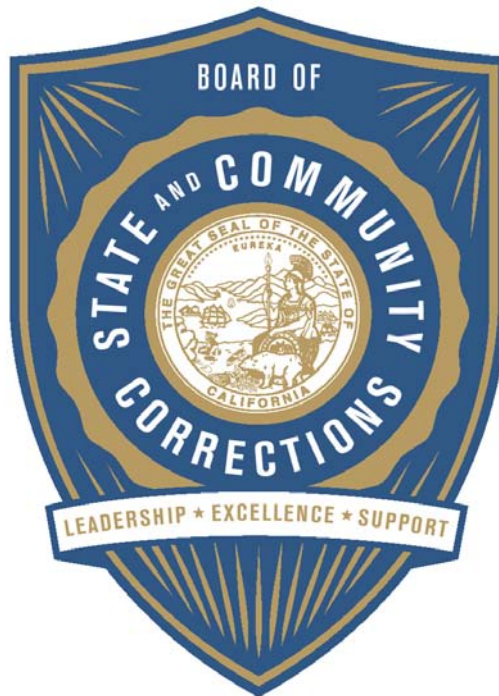


**SB 1022 ADULT LOCAL CRIMINAL JUSTICE FACILITIES
CONSTRUCTION PROGRAM**



**EXECUTIVE STEERING COMMITTEE
BRIEFING WORKBOOK
MARCH 18, 2013**

BOARD OF STATE AND COMMUNITY CORRECTIONS
600 BERKUT DRIVE
SACRAMENTO, CA 95811
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www.bscc.ca.gov

SB 1022 Criminal Justice Facilities Construction Program Executive Steering Committee Briefing Workbook

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AGENDA
Board of State and Community Corrections
SB 1022 Adult Local Criminal Justice Facilities Construction Program
Executive Steering Committee Meeting
Monday, March 18, 2013
10:00 a.m. to 4:00 p.m.

Department of Water Resources Auditorium
1416 Ninth Street, First Floor
Sacramento, CA 95814

- I. Welcome and Introductions
Goals of Today's Meeting

Public Comment

- II. Brief Description of SB 1022
Role of the Executive Steering Committee (ESC)
Request for Proposals (RFP) Process

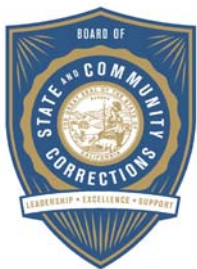
- III. Discussion of Issues
ESC Recommendations on Elements of the RFP

Break for Lunch

- IV. Discussion of Rating Factors and Process
ESC Recommendations on Rating Factors and Process

Public Comment

- V. Timelines and Next Steps



BOARD OF STATE AND COMMUNITY CORRECTIONS

12-MEMBER BOARD

March 2013

Secretary, Department of Corrections and Rehabilitation **Jeffrey A. Beard**
Chair

Director, Division of Adult Parole Operations **Daniel Stone**
Department of Corrections and Rehabilitation

County Sheriff in charge of a local detention facility **Dean Growdon**
which has a jail rated capacity of 200 or less inmates Lassen County

County Sheriff in charge of a local detention facility **Leroy Baca**
which has a jail rated capacity of over 200 inmates Los Angeles County

County Supervisor or County Administrative Officer **Susan Mauriello**
Santa Cruz County

Chief Probation Officer from a county with a population **Linda Penner**
over 200,000 Fresno County

Chief Probation Officer from a county with a population **Adele Arnold**
under 200,000 Tuolumne County

Judge **William R. Ponders**
Los Angeles County (retired)

Chief of Police **David L. Maggard, Jr.**
Irvine Police Department

Community provider of rehabilitative treatment or services **Vacant**
for adult offenders

Community provider or advocate with expertise in effective **David Steinhart**
programs, policies, and treatment Commonwealth - Juvenile Justice Program
of at-risk youth and juvenile offenders

Public Member **Mimi H. Silbert**
Delancey Street Foundation

**Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
Executive Steering Committee Roster**

Darren Thompson, Sheriff
San Benito County Sheriff's Office

Robert Doyle, Sheriff
Marin County Sheriff's Office

William D. Gore, Sheriff
San Diego County Sheriff's Department

Scott MacDonald, Chief Probation Officer
Santa Cruz County Probation Department

Stephanie James, Chief Probation Officer
San Joaquin County Probation Department

Federal Glover, County Supervisor
District 5, Contra Costa County

Larry Spikes, County Administrative Officer
Kings County

Terri Daly, Chief Administrative Officer
El Dorado County

Dr. Don Kingdon, Deputy Director
California Mental Health Directors' Assc.

**Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
Goals of the Upcoming Executive Steering Committee Meeting**

The Board of State and Community Corrections (BSCC) Board appointed the Chair, Co-Chair and the nine members of the Executive Steering Committee (ESC). The ESC will meet on October 26, 2012 to discuss issues and reach agreement on recommendations to be made to the BSCC Board on the following:

- 1) Elements of the funding proposal and the process that counties will follow to apply for SB 1022 criminal justice facilities construction financing.
- 2) Specific factors (criteria) to be used to determine the rank order of projects to be recommended for funding.
- 3) The process that the ESC will follow to recommend successful county projects to the BSCC Board.

Board of State and Community Corrections SB 1022 Criminal Justice Facilities Construction Program Background and Role of the Executive Steering Committee

Executive Steering Committee's Purpose:

The Executive Steering Committee (ESC) approach is a model for making sound decisions that encompass a wide range of expertise from the corrections field. Often when the Board of State and Community Corrections (BSCC) is involved in a new activity, project or program, BSCC will establish an ESC to oversee that process. ESCs are special committees appointed by the BSCC Board, as the need arises, to carry out specified tasks and to submit findings and recommendations from that effort to the BSCC Board.

Executive Steering Committee's Member Composition:

All ESCs are made up of professionals who are knowledgeable in the areas of activity, project or program impact. These subject matter experts advise the BSCC in its evaluation of technical requirements for any planning or revision effort; assist the BSCC in the design of criteria and approaches to be used in completing administrative or legislatively assigned tasks; help the BSCC determine the appropriateness of any formal review or rating process it plans to use; coordinate any necessary workgroup efforts; hold hearings; and submit their findings and recommendations to the BSCC Board.

Executive Steering Committee's Role:

In many previous jail construction grant programs administered by the BSCC, the ESC has played a critical role in developing the criteria, rating factors and review process for the Request for Proposals (RFP) within the parameters of the legislation that appropriated the funds. In the past, when the RFP was issued and counties responded with project proposals, it was the ESC's responsibility to review and rank those proposals based upon the criteria established in the RFP. The end result was a rank-ordered list of counties and projects that are recommended for funding. The ESC's recommended list was then submitted to the BSCC Board for final approval. This ESC process has been very successful in the past and is viewed as a fair and defensible strategy for awarding local jail construction funds.

**Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
Executive Steering Committee Meetings Are Open to the Public**

As an advisory committee to the Board of State and Community Corrections Board, Executive Steering Committee (ESC) meetings are to be conducted as “open meetings” in accordance with the Bagley-Keene Open Meeting Act of 2004 (OMA). Generally, the OMA requires all state bodies to publicly notice their meetings at least 10 days prior to the meeting, prepare and post the agenda where it is visible to the public, including on the Internet, accept public testimony and conduct meetings and reach decisions on their business in public unless specifically authorized by the OMA to meet in closed session. The public must also have access to all non-confidential material provided to the ESC members at or before the meeting. Therefore, the material provided in this workbook will be available for public perusal at the ESC meeting.

For more information regarding OMA, BSCC staff can provide you with [A Handy Guide to the Bagley-Keene Open Meeting Act of 2004](#), published by the California Attorney General’s Office.

Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
Brief History of Local Detention Facility Construction Funding

The Board of State and Community Corrections (BSCC) (formerly known as the Corrections Standards Authority and the Board of Corrections), has been administering local detention facility construction funding since 1980. The following briefly outlines recent years' construction funding for county jails specifically.

AB 900

On May 3, 2007, the Public Safety and Offender Rehabilitation Services Act of 2007 (also known and referred to as AB 900), became law. Up to \$1.2 billion (in two phases) was authorized in lease-revenue bond financing for county jail construction.

For Phase I, the law established that funding preference shall be given to counties that assist the state with siting state reentry facilities. Further, preference shall be given to counties that assist the state in siting mental health day treatment and crisis care for parolees, and who provide a continuum of care for parolees. Phase I of AB 900 contains financing authority of \$445,771,000 and is obligated with conditional awards to 8 counties. Under Phase I, approximately 4,335 beds will be added to California's county jail capacity.

