

**MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, JULY 26, 2012**

Meeting held at: California State Teachers' Retirement System, 100 Waterfront Place, West Sacramento, CA 95605

The meeting commenced at 1:37 p.m.

Secretary Matthew Cate introduced himself and welcomed the Board Members and public to the inaugural meeting of the Board of State and Community Corrections (BSCC).

Ms. Rodriguez-Rieger called roll.

The following members were in attendance:

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| Secretary Cate | Mr. Growdon | Ms. Penner | Mr. Maggard |
| Mr. Ambroselli | Mr. Baca | Ms. Arnold | Mr. Steinhart |
| | Ms. Mauriello | Judge Jahr | |

ABSENCE OF BOARD MEMBERS

There were no absent members.

Ms. Rodriguez-Rieger announced there was a quorum.

Secretary Cate introduced Jim Humes, Executive Secretary to Governor Jerry Brown to swear in the members. Mr. Humes thanked the members on behalf of the Governor and himself for their service, recognizing that they have a lot of hard work ahead. The Board of State and Community Corrections Members and Executive Director Patricia Mazzilli were sworn in and signed the Oath of Office Statement provided to each member and Ms. Mazzilli. Mr. Humes thanked the members and Ms. Mazzilli for their service and stated that they had the Governor's and the Governor's Office full support.

Secretary Cate introduced Executive Director Patricia Mazzilli. Ms. Mazzilli thanked the members for making the commitment to improve criminal justice in the State of California and taking on the Governor's vision of realignment, which is a big task and that she looked forward to working with them on this mission and the new responsibilities of the BSCC and introduced staff that was present at the meeting.

Secretary Cate and the Members introduced themselves and gave a brief bio of themselves to the audience.

CONSENT AGENDA ITEMS

ACCEPTANCE OF THE MINUTES OF THE FINAL CORRECTIONS STANDARDS
AUTHORITY (CSA) MAY 10, 2012 MEETING

(AGENDA ITEM A)

OFFICE OF ADMINISTRATIVE LAW SIGNATURE AUTHORITY FOR BSCC EXECUTIVE
DIRECTOR PATRICIA MAZZILLI

(AGENDA ITEM B)

ACCEPTANCE OF CSA RECOMMENDATIONS TO BSCC REPORT

(AGENDA ITEM C)

Secretary Cate explained that items listed on the consent calendar are considered routine and non-controversial. All the items are approved with one motion unless a Board Member requested items be pulled for discussion or separate action. He also announced that any member of the public may ask the Board to be heard on any item on the consent calendar.

Secretary Cate provided the following explanations of the consent items listed on the agenda:

Agenda Item A: explained that the minutes of the final Corrections Standards Authority May 10, 2012 meeting is listed as acceptance of the minutes as the Board of State and Community Corrections Board cannot take action on the previous Board's minutes and therefore could only accept the minutes and be placed on file.

Agenda Item B: gave the Executive Director, Patricia Mazzilli authorization from the Board to act in her capacity and role making actions to run the daily operations of the Board and staff.

Agenda Item C: acceptance of the Corrections Standards Authority's (CSA) Recommendations to the Board of State and Community Corrections (BSCC) Report. A copy of the report was provided to each member. The former members of the CSA put the report together containing counsel and concerns of the CSA Members. Secretary Cate recommended the report; he felt the report is excellent, provides good counsel and continuity from the former members of the CSA to the BSCC members.

Secretary Cate asked if any of the items needed to be pulled from the consent calendar. Hearing none he asked if there were any questions or any public comments. Hearing none, he asked for a motion to accept items A, B, and C on the consent calendar.

A motion to accept the consent items was made by Ms. Arnold and seconded by Judge Jahr. The motion carried.

DISCUSSION AGENDA ITEMS:**BSCC MEETING SCHEDULE****(AGENDA ITEM D)**

Executive Director Patricia Mazzilli provided the proposed dates for the BSCC's September and November 2012 meetings to be held in Sacramento. Ms. Mazzilli stated that in prior years former Board meetings were held at various different locations throughout the State showcasing projects or programs which the Boards taken action. Due to budget and travel constraints that practice was discontinued and all the meetings have been in Sacramento.

