

**MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, SEPTEMBER 11, 2014**

Meeting held at: The Sheraton Fairplex Hotel and Conference Center
California Ballroom 1, 601 West McKinley Avenue, Pomona, CA 91768

The meeting commenced at 10:03 a.m.

Chair Linda Penner welcomed the Board Members and public to the September 11, 2014 Board of State and Community Corrections (BSCC) meeting and asked the members and the audience for a Moment of Silence in remembrance to those we lost 13 years ago on September 11, 2001.

Ms. Penner introduced and thanked Ruben Johnson, President of the California Probation, Parole and Correctional Association (CPPCA) for inviting the BSCC to hold the September 11, 2014 and the September 2015 meeting at its conferences. Ms. Penner introduced new Member Chief Probation Officer Michael Ertola, Nevada County Probation Department. Chief Ertola's appointment filled the position vacated by Adele Arnold, a chief probation officer from a county with a population under 200,000.

Ms. Maria Rodriguez-Rieger called roll and announced there was a quorum.

The following members were in attendance:

| | | | |
|-------------|---------------|----------------|---------------|
| Ms. Penner | Mr. Dean | Mr. Ertola | Mr. Budnick |
| Mr. Beard | Ms. Mauriello | Judge Pounders | Mr. Steinhart |
| Mr. Growdon | Ms. Brown | Mr. Maggard | Ms. Silbert |

ABSENCE OF BOARD MEMBERS

Mr. Stone was not present. Mr. Budnick left the meeting at 1:13 p.m., Mr. Steinhart left the meeting 1:24 p.m. and at Mr. Beard and Mr. Growdon left the meeting 2:06 p.m.

Ms. Penner announced that Kara Ueda of Best Best and Krieger was present.

CONSENT AGENDA ITEMS:

A. Board of State and Community Corrections (BSCC) July 10, 2014 Meeting Minutes. Requesting Approval.

B. Senate Bill 1022 Title 15 Construction Financing Program – Section 1712.2 Regulation Text Amendment and Certificate of Compliance Rulemaking. Requesting Approval.

This agenda item requested the Board of State and Community Corrections (BSCC or Board) to approve the submission of the final Certificate of Compliance Rulemaking and final regulation revisions for the Construction Financing Program, Title 15, California Code of Regulations (CCR).

C. Senate Bill 1022 Adult Local Criminal Justice Facilities Construction Financing Program Partial Conditional Awards Update of Tehama and Tulare Counties. Requesting Approval.

This agenda item requested the Board grant extension of the deadline for acceptance of the conditional awards to Tehama and Tulare Counties from the September 2014 BSCC Board meeting to the March 2015 BSCC Board Meeting in order to make a determination on what they would need to begin doing should they accept the conditional awards.

D. Assembly Bill 900 Phase I Jail Construction Financing Program Solano County Request for Time Extension. Requesting Approval.

This agenda item requested the Board's approval of Solano County's request for an extension to its project timetable for its current Assembly Bill (AB) 900 Phase I Jail Construction Financing Program to February 28, 2015 in order to meet the project construction completion requirement.

~~E. Assembly Bill 900 Phase I Jail Construction Financing Program Madera Scope Change to Remove Laundry. Requesting Approval.~~

This item was pulled prior to the meeting date.

F. Senate Bill 81 Local Youthful Offender Rehabilitative Facility Construction Financing Program Humboldt Scope Change. Requesting Approval.

This agenda item requested the Board's approval of Humboldt County's request to change the scope of its Senate Bill (SB) 81 Local Youthful Offender Rehabilitative Facilities Program Project by reducing the 24,600 square feet (sf) size to 19,500 sf and changing the ratio of double and single cells from 18 single- and six double-occupancy cells to six single- and 12 double-occupancy cells. The total number of beds remains unchanged.

G. Senate Bill 81 Local Youthful Offender Rehabilitative Facility Construction Financing Program Tuolumne Match Reduction. Requesting Approval.

This agenda item requested that the Board allow a match reduction to Tuolumne County's Senate Bill (SB) 81 Local Youthful Offender Rehabilitative Facilities Construction Financing Program as dictated in Welfare and Institutions Code §1976 and regulations. This match reduction request would be accomplished with no change to the project scope or increase in state dollars.

