

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, February 13, 2020

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

I. Call to Order

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

Chair Penner welcomed the Board Members and the public to the first meeting of 2020.

Penner introduced new Board member Norma Cumpian, Women's and Non-Binary Services Manager at the Anti-Recidivism Coalition (ARC). Penner administered the Oath of office.

Ms. Cumpian thanked the Board and shared her background, which includes lived experience in the justice system, and now working at ARC in Los Angeles.

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

The following members were in attendance:

Chair Penner	Mr. Diaz	Mr. Green	Mr. Growdon
Mr. Seale	Mr. Ertola	Mr. Baranco	Mr. Steinhart
Mr. Gore	Mr. Mills	Ms. Cumpian	

ABSENT BOARD MEMBERS:

Mr. Budnick

II. Information Items

1. Chair's Report

Chair Penner reported on the BSCC jail inspections and the Governor's focus on improvements. The Governor's proposed FY 2020-21 budget directed the BSCC to strengthen the state's oversight of county jails.

Penner announced that the BSCC staff have developed a conceptual plan for inspection improvements, and that recommendation will be discussed on today's agenda. This

enhanced process is more transparent, offers more technical assistance, more accountability and involves the Board.

BSCC staff inspects 558 facilities across California. The Board will take a greater role in the inspection findings by hearing regularly about jails that fail to meet the minimum standards. When serious deficiencies remain uncorrected, it will require the Sheriffs to appear before the Board with their plans of correction.

Penner said that this new process would be a major step toward ensuring swifter action when jails fail to meet minimum standards, and this is a starting point.

2. Executive Director Report

Executive Director Kathleen Howard reported on the following:

- The April 9, 2020 Board meeting will be held at the BSCC in Sacramento.
- There will be a Board training meeting on Thursday, June 11, 2020 in San Diego. The BSCC Board meeting will be held on Friday, June 12, 2020 also in San Diego.
- At the BSCC's request, the Department of Finance, Office of State Audits & Evaluations is offering a grant management training workshop on February 20. Topics will include a description of the state audit process, common audit findings, and a discussion on match costs.
- The State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) will meet on February 20 in Oakland.
- The Proposition 64 Public Health & Safety grant bidders' conference is scheduled for February 26 at the BSCC.
- The BSCC hosted a webinar on January 14 to provide information to local agencies about how the funding for the mental health training grant can be used and to review the reporting requirements. 141 agencies have accepted the mental health training grant that the Board made available through JAG. The funding was provided to deliver critical mental health training to corrections and probation staff. Agencies have until September 2020 to spend the funds.

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

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

4. Legal Update:

General Counsel Aaron Maguire reported on the following:

Recent litigation against the federal government regarding immigration status on the Byrne/JAG funds have wrapped up and the immigration restrictions will not part of the new funding.

III. Action: Consent Items

A. Minutes from the November 14, 2019 Board Meeting: Requesting Approval

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

Agenda item B was pulled from the consent agenda for discussion.

IV. Discussion Items

B. Youth Reinvestment Grant Amended Request for Proposals: Requesting Approval

This agenda item requested Board approval to amend the Request for Proposals (RFP) for the Youth Reinvestment Grant (YRG) to ensure that nonprofit organizations that received nominal pass-through awards under the 2018 YRG program are eligible to apply for 2019 YRG funding. Other proposed changes increase the total dollar amount available to reflect that one 2018 YRG grantee has reverted its funds and extend the due date for proposals by four weeks.

Mr. Steinhart requested this agenda item to be pulled and add the word “additional” under the “Eligibility to Apply” section of the RFP to read:

In any additional applications, the subgrantee is only eligible to receive an aggregate amount of up to \$100,000 for all additional applications.

Mr. Steinhart moved approval. Mr. Growdon seconded. The motion carried. Prior to the discussion Ms. Cumpian and Mr. Baranco recused themselves and left the room pursuant to Government Code section 1091.

C. Facilities Standards & Operations Jail Inspection Process Changes: Requesting approval

This agenda item was presented by Deputy Director Allison Ganter and asked the Board to approve a conceptual plan to revise the current adult jail facility inspection processes to include greater local accountability to the Board for unaddressed items of noncompliance. This process would provide increased transparency in the local inspection process and, in some cases, result in more frequent inspections and follow up than under the current biennial cycle model. The Board would also adopt similar reporting process changes for juvenile detention facilities.

The Board members discussed the outlined new jail inspection process.

Under the enhanced inspection process, the BSCC would require counties to identify remediation plans within a defined time frame of the inspection to address items of noncompliance. If the deadline is not met, the item would be placed on the agenda of a future BSCC Board meeting for further discussion and follow-up. The Board would request the presence of the Sheriff to explain how the county intends to come into compliance on items the Board considers serious.

The new process may result in more frequent inspections and more accountability for juvenile detention facilities as well.

Mr. Mills requested an addition to the recommendation to read:

Direct staff to conduct an analysis of staff and funding required to adequately address the inspections and reports, including emergency situations that might arise in the field.

Public comment was heard for agenda item C:

Chair Penner directed Board members and public to the letter from Center on Juvenile and Criminal Justice authored by Brian Goldstein on this agenda item.

Miguel Garcia Anti-Recidivism Coalition: Requested the Board to include the community involvement in making decisions.

Dominique Nong, Children's Defense Fund: Asked the Board to direct staff to have stakeholder involvement to develop a robust inspection process.

Rene Menart, Center on Juvenile and Criminal Justice: Requested more community input on finalizing the decision to move forward with the new process.

Mr. Seale asked if there is anything specific that the Board can do beyond this new process.