A series of bills amended Phase II of AB 900, starting with the 2011 Realignment Legislation Addressing Public Safety (AB 111, Chapter 16, Statutes of 2011). Subsequently, AB 94 (Chapter 23, Statutes of 2011) and SB 1022 (Chapter 42, Statutes of 2012) made further amendments. Law established that funding preference shall be given to counties that committed the greatest percentage of inmates to state prison in the year 2010; and, to counties that relinquish a Phase I award and reapply in Phase II (contingent upon counties agreeing to continue to assist the state in siting reentry facilities). Funding authority in Phase II is \$774,229,000 and is obligated with conditional awards to 14 counties. Under Phase II, approximately 5,647 beds will be added to California's county jail capacity.

Please see the AB 900 Jail Construction Financing Program Project Status Update in Tab 5 for project specific information.

Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
Summary of SB 1022 Legislation and Background Information
For the Financing of County Criminal Justice Facilities

The following summary provides highlights of the SB 1022 legislation (a budget trailer bill), signed into law on June 27, 2012.

California Government Code Chapter 3.13
Financing of Adult Local Criminal Justice Facilities

\$500 million in adult local criminal justice construction financing

- to finance the acquisition, design and construction, including, without limitation, renovation.

An adult local criminal justice facility

- may include any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population consistent with the legislative intent described in sections 17.5 and 3450 of the Penal Code.
- is under the jurisdiction of the sheriff or county department of corrections, to be further defined by BSCC.

Funding preference

- shall be given to counties that are most prepared to proceed successfully with this financing in a timely manner.
- The determination of preparedness to proceed shall include, but not be limited to, counties providing documentation of adequate, available matching funds authorized by the county board of supervisors from a source or sources compatible with this financing authority as determined by the SPWB in its sole discretion.

Funding consideration shall be given to counties that

- are seeking to replace existing compacted, outdated, or unsafe housing capacity.
- are seeking to renovate existing or build new facilities that provide adequate space for the provision of treatment and rehabilitation services, including mental health treatment.

Other highlights of SB 1022

- A county's contribution shall be a minimum of ten percent of the total project costs.
- The BSCC may reduce contribution requirements for counties with a general population below 200,000 upon petition by a county to the BSCC.
- A county may only add housing capacity if the county clearly documents an existing housing capacity deficiency.
- Any county requesting to add housing capacity shall be required to certify that the county is not and will not be leasing housing capacity to any other public or private entity for a period of 10 years beyond the completion date of the facility.

- County responsibilities: acquire the site and design the facility or acquire a site or sites owned by, or subject to a lease or option to purchase held by a county. Acquisition shall include, but not limited to, acquisition of completed facilities through a build-to-suit purchase.
- Counties shall construct facility with aid of state financing.
- Counties shall operate and maintain facility at county expense.
- Counties may utilize the design-bid-build or design-build process.

State Public Works Board (SPWB)/Lease-revenue bond financing requires that

- the scope and cost of approved adult local criminal justice facility projects shall be subject to approval and administrative oversight by the SPWB.
- the ownership interest of a participating county in the site(s) for an adult local criminal justice facility must be determined to be adequate by the SPWB for purposes of its financing.
- the State will own the adult local criminal justice facility for the term of bond indebtedness (approx. 30 years).
- the SPWB will lease facility to BSCC; BSCC will sub-lease to county.
- the SPWB, BSCC, and the county shall enter into agreements that shall provide, at a minimum, performance expectations of the parties, roles and responsibilities.

Additional implications of lease-revenue bond financing

- Existing facilities that are attached to new construction will be subject to:
 - current seismic standards and
 - current fire and life safety standards.

The BSCC shall

- develop regulations and procedures that, at a minimum, address the following:
 - Consideration of cost effectiveness in determining approval or disapproval of projects;
 - Certification by a county of project site control through either fee simple ownership or comparable long-term possession;
 - Documentation of need for the project;
 - Written project proposal;
 - Submittal of a staffing plan and operational cost projections, including documentation that the jail will be safely staffed and operated within 90 days of completion;
 - BSCC may require changes in construction materials to enhance safety and security
 - BSCC approval of architectural drawings;
 - State Fire Marshal approval of architectural drawings; and
 - Final determination of environmental impact report.

SENATE BILL 1022
JUNE 27, 2012

The following is an excerpt of SB 1022 and represents the sections that are pertinent to this program: Chapter 3.13 – Financing of Adult Local Criminal Justice Facilities.

GOVERNMENT CODE SECTIONS 15820.92-15820.926

15820.92. For purposes of this chapter, "participating county" means any county, or regional consortium of counties, within the state that has been certified to the State Public Works Board (the board) by the Board of State and Community Corrections (BSCC) as having satisfied all of the requirements set forth in Section 15820.925 for financing an adult local criminal justice facility pursuant to this chapter. For purposes of this chapter, an adult local criminal justice facility may include any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population consistent with the legislative intent described in Sections 17.5 and 3450 of the Penal Code under the jurisdiction of the sheriff or county department of corrections, as may be applicable, to be further defined by the BSCC in duly adopted regulations.

(a) The BSCC, a participating county, and the board are authorized to acquire, design, and construct an adult local criminal justice facility approved by the BSCC pursuant to Section 15820.925, or to acquire a site or sites owned by, or subject to a lease or option to purchase held by, a participating county. For the purposes of this chapter, acquisition shall include, but is not limited to, acquisition of completed facilities through a build-to-suit purchase. Facilities financed pursuant to this chapter may be delivered through either a design-bid-build or a design-build process. The ownership interest of a participating county in the site or sites for an adult local criminal justice facility shall be determined by the board to be adequate for purposes of its financing in order to be eligible under this chapter.

(b) Notwithstanding Section 14951, the participating county may assign an inspector during the construction of the adult local criminal justice facility.

(c) The BSCC, a participating county, and the board shall enter into an agreement for each adult local criminal justice facility that shall provide, at a minimum, performance expectations of the parties related to the acquisition, design, and construction, including, without limitation, renovation, of the adult local criminal justice facility; guidelines and criteria for use and application of the proceeds of revenue bonds, notes, or bond anticipation notes issued by the board to pay for the cost of the approved adult local criminal justice facility; and ongoing maintenance and staffing responsibilities for the term of the financing.

(d) The agreement shall include a provision that the participating county agrees to indemnify, defend, and hold harmless the State of California for any and all claims and losses arising out of the acquisition, design, and construction of the adult local criminal justice facility. The agreement may also contain additional terms and conditions that facilitate the financing by the board.

(e) The scope and cost of the adult local criminal justice facilities shall be subject to approval and administrative oversight by the board.

(f) For purposes of compliance with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), neither the board nor the BSCC shall be deemed a lead or responsible agency and the participating county shall be the lead agency.

15820.921. Upon a participating county's receipt of responsive construction bids or design-build proposals, or a participating county's notification to the board of its intent to exercise a purchase

option, the board and the BSCC may borrow funds for project costs after the adult local criminal justice facility has been certified pursuant to Section 15820.92 from the Pooled Money Investment Account pursuant to Sections 16312 and 16313, or from any other appropriate source. In the event any of the revenue bonds, notes, or bond anticipation notes authorized by this chapter are not sold, the BSCC shall commit a sufficient amount of its support appropriation to repay any loans made for an approved adult local criminal justice facility.

15820.922. (a) The board may issue up to five hundred million dollars (\$500,000,000) in revenue bonds, notes, or bond anticipation notes, pursuant to Chapter 5 (commencing with Section 15830) to finance the acquisition, design, and construction, including, without limitation, renovation, and a reasonable construction reserve, of approved adult local criminal justice facilities described in Section 15820.920, and any additional amount authorized under Section 15849.6 to pay for the cost of financing.

(b) Proceeds from the revenue bonds, notes, or bond anticipation notes may be used to reimburse a participating county for the costs of acquisition, design, and construction, including, without limitation, renovation, for approved adult local criminal justice facilities.

(c) Notwithstanding Section 13340, funds derived pursuant to this section and Section 15820.921 are continuously appropriated for purposes of this chapter.

15820.923. In support of this state financing, the Legislature finds and declares all of the following:

(a) The county adult criminal justice system needs more housing, program, and treatment space to manage the adult offender population under its jurisdiction.