Ms. Mauriello asked if as the Board was going to be meeting every other month and there is a lot of work before the BSCC; if there would be other structures or committees to get the work done. Ms. Mazzilli's recommended the Board establish committees or workgroups prioritizing projects and suggested the issue be placed on the agenda for the September meeting for discussion. Secretary Cate concurred with Ms. Mazzilli and Ms. Mauriello. He asked for staffs' assistance by providing recommendations regarding committees for discussion at the September meeting.

Secretary Cate asked if there were any public comments, hearing none he asked for a motion to accept the proposed meeting schedule.

A motion to approve the proposed 2012 Meeting Schedule was made by Mr. Ambroselli and seconded by Ms. Penner. The motion carried.

SELECTION OF BSCC VICE-CHAIRPERSON**(AGENDA ITEM E)**

Penal Code Section 6025(c) requires that the Board of State and Community Corrections select a Vice Chair from among its members who shall be either a chief probation officer or a sheriff. Since the BSCC is a newly constituted board, a Vice Chair has not yet been selected.

Secretary Cate asked for nominations from the sitting members for election of the Vice Chair by majority vote. Mr. Steinhart nominated Chief Penner. Secretary Cate asked if there were any other nominations, hearing none, he asked if there were any public comments. Hearing none, he asked for a motion to appoint Chief Penner as the Vice-Chair of the BSCC.

A motion to approve the appointment of Chief Penner as Vice-Chair was made by s. Arnold and seconded by Mr. Growdon.

Secretary Cate asked if there were any public comments, hearing none he asked for members vote in favor of the motion. Hearing no oppositions; **The motion carried.**

AB 900 PHASE II JAIL CONSTRUCTION PROGRAM UPDATE

(AGENDA ITEM F)

This action agenda item presented by Field Representative Leslie Heller, provided the current status of counties awarded under this program, as well as a request for the Board of State and Community Corrections' (BSCC) action to consider conditional awards to Kern, San Benito, Santa Barbara and Monterey counties based on budget trailer bill language that shifted funding authority from AB 900 Phase I to Phase II.

Secretary Cate recommended the Board consider staff's recommendations separately.

Staff recommended the BSCC take the following actions:

- Consider the request from Tulare County for an extension of 41 days to comply with the site assurance requirement, and an extension of 26 days to meet the real estate due diligence requirement.

Secretary Cate asked if there were any questions or comments for the Board or public on this item, there were none.

- Consider Phase II awards to: Kern (\$100,000,000) and San Benito (\$15,053,000); Santa Barbara for the additional \$20,000,000; and Monterey a partial award of \$36,295,000.

Ms. Penner was concerned about the reduced amount to Monterey County and asked if there had been discussions with Monterey County regarding the reduced award.

Monterey County Sheriff, Scott Miller stated the County had a huge interest in the partial award. He stated that in association with realignment and the lack of jail space it appears Monterey County will need to use an increase of realignment funding for community corrections partnerships to house inmates in other counties, as Monterey County has no room for more inmates. As a byproduct Monterey County's inmate population would be able to be rehabilitated and treated. He recommended staff's recommendation of the partial award and stated that the County was prepared to match the funding.

Secretary Cate asked if Monterey County has looked into alternatives to incarceration and working with probation as some of the other counties are doing and that the Board could assist on.

The Sheriff stated the County had taken many steps. and the County has a robust community corrections partnership, an excellent model that they are currently implementing and are looking into other means, but are severely limited under the circumstances.

Secretary Cate asked if there were any questions or comments from the Board or public on this item, there were none.

- Commensurate with a partial award to Monterey County, consider allowing the County to reduce its project scope, to be accepted as worthy by the AB 900 Phase II Executive Steering Committee.

Secretary Cate stated this item was regarding the partial award to Monterey County that Sheriff Miller had just spoke on behalf of and asked if there were any questions or comments from the Board or public on this item, there were none.