Mr. Ertola moved to adopt items A, B, C, D, E, F, and G. Mr. Steinhart seconded. The motion carried.

There were no public comments.

DISCUSSION AGENDA ITEMS:

Executive Director's Report.

Executive Director Kathleen Howard provided the following:

Napa County had submitted a request to suspend some of the work emergency standards for jail operations due to the damages to the jail during the a magnitude-6.0 earthquake which struck the North Bay on August 24, 2014, injuring more than 100 people, causing extensive damage to dozens of buildings in downtown Napa and Vallejo. Chair Linda Penner signed Napa's County's request. Two representatives from Napa County were present to provide a presentation showing the extent of the damages. The Napa County presentation was made at the end of the meeting after all the agenda items had been heard.

As mentioned at its July 2014 meeting, the BSCC had acquired some additional responsibilities which included the Mentally Ill Offender Crime Reduction Program (MIOCR) Grant, Juvenile Justice Data Working Group (AB 1468), \$500 million Adult Local Criminal Justice Facilities (SB 863), and the Development of Performance Metrics (SB 852).

Ms. Howard attended the National Forum on Criminal Justice Conference held in August 2014 in Colorado presented by the National Criminal Justice Association and the IJIS Institute. This criminal justice conference brought together leaders from federal, state, local and tribal government, and the public and private sector, to share solutions that are working across the country. It showcased programs, research and technologies that help justice practitioners and decision makers in states, local communities and tribal nations address pressing public safety issues. Keynote speakers included Piper Kerman. A Television series is based on Ms. Kerman's memoir about her experiences in federal prison, *Orange Is the New Black: My Year in a Women's Prison*.

Ms. Howard toured the Stanislaus County's Day Reporting Center (DRC), observed the DRC Class, Drug and Alcohol graduation, the Public Safety Center and El Concillio. El Concillio is a community-based reentry program that provides intensive wrap around case management services for AB 109 offenders. In addition to case management services, offenders receive assessments, referrals to community organizations, assistance with job training and housing and progress reports.

Research staff are making progress in developing the BSCC's performance metrics and clearing house responsibilities. They have had discussions and input from the Research and Data Standing Committee and on the development on the Performance Metrics.

Local Selection and Training Standards Project; this is the review and revision of correctional training standards of Adult and Juvenile correctional officers. The response to the statewide survey that went out to the field was 79 percent.

The BSCC has been working on relocating its office. It is projected the BSCC will be moving in February 2015.

Ms. Howard announced that a letter from Tuolumne County was distributed to the Members and audience at the request of Tuolumne County. The letter stated Tuolumne County's intent to pursue and outlined its intended actions with respect to the \$22,712,000 million of AB 900 – Phase I funds being relinquished by Amador County.

There were no Public Comments.

H. Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Approval to Release the Request for Proposals (RFP) to the Field and the Request for Application (RFA) to the California Department of Justice. Requesting Approval.

This agenda item asked the Board to approve the release of the 2014/15 Request for Proposals (RFP) and the Request for Application (RFA) for the Edward Byrne Memorial Justice Assistance Grant (JAG), as recommended by the JAG Executive Steering Committee.

The Board approved the release of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2014/15 Request for Proposals (RFP) and the Request for Application (RFA) with the following amendments:

- To avoid the impression that there is priority assigned to one JAG Program Purpose Area over another, delete the word “rank” from this section and replace it with a bullet list.
- To allow prospective applicants one extra weekend for development of proposals change due date from Friday, November 21, 2014 to November 24, 2014.
- Because the draft language restricted joint applications between counties to those that fell into the same category (small, medium or large), change language to allow for joint applications between one or more counties in any category, with the funding threshold to default to that of the largest county on the joint application.
- Because the population in Los Angeles County is 10 million, more than three times that of the next largest county in the category, change the funding structure to double the maximum funding threshold for Los Angeles County, while keeping it in the large county category for purposes of competition.

Public Comment was provided by: Jim Hunt, Chief of Police, LA CLEAR; Dena Johnson?; Sue Webber-Brown, Executive Director, Drug Endangered Children Training and Advocacy Center; Scott Pickwith, Chief of Police, City of La Verne; Eric Bunde, Executive Director, LA CLEAR; Susan Burton, Executive Director, A new Way of Life; Jon E. Lopey, Sheriff-Coroner, Siskiyou County; Venus D. Johnson, Deputy Attorney General, California Department of Justice; and Vic Abrunzo, Board Member and Inmate Advocate for Life Support Alliance.

