Governing Board Resolution**

Successful public agency applicants will be required to submit a Resolution from their Governing Boards before the grant award can be finalized and funds awarded. A signed resolution is not required at the time of proposal submission, but public agency 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 *Attachment H*.

### **Audit**

Grantees must submit an audit of expenditures (either grant-specific or as part of a city/county single audit) within 120 days of the end of the grant period. Reasonable and necessary extensions to the due date may be granted by the BSCC if requested. The BSCC

reserves the right to call for a program or financial audit at any time between the execution of the contract and 3 years following the end of the grant period.

### **Invoices**

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. Grantees must submit invoices with supporting documentation to the BSCC on a quarterly basis within 45 days following the end of the reporting period via the online process. Grantees must maintain adequate supporting documentation for all costs claimed on invoices for reimbursement.

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

### **Quarterly Progress Reports**

Grant award recipients are required to provide relevant program information and data by submitting quarterly progress reports to the BSCC. Applicable forms and instructions will be available to grantees on the BSCC's website. Progress reports are a critical element in BSCC's monitoring and oversight process. Grantees that are unable to demonstrate that they are making sufficient progress toward project goals and objectives and that funds are being spent down in accordance with the Grant Award Agreement and Proposition 47 Project Work Plan could be subject to the withholding of funds.

### **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). 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, individual tasked with Data Collection and Evaluation and a minimum of one Community Partner must attend. Grant recipients may use their Proposition 47 grant funds for travel-related expenditures such as airfare, mileage, meals, lodging and other per diem costs. Public agency applicants should include anticipated costs in the budget section of the proposal under the "Other" category.

## Overview of the RFP Process

### Technical Compliance Review

BSCC staff will conduct a technical review of each proposal to determine if it is in compliance with all technical requirements prior to being forwarded to the ESC for scoring.

It is the BSCC's intent to avoid having otherwise worthy proposals eliminated from consideration due to relatively minor and easily corrected errors or omissions. Applicants will, therefore, have an opportunity to respond to deficiencies identified during the technical review process, which will take place during the 2-3 weeks immediately following the proposal due date. If necessary, applicants will be allowed to make non-substantive changes that bring the proposal into technical compliance.

### Disqualification

The following will result in an automatic disqualification:

- The original hard copy and electronic version of the Proposal are not received by 5:00 p.m. on February 21, 2017.
- The Lead Agency Applicant is not a public agency as defined in Penal Code Section 6046.1 (d).
- The proposal does not address mental health services, substance use disorder treatment, diversion or some combination thereof, as required by Proposition 47.
- Services (with the exception of outreach and reentry planning) will be provided in a custodial setting.

Disqualification means that the Proposal will not move forward to the ESC to be scored.

### Notification

Once BSCC staff complete the technical compliance review process, BSCC staff will contact applicants only under the following circumstances:

- a. The applicant has been disqualified due to one of the circumstances listed in the box above.
- b. The Proposal contains minor technical deficiencies.

### ESC Rating Process

Once a Proposal passes the Technical Compliance Review, it will advance to the ESC for the Proposal Rating Process. The ESC will then read and rate each Proposal in accordance with the prescribed rating factors listed in the table below.

The ESC members will base their scores on how well a public agency applicant addresses the items listed under each rating factor within the Proposal Narrative and Budget Section. Following the Proposal Rating Process, the ESC will convene for a Final Rater Review meeting where they will develop funding recommendations for consideration by the BSCC Board.

At the conclusion of this process, public agency applicants will be notified of the ESC's funding recommendations. It is anticipated that the BSCC Board will act on the recommendations at its meeting in June 2017. Public agency applicants and partners are not to contact members of the ESC or the BSCC Board to discuss proposals.

### Rating Factors

The rating factors that will be used and the maximum points allocated to each factor are shown in the table below. Each rating factor will be scored on a scale of 0-12. Each rating factor then will be weighted in the overall score as shown in the column titled Percentage of Total Value to arrive at the Maximum Point Value (Weighted Score).

	Rating Factors	Point Range	Percent of Total Value	Maximum Points	Weighted Score*
1	Project Need	0-12	15%	18	36
2	Community Engagement	0-12	20%	24	48
3	Project Description	0-12	25%	30	60
4	Project Evaluation Plan	0-12	10%	12	24
5	Guiding Principles	0-12	10%	12	24
6	Budget Section	0-12	20%	24	48
	<b>Total</b>		<b>100%</b>	<b>120</b>	<b>240</b>
<p><i>*Once Maximum Points are calculated for each rating factor, the score will be multiplied by two. This will allow for a larger point spread between applicants.</i></p>					
<p><b>Additional Points:</b> Applicants are required to dedicate a minimum of 50 percent of grant funds requested to subcontracts with non-governmental, community organizations. Additional points will be added to the final score if an applicant dedicates 60 percent or more, as follows:</p>					
<p style="text-align: right;">60-69 percent of grant funds = 2 additional points 70+ percent of grant funds = 4 additional points</p>					
<b>Total Possible Score with Additional Points</b>					<b>244</b>



**Minimum Scoring Threshold**

Proposals must meet both an individual and an overall minimum score threshold in order to be considered for funding.

Applicants must earn a minimum of **50 percent** of the Maximum Points in the *Community Engagement, Project Description and Budget Section* Rating Factors, as follows:

- Community Engagement: Minimum score of 12
- Project Description: Minimum score of 15
- Budget Section: Minimum score of 12

In addition to the individual minimum scoring thresholds for these three sections, applicants must earn an overall weighted score of **156** or higher in order to be considered for funding (65 percent of 240).

**Funding Decisions**

As explained on page 12, applicants will compete for funds within either the Small or Large category. BSCC will move down the ranked lists to fund all qualified applicants (i.e., proposals that meet the scoring threshold requirements) in each category 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 there are not sufficient qualified applicants to exhaust all funds in one category, those funds will be recommended for qualified applicants in the other category. Any funds remaining after all possible qualified applicants have been funded will be held for the next Proposition 47 Request for Proposal.

In the case of a tied score, the applicant with the highest score in the Project Description section will be awarded funds.

**Sample Scoring Rubric for 0-12 Point Range**

No Evidence	Poor	Fair	Good	Very Good
0	1 - 3	4 - 6	7 - 9	10 - 12
The response does not address the rating criteria.	The response is vague or incomplete and only partially addresses the rating criteria. <i>ADDITIONAL DETAIL SPECIFIC TO EACH RATING FACTOR MAY BE ADDED HERE.</i>	The response addresses some but not all of the rating criteria or is non-specific and lacking focus. <i>ADDITIONAL DETAIL SPECIFIC TO EACH RATING FACTOR MAY BE ADDED HERE.</i>	The response is reasonably comprehensive and clearly addresses the majority of the rating criteria listed above. <i>ADDITIONAL DETAIL SPECIFIC TO EACH RATING FACTOR MAY BE ADDED HERE.</i>	The response is detailed, comprehensive and addresses all of the rating criteria listed above in a way that demonstrates a thorough understanding of the intent of the project. <i>ADDITIONAL DETAIL SPECIFIC TO EACH RATING FACTOR MAY BE ADDED HERE.</i>

### Summary of Key Dates

The table below shows a timeline with key dates related to implementation of the Proposition 47 Grant.

<b>Activity</b>	<b>Date</b>
Release Request for Proposals	November 18, 2016
Bidders' Conferences	December 2016
Notice of Intent to Apply Due to the BSCC	January 20, 2017
Proposals Due to the BSCC	February 21, 2017
Proposal Rating Process and Development of Funding Recommendations	April-May 2017
BSCC Board Considers Funding Recommendations	June 2017
Notices to Public Agency Applicants	June 2017
New Grants Begin	June 16, 2017
Mandatory New Grantee Orientation	July 10-21, 2017 (TBD)

Attachment K-4

# ATTACHMENTS

Attachment K-4

## 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 (c) of Section 667.5 or subdivision (c) 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.~~

~~(c) (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~~ 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 KA

**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 KA

## Attachment C Glossary of Key Terms

### **Cultural Competence**

Cultural competence<sup>1</sup> 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.