Hearing none; Secretary Cate asked for a motion to accept the recommendations.

A motion to accept Staff's recommendations was made by Mr. Growdon and seconded by Ms. Arnold. The motion carried.

CALIFORNIA GANG REDUCTION, INTERVENTION AND PREVENTION
(AGENDA ITEM G)

This informational agenda item presented by Field Representative Oscar Villegas, served to provide a brief update on the California Gang Reduction, Intervention and Prevention Program (CalGRIP), and receive feedback and comments regarding the solicitation process for the fiscal year (FY) 2012-13 funds.

In 2007, the Governor initiated the CalGRIP program as an anti-gang initiative to help communities support various prevention, intervention or suppression strategies to reduce gang and youth violence. The program was originally administered by the Governor's Office of Gang and Youth Violence Policy and most recently by the California Emergency Management Agency (CalEMA). Effective July 1, 2012, the Board of State and Community Corrections (BSCC) assumed responsibility for administering the CalGRIP program, which includes oversight of 59 existing grants, and responsibility to administer the CalGRIP funds, beginning with FY 2012-13.

The FY 2012-13 budget bill appropriates \$9.2 million to the BSCC for the CalGRIP program with the same provisions that were included in the prior year's budget. For this first year, in order to release the funds to cities as quickly as possible, the BSCC will use the same general framework of the Request for Proposals (RFP) used by CalEMA last year. This will allow the BSCC to release the RFP by mid-August, begin the rating and ranking process in October, and have the grant funds under contract by the end of this calendar year.

To assist with future program planning, intentions are to begin the process of soliciting input from a wide range of stakeholders and subject matter experts during the next year. Staff then plans to return before the Board for future policy direction with the expectation that the funding will continue to be appropriated in future years.

Staff will finalize and release the RFP in August 2012. No specific action was required.

Mr. Steinhart stated he thought these are good projects for California and an investment for gang violence prevention and maybe an area in having a standing committee.

Ms. Mauriello inquired if there were programs that were precluded on June 30 and are presently unfunded until they complete their RFP or were they one year grants. Mr. Villegas stated there are currently two grant periods underway with funded projects; on July 1st BSCC assumed the 2010 grant and 2011 grant, totaling 59 grants. The 2010 grant period expires at the end of 2012 and the 2011 grant period continues through the end of 2013.

Secretary Cate stated that by not taking any formal action, the Board is allowing the process currently in place to move forward as it has been, but would like the Board to review and create a committee to review the matter allowing the Board to have its stamp on the next RFP assuring policies are in order.

Ms. Penner stated this was a good example of the new responsibilities assigned to the BSCC and although she supports having subject matter experts, that creating a committee may not be the most effective way. She recommended the Board have all day training on specific matters the Board has oversight of in order to form informed opinions. Secretary Cate concurred the Board invest time in an open all day setting to hear who the recipients have been, be reminded of the goals and staff with a better understanding of the Board's intent.

Secretary Cate asked if there were any public comments, hearing none; he clarified with Mr. Villegas that there is no action to be taken at this time. Mr. Villegas concurred.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS PROGRAM (AGENDA ITEM H)

Deputy Director Jean Scott presented this informational agenda item informing the Board that an application for the Residential Substance Abuse Treatment for State Prisoners (RSAT) Program had been submitted in the amount of \$824,123.

The RSAT Program is a federal program funded through the Bureau of Justice Assistance (BJA). Its purpose is to assist states and local governments in developing and implementing substance abuse treatment programs in state, local, and tribal correctional and detention facilities and support efforts to create and maintain community-based aftercare services for offenders. As part of the Governor's 2011 Public Safety Realignment, effective July 1, 2012, the RSAT program accompanied the transfer of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to the BSCC from the California Emergency Management Agency (CalEMA). BJA requires that these two programs, JAG and RSAT, be administered by the same state agency.