Mr. Steinhart moved to adopt the amendments as stated and release the 2014/15 Request for Proposals (RFP) and the Request for Application (RFA) for the Edward Byrne Memorial Justice Assistance Grant (JAG), as recommended by the JAG Executive Steering Committee. Mr. Budnick seconded. The motion carried.

12:17 p.m. the Board recessed.

12:41 p.m. the Board reconvened.

I. Senate Bill Local Youthful Offender Rehabilitative Facility Construction Financing Program Round Two Request for Release of Request for Proposals (RFP). Requesting Approval.

This agenda item requested approval to release the Senate Bill (SB) 81 Round Two Construction Local Youthful Offender Rehabilitative Facilities Request for Proposals (RFP).

Public Comment was provided by: Michelle Newell, Senior Policy Associate, Children’s Defense Fund – California; Kyle Shilling, Executive Director, Violence Prevention Coalition; Brian Goldstein, Director Policy and Development, Center on Juvenile and Criminal Justice;

Louie Chugolla, Student, Camp Probation Program, Anti-Recidivism Coalition and Carlos Cervantes, Anti-Recidivism submitted a speaker card, but was not present during the testimony period for this item.

Ms. Brown moved to approve the release of the Senate Bill (SB) 81 Round Two Construction of Local Youthful Offender Rehabilitative Facilities Request for Proposals (RFP). Mr. Growdon seconded. The motion carried.

J. Senate Bill 863 Correctional Facilities Construction Proposed Chair and Co-Chair for the Executive Steering Committee (ESC) and Development of the ESC. Requesting Approval.

This agenda item requested the Board approve the establishment of an Executive Steering Committee (ESC) for the purpose of creating a rank-ordered list to disburse the Adult Local Criminal Justice Facility Project funding. In addition, staff requested the Board appoint a two co-chairs to serve on this committee, and to direct staff to work with the co-chairs to identify and assemble an ESC.

Public Comment was provided by: Jessica Farris, Policy and Advocacy Counsel, American Civil Liberties Union (ACLU) of Southern California and Brian Goldstein, Director Policy and Development, Center on Juvenile and Criminal Justice.

Ms. Mauriello moved to approve the establishment of an Executive Steering Committee for the Senate Bill 863 Correctional Facilities Construction for the purpose to create a rank-order list to disburse the Adult Local Criminal Justice Facility Project funding; appoint Member Dean Growdon and San Luis Obispo County Sheriff Ian Parkinson as Co-Chairs; direct staff to work with Co-Chairs to assemble the committee; approve Stanislaus County Sheriff Adam Christensen as a member of the ESC; direct the Co-Chairs to convene the ESC to initiate the development of the grant process and timeline. Judge Pounders seconded. The motion carried.

Chair Penner called for a vote on the motion; to appoint Member Dean Growdon as Chair of the Executive Steering Committee for the Senate Bill 863 Correctional Facilities Construction for the purpose to create a rank-order list to disburse the Adult Local Criminal Justice Facility Project funding. The members voted at follows:

| Member | Aye | No | Abstained | Absent during Vote |
|----------------|-----|-----|-----------|--------------------|
| Ms. Penner | X | | | |
| Mr. Beard | | X | | |
| Mr. Growdon | | | X | |
| Mr. Dean | | X | | |
| Ms. Mauriello | X | | | |
| Ms. Brown | X | | | |
| Mr. Ertola | X | | | |
| Judge Pounders | X | | | |
| Mr. Maggard | | X | | |
| Mr. Budnick | | | | X |
| Mr. Steinhart | | | | X |
| Ms. Silbert | | X | | |
| Mr. Stone | did | not | attend | meeting |

K. Funding Recommendation for the Federal Title II Formula Block Grant Monies Focused on reducing Racial and Ethnic Disparities (R.E.D.) within the Juvenile System. Requesting Approval.