### **Diversion Programs**

In the context of criminal law, diversion refers to diverting an individual out of the criminal justice system by having them complete a diversion program rather than be incarcerated or serve another alternative sentence. Criminal charges are typically dropped when an individual successfully completes a diversion program. The purpose of a diversion program is to effect rehabilitation while avoiding the stigma of a criminal conviction.

A diversion program allows the individual to avoid prosecution by completing various requirements for the program. These requirements could include:

1. Education aimed at preventing future offenses by the offender;
2. Restitution to victims of the offense;
3. Completion of community service hours;
4. Avoiding situations for a specified period of time in the future that may lead to committing another such offense.

Diversion programs are usually only available to individuals charged with misdemeanors and nonviolent felonies involving drugs or alcohol. In some jurisdictions, diversion may be

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<sup>1</sup> 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.

available to individuals charged with domestic violence, child abuse or neglect, traffic-related offenses, or even writing bad checks. Diversion programs are primarily governed by state laws, which vary by state.

## **Evaluation: Process Evaluation versus Outcome Evaluation**

### **Process Evaluation<sup>2</sup>**

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 Evaluation<sup>3</sup>**

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.

### **Goal versus Objective**

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<sup>4</sup>.

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<sup>2</sup>Justice Research and Statistics Association, Juvenile Justice Evaluation Center. (2003, June). *Juvenile Justice Program Evaluation: An overview (Second Edition)* p. 7. Retrieved from <http://www.jrsa.org/njiec/publications/program-evaluation.pdf>.

<sup>3</sup> *Id* at pp. 7-8.

<sup>4</sup> 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

Examples of goal statements<sup>5</sup>:

- 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<sup>6</sup>. Objectives detail the tasks that must be completed to achieve goals<sup>7</sup>. Descriptions of objectives in the proposals should include three elements<sup>8</sup>:

- 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<sup>9</sup>:

- 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.

## **Housing Models (Examples)**

### **1. Housing First**

Housing First is an approach that centers on providing homeless people with housing quickly and then providing services as needed. What differentiates a Housing First approach from other strategies is that there is an immediate and primary focus on helping individuals and families quickly access and sustain permanent housing. This approach has the benefit of being consistent with what most people experiencing homelessness want and seek help to achieve. Housing First programs share critical elements:

- There is a focus on helping individuals and families access and sustain rental housing as *quickly as possible and the housing is not time-limited*;
- A variety of services are delivered primarily following a housing placement to promote housing stability and individual well-being;
- Such services are time-limited or long-term depending upon individual need; and

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New York State Division of Criminal Justice Services. *A Guide to Developing Goals and Objectives for Your Program*. Retrieved from <http://www.criminaljustice.ny.gov/ofpa/goalwrite.htm>.

<sup>5</sup> *Id.* at p. 4.

<sup>6</sup> 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>.

<sup>7</sup> *Id.*; see *supra* fn 1.

<sup>8</sup> 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>.

<sup>9</sup> *Id.*

- Housing is not contingent on compliance with services – instead, participants must comply with a standard lease agreement and are provided with the services and supports that are necessary to help them do so successfully.

*Source: National Alliance to End Homelessness*

## **2. Permanent Supportive Housing**

Supportive housing is an evidence-based housing intervention that combines non-time-limited affordable housing assistance with wrap-around supportive services for people experiencing homelessness, as well as other people with disabilities. Research has proven that supportive housing is a cost-effective solution to homelessness, particularly for people experiencing chronic homelessness. Study after study has shown that supportive housing not only resolves homelessness and increases housing stability, but also improves health and lowers public costs by reducing the use of publicly-funded crisis services, including shelters, hospitals, psychiatric centers, jails, and prisons.

*Source: U.S. Interagency Council on Homelessness*

## **3. Bridge Housing**

The Bridge Housing model is transitional housing used as a short-term stay when an individual has been offered and accepted a permanent housing intervention, but access to that permanent housing is still being arranged.

*Source: Department of Veterans Affairs*

## **4. Rapid Rehousing**

Rapid re-housing is an intervention designed to help individuals and families quickly exit homelessness and return to permanent housing. Rapid re-housing assistance is offered without preconditions — like employment, income, absence of criminal record, or sobriety — and the resources and services provided are tailored to the unique needs of the household.

Rapid re-housing has the following core components:

### **a. Housing Identification**

- Recruit landlords to provide housing opportunities for individuals and families experiencing homelessness.
- Address potential barriers to landlord participation such as concern about short term nature of rental assistance and tenant qualifications.
- Assist households to find and secure appropriate rental housing.

### **b. Rent and Move-In Assistance**

- Provide assistance to cover move-in costs, deposits, and the rental and/or utility assistance (typically six months or less) necessary to allow individuals and families to move immediately out of homelessness and to stabilize in permanent housing.



### **c. Rapid Re-Housing Case Management and Services**

- Help individuals and families experiencing homelessness identify and select among various permanent housing options based on their unique needs, preferences, and financial resources.
- Help individuals and families experiencing homelessness address issues that may impede access to housing (such as credit history, arrears, and legal issues).
- Help individuals and families negotiate manageable and appropriate lease agreements with landlords.
- Make appropriate and time-limited services and supports available to families and individuals to allow them to stabilize quickly in permanent housing.
- Monitor participants' housing stability and be available to resolve crises, at a minimum during the time rapid re-housing assistance is provided.
- Provide or assist the household with connections to resources that help them improve their safety and well-being and achieve their long-term goals. This includes providing or ensuring that the household has access to resources related to benefits, employment, and community-based services (if needed and appropriate), so that they can sustain rent payments independently when rental assistance ends.
- Ensure that services provided are client-directed, respectful of individuals' right to self-determination, and voluntary. Unless basic program-related case management is required by statute or regulation, participation in services should not be required to receive rapid re-housing assistance.

*Source: U.S. Interagency Council on Homelessness*

### **5. Transitional Housing**

Transitional Housing: a project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living. The housing is short-term, typically less than 24 months. In addition to providing safe housing for those in need, other services are available to help participants become self-sufficient.

*Source: U.S. Department of Housing and Urban Development*

### **6. Sober Living Homes**

A supportive alcohol and drug free living environment for individuals attempting to maintain abstinence from alcohol or drugs in their life. Such programs do not mandate treatment but strongly encourage participation in 12-step support groups. These group living environments offer transitional space for people living incarceration, formal addiction treatment centers or other residential placement. They typically employ house rules which may include curfews, house chores or duties and other rules related to conduct. The participant is generally responsible for their rent and encouraged to work and engage in all other normal life functions from within a peer-supported environment.

## **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, Cullen,

Lipsey and others.<sup>10</sup> 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., 1990<sup>11</sup>; Cullen and Gendreau, 2000<sup>12</sup>; Lipsey 1999<sup>13</sup>), 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

### **Recidivism**

Recidivism is defined as 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.<sup>14</sup>

### **Restorative Justice**

Restorative justice is an evolving response to wrongdoing that respects the dignity and equality of each person, builds understanding, and promotes social harmony through the healing of survivors, those who have committed wrongdoing and communities.

Restorative justice provides an opportunity for survivors to obtain reparation, feel safer and seek healing; allows those who have committed wrongdoing to gain insight into the causes and effects of their behavior, to take responsibility in a meaningful way and seek healing; and enables communities to understand the underlying causes of wrongdoing, to promote community well-being and to prevent crime.

