

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
TELECONFERENCE SPECIAL SESSION
Wednesday, September 25, 2013

Teleconference meeting held at: 660 Bercut Drive, Sacramento, CA 95811

Remote Teleconference Participation Sites:

4700 Warner Blvd.
Burbank, CA 91522

175 W. Fifth Street, 4th Floor
San Bernardino, CA 92415

4700 Ramona Blvd.
Monterey Park, CA 91754

600 Embarcadero
San Francisco, CA 94107

The meeting commenced at 10:12 a.m.

Chair Linda Penner welcomed the Board Members and public to the September 25, 2013 Teleconference Special Session Board of State and Community Corrections (BSCC) meeting.

Ms. Penner announced that the meeting was being held at a number of sites by teleconference with locations being at Sacramento, Member Scott Budnick in Burbank, Member Baca in Monterey Park, Member Brown in San Bernardino, and Member Silbert in San Francisco.

Ms. Penner called roll. Ms. Penner announced that in addition, present on the dais was Mr. Curtis Hill, Executive Officer (A) for the BSCC. Ms. Penner introduced Kara Ueda, legal counsel of Best Best & Krieger, representing the BSCC for the purpose of this meeting and conflicts.

Ms. Penner stated that there had been a number of concerns from the members and the audience regarding member conflict as a result the BSCC consulted with outside counsel. Between the September 12, 2013 BSCC meeting and this meeting, all the members were surveyed in reference to conflicts with the FY 2013 Edward Byrne Memorial Justice Assistance Grant (JAG).

As a result of the survey it was determined that three members had conflicts, Leroy Baca, Dean Growdon, and Adele Arnold. Ms. Penner announced that attendance had been taken and asked legal counsel to concur that there was a quorum without utilizing the Rule of Necessity. Ms. Ueda concurred and added that the three members who were identified as having conflicts was due to their specific roles and positions with their respective agencies and their departments in terms of their potential to receive funding as a result of the grant funding.

Mr. Steinhart had concerns as to proper process, and asked if members who were present and had been indentified as having conflicts, should recuse themselves. Ms. Penner agreed and invited the members that were present at the meeting and had been announced as having conflicts, recuse themselves and state their conflict. Member Baca had concerns that members recusing at this meeting would disqualify them at future meetings and asked that the agenda item be separated out so that those members having conflicts could vote on the sections of the item that they did not have conflicts. Ms. Penner stated that this item was not going to be bifurcated and would be handled as any other agenda item as it was handled at the previous meetings where members that were conflicted were not allowed to vote on the item. After some discussion, and

addressing Mr. Baca’s concerns, Mr. Baca accepted the recusal. Mr. Maggard agreed to recuse per the advice of legal counsel and asked if the Board could be provided with information on legislative fixes that were discussed at the previous meeting. Ms. Penner stated that by following the advice of counsel in moving the item forward she was also protecting the Board’s integrity and transparency and that there was no fix for this item at this meeting with the exception to accept legal counsel’s advice. Mr. Growdon was not asked to recuse as he was not in attendance. Ms. Silbert stated that she asked to be placed on the Gang Taskforce Committee at the last meeting. Ms. Penner stated that the Gang Taskforce Committee was not on the agenda at this meeting and would not be discussed. Mr. Baca and Mr. Maggard signed off from the meeting. Prior to signing off it was confirmed that there were no members of the public present at the Monterey Park site.

The following members were in attendance at the following remote telephonic location sites:

Sacramento	Burbank	Monterey Park	San Bernardino	San Francisco
Ms. Penner	Mr. Budnick	Mr. Baca	Ms. Brown	Ms. Silbert
Mr. Stone		Mr. Maggard		
Ms. Mauriello				
Judge Pounders				
Mr. Steinhart				

ABSENCE OF BOARD MEMBERS

Mr. Beard, Mr. Growdon, and Ms. Arnold had prior commitments. Mr. Baca and Mr. Maggard signed off from the meeting and concluded the call at 10:48 a.m.

Ms. Penner introduced Field Representative Daryle McDaniel to present the item on the agenda.