(b) Appropriate county adult criminal justice housing, program, and treatment space will enhance public safety throughout the state by providing increased access to appropriate programs or treatment.

(c) By expanding county adult criminal justice capacity, this financing will serve a critical state purpose by promoting public safety.

(d) This purpose represents valuable consideration in exchange for this state action.

15820.924. With the consent of the board, the BSCC and a participating county are authorized to enter into leases or subleases, as lessor or lessee, for any property or approved adult local criminal justice facility and are further authorized to enter into contracts or other agreements for the use, maintenance, and operation of the adult local criminal justice facility in order to facilitate the financing authorized by this chapter. In those leases, subleases, or other agreements, the participating county shall agree to indemnify, defend and hold harmless the State of California for any and all claims and losses accruing and resulting from or arising out of the participating county's use and occupancy of the adult local criminal justice facility.

15820.925. (a) The BSCC shall adhere to its duly adopted regulations for the approval or disapproval of adult local criminal justice facilities. The BSCC shall also consider cost-effectiveness in determining approval or disapproval. No state moneys shall be encumbered in contracts let by a participating county until one of the following occur:

(1) Final architectural plans and specifications have been approved by the BSCC, and subsequent construction bids have been received.

(2) Documents prepared by a participating county pursuant to paragraph (1) of subdivision (d) of Section 20133 of the Public Contract Code have been approved by the BSCC, and subsequent design-build proposals have been received pursuant to that section.

(3) The participating county has notified the board of its intent to exercise an option to purchase the completed facility pursuant to Section 15820.921.

(b) The review and approval of plans, specifications, or other documents by the BSCC are for the purpose of ensuring the proper administration of moneys and the determination of whether the adult local criminal justice facility specifications comply with law and regulation. The BSCC may require changes in construction materials to enhance safety and security if materials proposed at the time of final plans and specifications are not essential and customary as used statewide for facilities of the same security level. Participating counties are responsible for the acquisition, design, construction, staffing, operation, repair, and maintenance of the adult local criminal justice facility.

(c) The BSCC shall establish minimum standards, funding schedules, and procedures, which shall take into consideration, but not be limited to, the following:

(1) Certification by a participating county of control of the adult local criminal justice facility site through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the adult local criminal justice facility sufficient to ensure undisturbed use and possession.

(2) Documentation of the need for the adult local criminal justice facility.

(3) A written adult local criminal justice facility proposal.

(4) Submittal of a staffing plan for the adult local criminal justice facility, including operational cost projections and documentation that the adult local criminal justice facility will be able to be safely staffed and operated within 90 days of completion, as may be applicable.

(5) Submittal of architectural drawings, which shall be approved by the BSCC for compliance with minimum adult detention facility standards and that shall also be approved by the State Fire Marshal for compliance with fire safety and life safety requirements.

(6) Documentation evidencing compliance with the California Environmental Quality Act.

(7) Provisions intended to maintain the tax-exempt status of the bonds, notes, or bond anticipation notes issued by the board.

15820.926. (a) The participating county contribution for adult local criminal justice facilities financed under this chapter shall be a minimum of 10 percent of the total project costs. The BSCC may reduce contribution requirements for participating counties with a general population below 200,000 upon petition by a participating county to the BSCC requesting a lower level of contribution.

(b) The BSCC shall determine the funding criteria. Funding consideration shall be given to counties that are seeking to replace existing compacted, outdated, or unsafe housing capacity or are seeking to renovate existing or build new facilities that provide adequate space for the provision of treatment and rehabilitation services, including mental health treatment. Funding preference shall be given to counties that are most prepared to proceed successfully with this financing in a timely manner. The determination of preparedness to proceed shall include, but not be limited to, counties providing documentation of adequate, available matching funds authorized by the county board of supervisors from a source or sources compatible with this financing authority as determined by the State Public Works Board in its sole discretion. A participating county may only add housing capacity using this financing authority if the requesting county clearly documents an existing housing capacity deficiency. Any county requesting to add housing capacity using this financing authority shall be required to certify and covenant in writing that the county is not and will not be leasing housing capacity to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility.

Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
SB 1022 Legislative Intent – Programming

GC 15820.92 "...adult local criminal justice facility may include any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population consistent with the legislative intent described in Sections 17.5 and 3450 of the Penal Code..."

- PC 17.5 and 3450 – Highlights include:
 - Reducing recidivism
 - Community-based corrections programs and evidence-based practices
 - Realigning low-level felony offenders
 - Local partnerships
 - Reduce criminal justice spending and reinvest savings in strategies to increase public safety
 - Sanctions and programming encompassing custodial and noncustodial responses

GC 15820.923 "...the Legislature finds and declares all of the following: (a) the county adult criminal justice system needs more housing, program, and treatment space to manage the adult offender population under its jurisdiction. b) Appropriate county adult criminal justice housing, program, and treatment space will enhance public safety throughout the state by providing increased access to appropriate programs or treatment..."

PC 17.5 is referenced within SB 1022 (GC 15820.92) as legislative intent.

Penal Code Section 17.5:

17.5. (a) The Legislature finds and declares all of the following:

(1) The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.

(2) Despite the dramatic increase in corrections spending over the past two decades, national reincarceration rates for people released from prison remain unchanged or have worsened. National data show that about 40 percent of released individuals are reincarcerated within three years. In California, the recidivism rate for persons who have served time in prison is even greater than the national average.

(3) Criminal justice policies that rely on building and operating more prisons to address community safety concerns are not sustainable, and will not result in improved public safety.

(4) California must reinvest its criminal justice resources to support community-based corrections programs and evidence-based practices that will achieve improved public safety returns on this state's substantial investment in its criminal justice system.

(5) Realignment low-level felony offenders who do not have prior convictions for serious, violent, or sex offenses to locally run community-based corrections programs, which are strengthened through community-based punishment, evidence-based practices, improved supervision strategies, and enhanced secured capacity, will improve public safety outcomes among adult felons and facilitate their reintegration back into society.

(6) Community-based corrections programs require a partnership between local public safety entities and the county to provide and expand the use of community-based punishment for low-level offender populations. Each county's Local Community Corrections Partnership, as established in paragraph (2) of subdivision (b) of Section 1230, should play a critical role in developing programs and ensuring appropriate outcomes for low-level offenders.

(7) Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost-effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.

(8) "Community-based punishment" means correctional sanctions and programming encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity. Community-based punishment may be provided by local public safety entities directly or through community-based public or private correctional service providers, and include, but are not limited to, the following:

(A) Short-term flash incarceration in jail for a period of not more than 10 days.

(B) Intensive community supervision.

(C) Home detention with electronic monitoring or GPS monitoring.

(D) Mandatory community service.

(E) Restorative justice programs such as mandatory victim restitution and victim-offender reconciliation.

(F) Work, training, or education in a furlough program pursuant to Section 1208.

(G) Work, in lieu of confinement, in a work release program pursuant to Section 4024.2.

(H) Day reporting.

(I) Mandatory residential or nonresidential substance abuse treatment programs.

(J) Mandatory random drug testing.

(K) Mother-infant care programs.

(L) Community-based residential programs offering structure, supervision, drug treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, mental health treatment, or any combination of these and other interventions.

(9) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or post release supervision.

(b) The provisions of this act are not intended to alleviate state prison overcrowding.

PC 3450 is referenced within SB 1022 (GC 15820.92) as legislative intent.

PENAL CODE SECTION 3450:

3450. (a) This act shall be known and may be cited as the Postrelease Community Supervision Act of 2011.

(b) The Legislature finds and declares all of the following:

(1) The Legislature reaffirms its commitment to reducing recidivism among criminal offenders.

(2) Despite the dramatic increase in corrections spending over the past two decades, national reincarceration rates for people released from prison remain unchanged or have worsened. National data show that about 40 percent of released individuals are reincarcerated within three years. In California, the recidivism rate for persons who have served time in prison is even greater than the national average.

(3) Criminal justice policies that rely on the reincarceration of parolees for technical violations do not result in improved public safety.

(4) California must reinvest its criminal justice resources to support community corrections programs and evidence-based practices that will achieve improved public safety returns on this state's substantial investment in its criminal justice system.

(5) Realigning the postrelease supervision of certain felons reentering the community after serving a prison term to local community corrections programs, which are strengthened through community-based punishment, evidence-based practices, and improved supervision strategies, will improve public safety outcomes among adult felon parolees and will facilitate their successful reintegration back into society.