### **Substance Use Disorder Treatment (Examples)**

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<sup>10</sup> 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.

<sup>11</sup> 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.

<sup>12</sup> 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.

<sup>13</sup> Lipsey, M.W. 1999. Can intervention rehabilitate serious delinquents? *The Annals of the American Academy of Political and Social Science*, 564(2):142-166.

<sup>14</sup> Cal. Penal Code § 6046.2(d)). “Committed” refers to the date of offense, not the date of conviction.

According to the Substance Abuse and Mental Health Services Administration, a treatment system for substance use disorders could be comprised of multiple service components, including, but not limited to the following:

- Individual and group counseling
- Inpatient and residential treatment
- Intensive outpatient treatment
- Partial hospital programs
- Case or care management
- Medication
- Recovery support services
- 12-Step fellowship
- Peer supports

Other services that may qualify could include:

- Withdrawal management
- Culturally rooted community healing practices

### **Trauma-Informed Care**<sup>15</sup>

According to the Substance Abuse and Mental Health Services Administration, “A program, organization, or system that is trauma-informed:

- Realizes the widespread impact of trauma and understands potential paths for recovery;
- Recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system;
- Responds by fully integrating knowledge about trauma into policies, procedures, and practices; and
- Seeks to actively resist re-traumatization

SAMHSA’s concept of trauma-informed care is guided by six key principles:

- Safety
- Trustworthiness and transparency
- Peer support
- Collaboration and mutuality
- Empowerment, voice and choice
- Cultural, historical, and gender issues.

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<sup>15</sup> Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services. *Trauma-informed Approach and Trauma-Specific Interventions*. Retrieved July 22, 2016, from <http://www.samhsa.gov/nctic/trauma-interventions>

**Attachment D  
Proposition 47 Local Advisory Committee Membership Roster**

**Lead Public Agency:**

Individual Name	Job Title	Agency/Organization

Attachment K-4

**Attachment E**  
**Proposition 47 Local Advisory Committee Letter of Agreement**

*Note: This letter is to be signed by Lead Agency and all members of the Proposition 47 Local Advisory Committee. Photocopies of signatures are acceptable. Include additional signature lines as necessary.*

(Date)

This is a letter of agreement between **(Lead Agency)** and all organizations listed herein for the purposes of applying for the Proposition 47 Grant. All organizations listed herein agree to participate on the local **Proposition 47 Local Advisory Committee** led by **(Lead Agency)** using a collaborative approach. This advisory body will, at a minimum, advise the Lead Agency on:

- How to identify and prioritize the most pressing needs to be addressed (to include target population, target area, etc.);
- How to identify the strategies, programs and/or services to be undertaken to address those needs;
- The development of the grant project; and
- Ongoing implementation of the grant project.

*(Note: Applicants may provide additional information; e.g., explain the detail of collaboration, list the services or support, provide dates and timelines, etc.)*

Signed in mutual agreement,

**LEAD PUBLIC AGENCY SIGNATURE**

X \_\_\_\_\_  
Signature  
**Name, Title**  
**Name of Lead Agency**  
**Address**

**PROPOSITION 47 LOCAL ADVISORY COMMITTEE MEMBER SIGNATURES**

X \_\_\_\_\_  
Signature  
**Name, Title**  
**Name of Partner Organization**  
**Address**

X \_\_\_\_\_  
Signature  
**Name, Title**  
**Name of Partner Organization**  
**Address**

## Attachment F Local Government Impact Letters

The Proposition 47 grant encourages community engagement, innovation and financial leveraging as avenues for communities to develop projects that best fit their needs. In supporting this approach, proposed projects may have unforeseen or unintended impacts on local government agencies that prevent projects from operating as intended (e.g., a significant increase in referrals to county behavioral health, lack of coordination between local agencies that provide similar services, duplication of services, etc.).

To acknowledge any anticipated impacts, each Lead Agency is required to:

- Identify each public agency that reasonably could be expected to be impacted by this grant project;
- Submit a Letter of Agreement signed by both the Lead Agency and the impacted public agency that includes the following:
  - The name of the Proposition 47 project and a brief project description;
  - A description of how the Proposition 47 project might impact the public agency; and
  - An explanation of how the Lead Agency and the impacted public agency will work together to address stated impacts.

Note: If the Lead Agency concludes that the Proposition 47 project will not impact any other local government agency, the Lead Agency must include a letter to that effect.

# Attachment G Sample State of California: Contract and General Terms and Conditions

STATE OF CALIFORNIA  
**STANDARD AGREEMENT**  
STD 213 (Rev 06/03)

AGREEMENT NUMBER <b>BSCC ###-17</b>
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:  

<small>STATE AGENCY'S NAME</small>	<b>BOARD OF STATE AND COMMUNITY CORRECTIONS</b>
<small>CONTRACTOR'S NAME</small>	<b>XXXX</b>
2. The term of this Agreement is: XXX, 2017 through XXX, 2020 (TBD)
3. The maximum amount of this Agreement is: **\$ 000,000.00**  
--- --- DOLLARS AND ZERO CENTS
4. The parties agree to comply with the terms and conditions of the following exhibits and attachments which are by this reference made a part of the Agreement.

Exhibit A:	Scope of Work	2	pages
Exhibit B:	Budget Detail and Payment Provisions	2	pages
Exhibit C:	General Terms and Conditions	3	pages
Exhibit D:	Special Terms and Conditions	3	pages
Attachment 1:	Application for Funding/Grant Proposal	xx	pages
Appendix A:	Proposition 47 Executive Steering Committee	1	page

**IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.**

<b>CONTRACTOR</b>	<i>California Department of General Services Use Only</i>
<small>CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)</small>	<input checked="" type="checkbox"/> Exempt per: SCM 1, 4.06
<b>NAME of Public Entity</b>	
<small>BY (Authorized Signature)</small>	
<small>DATE SIGNED (Do not type)</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small>	
<small>ADDRESS</small>	
<b>STATE OF CALIFORNIA</b>	
<small>AGENCY NAME</small>	
<b>BOARD OF STATE AND COMMUNITY CORRECTIONS</b>	
<small>BY (Authorized Signature)</small>	
<small>DATE SIGNED (Do not type)</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small>	
<b>MARY JOLLS, Deputy Director</b>	
<small>ADDRESS</small>	
2590 Venture Oaks Way, Suite 200 Sacramento CA 95833	

**EXHIBIT A  
SCOPE OF WORK**

**1. GRANT AGREEMENT – PROPOSITION 47 GRANT PROGRAM**

This Grant Agreement is between the State of California, Board of State and Community Corrections, hereafter referred to as BSCC and xxxx hereafter referred to as Grantee or Contractor.

**2. PROJECT SUMMARY AND ADMINISTRATION**

A. Program summary here...

B. Grantee agrees to administer the project in accordance with Attachment 1: Application for Funding/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 in connection with the interpretation, performance, or payment for work performed under this Grant Agreement.

B. The Grantee's project officials shall be those identified as follows and as specified in Section 1 of the Application for Funding/Grant Proposal:

**Authorized Officer** with legal authority to sign:

Name:  
Title:  
Address:  
Phone:

**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:

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 of the data collection and reporting requirements as described in the Proposition 47 Request for Proposals.



**EXHIBIT A**  
**SCOPE OF WORK**

**5. PROGRESS REPORTS AND EVALUATIONS**

- A. 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:

<b>Progress Report Periods</b>	<b>Due no later than:</b>
1. TBD	TBD
2. TBD	TBD
3. TBD	TBD
4. TBD	TBD
5. TBD	TBD
6. TBD	TBD
7. TBD	TBD
8. TBD	TBD
9. TBD	TBD
10. TBD	TBD
11. TBD	TBD
12. TBD	TBD

- B. Grantees shall submit all other reports and data as required by the BSCC.