The 2012 federal application for RSAT was originally due to BJA in May 2012. CalEMA submitted the application on behalf of the BSCC to meet the application deadline, however; after receiving the application, BJA determined that they could not accept the application from CalEMA. BJA requested that BSCC wait until after July 1, 2012 when BSCC was officially established to submit the application. BSCC staff submitted the RSAT application to BJA on July 16, 2012. Unlike the JAG Program, there is no requirement for approval of the RSAT application by a governing body so no action was required by the Board.

Upon receiving approval of the RSAT award, staff will solicit input from a wide range of stakeholders and subject matter experts on how best to utilize the RSAT funds. It is anticipated that a solicitation will be issued in early 2013 to provide funding through a competitive or direct allocation process for residential, jail based, in-custody and/or aftercare programs.

Currently there are five RSAT projects underway which are funded with 2011/12 dollars, Los Angeles, Orange, Sacramento, Tulare, and Riverside counties. These will continue to be administered by CalEMA until they expire in June 2013.

Secretary Cate asked if there were any public comments. There were none.

CRIMINAL JUSTICE FACILITIES CONSTRUCTION PROGRAM

(AGENDA ITEM I)

Deputy Director Robert Takeshta presented Agenda Item I, which requested the Board's approval to convene an Executive Steering Committee (ESC) to develop the criteria for the Adult Local Criminal Justice Facilities program as authorized by Senate Bill 1022 (Chapter 24, Statutes of 2012). Mr. Takeshta informed the Board that the Governor signed SB 1022 on June 27, 2012, which included budget trailer bill language that authorized \$500 million in state financing for counties to construct and renovate the Adult Local Criminal Justice Facilities. These facilities may include any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population under the jurisdiction of the sheriff or county department of corrections. Mr. Takeshta stated that the financing for SB 1022 was a new program and it was not connected with state financing for AB 900 Jail Construction program.

Secretary Cate, Chair of the BSCC, emphasized that this Board wanted a broad and diverse ESC to develop the SB 1022 Request for Proposals. Secretary Cate recommended that the Board consider approving staff recommendations to: 1) Direct staff to convene the ESC to initiate the development of the Adult Local Criminal Justice Facilities Request for Proposals, and 2) Appoint Sheriff Growdon to chair the ESC. Mr. Cate then recommended that Sheriff Baca serve as the co-chair for the ESC. After Board discussion, Mr. Cate recommended that Ms. Mazzilli, Sheriff Growdon and Sheriff Baca develop a list of ESC members for the Board's consideration and approval. Ms. Arnold recommended that the Board consider meeting in a teleconference to approve the ESC membership, to avoid delaying this action until the September Board meeting.

Secretary Cate asked if there were any public comments. Hearing none, he asked for a motion to appoint Sheriff Growdon as the Chair of the ESC and appoint Sheriff Baca as Co-Chair. Ms. Mazzilli, Sheriff Growdon and Sheriff Baca to develop a list of ESC members for the Board's consideration and approval. The Board convene by teleconference to review proposed ESC list for approval and direct staff to convene the ESC to initiate the development of the Adult Local Criminal Justice Facilities Request for Proposals.

A motion to approve Secretary Cate's recommendations was made by Mr. Baca and seconded by Mr. Maggard.

Secretary Cate asked for a roll call vote, all members were in favor. **The motion carried.**

2012 EDWARD BYRNE JUSTICE ASSISTANCE GRANT APPLICATION

(AGENDA ITEM J)

Field Representative Shaline Hunter presented this item requesting approval of the FFY 2012-13 Edward Byrne Memorial Justice Assistance Grant (JAG) application to the Bureau of Justice Assistance (BJA).

BSCC staff must submit this application to the federal BJA in order to receive the approximately \$20 million in JAG funds as a result of this application.

Given the timing of the transfer of responsibility for the JAG program, BSCC management determined it best to continue the funding approach currently employed by CalEMA for one more year, thereby minimizing disruption to existing JAG grantees with the intent to phase them out with appropriate technical assistance. This would also allow BSCC time to establish the systems and processes needed to effectively undertake administration.

The FFY 2012-13 JAG grant application concludes the funding strategy established in the 4-year statewide plan developed by CalEMA for JAG spending. As a result of the 4-year plan, existing grantees anticipated a final year of funding.