(6) Community corrections programs require a partnership between local public safety entities and the county to provide and expand the use of community-based punishment for offenders paroled from state prison. Each county's local Community Corrections Partnership, as established in paragraph (2) of subdivision (b) of Section 1230, should play a critical role in developing programs and ensuring appropriate outcomes for persons subject to postrelease community supervision.

(7) Fiscal policy and correctional practices should align to promote a justice reinvestment strategy that fits each county. "Justice reinvestment" is a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety. The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.

(8) "Community-based punishment" means evidence-based correctional sanctions and programming encompassing a range of custodial and noncustodial responses to criminal or noncompliant offender activity. Intermediate sanctions may be provided by local public safety entities directly or through public or private correctional service providers and include, but are not limited to, the following:

(A) Short-term "flash" incarceration in jail for a period of not more than 10 days.

- (B) Intensive community supervision.
- (C) Home detention with electronic monitoring or GPS monitoring.
- (D) Mandatory community service.
- (E) Restorative justice programs, such as mandatory victim restitution and victim-offender reconciliation.
- (F) Work, training, or education in a furlough program pursuant to Section 1208.
- (G) Work, in lieu of confinement, in a work release program pursuant to Section 4024.2.
- (H) Day reporting.
- (I) Mandatory residential or nonresidential substance abuse treatment programs.
- (J) Mandatory random drug testing.
- (K) Mother-infant care programs.
- (L) Community-based residential programs offering structure, supervision, drug treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, mental health treatment, or any combination of these and other interventions.
- (9) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or postrelease supervision.

**Board of State and Community Corrections
Steps in a Typical Local Detention Facility Construction
Request for Proposals Process**

1. The Executive Steering Committee (ESC) meets to develop the components of the draft Request for Proposals (RFP) including the rating criteria and timeline.
2. Board of State and Community Corrections (BSCC) staff writes the RFP based upon the decisions made by the ESC.
3. The draft RFP is provided to the ESC for review and input.
4. BSCC staff makes any ESC requested clarifications to the draft RFP.
5. The draft RFP is provided to state stakeholders for input on conformance with the lease-revenue bond financing process.
6. BSCC staff makes edits to the draft RFP based on state stakeholder input.
7. The final RFP is submitted to the BSCC Board for final approval.
8. The final RFP is released to the field.
9. BSCC staff holds a bidders' conference to assist counties in further clarification of the RFP components.
10. The ESC convenes for training on the proposal rating instrument and process.
11. County proposals are submitted to BSCC.
12. BSCC staff conducts a technical review of the proposals. Counties are given the opportunity to correct any technical deficiencies before the proposal is sent to the ESC.
13. Proposals are mailed to each member of the ESC.
14. In a two to four week period, ESC members independently read and rate the proposals.
15. ESC convenes for scheduled county presentations on proposals. ESC makes final ratings and ranks proposals for funding recommendations.
16. Final ESC funding recommendations are submitted to the BSCC Board.
17. The BSCC Board, at a regularly scheduled meeting, takes funding action on the rank-ordered list.

**Board of State and Community Corrections
SB 1022 Adult Local Criminal Justice Facilities Construction Program
Funding Consideration and Funding Preference**

Government Code Section 15820.926(b) reads in part:

“Funding consideration shall be given to counties that are seeking to replace existing compacted, outdated, or unsafe housing capacity or are seeking to renovate existing or build new facilities that provide adequate space for the provision of treatment and rehabilitation services, including mental health treatment.”

Note: Compacted facilities are defined as those jail facilities that are currently under a court imposed consent decree or population cap administered by the court. (See Tab 5 for list of counties.)

“Funding preference shall be given to counties that are most prepared to proceed successfully with this financing in a timely manner. The determination of preparedness to proceed shall include, but not be limited to, counties providing documentation of adequate matching funds authorized by the county board of supervisors from a source or sources compatible with this financing authority as determined by the State Public Works Board in its sole discretion.”

Following discussions with State Public Works Board staff, this preliminary information is provided to the ESC as an overview of the process for determining most prepared to proceed as it relates to a county’s documentation of adequate matching funds:

- *This preference does not need to be a mandated/hard preference; in other words, counties may choose whether to seek the funding preference.*
- *Once a rank-ordered list of evaluated proposals is established without regard to this funding preference, those counties that sought and met this preference in their proposal will be awarded first.*
- *Counties seeking the preference will be asked to provide with their proposal a Board of Supervisors’ resolution that includes, but may not be limited to, the following:*
 - *For the county’s cash match portion: specific funding source(s), legal authority for use, and authorization to use upon notice of award. Following notice of award, counties will be required to provide detailed backup documentation related to the cash match funding, to be reviewed for adequacy by the State Public Works Board staff.*
 - *For the in-kind match portion: approval to proceed with the project upon notice of award.*

Additional information for meeting this funding preference shall be outlined in the Request for Proposals.

**Board of State and Community Corrections
SB 1022 Adult Local Criminal Justice Facilities Construction Program**

**Issues Paper for the
Executive Steering Committee
March 18, 2013 Meeting**

This document provides information for the Executive Steering Committee (ESC) members to assist with the development of the SB 1022 Request for Proposals (RFP). The RFP will be used to solicit proposals from interested counties seeking a funding award for the construction of adult local criminal justice facilities. All decisions of the ESC are forwarded to the Board of State and Community Corrections (BSCC) in the form of recommendations. This document is intended as framework for discussion, and may not be an exhaustive list of issues to consider.

Scope of Work

“A participating county may only add housing capacity using this financing authority if the requesting county clearly documents an existing housing capacity deficiency.”

- **How will the ESC define “existing housing capacity deficiency”?**

Should the ESC define “existing” as meaning at the time a county submits its proposal in response to this RFP?

How does the ESC define “housing capacity deficiency”? Is it the average daily population compared to the system, or facility, rated capacity? Is it the type of housing (i.e., dormitory, single cell, double cell, special needs)?

(Note: Counties are required by BSCC regulation to submit a formal needs assessment study with their proposal if adding 25 or more beds. Further, counties are typically required in their proposals to summarize specific and key points of their needs assessment study that support their proposed project.)

For counties able to demonstrate an existing housing capacity deficiency, what projected bed needs are to be met with these construction projects?

Needs assessment data provide counties with projections of the amount of bed space needed to meet anticipated future demand (i.e., 800 beds needed in 2012; 860 beds needed in 2013; 920 beds needed in 2014; etc.). There have been funding processes that allowed counties to build the amount of beds necessary to meet reasonable, foreseeable future need (i.e., within approximately two years of anticipated construction completion) in order to avoid situations where new facilities/housing units are soon crowded after opening. In other funding processes, building for needs beyond today was not allowed, in order to maximize the number of projects funded.

Statute defines an Adult Local Criminal Justice Facility as follows: “For purposes of this chapter, an adult local criminal justice facility may include any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population consistent with the legislative intent described in Sections 17.5 and 3450 of the Penal Code...”

- **How will “program space” be defined for purposes of the RFP?**

Should it be defined as space in which offenders receive services in the form of programming or treatment to reduce recidivism?

Use of State Funds

SB 1022 allows that certain project costs, including actual construction costs, may be covered by the state financing.

- **Should the state dollars pay for the allowable project costs, or be limited to paying for actual construction costs only?**

Beyond hard construction costs, the other major project costs that may be reimbursed to counties include architectural fees and project/construction management. By way of recent history, in AB 900 Phase I the state’s financing was determined by policy to be limited to actual construction costs only, in order to spread the available funding further among a greater number of counties. In AB 900 Phase II, it was determined counties could utilize state funding for architectural fees and project/construction management services as well as actual construction costs.

Funding Set-Asides

Should there be funding set-asides for small/rural counties (200,000 or less in population), medium/suburban counties (200,001 to 700,000 population) and/or large/urban counties (over 700,000 populations)?

With only \$500 million in state financing, it is not possible to address the custody housing, program, treatment and mental health space needs for all 58 counties. AB 900 Phase I established two funding set-asides for 1) small and 2) medium/large counties. Phase II distributed the funds into three set-asides for 1) small, 2) medium and 3) large counties. Under these scenarios, the total amount of funds was divided to allow similar sized counties to compete with their counterparts for available funds (e.g., small versus small; medium versus medium; and large versus large). This ensured that funds would be available for all size counties.

Cost and Project Caps

Should the ESC set a cap on the maximum conditional award amount per proposal, or per county, from this SB 1022 funding process?

The AB 900 Phase I ESC set the maximum awards per county to \$30 million for small counties, \$80 million for medium counties and \$100 million for large counties.