**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 required for consultants (subcontractors).
- D. The grantee shall maintain documentation of donated goods and/or services, including the basis for valuation.
- E. Grantee agrees to protect records adequately from fire or other damage. When records are stored away from the Grantee's principal office, a written index of the location of records stored must be on hand and ready access must be assured.
- F. All Grantee records relevant to the project must be preserved a minimum of three (3) years after closeout of the grant project and shall be subject at all reasonable times to inspection, examination, monitoring, copying, excerpting, transcribing, and auditing by the BSCC or designees. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until the completion of the action and resolution of all issues which arise from it or until the end of the regular three-year period, whichever is later.

**7. CONFLICT OF INTEREST**

- A. Existing law prohibits any applicant entity, sub-grantee, partner or like party who participated on the Executive Steering Committee ((ESC) See Appendix A) from receiving funds from the grant for which the ESC was established. Government Code 1090 prohibits participation of financially interested individuals in the ESC process. A person who is "financially interested" includes employees of any governmental, nongovernmental entity or service provider that might receive funding through the applicable grant project. Additionally, a member could be "financially interested" if he or she serves with an organization that might make a contribution to the applicable grant project.

**EXHIBIT A**  
**SCOPE OF WORK**

- B. These conflict of interest rules do not apply to public employees that served on the ESC tasked with developing the Requests for Proposals and scoring the proposals for Proposition 47 Grant funding. Employees of governmental entities are deemed not to have a financial interest in this program. (See Pen. Code, § 6025.1, subd. (a).)
- C. 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.

Attachment K-4

**EXHIBIT B**  
**BUDGET DETAIL AND PAYMENT PROVISIONS**

**1. INVOICING AND PAYMENTS**

- 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 reporting period.

<b>Invoicing Periods</b>	<b>Due no later than:</b>
1. TBD	TBD
2. TBD	TBD
3. TBD	TBD
4. TBD	TBD
5. TBD	TBD
6. TBD	TBD
7. TBD	TBD
8. TBD	TBD
9. TBD	TBD
10. TBD	TBD
11. TBD	TBD
12. TBD	TBD

- B. An invoice is due to the BSCC even if grant funds are not expended or requested during the reporting period. Supporting documentation must be included for all expenditures.

**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 Indirect Costs/Administrative Overhead 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 and enforceable only if sufficient funds are made available through the annual transfer of savings generated by Proposition 47 from the General Fund to the Safe Neighborhoods and Schools Fund and subsequent transfer from the Safe Neighborhoods and Schools Fund to the Second Chance Fund. (Gov. Code, § 7599.1 & Pen. Code, § 6046.2.) On or before July 31<sup>st</sup> of each fiscal year the Department of Finance will calculate the state savings associated with Proposition 47 and certify the calculation to the State Controller who shall transfer those funds to the Safe Neighborhoods and Schools Fund. (Gov. Code, § 7599.1.) 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 transferred to the Safe Neighborhoods and Schools Fund and subsequent transfer to the Second Chance Fund.
- B. If Proposition 47 funding for any fiscal year is reduced or falls below estimates contained within the Proposition 47 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. It is mutually agreed that if available Proposition 47 funds fall below estimates or are not made available for the current year and/or any subsequent years covered under this Grant Agreement, this 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.

**EXHIBIT B**  
**BUDGET DETAIL AND PAYMENT PROVISIONS**

**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 most current version of the BSCC Grant Administration Guide, which can be found under Quick Links here:

[http://www.bscc.ca.gov/s\\_correctionsplanningandprograms.php](http://www.bscc.ca.gov/s_correctionsplanningandprograms.php)

The provisions of the BSCC Grant Administration Guide are incorporated by reference into this agreement and Grantee shall be responsible for adhering to the requirements set forth therein. To the extent any of the provisions of the BSCC Grant Administration Guide and this agreement conflict, the language in this agreement shall prevail.

- B. Grantee is responsible for ensuring that invoices submitted to the BSCC claim actual expenditures for eligible project costs. The BSCC Grant Administration and Audit Guide outlines eligible and ineligible 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 supplement existing funds for program activities and may not replace (supplant) non-State/grant funds that have been appropriated for the same purpose. Potential supplanting will be the subject of grant monitoring. Violations can result in a range of penalties (e.g. recoupment of monies provided under this grant, suspension of future program funding through BSCC grants, and civil/criminal penalties).

**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 provision, 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**

<b>Budget Line Item</b>	<b>A. Grant Funds: Year 1</b>	<b>B. Grant Funds: Year 2</b>	<b>C. Grant Funds: Year 3</b>	<b>D. Total Grant Funds Requested (A+B+C)</b>	<b>E. Outside Funds Leveraged</b>	<b>F. Total Project Value (D+E)</b>
1. Salaries and Benefits <i>(Lead Agency only)</i>	\$0	\$0	\$0	\$0	\$0	\$0
2. Services and Supplies	\$0	\$0	\$0	\$0	\$0	\$0
3. Professional Services/Public Agency Contracts	\$0	\$0	\$0	\$0	\$0	\$0
4. Community-Based Organization Contracts <i>(minimum 50 percent)</i>	\$0	\$0	\$0	\$0	\$0	\$0
5. Indirect Costs <i>(not to exceed 10% of grant funds)</i>	\$0	\$0	\$0	\$0	\$0	\$0
6. Data Collection and Evaluation <i>(minimum 0% of requested grant funds or \$00,000, whichever is greater)</i>	\$0	\$0	\$0	\$0	\$0	\$0
7. Fixed Assets/Equipment	\$0	\$0	\$0	\$0	\$0	\$0
8. Other <i>(Travel, Training, etc.)</i>	\$0	\$0	\$0	\$0	\$0	\$0
<b>TOTALS</b>	\$0	\$0	\$0	\$0,000,000	\$0	\$0

Attachment K-4

**EXHIBIT C**  
**GENERAL TERMS AND CONDITIONS**

**GTC 610: GENERAL TERMS AND CONDITIONS**

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT:** This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT:** Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code, § 8546.7, Pub. Contract Code, §10115 et seq., CCR Title 2, Section 1896).
5. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
6. **DISPUTES:** Contractor shall continue with the responsibilities under this Agreement during any dispute.
7. **TERMINATION FOR CAUSE:** The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.
8. **INDEPENDENT CONTRACTOR:** Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.
9. **RECYCLING CERTIFICATION:** The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the 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 unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code, § 12990) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code section 12990, set forth in Chapter 5 of Division 4 of Title 2 of

## EXHIBIT C GENERAL TERMS AND CONDITIONS

the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. 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.

11. **CERTIFICATION CLAUSES:** The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.
12. **TIMELINESS:** Time is of the essence in this Agreement.
13. **COMPENSATION:** The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.
14. **GOVERNING LAW:** This contract is governed by and shall be interpreted in accordance with the laws of the State of California.
15. **ANTITRUST CLAIMS:** The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.
  - a. The Government Code Chapter on Antitrust claims contains the following definitions:
    - 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
    - 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.
  - b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.
  - c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.
  - d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.
16. **CHILD SUPPORT COMPLIANCE ACT:** For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:
  - a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

**EXHIBIT C**  
**GENERAL TERMS AND CONDITIONS**

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. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

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

Attachment A



**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: Application for Funding/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: Application for Funding/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 with consultants for services needed to implement and/or support program activities. Grantee agrees that in the event of any inconsistency between this Grant Agreement and Grantee's agreement with a subcontractor, the language of this Grant Agreement will prevail.
- B. Nothing contained in this Grant Agreement or otherwise, shall create any contractual relation between the BSCC and any subcontractors, and no subcontract shall relieve the Grantee of his responsibilities and obligations hereunder. The Grantee agrees to be as fully responsible to the BSCC for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee. The Grantee's obligation to pay its subcontractors is an independent obligation from the BSCC's obligation to make payments to the Grantee. As a result, the BSCC shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.
- C. Grantee shall ensure that all subcontractors comply with all requirements of this Grant Agreement.
- 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

**EXHIBIT D**  
**SPECIAL TERMS AND CONDITIONS**

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 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 3 years following the end of the project period.