This agenda item requested conditional Board approval of grant awards for the Reducing Racial and Ethnic Disparity (R.E.D.) grant funding as recommended by the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) and Executive Steering Committee (R.E.D. Subcommittee). This is a four-year grant program using approximately \$1 million in Title II Formula Block Grant Funds. The conditional approval is contingent upon staff's negotiations with the four applicants to ensure each budget aligns with federal and state fiduciary constraints.

Ms. Mauriello moved to conditionally approve the State Advisory Committee on Juvenile Justice and Delinquency Prevention's and Executive Steering Committee's proposed recommendations for grant awards for the Reducing Racial and Ethnic Disparity (R.E.D) grant and that the conditional approval is contingent upon staff's negotiations with the four applicants to ensure each budget aligns with federal and state fiduciary constraints. Ms. Brown Seconded. The motion carried.

L. Mentally Ill Offender Crime Reduction Grant Program Executive Steering Committee and Appoint a Chair and Co-Chair. Requesting Approval.

This agenda item requested permission to create an Executive Steering Committee (ESC) to oversee the development of a Request for Proposals (RFP) to award local assistance funds for the Mentally Ill Offender Crime Reduction (MIOCR) Grant Program. Staff also requested the Board approve the appointment of Sheriff Sandra Hutchens of Orange County and Chief Probation Officer Michelle Brown of San Bernardino County to serve as Co-Chairs of the ESC to oversee the process and to work with staff to assemble and convene the ESC in early November 2014.

Public Comment was provided by: Jessica Farris, Policy and Advocacy Counsel, American Civil Liberties Union (ACLU) of Southern California.

Mr. Dean moved to authorize the establishment of a Mentally Ill Offender Crime Reduction (MIOCR) Grant Program Executive Steering Committee (ESC) to oversee the development and release of the MIOCR RFP; appoint Sheriff Sandra Hutchens of Orange County and Member Michelle Brown to serve as the Co-Chairs of the ESC; direct staff to work with the Co-Chairs to assemble and convene an ESC of subject-matter experts; and approve the activities and tentative timeline associated with the RFP. Ms. Mauriello seconded. The motion carried.

M. Juvenile Justice Data Workgroup Proposed Membership. Requesting Approval.

This agenda item requested permission from the Board to establish the Juvenile Justice Data Working Group (JJDWG); approval of Member David Steinhart to Chair the JJDWG; Stanislaus County Probation Chief Jill Silva to serve as Vice-Chair; and for staff to work with the Chair and the Vice-Chair to convene a kick-off meeting to establish a work plan and appoint subcommittees as needed consisting of outside experts and practitioners to inform the work of the JJDWG.

Public Comment was provided by: Michelle Newell, Senior Policy Associate, Children's Defense Fund – California; Jessica Farris, Policy and Advocacy Counsel, American Civil Liberties Union

(ACLU) of Southern California; and Brian Goldstein, Director Policy and Development, Center on Juvenile and Criminal Justice.

Mr. Budnick moved to Appoint Member David Steinhart as Chair of the Juvenile Justice Data Workgroup (JJDWG), and Stanislaus County Chief Probation Officer Jill Silva to serve as Vice-Chair; Allow the Chair and Vice-Chair to identify up to two additional JJDWG members, upon agreement with BSCC executive staff without additional Board approval. This flexibility would allow the working group to bring additional expertise into the group based on further needs identified as the project goes forward; direct the Chair and Vice-Chair to convene a kick-off meeting to establish a work plan and appoint subcommittees as may be needed involving outside experts and practitioners to inform the work of the JJDWG. Ms. Silbert seconded. The motion carried.

N. Assembly Bill 900 Phase I Jail Construction Financing Program Amador County’s return of \$22.7 million. Requesting Approval.

Amador County had formally relinquished its Assembly Bill (AB) 900 Phase 1 Local Jail Construction Financing Program funding award. This agenda item requested the Board acknowledge and accept the County’s relinquishment.

Public Comment was provided by: Jon E. Lopey, Sheriff-Coroner, Siskiyou County; Mike Boudreaux, Sheriff, Tulare County; Mary Lindsay, Assistant County Administrative Officer, Tulare County; Bill Goodwin, Chief Administrator, Tehama County; Jim Mele, Sheriff, Tuolumne County; Angela Chung, Juvenile Justice Policy Assoc., Children’s Defender Fund, California.