AB 94 (Chapter 23, Statutes of 2011), stated that a participating county shall not receive more than \$100 million in state financing authorized in AB 900 Phase II. The AB 900 Phase II ESC set maximum awards per county – Phases I and II combined, to \$33 million for small counties, \$80 million for medium counties and \$100 million for large counties.

Should there be a limit on the number of project proposals from a county?

Each proposal submittal must be limited to one site location only (programmatic requirement), and must include program space in the construction or renovation/remodel (legislative intent).

Historically, some counties have desired to submit multiple project proposals to undertake construction or expansion of more than one county facility and/or at more than one project site location. Some past processes (such as AB 900 Phase I) have limited the number of project proposals to one from each county (due to limited amount of funds available), while other past processes (AB 900 Phase II) have allowed individual counties to submit multiple project proposals. When multiple project proposals have been allowed, each project proposal was rated separately.

Match Requirements

SB 1022 requires that a county's contribution shall be a minimum of 10 percent of the total project costs. As further specified, the BSCC may reduce contribution requirements for counties with a general population below 200,000 upon petition by the county to the BSCC requesting a lower level of contribution.

- **How shall the RFP stipulate cash (hard) versus in-kind (soft) match percentages to make up the total required?**
- **Will there be a minimum match requirement for small counties (under 200,000 population)?**

Cash and in-kind match percentages are not specified in legislation. There is historical precedence for setting specific requirements in this regard. In AB 900 Phase I small and medium counties were required to provide a minimum of 5 percent of their total match as cash, and large counties 10 percent. The remainder would be in-kind. However, AB 900 Phase II changed the precedent and the ESC allowed that any combination of cash and/or in-kind match was acceptable in order to reach the minimum required. While the Phase I and II legislation allowed for small counties to petition for a reduction in match, the ESC determined small counties would be held to a minimum of five percent match. Small counties are able to accomplish their "petition" for the reduction within their application document.

Historically cash match has included: architectural planning and design; environmental reports/mitigation; construction management; and construction costs not part of the state dollar reimbursement. In-kind match has included: the needs assessment; site acquisition/land; county administration; transition planning; and end-of-project fiscal audit.

Regional Jail or Program Facilities

With regional facility projects, how are the cost caps applied?

Although no regional jail projects have been submitted by counties to date, state financing does not preclude the construction of a regional facility – jail, or program facility as may be applicable to this SB 1022 process. AB 900 proposal solicitations required counties desiring to construct a regional facility for the purpose of housing county inmates from multiple counties, to submit one single proposal from the lead county in which the project was to be constructed. Funding limitations imposed by county cap amounts applied to the lead county.

The proposal was required to include a county Board of Supervisors' resolution from each respective county in the partnership and a copy of a Memorandum of Understanding (MOU) or Joint Powers Agreement (JPA) between the partner counties. The agreement was to clearly identify the terms, conditions, rights, responsibilities and financial obligations of all parties in sufficient detail that demonstrated that the regional facility will confine offenders from all partner counties.

**Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
County Population Estimates¹**

Large Counties (Population 700,001 +)			
County	Total Population		% Chg
	1/1/2011	1/1/12	
Los Angeles	9,847,712	9,884,632	.04
San Diego	3,115,810	3,143,429	0.9
Orange	3,028,846	3,055,792	0.9
Riverside	2,205,731	2,227,577	1.0
San Bernardino	2,046,619	2,063,919	0.8
Santa Clara	1,794,337	1,816,486	1.2
Alameda	1,517,756	1,532,137	0.9
Sacramento	1,427,961	1,435,153	0.5
Contra Costa	1,056,306	1,065,117	0.8
Fresno	936,089	945,711	1.0
Kern	844,480	850,006	0.7
Ventura	827,874	832,970	0.6
San Francisco	808,768	812,538	0.5
San Mateo	722,372	729,443	1.0

Medium Counties (Population 200,001 -700,000)			
County	Total Population		% Chg
	1/1/2011	1/1/12	
San Joaquin	689,160	695,750	1.0
Stanislaus	516,244	519,940	0.7
Sonoma	485,082	487,011	0.4
Tulare	445,183	450,840	1.3
Santa Barbara	424,732	427,267	0.6
Monterey	416,968	420,668	0.9
Solano	413,391	413,786	0.1
Placer	351,463	355,328	1.1
San Luis Obispo	270,305	271,483	0.4
Santa Cruz	263,954	265,981	0.8
Merced	257,098	258,736	0.6
Marin	253,040	254,790	0.7
Butte	220,465	221,273	0.4
Yolo	201,071	202,133	0.5

¹ State/County Population Estimates with Annual Percent Change. Released by Department of Finance May 1, 2012.

**Small Counties
(Population 200,000 or fewer)**

County	Total Population		% Chg
	1/1/2011	1/1/12	
El Dorado	180,483	180,712	0.1
Shasta	177,516	177,823	0.2
Imperial	175,712	177,441	1.0
Kings	152,533	152,419	-0.1
Madera	151,658	152,074	0.3
Napa	137,232	138,255	0.7
Humboldt	134,585	134,587	0.0
Nevada	97,944	97,182	-0.8
Sutter	94,620	95,065	0.5
Mendocino	87,712	87,572	-0.2
Yuba	72,316	72,615	0.4
Lake	64,383	63,266	-1.7
Tehama	62,985	63,177	0.3
San Benito	55,474	55,815	0.6
Tuolumne	55,048	53,834	-2.2
Calaveras	45,092	44,840	-0.6
Siskiyou	44,839	44,639	-0.4
Amador	37,571	37,120	-1.2
Lassen	34,895	34,167	-2.1
Del Norte	28,547	28,429	-0.4
Glenn	28,105	28,122	0.1
Colusa	21,552	21,690	0.6
Plumas	19,901	19,718	-0.9
Inyo	18,489	18,461	-0.2
Mariposa	17,942	17,716	-1.3
Mono	14,348	14,391	0.3
Trinity	13,738	13,722	-0.1
Modoc	9,599	9,566	-0.3
Sierra	3,182	3,152	-0.9
Alpine	1,128	1,097	-2.7

**Board of State and Community Corrections
SB 1022 Criminal Justice Facilities Construction Program
Compacted Facilities under Court-Imposed Population Caps**

**18 COUNTIES UNDER COURT-
IMPOSED POPULATION CAPS**

Adult Local Detention Facilities

COUNTIES	ADP
Los Angeles	14,564
San Bernardino	5,318
San Diego	4,630
Sacramento	4,042
Riverside	3,308
Kern	2,391
Fresno	1,918
Tulare	1,369
San Joaquin	1,150
Stanislaus	1,020
Santa Barbara	895
Merced	650
Butte	565
Placer	527
Yolo	385
Kings	361
El Dorado	319
Calaveras	67

Total 43,478

61% of the 2011 ADP

61% of the 2011 Average Daily Population

CORRECTIONS STANDARDS AUTHORITY
AB 900 PHASE I JAIL CONSTRUCTION FUNDING AWARDS
Updated March 8, 2012

Rank	County	Amount Requested	Conditional Award	Preference Points		Total Points	Jail Beds	Jail Beds Net Gain
				Reentry Siting	Parolee Services			
Medium/Large County Category								
1	San Bernardino	\$100,000,000	\$100,000,000	300	100	1200.6	1368	1368
2	San Joaquin	\$80,000,000	\$80,000,000	300	100	1162.3	1280	1280
3	Kern*	\$100,000,000	\$0	300	100	1096.7	790	0
4	Orange	\$100,000,000	\$0	300	0	1080.0	1536	0
5	Santa Barbara*	\$56,295,000	\$0	300	100	1023.8	304	0
6	San Diego	\$100,000,000	\$100,000,000	300	0	1016.1	842	842
7	Monterey	\$80,000,000	\$0	300	100	943.0	448	0
8	Los Angeles	\$100,000,000	\$0	150	0	897.9	1152	0
9	San Luis Obispo	\$25,125,630	\$25,125,630	300	0	852.4	155	155
10	San Mateo	\$100,000,000	\$0	150	0	730	506	0
11	Butte	\$30,000,000	\$0	300	50	717.2	104	0
12	Placer	\$9,389,606	\$0	0	0	597.7	220	0
13	Stanislaus	\$39,790,500	\$0	0	0	543.8	300	0
14	Merced	\$27,846,040	\$0	0	50	467.3	96	0
15	Solano**	\$61,545,000	\$61,545,000	300	0**		362	362
	SUBTOTAL	\$1,009,991,776	\$366,670,630				9463	4007
Small County Category								
1	Yolo	\$30,000,000	\$0	300	100	1043.8	157	0
2	Kings	\$30,000,000	\$0	300	100	1039.3	170	0
3	Madera	\$30,000,000	\$30,000,000	300	100	994.4	144	144
4	Calaveras	\$26,387,591	\$26,387,591	300	100	905.4	95	95
5	Tuolumne	\$30,000,000	\$0	300	100	898.6	111	0
6	Shasta	\$24,999,187	\$0	0	100	872	229	0
7	Amador	\$22,712,000	\$22,712,000	300	100	867.7	89	89
8	El Dorado	\$20,000,000	\$0	150	100	858.3	128	0
9	San Benito*	\$15,053,000	\$0	300	100	816.2	60	0
10	Sutter	\$5,990,288	\$0	0	0	505.2	42	0
	SUBTOTAL	\$235,142,066	\$79,099,591				1225	328
	TOTAL	\$1,245,133,842	\$445,770,221				10688	4335
	MAX FUNDING		\$617,119,000					
	REMAINING \$		\$171,348,779					

*These specified counties relinquished their Phase I awards to participate in Phase II.