**5. ACCOUNTING AND AUDIT REQUIREMENTS**

- A. Grantee agrees that accounting procedures for grant funds received pursuant to this Grant Agreement shall be in accordance with generally accepted government accounting principles and practices, and adequate supporting documentation shall be maintained in such detail as to provide an audit trail. Supporting documentation shall permit the tracing of transactions from such documents to relevant accounting records, financial reports and invoices.
- 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 3 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: Application for Funding/Grant Proposal, or approved modifications;
  - 3) failure to provide the required local match share of the total project costs; and
  - 4) failure to meet prescribed assurances, commitments, recording, accounting, auditing, and reporting requirements of the Grant Agreement.
- B. Prior to terminating the Grant Agreement under this provision, the BSCC shall provide the Grantee at least 30 calendar days written notice stating the reasons for termination and effective date thereof. The Grantee may appeal the termination decision in accordance with the instructions listed in Exhibit D: Special Terms and Conditions, Number 8. Settlement of Disputes.

**EXHIBIT D**  
**SPECIAL TERMS AND CONDITIONS**

**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 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 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 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 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 the Grantee's contentions. The State's final decision shall be conclusive and binding regarding the dispute unless the Grantee commences an action in a court of competent jurisdiction to contest such decision within 90 days following the date of the final decision or one (1) year following the accrual of the cause of action, whichever is later.
- D. The dates of decision and appeal in this section may be modified by mutual consent, as applicable, excepting the time to commence an action in a court of competent jurisdiction.

**9. UNION ACTIVITIES**

For all agreements, except fixed price contracts of \$50,000 or less, the Grantee acknowledges that applicability of Government Code §§16654 through 16649 to this Grant Agreement and agrees to the following:

- A. No State funds received under the Grant Agreement will be used to assist, promote or deter union organizing.
- B. Grantee will not, for any business conducted under the Grant Agreement, use any State property to hold meetings with employees or supervisors, if the purpose of such meetings is to assist, promote or deter union organizing, unless the State property is equally available to the general public for holding meetings.
- C. If Grantee incurs costs or makes expenditures to assist, promote or deter union organizing, Grantee will maintain records sufficient to show that no reimbursement from State funds has been sought for these costs, and that Grantee shall provide those records to the Attorney General upon request.

**10. WAIVER**

The parties hereto may waive any of their rights under this Grant Agreement unless such waiver is contrary to law, provided that any such waiver shall be in writing and signed by the party making such waiver.

**APPENDIX A**  
**PROPOSITION 47 EXECUTIVE STEERING COMMITTEE**

**Proposition 47 Executive Steering Committee**

Scott Budnick, Co-Chair, BSCC Board Member, President, Anti-Recidivism Coalition, Los Angeles

Leticia Perez, Co-Chair, BSCC Board Member, Kern County Supervisor

John Bauters, Policy Director, Californians for Safety & Justice, Alameda County

Christine Brown-Taylor, Reentry Manager, San Diego County Sheriff's Department

Charity Chandler, Director of Contracts Administration, AIDS Healthcare Foundation, Los Angeles County

Isaiah Crompton, Founder and Executive Director, Isaiah's Sober Living, Kern County

Shelley Curran, Director of Criminal Justice Services, Judicial Council of California, San Francisco

George Eskin, Consultant/Retired Judge, Santa Barbara County

Dr. Mark Ghaly, Director, Community Health & Integrated Programs, L.A. County Dept. of Health Services

Frank Guzman, Staff Attorney, National Center for Youth Law, Alameda County

Stephanie James, Chief Probation Officer, San Joaquin County

John Jones, Life Coach, Communities United for Restorative Youth Justice, Alameda County

Richard Kuhns, Executive Director, Shasta, Modoc, Trinity and Siskiyou Counties Housing Authority

Ronald Lane, Deputy Chief Administrative Officer, San Diego County

Samuel Nuñez, Executive Director, Fathers & Families of San Joaquin, San Joaquin County

Vonya Quarles, Executive Director, Starting Over, Inc., San Bernardino County

Thomas Renfree, Executive Director, County Behavioral Health Directors Assoc. of California, Sacramento

Javier Stauring, Executive Director/Co-Founder, Healing Dialogue and Action, Los Angeles

**Attachment H**  
**Sample Governing Board 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).

Below is sample language for a resolution. Applicants are encouraged to submit the resolution with their application.

---

WHEREAS the **(insert name of Lead Agency)** desires to participate in the Proposition 47 Grant administered by the Board of State and Community Corrections (hereafter referred to as BSCC).

NOW, THEREFORE, BE IT RESOLVED that the **(insert title of designated official)** be authorized on behalf of the **(insert name of Governing Board)** to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the **(insert name of Lead Agency)** agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

Passed, approved, and adopted by the **(insert name of Governing Board)** in a meeting thereof held on **(insert date)** by the following:

Ayes:

Notes:

Absent:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

ATTEST: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

## Attachment I Proposition 47 Project Work Plan

Each public agency applicant must develop a 1-page Project Work Plan as part of this RFP process. This Project Work Plan identifies measurable goals and objectives, activities and services, the responsible parties, and a timeline.

To build the Proposition 47 Project Work Plan, applicants should copy and paste the following tables into a separate document. List only the top three goals of the project.

<b>(1) Goal:</b>			
Objectives:			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date

<b>(2) Goal:</b>			
Objectives:			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date

<b>(3) Goal:</b>			
Objectives:			
Project activities that support the identified goal and objectives	Responsible staff/ partners	Timeline	
		Start Date	End Date

**Attachment J**  
**List of Partner Agencies/Organizations**

**Lead Public Agency:**

**Other Public Agency Partners**

	Name of Agency	2-3 sentence description of services to be provided
1		
2		
3		
4		
5		

**Non-Governmental, Community-Based Partners (if known)**

	Name of Organization	2-3 sentence description of services to be provided
1		
2		
3		
4		
5		

*\*Add additional rows as needed.*

**PART II:**

**PROPOSAL  
INSTRUCTIONS**

Attachment K-4



## Proposal Checklist

**A complete Proposition 47 Proposal packet must contain the following (to be submitted in the order listed):**

<b>Required:</b>	<b>Check once Complete (√)</b>
Proposal Checklist (signed by the applicant)	
Section I. Applicant Information Form (with original signature in blue ink)	
Section II. Proposal Narrative (up to and not exceeding 15 pages)	
Section III. Budget Section (up to and not exceeding 6 pages) <ul style="list-style-type: none"> <li>▪ Budget Table</li> <li>▪ Budget Narrative</li> </ul>	
<b>Required Attachments:</b>	
<ul style="list-style-type: none"> <li>▪ Proposition 47 Local Advisory Committee Member Roster (<i>Attachment D</i>)</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Proposition 47 Local Advisory Committee Letter(s) of Agreement (<i>Attachment E</i>)</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Letter(s) of Agreement for Impacted Local Government Agencies (<i>Attachment F</i>)</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Proposition 47 Project Work Plan (<i>Attachment I</i>)</li> </ul>	
<ul style="list-style-type: none"> <li>▪ List of Partner Agencies/Organizations (<i>Attachment J</i>)</li> </ul>	
<b>Optional:</b>	
<ul style="list-style-type: none"> <li>▪ Governing Board Resolution (<i>Attachment H</i>)</li> </ul> <p style="font-size: small; margin: 0;"><i>Note: The Governing Board Resolution is due prior to Grant Award Agreement, <u>not</u> at time of proposal submission.</i></p>	
<b>Assurance:</b>	
Proposition 47 Grant Funds will not be used for the acquisition of real property or for programs or services provided in a custodial setting.	