Ms. Menart stated she had concerns about the plan and should be delayed and request broader community input.

Chair Penner stated that this process is a framework and work in progress and will involve community input.

End of Public Comment

Mr. Mills moved approval. Mr. Growdon seconded. The motion carried with the following recommendations:

1. Approve the proposed outline of steps to enhance the adult jail inspection process consistent with the direction in the Governor's Budget.
2. Direct staff to update the juvenile inspection processes in a conforming fashion to add a similar layer of transparency and local accountability.

3. Direct staff to develop a work plan and report back to the Board at the June 2020 meeting for final approval of an enhanced process for regular reporting and follow up on both adult and juvenile detention facilities to the Board.
4. Direct staff to conduct an analysis of staff needs and funding required to adequately address the inspections and reports, including emergency situations that might arise in the field.
5. Direct staff to collect community input and hold listening sessions.

D. California Violence Intervention and Prevention (CalVIP) Grant Request for Proposals: Requesting Approval

Field Representative Colleen Curtin presented this agenda item, which requested approval to release the proposed RFP for the California Violence Intervention and Prevention (CalVIP) grant.

ESC Chair Mr. Mills thanked Ms. Curtin, Mr. Goodridge and staff and commended the work product.

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

Prior to the discussion Ms. Cumpian and Mr Baranco recused themselves and left the room pursuant to Government Code section 1091

E. Proposition 64 Public Health & Safety Grant Program, Request for Proposal: Requesting Approval

Field Representative Helene Zentner presented this agenda item, which requested Board approval to release the proposed RFP for the Proposition 64 Public Health & Safety Grant Program, which directs revenue from the cultivation and sale of cannabis to projects that promote public safety and health.

Mr. Gore moved approval. Mr. Diaz seconded. The motion carried.

Prior to the discussion Mr. Growdon and Mr. Mills recused themselves and left the room pursuant to Government Code section 1091.

Ms. Cumpian left the meeting at 11:25am

F. Adult Reentry Grant Program Rehab of Existing Property or Buildings Project, Funding Approval: **Requesting Approval.**

Field Representative Colleen Stoner presented this agenda item, which requested Board approval to award the Adult Reentry Grant Program Rehabilitation of Existing Property or Buildings Project to the sole applicant, Epidaurus DBA Amity Foundation of Los Angeles. The grant period would begin February 1, 2019 and end January 31, 2030. Staff also asked for Board approval of the Draft Notice of Exemption to be finalized and filed with the Office of Planning and Research.

Mr. Growdon moved approval. Mr. Baranco seconded. Mr. Diaz and Mr. Green abstained. The motion carried.

G. Grant Proposal Evaluation Process: **Requesting Approval**

Chief of Research Kasey Warmuth presented this agenda item, which requested Board approval of the *Grant Proposal Evaluation Process* developed by the BSCC research staff. Development of the process included consultation with an Industrial Psychologist with experience in psychological measurement and the proper execution of rating processes and focus group input. Staff also asked for the Board to follow the approved *Grant Proposal Evaluation Process* for all ESCs moving forward, including those currently convened and in the process of grant development. This change also means the ESCs will no longer discuss ratings prior to the calculation of proposals' scores.

Mr. Steinhart stated that although he had some concerns, he agrees that the elimination of the discussion of ratings would be more efficient to the grant evaluation process.

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

H. Jail Profile Survey: Overview and Recommended Updates: **Requesting Approval**

Chief of Research Kasey Warmuth presented this agenda item. This agenda provided an overview of the Jail Profile Survey (JPS) and requested the Board direct staff to collect information on the JPS about late night releases, after consultation with reporting jurisdictions and subject matter experts.

The Board decided to add the collection of information about length of stay to the JPS.

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

V. Public Comments

There were no public comments.

VI. Adjourn

The meeting adjourned at: 12:15PM

Next Meeting:

❖ BSCC Board Meeting:

April 9, 2020

ROSTER OF PERSONS IN ATTENDANCE

BSCC BOARD MEMBERS:

Chair Penner, Chair, Board of State and Community Corrections
Mr. Diaz, Secretary, California Department of Corrections and Rehabilitation (CDCR)
Mr. Green (A), Director, Adult Parole Operations, CDCR
Mr. Growdon, Sheriff, Nevada County
Mr. Gore, Sheriff, San Diego County
Mr. Seale, Chief Probation Officer, Sacramento County
Mr. Ertola, Chief Probation Officer, Nevada County
Mr. Baranco, Retired Judge, Alameda County
Mr. Mills, Chief of Police, Santa Cruz County
Mr. Steinhart, Director, Commonweal Juvenile Justice Program
Ms. Cumpian, Women's and Non-Binary Services Manager Anti-Recidivism Coalition

BSCC STAFF:

Kathleen T. Howard, Executive Director
Aaron Maguire, General Counsel
Tracie Cone, Communications Director
Evonne Garner, Deputy Director, Standards and Training for Corrections
Ricardo Goodridge, Deputy Director, Corrections Planning and Grant Programs
Allison Ganter, Deputy Director, Facilities Standards & Operations
John W. Prince, Deputy Director, County Facilities Construction
Adam Lwin, Board Secretary
Kimberly Bushard, Field Representative, Corrections Planning and Grants Program
Colleen Curtin, Field Representative, Corrections Planning and Grants Program
Helene Zentner, Field Representative, Corrections Planning and Grants Program
Colleen Stoner, Field Representative, Corrections Planning and Grants Program
Kasey Warmuth, Chief of Research, Facilities Standards & Operations