**Phase I -- Round 2; total points n/a

**BOARD OF STATE AND COMMUNITY CORRECTIONS
AB 900 PHASE II – JAIL CONSTRUCTION FUNDING AWARDS
UPDATED SEPTEMBER 13, 2012**

GROUP 1 COUNTIES: ADMISSIONS PREFERENCE				
	ADMISSIONS RANK WITHIN COUNTY SIZE	COUNTY	AMOUNT REQUESTED	CONDITIONAL AWARD
LARGE COUNTIES	1	Los Angeles	\$100,000,000	\$100,000,000
	2	Riverside	\$100,000,000	\$100,000,000
	3	Orange	\$100,000,000	\$100,000,000
	4	Sacramento	\$100,000,000	
		Subtotal – Large Counties:	\$400,000,000	
MEDIUM COUNTIES	1	Stanislaus	\$80,000,000	\$80,000,000
	2	Tulare	\$60,000,000	\$60,000,000
	3	Santa Barbara	\$80,000,000	\$80,000,000
	4	Monterey	\$80,000,000	\$36,295,000
	5	Yolo	\$42,225,000	
	6	Sonoma	\$43,000,000	
	7	Placer	\$28,502,274	
		Subtotal – Medium Counties:	\$413,727,274	
SMALL COUNTIES	1	Kings	\$33,000,000	\$33,000,000
	2	Shasta	\$33,000,000	\$0*
	3	Sutter	\$9,741,000	\$9,741,000
	4	Madera	\$3,000,000	\$3,000,000
	5	Imperial	\$33,000,000	\$33,000,000
	6	Siskiyou	\$26,985,416	\$24,140,000
	7	Tuolumne	\$33,000,000	
		Subtotal – Small Counties:	\$171,726,416	Group 1 Awards Total: \$659,176,000
GROUP 2 COUNTIES: RELINQUISHING PREFERENCE				
Large County		Kern	\$100,000,000	\$100,000,000
Small County		San Benito	\$15,053,000	\$15,053,000
		Subtotal – Relinquishing Co.:	\$115,053,000	Group 2 Awards Total: \$115,053,000
TOTALS	20 applications		\$1,100,506,690	\$774,229,000
*Shasta County declined the AB 900 Phase II award previously provided on March 8, 2012.				

AB 900 Jail Construction Financing Program
Board of State and Community Corrections
Project Status Update – Phases I and II
Updated 01/25/13

In May 2007, AB 900 was signed into law authorizing \$1.2 billion in state lease-revenue bond financing for county jail construction, to be released in two phases (noted below as Phase I and II), in response to the critical need for increased county jail capacity to alleviate crowding and related conditions. In order to receive state financing for a jail project, each participating county must provide a portion of the project costs in matching funds. Each of the below listed counties currently holds a Phase I and/or II conditional award (total of 22 awards) through the Board of State and Community Corrections (formerly the Corrections Standards Authority) for state financing of jail construction.

PROJECTS ACTIVE IN THE STATE PUBLIC WORKS BOARD PROCESS

Outlined below are the jail construction projects that are established in the State Public Works Board approval and oversight process for capital outlay projects, a precursor to receiving state financing.

◀◀◀◀◀ **PHASE I PROJECTS** ▶▶▶▶▶

Calaveras County

Adult Detention Facility – San Andreas

This jail project consists of the construction of a new facility with 160 beds, replacing an existing 65-bed facility. Of the approximately \$36 million project costs, the State's share is up to \$26,387,591. Construction began in September 2011 and completion is anticipated in May 2013.

Madera County

County Jail – Madera

This jail project consists of renovation and expansion of an existing facility to include the addition of 144 beds at a project cost of approximately \$34 million, of which the state's share is up to \$30 million. Construction began in June 2011 and completion is anticipated in June 2013.

San Bernardino County

Adelanto Detention Center -- Adelanto

This jail project consists of the construction of a 1,368-bed expansion at an approximate cost of \$121 million, of which the State's share is up to \$100 million. Construction began in February 2011 and completion is anticipated in August 2013.

San Diego County

Women's Detention Facility – Santee

This project consists of the replacement of the existing women's detention facility, constructing 1,270 beds. Project costs are estimated at \$271 million, of which the State's share is up to \$100 million. This design-build project began construction in January 2013 and completion is anticipated in 2016.

San Luis Obispo County

Women's Jail and Medical/Mental Health/Program Building – San Luis Obispo

This project consists of constructing a replacement women's facility with 198 beds, as well as a medical/mental health/program building. Project costs are estimated at \$37 million, of which the state's share is up to \$25,125,630. This project has an estimated construction start date of 2013 with completion anticipated in 2015.

Solano County

Claybank Facility II – Fairfield

This jail project consists of the construction of a new 362-bed facility. Project costs are estimated at \$93 million, of which the state’s share is up to \$61,545,000. Construction began in July 2012 and completion is anticipated in April 2014.

◀◀◀◀◀ **PHASE II PROJECTS** ▶▶▶▶▶

Kings County

County Jail -- Hanford

This project consists of constructing a 252-bed expansion to an existing facility. Project costs are estimated at \$41 million, of which the state’s share is up to \$33 million. This project has an estimated construction start date of October 2014 with completion anticipated in April 2016.

Santa Barbara County

County Jail Northern Branch – Santa Maria

This proposed project consists of construction of a stand-alone 376-bed facility. Project costs are estimated at \$89 million, of which the state’s share is up to \$80 million. This project has an estimated construction start date of September 2015 with completion anticipated in February 2018.

Stanislaus County

Public Safety Center -- Modesto

This project consists of adding 456 beds, a security administration facility and a programs/day reporting facility at an existing jail facility. Project costs are estimated at \$89 million, of which the state’s share is up to \$80 million. This design-build project has an estimated construction start date of May 2014 and completion is anticipated in December 2016.

REMAINING PROJECTS WITH A CONDITIONAL AWARD

The projects outlined below are not yet established in the State Public Works Board approval and oversight process for capital outlay projects.

◀◀◀◀◀ **PHASE I PROJECTS** ▶▶▶▶▶

Amador County

Adult Detention Facility

Award: \$22,712,000

This proposed project consists of constructing a 165-bed replacement facility.

San Joaquin County

John J. Zunino Detention Facility

Award: \$80,000,000

This proposed project consists of an addition of 1,280 beds to the existing facility.

◀◀◀◀◀ **PHASE II PROJECTS** ▶▶▶▶▶

Imperial County

Medium Security Detention Facility

Award: \$33,000,000

This proposed project consists of construction of a 232-bed facility.

Kern County

Justice Facility

Award: \$100,000,000

This proposed project consists of construction of a new 790-bed facility.

Los Angeles County

Pitchess Detention Center Women's Village

Award: \$100,000,000

This proposed project consists of construction of a 1,024-bed facility.

Madera County

County Jail

Award: \$3,000,000

This proposed project consists of remodeling an existing facility to add one special use medical bed and construct a kitchen.

Monterey County

County Jail

Award: \$36,295,000

This proposed project consists of constructing a 288-bed addition to the existing facility.

Orange County

James A. Musick Facility

Award: \$100,000,000

This proposed project consists of constructing a stand-alone 512-bed facility.