**I have reviewed this checklist and verified that all required items are included in this proposal packet.**

X \_\_\_\_\_  
*Public Agency Applicant Authorized Signature (see Applicant Information Form, next page)*

## Applicant Information Form Instructions

### Instructions for completing the Applicant Information Form:

- A. Public Agency Applicant:** Complete the required information for the public agency submitting the proposal. If submitting a joint proposal, list other public agencies participating.
- B. Tax Identification Number:** Provide tax identification number.
- C. Project Title:** Provide the selected title of the project.
- D. Required Services:** Indicate which of the required Proposition 47 areas this proposal will address (mental health services, substance disorder treatment, diversion programs, or some combination thereof).
- E. Additional Services:** Indicate whether the proposal will offer housing-related assistance and/or other supportive community-based services.
- F. Project Summary:** Provide a brief summary (three to four sentences) of the proposal. Note: this information may be posted to the BSCC's website for informational purposes.
- G. Grant Funds Requested:** Identify the amount of grant funds requested.
- H. Pass-Through:** Of the amount listed in Item G., identify the amount of grant funds that will be sub-contracted to non-governmental community organizations. Also list this amount as a percentage of the total grant funds requested.
- I. Financial Leveraging:** Identify the total amount of funds this proposal will leverage using other (non-Prop 47) sources (see "Funding" section).
- J. Project Director:** Provide the name, title and contact information for the individual responsible for oversight of the project. This person must be an employee of the Lead Agency.
- K. Financial Officer:** Provide the name, title and contact information for the individual responsible for the fiscal management of the project (e.g., invoices, expenditure documentation and audit). This person must be an employee of the Lead Agency.
- L. Day-to-Day Contact:** Provide the name, title and contact information for the individual who serves as the primary contact person for the grant. This person must be an employee of the Lead Agency.
- M. Authorized Signature:** Complete the required information for the person authorized to sign for the Public Agency Applicant. This individual must read the assurances under this section, then sign and date in the appropriate fields.

## Section I. Applicant Information Form

A. PUBLIC AGENCY APPLICANT		B. TAX IDENTIFICATION NUMBER	
NAME OF PUBLIC AGENCY		TAX IDENTIFICATION #:	
STREET ADDRESS	CITY	STATE	ZIP CODE
MAILING ADDRESS (if different)	CITY	STATE	ZIP CODE
<b>IF A JOINT PROPOSAL, LIST OTHER (NON-LEAD) PUBLIC AGENCIES:</b>			
<b>C. PROJECT TITLE</b>			
D. REQUIRED SERVICES (Check all that apply)		E. ADDITIONAL SERVICES (Check all that apply)	
<input type="checkbox"/> MENTAL HEALTH SERVICES <input type="checkbox"/> SUBSTANCE USE DISORDER TREATMENT <input type="checkbox"/> DIVERSION PROGRAMS		<input type="checkbox"/> HOUSING-RELATED SERVICES <input type="checkbox"/> OTHER COMMUNITY-BASED SUPPORTIVE SERVICES	
<b>F. PROJECT SUMMARY</b>			
G. GRANT FUNDS REQUESTED	H. Amount of Funds Sub-Contracted to Community Organizations	I. Total Amount of Other Funds to be Leveraged	
\$	\$ percent	\$	
<b>J. PROJECT DIRECTOR</b>			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		FAX NUMBER	
CITY	STATE	ZIP CODE	EMAIL ADDRESS
<b>K. FINANCIAL OFFICER</b>			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		FAX NUMBER	
CITY	STATE	ZIP CODE	EMAIL ADDRESS
PAYMENT MAILING ADDRESS (if different)		CITY	STATE ZIP CODE
<b>L. DAY-TO-DAY CONTACT PERSON</b>			
NAME	TITLE	TELEPHONE NUMBER	
STREET ADDRESS		FAX NUMBER	
CITY	STATE	ZIP CODE	EMAIL ADDRESS

**M. AUTHORIZED SIGNATURE**

By signing this application, I hereby certify that I am vested by the Public Agency Applicant with the authority to enter into contract with the BSCC, and that the grantee and any subcontractors will abide by the laws, policies and procedures governing this funding.

NAME OF AUTHORIZED OFFICER	TITLE	TELEPHONE NUMBER	EMAIL ADDRESS
STREET ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE (Blue Ink Only) X			DATE

**CONFIDENTIALITY NOTICE:**

All documents submitted as a part of the Proposition 47 proposal are considered to be 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.)

Attachment K-4

## Section II. Proposal Narrative

**Instructions:** The Proposal Narrative must be submitted in Arial 12-point font with one-inch margins on all four sides. The narrative must be double-spaced and cannot exceed **15 pages** in length. For the Proposal Narrative, address each of the sections below. Each section should be titled according to its section header (e.g., Project Need, Project Description, etc.). Within each section, address the bulleted items in a cohesive, comprehensive narrative format. Do not include website links. Applicants may include a one page bibliography containing citations (not counted toward 15-page limit).

These 15 pages do not include the Proposal Checklist, Applicant Information Form, Budget Section and all other required attachments (see *Proposal Checklist*, page 69).

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

### RATING FACTOR 1: PROJECT NEED

*Percent of Total Value: 15%*

**Address the following in narrative form:**

- What need(s) will be addressed by this project? Explain whether the need is driven by gaps in services.
- What is the target population?
- Provide detailed local data (qualitative and quantitative) to support the described need(s) and target population. Cite all data sources.\*
- Describe how you considered the needs of underserved populations in your community and disparities based on race, ethnicity, gender, sexual orientation, or immigration status, etc.
- How are the identified need(s) and target population connected to the intent of Proposition 47?

\*In addition to any local data the applicant wishes to cite, applicants may wish to consult the following data sets from 2011-2015, in order to support the need:

#### Proposition 47 State and County Level Impacts

- Population Data
- Arrest Data
- Jail Data

*Note: Data is disaggregated by age group and race/ethnicity.*

Data sets can be found under the heading *Publicly Accessible Data Sets* on the BSCC [website](#).

***This section of the proposal will be scored on the following criteria:***

<b>Rating Criteria for PROJECT NEED</b>	
1.1	The need is identified and measurable. The applicant uses qualitative and quantitative data to support the description. The applicant described gaps in services that contribute to the need. All data sources are cited.
1.2	The target population is identified, measurable and correlates to the need. The applicant uses qualitative and quantitative data to support the description. All data sources are cited.
1.3	When identifying the target population, the applicant took reasonable steps to consider the needs of underserved populations in its community, including disparities based on race, ethnicity, gender, sexual orientation, or immigration status, etc.
1.4	Overall, the need(s) and target population align with the intent of Proposition 47.

## **RATING FACTOR 2: COMMUNITY ENGAGEMENT**

*Percent of Total Value: 20%*

***Address the following in narrative form:***

- Complete a Proposition 47 Local Advisory Committee Membership Roster and attach it to the Proposal packet (see *Attachment D*). Refer the reader to the roster for a list of members.
- Describe the process used to determine which and how many individuals would be on the Proposition 47 Local Advisory Committee, in relation to the make-up and culture of the community and the identified need.
- Describe the process used to solicit membership.
- Describe the process used to ensure fair and balanced participation by all members in the identification of the need and the development of a plan.
- Complete Letter(s) of Agreement signed by all members of the Proposition 47 Local Advisory Committee and attach to the Proposal packet (see *Attachment E*).