BSCC hopes to continue the direction established by CalEMA for this fourth and final year with the idea they will be back before the Board shortly to start the process of setting direction for the next 4-year plan.

Staff requested approval of the FFY 2012-13 JAG application to the BJA.

Mr. Steinhart proposed increasing the administrative amount to the allowable ten percent to support a needs assessment and use the additional funding to support and nourish the planning process. He was hesitant to approve staff's request.

Mr. Baca and Mr. Growdon, Ms. Penner were in favor of continuing the funding.

Mr. Ignacio Hernandez, California Youth Build Coalition (CYBC), spoke against the approval of the current application; at minimum he asked, the application be amended.

Mr. John Lovell, California Police Chiefs Association, spoke in favor of the approval of the current application.

In response to questions from Ms. Penner and Ms. Mauriello, Mr. Hernandez explained the grant years were two-year cycles and the CYBC did not receive funding in 2011. In 2010 nine grantees were told by CalEMA they had two years to spend the money allocated. The CYBC was told they had to skip funding in 2011.

Ms. Becky Smart, CalEMA, stated she worked on the RFP and recently took over managing three of the grants. The California Council on Criminal Justice (CCCJ) decided on the two-year cycle. There were nine recipients that accepted the two-year grant cycle with no additional funding. Her understanding is that those nine grantees are not intended for refunding.

Secretary Cate asked for clarification as to whether the \$1.6 million could be used to fund programs or to administrative support for the BSCC. Ms. Mazzilli stated it was going to the BSCC to administer the programs. BSCC is asking for eight percent but are allowed ten percent.

Secretary Cate stated there was a motion and a second and asked if there were any more comments. Hearing none he asked for a roll call vote.

A motion to approve Staff's recommendations was made by Ms. Penner and seconded by Mr. Maggard.

Secretary Cate, Mr. Ambroselli, Mr. Growdon, Mr. Baca, Ms. Penner, Ms. Arnold, Judge Jahr, and Mr. Maggard, voted yes. Ms. Mauriello voted no and Mr. Steinhart recused. **The motion carried.**

PUBLIC COMMENT

(AGENDA ITEM K)

Secretary Cate asked if there was any public comment.

Mr. Michael Carrington, 39 years in criminal justice, CDCR, Governor's strike team, shared some aspects of the mandate and responsibilities regarding reentry and realignment from forums he participated in developing and provided hard copies of a summary of this information for the members.

Secretary Cate asked if there were any more comments from the public.

There were none.

Hearing no further comments, Secretary Cate adjourned the meeting.

Next meeting: Thursday, September 13, 2012 at 1:00 p.m. in Sacramento, CA.

Meeting adjourned at 3:48 pm.

Respectfully submitted,

Originally signed by

MARIA RODRIGUEZ-RIEGER
Secretary
Board of State and Community Corrections

ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Secretary Matthew L. Cate, CDCR
Mr. Ambroselli, Director, CDCR
Mr. Growdon, Lassen County Sheriff's Department
Mr. Baca, Los Angeles County Sheriff's Department
Ms. Mauriello, Santa Cruz County Administrative Office
Ms. Penner, Fresno County Probation Department
Ms. Arnold, Tuolumne County Probation Office
Honorable Steven Jahr, Retired Judge
Mr. David L. Maggard, Jr., City of Irvine Police Department
Mr. David Steinhart, Juvenile Justice Program Commonweal

BSCC Staff

Patricia Mazzilli, Executive Director
Maria Rodriguez-Rieger, Secretary
Robert Takeshta, Deputy Director, CFC
Jean Scott, Deputy Director, CPP
Evonne Garner, Deputy Director, STC
Magi Work, Field Representative, FSO
Leslie Heller, Field Representative, CFC
Charlene Aboytes, Field Representative, CFC
Micheal Collins, Field Representative, CFC
Brian Mayer, Staff Counsel, CDCR Legal
Helene Zentner, Field Representative, CPP
Melynda Gillies, Secretary, STC