Riverside County

Indio Jail

Award: \$100,000,000

This proposed project consists of expanding and renovating an existing facility, adding 1,250 beds.

San Benito County

County Jail

Award: \$15,053,000

This proposed project consists of adding 60 beds to the existing facility.

Siskiyou County

County Jail #2

Award: \$24,140,000

This proposed project consists of constructing a stand-alone 150-bed facility.

Sutter County

County Jail

Award: \$9,741,000

This proposed project consists of expanding and renovating an existing facility, adding 42 beds.

Tulare County

South County Detention Facility

Award: \$60,000,000

This proposed project consists of constructing a stand-alone 514-bed facility.



AN OVERVIEW OF THE BOARD OF STATE AND COMMUNITY CORRECTIONS

Effective July 1, 2012, Senate Bill (SB) 92 established the Board of State and Community Corrections (BSCC) as an independent entity to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, including providing technical assistance and coordination to local governments related to realignment. This reflects the principle of aligning fiscal policy and correctional practices, including prevention, intervention, suppression, supervision, and incapacitation to promote a justice investment strategy that fits each county and is consistent with the integrated statewide goal of improved public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations. The BSCC is also required to collect, maintain, and make publicly available data and information about state and community adult and juvenile correctional policies, practices, capacities, and needs; and to develop useful reports for the BSCC, Legislature, state, counties, academia community, and public.

Specifically, SB 92 (Chapter 36, Statutes of 2011), the fiscal year (FY) 2011-12 and FY 2012-13 State Budget Act, and various FY 2012-13 budget trailer bills made the following changes:

- Abolished Corrections Standards Authority (CSA) within California Department of Corrections and Rehabilitation (CDCR) and established the BSCC as an independent entity reporting to the Governor's Office.
- Created a 12-member Board.
- Subjected the Governor's appointment of the BSCC Executive Director to Senate confirmation.
- Transferred the powers and duties of the CSA to the BSCC. This includes developing and maintaining standards for the construction and operation of local jails and juvenile detention facilities; developing and maintaining standards for the selection and training of state and local corrections personnel; administering grant programs that respond to facility construction needs, and juvenile crime and delinquency; and conducting special studies relative to the public safety of California's communities.
- Transferred specified grants and duties from the California Emergency Management Agency (CalEMA) to the BSCC.
- Eliminated the California Council on Criminal Justice, and assigned its powers and duties to the BSCC.
- Abolished the Office of Gang and Youth Violence Policy and transferred all powers and authority formerly exercised by that office to the BSCC.
- Transferred the standards setting responsibility for state corrections personnel.
- Defined additional data collection and analysis responsibilities, including the development and implementation of first phase baseline and ongoing data collection instruments to reflect the local impact of Chapter 15 of the Statutes of



2011, specifically related to dispositions for felony offenders and post-release community supervision.

- Required the BSCC to collect community corrections plans, and commencing July 1, 2013, annually provide a report to the Governor and the Legislature on the implementation of those plans.
- Required counties entering into an agreement with another county to house offenders to report annually to the BSCC on the number of offenders who otherwise would be under that county's jurisdiction but who are now being housed in another county's facility and the reason for needing to house the offenders outside the county.
- Commencing September 1, 2013 and annually thereafter, required the Administrative Office of the Courts to make available to the BSCC information regarding the implementation of the 2011 Realignment Legislation, including statistics for each county regarding the dispositions of felonies at sentencing and petitions to revoke probation, post release community supervision, mandatory supervision, and commencing July 1, 2013, parole.
- Required the BSCC to collect and maintain available information and data about the movement of juvenile offenders committed by a juvenile court and placed in any institution, boarding home, foster home, or other private or public institution in which they are cared for, supervised, or both, by the division or the county while they are on parole, probation, or otherwise.
- Required the BSCC to collect and maintain data related to the movement of juvenile offenders committed by a juvenile court and placed in any institution, boarding home, foster home, or other private or public institution in which they are cared for, supervised, or both, by the division or the county while they are on parole, probation, or otherwise.
- To the extent that funds are appropriated for this purpose, provided BSCC with the authority to administer the California Voluntary Tattoo Removal Program.
- Established the Gang Violence Suppression Program in the BSCC.

The BSCC is organized under an appointed Board, which is composed of 12 members, as follows:

- (1) The Chair of the BSCC, who shall be the Secretary of the Department of Corrections and Rehabilitation.
- (2) The Director of the Division of Adult Parole Operations for the Department of Corrections and Rehabilitation.
- (3) A county sheriff in charge of a local detention facility that has a rated capacity of 200 or less inmates, appointed by the Governor, subject to Senate confirmation.
- (4) A county sheriff in charge of a local detention facility that has a rated capacity of over 200 inmates, appointed by the Governor, subject to Senate confirmation.



- (5) A county supervisor or county administrative officer. This member shall be appointed by the Governor, subject to Senate confirmation.
- (6) A chief probation officer from a county with a population over 200,000, appointed by the Governor, subject to Senate confirmation.
- (7) A chief probation officer from a county with a population under 200,000, appointed by the Governor, subject to Senate confirmation.
- (8) A judge appointed by the Judicial Council of California.
- (9) A chief of police, appointed by the Governor, subject to Senate confirmation.
- (10) A community provider of rehabilitative treatment or services for adult offenders, appointed by the Speaker of the Assembly.
- (11) A community provider or advocate with expertise in effective programs, policies, and treatment of at-risk youth and juvenile offenders, appointed by the Senate Committee on Rules.
- (12) A public member, appointed by the Governor, subject to Senate confirmation.

The initial appointments to the Board expire on a staggered term beginning July 1, 2014. Subsequent appointments to the Board will serve a three-year term and members are eligible for reappointment. The Board shall select a vice chairperson who shall either be a chief probation officer or a sheriff. If any appointed member is not in attendance for three meetings in any calendar year, the Board shall inform the appointing authority, which may remove that member and make a new appointment.

The BSCC administers the following programs:

Administration, Research and Program Support Division

The Administration, Research and Program Support (ARPS) Division is responsible for providing administrative support to all of the divisions, including personnel services, business functions, program support, information technology, data collection, and research. The data (additional program requirements) and research functions are expanded and/or new to the BSCC, and staff is in the process of developing an assessment of needs based on new responsibilities specified in legislation. The BSCC is in the process of developing short-term and long-term solutions for data collection and analysis, and developing strategies to promote a justice investment that is consistent with the integrated statewide goal of improving public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations. Once the Research Unit is assembled, they will collaborate with Information Technology staff to design and develop Internet-based data collection systems to ensure reliability and validity with BSCC data and research projects.

Corrections Planning and Programs Division

The Corrections Planning and Programs (CPP) Division develops, administers, and evaluates state and federally funded programs and plans designed to improve the effectiveness of state and local correctional systems, reduce costs, maximize



resources, and enhance public safety. As part of BSCC's new responsibilities, the CPP will also serve as a resource for evidence-based, effective, and promising programs, practices, and strategies; and will provide technical assistance, consultation, and training to state and local justice system policy makers. The CPP works closely with federal, state, and local government agencies, as well as the private sector and nonprofit service providers, to foster collaborative approaches to address crime and delinquency. The CPP responsibilities include the following:

State Programs

- Juvenile Re-entry Grant: [Assembly Bill \(AB\) 1628 \(2010\)](#) – Eliminated parole services from Department of Juvenile Justice (DJJ) by July 2014, shifted supervision and aftercare for this population to the counties, and provided funding to cover local costs. BSCC's role is to consult with the Chief Probation Officers of California (CPOC) on its annual report and to audit information in the report, as needed. *Field Representative: Kimberly Bushard* **\$1,700,000.00 to 25 counties**
- Juvenile Justice Crime Prevention Act (JJCPA) Program: [Government Code §30061\(b\)\(4\)](#) – Supports probation departments and community-based programs that have proved effective in reducing crime and delinquency among at-risk youth. *Field Representative: Kimberly Bushard* **\$107,000,000.00 to 56 counties**
- Proud Parenting Program: [California State Budget Act 2012](#) – Supports community-based parenting services to young parents between the ages of 14 and 25 who are involved in the juvenile or criminal justice system to break the inter-generational cycle of violence and delinquency. *Field Representative: Ricardo Goodridge* **\$835,000.00 to 6 projects**
- Public Safety Realignment Act of 2011: [AB 109](#), [AB 117](#), and [AB 118](#) – The BSCC distributes funding allocated in the California State Budget Acts of 2011 and 2012 to assist county Community Corrections Partnerships (CCPs) with the continued development of implementation plans for realignment. The BSCC (CPP Division) annually receives plans from all counties. A portion of funding is also provided to three foundations for the purpose of providing statewide training to the counties on implementing AB 109. *Field Representative: Ricardo Goodridge* **\$7,900,000.00 to 58 counties; \$1,000,000.00 to 3 foundations (California Counties Foundation, CPOC Foundation, and California State Sheriffs' Association Foundation)**
- Youth Center/Youth Shelter (YC/YS) Program: [County Correctional Facility Capital Expenditure and Youth Facility Bond Act of 1988 \(Proposition 86\)](#), [AB 2796 \(1998\)](#), [Proposition 12 \(2000\)](#) and [AB 1740 \(2000\)](#) – Provided state funds for the acquisition, renovation, and construction of afterschool youth centers and overnight youth shelters throughout California; all funds have been disseminated. *Field Representative: Kimberly Bushard* **\$34,644,678.00 paid to date and 38 active contracts**
- Youthful Offender Block Grant (YOBG): [Welfare and Institutions Code §1961. \(funding calculation based on DJJ youth to county\)](#) – Utilizes funding for