***This section of the proposal will be scored on the following criteria:***

<b>Rating Criteria for COMMUNITY ENGAGEMENT</b>	
2.1	The Proposition 47 Local Advisory Committee Membership Roster is attached.
2.2	Based on a review of the Membership Roster, the Proposition 47 Local Advisory Committee is made up of community stakeholders that include the formerly incarcerated and other individuals impacted by the justice system.

Rating Criteria for COMMUNITY ENGAGEMENT	
2.3	The membership of the Proposition 47 Local Advisory Committee is reflective of the make-up and culture of the community and the identified need.
2.4	The Lead Agency drew input from a wide cross-section of community stakeholders.
2.5	The community engagement process was fair, inclusive, comprehensive and transparent.
2.6	The Lead Agency describes the process by which the Proposition 47 Local Advisory Committee meetings are sufficiently noticed, accessible to the public and include opportunities for participation.
2.7	Letter(s) of Agreement signed by all members of the Proposition 47 Local Advisory Committee are attached.

### RATING FACTOR 3: PROJECT DESCRIPTION

Percent of Total Value: 25%

**Address the following in narrative form:**

- List and describe the mental health services, substance use disorder treatment, diversion programs (or some combination thereof) to be funded by this grant.
- List and describe any supplemental housing-related services or other community-based supportive services that will be included in this grant, to include those funded by the grant and those leveraged from other sources (see page 13). Leveraged resources could include staff positions, services, supplies, equipment or other assets needed for the project's success.
- Describe why the interventions described above were chosen for this target population. Include supporting data, research, evidence, outcome evaluations, etc. that leads you to believe the intervention or strategy is likely to produce the desired benefit. Cite all sources.
- Describe the impact of trauma on the target population.
- Describe the service delivery approach for each service and/or program component. Identify the roles and responsibilities for all service providers. Include a list of all partner agencies/organizations (see *Attachment J*).
- Describe the process used to select those service providers and explain how you chose providers that best represent the needs and interests of the target population, including those with staff who are system-impacted or who have different educational levels and life experiences.
- Describe the referral process used to ensure the identified target population is referred for services, to include the use of risk and needs assessment tools.
- Explain how the proposed project will influence or contribute to overarching, long-term policy or systems change.
- Describe what you will do to minimize the amount of start-up time and be prepared to start once funds are awarded.

- Identify each public agency that could be impacted by this grant project and for each include a Letter of Agreement signed by both the Lead Agency and the impacted public agency or agencies (see *Attachment F*).

***This section of the proposal will be scored on the following criteria:***

<b>Rating Criteria for PROJECT DESCRIPTION</b>	
3.1	The mental health services, substance use disorder treatment, diversion programs (or some combination thereof) funded by this grant are clearly identified and described.
3.2	In addition to the minimum required programs or services, the applicant will also provide or leverage housing-related assistance and other community-based supportive services, as per AB 1056.
3.3	The applicant presents a rationale for why each intervention (3.1 and 3.2) was chosen, i.e., some evidence that the intervention(s) will work with this target population and in this community.
3.4	The service delivery approach for each service and/or program component is described clearly. Roles and responsibilities for all service providers (to include the Lead Agency and all partners) are clearly identified. The approach is multi-disciplinary and collaborative. A list of all partner agencies/organizations is attached.
3.5	The applicant describes the process used to select service providers and describes how it will include providers that best represent the needs and interests of the target population, including those with staff who are system-impacted or who have different educational levels and life experiences.
3.6	The applicant has a plan for how to recruit individuals from the target population (referral process) and a plan for using risk/needs assessment tools to ensure the appropriate population is served.
3.7	This applicant has explained how this project will influence or contribute to overarching, long-term policy or systems change within the Lead Agency and the community it serves.
3.8	The applicant described how the project will address the impact of trauma on the target population.
3.9	The applicant has a plan to minimize start-up time so that services can be delivered as soon as possible.
3.10	The applicant assessed whether this project would impact other local government agencies, identified those agencies that could be impacted and included a Letter of Agreement for each.



## RATING FACTOR 4: PROJECT EVALUATION PLAN

*Percent of Total Value: 10%*

**Address the following in narrative form:**

- List the goals and objectives for the proposed project (see *Attachment C* for definitions of the terms Goal and Objective).
- Complete a 1-page Proposition 47 Project Work Plan to show the top three goals for the project (see *Attachment I*).
- Identify both process and outcome measures for the proposed project:
  - Examples of process measures: services implemented on time, number of participants served, number of staff hired, number of service hours provided, etc.
  - Examples of outcome measures: number of individuals placed in permanent housing, number of individuals employed/for how long, number of individuals completed treatment and avoided relapse, number of individuals completed intervention and remained arrest-free, etc.

Note: At a minimum, recidivism reduction must be an outcome measure for the project. (See *Attachment C* for a glossary of terms.)

- Describe the preliminary plan for collecting and evaluating baseline data and outcome data, including any necessary data sharing agreements.
- Describe your plan for monitoring program fidelity to ensure interventions are implemented as intended.
- Describe the anticipated research design or methodology that will be used to complete the required evaluation reports and determine whether the project “worked” as intended (e.g., pre/post surveys, data analysis, etc.).
- Describe the plan for sharing outcomes with governing bodies, stakeholders and constituents.

***This section of the proposal will be scored on the following criteria:***

<b>Rating Criteria for PROJECT EVALUATION PLAN</b>	
4.1	The goals and objectives are clearly directed to the needs described in the applicant’s Project Need section. The Work Plan is attached.
4.2	The applicant has identified process and outcome measures that are quantifiable and in line with the intent of Proposition 47.
4.3	At a minimum, recidivism reduction is included as an outcome measure.
4.4	The applicant has described a preliminary plan for how to collect and evaluate baseline and outcome data related to the outcome measures. The applicant has provided for data sharing agreements, if necessary.
4.5	The applicant describes a reasonable plan for monitoring fidelity in order to ensure that interventions are implemented as intended.

Rating Criteria for PROJECT EVALUATION PLAN	
4.6	The applicant has described a research design or methodology that will allow for an assessment of whether the project “worked” as intended.
4.7	The applicant has a detailed plan for sharing outcomes with governing bodies, stakeholders and constituents.

## RATING FACTOR 5: GUIDING PRINCIPLES

*Percent of Total Value: 10%*

**Address the following in narrative form:**

Explain how the proposed project taken as a whole addresses the Proposition 47 Guiding Principles (see page 5).

***This section of the proposal will be scored on the following criteria:***

Rating Criteria for GUIDING PRINCIPLES	
5.1	The design and implementation plan of the project demonstrates that the applicant values community partnerships and collaboration.
5.2	The service delivery approach: <ul style="list-style-type: none"> <li>• is culturally competent, trauma-informed, and provides for accessibility;</li> <li>• ensures that services will be tailored to meet an individual’s holistic needs;</li> <li>• advances the principles of Restorative Justice; and</li> <li>• acknowledges and addresses known barriers to serving target populations.</li> </ul>
5.3	The applicant has a strong plan for ensuring that individuals who have been most impacted by Proposition 47 – with an emphasis on racial and ethnic disparities – receive the proposed services.
5.4	The applicant has demonstrated how this project will change or improve the lives of participants.
5.5	Overall, the project meets the spirit and intent behind the statute and the Proposition 47 Guiding Principles.

## Section III. Budget Section

Percent of Total Value: ~~15%~~ 20%

Applicants must complete a Budget Table and Budget Narrative according to the instructions that follow.