Judge Pounders moved to acknowledge Amador County had declined its AB 900 Phase 1 Local Jail Construction Financing Program award. Mr. Growdon seconded. The motion carried.

Ms. Howard indicated that staff would seek legal advice on the reallocation of the funds, and that the Board would receive an update at the November 2014 meeting.

O. Proposed 2015 Board of State and Community Corrections Meeting Schedule. Requesting Adoption.

This item requested the adoption of the proposed 2015 Board of State and Community Corrections meeting schedule. Five meetings for calendar year 2015 were proposed as follows:

| | | | |
|----------|-----------|----|------|
| Thursday | February | 12 | 2015 |
| Thursday | April | 9 | 2015 |
| Thursday | June | 11 | 2015 |
| Thursday | September | 17 | 2015 |
| Thursday | November | 12 | 2015 |

Ms. Silbert offered to host the June 11, 2015 meeting at the Delancey Street Foundation located in San Francisco, CA. The California Probation, Parole and Correctional Association (CPPCA) invited the BSCC to hold its September 2015 meeting in Pomona, CA at the its 2015 Training Conference.

Ms. Mauriello moved to accept the proposed 2015 Board of State and Community Corrections Meeting Schedule, accept Ms. Silbert’s offer to hold the June 2015 meeting at

Delancey Street Foundation in San Francisco, CA and the CPPCA's invitation to hold the September 2015 meeting at its Conference in Pomona, CA. Judge Pounders seconded. The motion carried.

There were no Public Comments.

PUBLIC COMMENTS

Lenard Vare, Director, Napa County Department of Corrections and Larry Florin, Director, Napa County Housing and Intragovernmental Affairs, provided a presentation on the damages made and what is being done in Napa as a result of a magnitude-6.0 earthquake that struck the North Bay on August 24, 2014, injured more than 100 people, caused extensive damage to dozens of buildings in downtown Napa and Vallejo. The presentation included photos of some of the severe damages to the Napa County Jail.

Chair Penner asked if there were any comments on issues not on the agenda.

Jessica Farris, Policy and Advocacy Counsel, American Civil Liberties Union (ACLU) of Southern California requested that the Board clarify its processes for appointing Chairs and Members to Executive Steering Committees. The BSCC will draft a policy for presentation and approval to the Board at its November 13, 2014 meeting.

Vic Abrunzo, Board Member & Inmate Advocate for Life Support Alliance, asked questions about specific allocations in the 2014-15 Recidivism Reduction Fund. Ms. Howard requested that he follow up with his questions in writing.

Hearing no further comments the meeting was adjourned.

Next meeting: November 13, 2014

Meeting adjourned at 2:27 pm.

Respectfully submitted,

Originally signed by

MARIA RODRIGUEZ-RIEGER
Executive Assistant
Board of State and Community Corrections

ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Ms. Penner, Chair, Board of State and Community Corrections
Mr. Beard, Secretary, California Department of Corrections and Rehabilitation
Mr. Growdon, Sheriff, Lassen County Sheriff's Department

Mr. Dean, Sheriff, Ventura County Sheriff's Department
Ms. Mauriello, County Administrative Officer, Santa Cruz County
Ms. Brown, Chief Probation Officer, San Bernardino County Probation Department
Mr. Ertola, Chief Probation Officer, Nevada County Probation Department
Judge Pounders, Retired Judge of Los Angeles County
Mr. Maggard, Chief of Police, City of Irvine Police Department
Mr. Budnick, Founder, The Anti-Recidivism Coalition
Mr. Steinhart, Director, Juvenile Justice Program Commonwealth
Ms. Silbert, CEO and President, Delancey Street Foundation

BSCC Staff

Kathleen Howard, Executive Director
Tracie Cone, Communications Director
Maria Rodriguez-Rieger, Executive Assistant
Robert Takeshta, Deputy Director, Admin. and Research
William Crout, Deputy Director, CPP
Allison Ganter, Deputy Director, FSO
Evonne Gardner, Deputy Director, STC
Robert Oates, Project Director III, CPP
Michael Scott, Project Director II, CPP
Lenard LaChappell, Project Director II, CPP
Colleen Curtin, Field Representative, CPP
Daryle McDaniel, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Antonio Esmael, Associate Information System Analyst, IT
Dean Brown, Assistant Information Systems Analyst, IT