counties to provide custody and care to youthful offenders who previously would have been committed to the CDCR's DJJ. *Field Representative: Kimberly Bushard* **\$93,000,000.00 to 58 counties**

- California Gang Reduction, Intervention, and Prevention Program (CalGRIP): California State Budget Act of 2007 – Provides funding to use a local collaborative approach for gang prevention, intervention, education, and/or suppression activities. *Field Representatives: Oscar Villegas* **\$9,215,000.00 for 20 projects)**
- City Police Departments: California State Budget Act of 2012 – Creates a new grant program for BSCC, in consultation with the Department of Finance, to allocate funding to city police departments to help mitigate budget reductions. **\$24,000,000.00 proposed to be allocated to one designated city in each county to serve as the fiduciary agent and work with local law enforcement agencies on the local distribution of the funding**
- Gang Violence Suppression Program (GVS): SB 1023 (2012) – Establishes a program of financial and technical assistance to local agencies to combat gang violence. **Direct allocation to 4 counties and 2 cities through the Special Law Enforcement Services Account**

Federal Programs

- Juvenile Accountability Block Grant (JABG): Omnibus Crime Control and Safe Streets Act, Title I—Part R, Chapter 46—Subchapter XII-(Public Law 107–273) – Provides funds to units of local government to enhance their efforts to combat serious and violent juvenile crime through accountability-based reforms. Funding amounts are based on a federal formula that takes into account local criminal justice expenditures and the level of violent crime. *Field Representative: Colleen Stoner* **\$3,234,248.00 to 36 agencies**
 - Best Practices Approach Initiative (BPAI): Supports training and technical assistance to juvenile justice agencies statewide in the implementation of evidence-based practices, programs, strategies, and principles over the course of a three-year project period. **\$1,633,750.00 to 2 statewide projects (Administrative Office of the Courts and Assessments.com)**
 - Evidence-Based Practices (EBP) Program: Provides a comprehensive and flexible funding source to probation departments to support a systems change approach in implementing evidence-based practices known to be effective in delinquency prevention with the outcome of reducing recidivism rates for youthful offenders. **\$1,800,000.00 to 8 projects**
- Title II Formula Block Grant: Juvenile Justice and Delinquency Prevention Act 1974 (Public Law 93-415) – Program supports local efforts to plan, establish, operate, coordinate, and evaluate projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and



rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system, including the Juvenile Detention Alternative Initiative (JDAI) core strategies. *Field Representative: Shalinee Hunter*
\$4,600,000.00 to 15 projects

- Disproportionate Minority Contact (DMC) Grant: Programs support a statewide systems change initiative utilizing a multi-faceted approach of direct service, education, and support to reduce the overrepresentation of youth of color coming into contact with the juvenile justice system. *Field Representative: Shalinee Hunter* **\$1,650,000.00 to 13 projects**
- Tribal Youth Grant (TYG): Supports programs operated by federally recognized tribal governments that serve at-risk youth using the beliefs and values as defined by the Gathering of Native Americans (GONA) principle. *Field Representative: Ricardo Goodridge* **\$240,000.00 to 2 projects**
- Title V Community Prevention Grant: Supports collaborative, community-based delinquency prevention efforts designed to keep at-risk youth and first-time non-serious offenders from entering the juvenile justice system. Note: Funding for this program was zeroed out for 2012. *Field Representative: Helene Zentner* **\$50,000.00 to 1 project**
- Edward Byrne Memorial Justice Assistance Grant (JAG): [Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. Section 3751\(a\) \(Public Law 109-162\)](#) – Provides states and local governments with funding to support law enforcement, prosecution, and court programs, prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, and technology improvement, and crime victim and witness programs. *Field Representatives: Daryle McDaniel* **\$19,993,136.00 to 71 projects**
- Residential Substance Abuse Treatment (RSAT): [Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. Section 3796ff-1\(e\) \(Public Law 103-322\)](#) – Assists states and local governments in developing and implementing substance abuse treatment programs in state, local, and tribal correctional detention facilities. *Field Representative: Colleen Stoner* **\$824,123.00 (new unallocated funding)**

Facilities Standards and Operations/County Facilities Construction Division

Facilities Standards and Operations

The Facilities Standards and Operations (FSO) Division works in collaboration with local corrections agencies to maintain and enhance the safety, security, and efficiency of local jails and juvenile detention facilities. Specific activities of the FSO include:

- Establishing minimum standards regarding the design and operation of local adult and juvenile detention facilities (California Code of Regulations, Titles 15 and 24).



- Conducting biennial inspections of local adult and juvenile detention facilities.
- Performing reviews of architectural plans for local detention facility construction.
- Administering the Jail Profile and Juvenile Detention Profile Surveys, which involves collecting and reporting data relative to operations and demographics of local adult and juvenile detention facilities.
- Conducting compliance monitoring pursuant to the federal Juvenile Justice and Delinquency Prevention Act.
- Providing technical assistance and training to law enforcement, probation, and corrections agencies.
- Performing special studies as directed by the Legislature, the BSCC, or at the request of constituents.

County Facilities Construction

County Facilities Construction (CFC) works in collaboration with state and local government agencies to administer state financing for county detention facility construction projects, for the purpose of enhancing public safety and conditions of confinement. Specific activities of CFC include:

- Working with other state agencies to develop construction administration processes that conform to state requirements, consider the needs of counties, and result in project completion.
- Establishing and updating minimum standards regarding the construction of local adult and juvenile detention facilities (California Code of Regulations, Titles 15).
- Providing technical assistance to enhance facility planning, design, and program administration that meets local needs, philosophies, and priorities, as well as legislative and regulatory requirements.
- Convening committees to assist in the formation of project assessment criteria and processes.
- Providing workshops and informational forums to assist in planning processes.
- Distributing funding for the construction of local detention facilities.
- Assisting counties through the publication of practical handbooks, manuals, and reports.
- Monitoring projects from inception through facility occupancy to ensure compliance with fiscal, programmatic, and regulatory requirements, as well as to assess for technical assistance needs.

Standards and Training for Corrections

The Standards and Training for Corrections (STC) Division works in collaboration with local corrections and public/private training providers in developing and administering



programs designed to ensure the competency of state and local corrections professionals. Specific activities of STC include:

- Establishing and updating minimum selection and training standards (California Code of Regulations, Title 15).
- Assisting agencies in their efforts to meet selection and training standards and monitoring state and local corrections agencies for compliance with standards.
- Developing and updating job related Core training curricula for entry-level correctional personnel.
- Administering a statewide training course certification process that includes a coordinated training delivery system.
- Providing training to corrections agencies in the areas of instructor development, curriculum design, training management, and other topical areas of need.
- Establishing and maintaining guidelines for medical, vision, and hearing screening.
- Developing and maintaining written selection examinations for entry level correctional classifications.
- Providing oversight and review of proctoring, security, and delivery procedures for selection examinations.
- Conducting studies involving the portability of selection examinations for correctional classifications.
- Providing technical assistance to Human Resource Departments regarding selection standards, examination procedures, and current best practices.
- Performing job analyses for selection and training standards and validation research for test development.
- Providing technical assistance and support to corrections agencies and training providers.
- Providing technical assistance in the areas of organizational development, strategic planning, and training needs assessments.
- Coordinating and advising regional training manager associations statewide and assisting with the planning and delivery of the Annual Training Manager's Seminar.