**Below is the rating criteria on which the entire Budget Section will be scored:**

Rating Criteria for the BUDGET SECTION	
6.1	The project budget is clear and detailed and takes into account the time necessary for start-up of the project, service delivery, and measurement of outcomes.
6.2	The amount of grant funds requested is reasonable and appropriate given the proposed project's design and scope.
6.3	The applicant has clearly explained how the requested grant funds will be used to achieve project goals.
6.4	The project demonstrates a financial commitment to community partners that accurately reflects the Proposal Narrative and the intent and spirit of Proposition 47.
6.5	The applicant has detailed how it will leverage other (non-Prop. 47) dollars to maximize Proposition 47 grant dollars.

### Rating Factor 6a: Budget Table

Instructions: Complete the following table for the grant funds being requested and outside dollars leveraged. Report amounts in whole dollars. While recognizing some jurisdictions may use different line items in the budget process, the categories listed below are the ones that funded projects will use when invoicing the BSCC for reimbursement of expenditures.

All funds must be used consistent with the requirements of the *BSCC Grant Administration Guide*. Applicants should reference this Guide for definitions and other guidance in preparing a budget. The Guide can be found on the BSCC [website](#).

## Proposition 47 Budget Table

### Blank Budget Table Template

Budget Line Item	A. Grant Funds: Year 1 (14 months)	B. Grant Funds: Year 2 (12 months)	C. Grant Funds: Year 3 (12 months)	D. Total Grant Funds Requested (A+B+C)	E. Other Funds Leveraged	F. Total Project Value (D+E)
1. Salaries and Benefits ( <i>Lead Agency only</i> )	\$0	\$0	\$0	\$0	\$0	\$0
2. Services and Supplies	\$0	\$0	\$0	\$0	\$0	\$0
3. Professional Services/Public Agency Subcontracts	\$0	\$0	\$0	\$0	\$0	\$0
4. Community-Based Organization Subcontracts*	\$0	\$0	\$0	\$0	\$0	\$0
5. Indirect Costs**	\$0	\$0	\$0	\$0	\$0	\$0
6. Data Collection and Evaluation***	\$0	\$0	\$0	\$0	\$0	\$0
7. Fixed Assets/Equipment	\$0	\$0	\$0	\$0	\$0	\$0
8. Other (Travel, Training, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
<b>TOTALS</b>	\$0	\$0	\$0	\$0,000,000	\$0	\$0

\*minimum 50 percent of grant funds requested

\*\*not to exceed 10 percent of grant funds requested

\*\*\*minimum 5 percent [or \$25,000, whichever is greater] not to exceed 10 percent of grant funds requested

### Sample Proposition 47 Budget

Budget Line Item	A. Grant Funds: Year 1	B. Grant Funds: Year 2	C. Grant Funds: Year 3	D. Total Grant Funds Requested (A+B+C)	E. Other Funds Leveraged	F. Total Project Value (D+E)
1. Salaries and Benefits ( <i>Lead Agency only</i> )	\$100,000	\$250,000	\$0	\$350,000	\$0	\$350,000
2. Services and Supplies	\$0	\$1,076,000	\$0	\$1,076,000	\$0	\$1,076,000
3. Professional Services/Public Agency Subcontracts	\$250,000	\$250,000	\$0	\$500,000	\$2,500,000	\$3,000,000
4. Community-Based Organization Subcontracts	\$750,000	\$1,000,000	\$1,250,000	\$3,000,000	\$0	\$3,000,000
5. Indirect Costs	\$200,000	\$200,000	\$200,000	\$600,000	\$0	\$600,000
6. Data Collection and Evaluation	\$176,000	\$200,000	\$50,000	\$426,000	\$0	\$426,000
7. Fixed Assets/Equipment	\$22,000	\$22,000	\$0	\$44,000	\$0	\$44,000
8. Other (Travel, Training, etc.)	\$2,000	\$2,000	\$0	\$4,000	\$0	\$4,000
<b>TOTALS</b>	\$1,500,000	\$3,000,000	\$1,500,000	\$6,000,000	\$2,500,000	\$8,500,000

## Rating Factor 6b: Budget Narrative

Instructions: The purpose of the Budget Narrative is to support the amounts requested in the Budget Table. The Budget Narrative must be submitted in Arial 12-point font with one-inch margins on all four sides. The narrative must be double-spaced and cannot exceed **6 pages** in length. Provide the information listed under each line item below with narrative to explain how the requested grant funds and outside leveraged funds will be used to achieve project goals.

1. **Salaries and Benefits:** List each Lead Agency staff to be funded by the grant. For each, provide the classification/title, percentage of time, salary/hourly rates, and benefits. Note: salaries and benefits of all other contracted staff go under the appropriate line item, either Professional Services or Community-Based Organization contracts.

- a. **Total Grant Funds Requested: \$**

- Narrative Detail:**

- b. **Other Funds Leveraged: \$**

- Narrative Detail:**

2. **Services and Supplies:** Itemize all services and supplies.

- a. **Total Grant Funds Requested: \$**

- Narrative Detail:**

- b. **Other Funds Leveraged: \$**

- Narrative Detail:**

3. **Professional Services/Public Agency Subcontracts:** List the names of all professional service contracts (e.g., contracts with other governmental entities or consultants). Itemize the services that will be provided by each and show funds allocated to each. Show hours and billing rates for all contracted staff.

- a. **Total Grant Funds Requested: \$**

- Narrative Detail:**

- b. **Other Funds Leveraged: \$**

- Narrative Detail:**

- 4. Community-Based Organization Subcontracts:** The Lead Agency must subcontract with one or more non-governmental, community organizations for a **minimum of 50 percent** of the total grant award. Additional points will be added to the final score for applicants that pass through 60 percent or 70 percent, etc.

List the names of all non-governmental community organizations, itemize the services that will be provided by each and show funds allocated to each. Show hours and billing rates for all community organization staff.

If a community partner has not been selected as of the date of the submission of the application, clearly identify the amount of grant funds that will be allocated as a placeholder.

- a. Total Grant Funds Requested: \$**

**Narrative Detail:**

- b. Other Funds Leveraged: \$**

**Narrative Detail:**

- 5. Indirect Costs:** Itemize all indirect costs. This total may not exceed **10 percent** of the grant funds requested. The ESC will consider appropriate limits for administrative costs and overhead.

- a. Total Grant Funds Requested: \$**

**Narrative Detail:**

- b. Other Funds Leveraged: \$**

**Narrative Detail:**

- 6. Data Collection and Evaluation:** Itemize all costs associated with data collection and evaluation efforts for this project. Applicants must dedicate a minimum of 5 percent (or \$25,000, whichever amount is greater) up to a maximum of 10 percent of total grant funds requested to this line item. Even if Data Collection and Evaluation efforts will be performed by Professional Service consultants they must be listed here. Applicants are strongly encouraged to use outside evaluators or otherwise address conflict of interest considerations.

- a. Total Grant Funds Requested: \$**

**Narrative Detail:**

**b. Other Funds Leveraged: \$**

**Narrative Detail:**

**7. Equipment/Fixed Assets:** Itemize all equipment and fixed assets. Equipment and fixed assets are defined in the *BSCC Grant Administration Guide*.

**a. Total Grant Funds Requested: \$**

**Narrative Detail:**

**b. Other Funds Leveraged: \$**

**Narrative Detail:**

**8. Other (Travel, Training, etc.):** Itemize all costs associated with travel and training. Applicants should budget for two trips to Sacramento for grantee meetings.

**a. Total Grant Funds Requested: \$**

**Narrative Detail:**

**b. Other Funds Leveraged: \$**

**Narrative Detail:**

Attachment K-4