DISCUSSION AGENDA ITEM:

REQUESTING APPROVAL TO DEVELOP THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) FOUR-YEAR STRATEGY

(AGENDA ITEM A)

This agenda item requested the Board of State and Community Corrections (BSCC) to approve the spending plan for the federal fiscal year (FY) 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) program funds for the State of California. Each year, the BSCC, as the state administering agency, receives an allocation from the federal Bureau of Justice Assistance (BJA) to administer the JAG program. California’s JAG allocation for FY 2013 is \$19,776,740, which represents the amount of funding available for one fiscal year. The BSCC can retain up to ten percent of the total funds available to cover the costs of administering the JAG program.

Staff recommended the following:

1. The Board approve the BSCC to retain eight percent for the FY 2013 JAG statewide allocation for administrative costs.
2. The Board approve the funding for the current BSCC JAG funded programs and the Cal-YOR program for FY 2013 as was presented by attachment C.

Prior to voting on the motion, Ms. Penner invited public comments and announced that there would be a two minute limit for each testimony heard. Testimonies were heard from Mitch Brown, Director of Training, Drug Endangered Children Training and Advocacy Center, Tom Allman, Sheriff, Mendocino County, John Ruffcorn, Chief of Police, Auburn Police Department, Jacob Ramirez, San Jose Conservation Corps, Ignacio Hernandez, California Youth Build Coalition, David King, L.A. Impact, Jon Lopey, Sheriff, Siskiyou County, Ron Lawrence, Chief of Police, City of Rocklin & California Police Chiefs Association, Bruce Hanley, Sheriff, Trinity County, Tom Bosenko, Sheriff, Shasta County and Shasta Interagency Narcotics Task Force Chair, and on behalf of John D'Agostini, Sheriff, El Dorado County, Dennis Garcia on behalf of Homeboy Industries, Kirk Andrus, District Attorney, Siskiyou County, Ignacio Hernandez, on behalf of Janice Hodge, Pave the Way, Kurt Svarox, Captain, City of Gilroy Police Department, Larry Jones, Sheriff, Glenn County Sheriff's Office, and Danielle Ayers, Task Force Commander, Department of Justice.

Members discussed a variety of options for the JAG funding, one of which was changing the grantee award period from October through September to the state fiscal year (July through June). Field Representative, Helene Zentner explained the implementation of alternative award periods would not be feasible due to the timing of the federal JAG award release to the state for disbursement.

Judge Pounders made the motion, to continue funding for the current BSCC JAG Funded Programs and Cal-YOR Program for 2013 as shown on attachment C (provided in the Board packet), and was seconded by Mr. Stone.

Ms. Mauriello questioned the proposed allocation for Cal-YOR being less than a complete allocation. Ms. Scott stated that the proposed allocation was based on Cal-YOR's prior spending patterns and that CalOES felt Cal-YOR had more money than they could spend.

A member asked if the motion included the proposed amount for Human Trafficking, Ms. Penner stated that Human Trafficking was not a part of this motion and was not included.

The motion carried. Ms. Silbert abstained and signed off concluding her call at 12:45 p.m. Ms. Mauriello was the time keeper for the testimonies.

Chief Lawrence and Sheriff Allman had voiced concerns as to the exclusions of the members earlier in the meeting. Ms. Penner addressed their concerns and explained that the exclusions were based solely on counsel's opinion of a funding conflict.

PUBLIC COMMENTS

The Chair called for public comments on any items that were not on the agenda. Hearing none, the meeting was adjourned.

Next meeting: November 14, 2013

Meeting adjourned at 12:47 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, Board of State and Community Corrections
Mr. Stone, Adult Parole Operations, California Department of Corrections and Rehabilitation
Mr. Baca, Los Angeles County Sheriff's Department
Ms. Mauriello, Santa Cruz County Administrative Office
Ms. Brown, San Bernardino County Probation Department
Hon. William R. Pounders, Retired Judge, Los Angeles County
Mr. Maggard, City of Irvine Police Department
Mr. Budnick, Anti-Recidivism Coalition
Mr. Steinhart, Juvenile Justice Program Commonweal
Ms. Silbert, Delancey Street Foundation

BSCC Staff

Curtis J. Hill, Executive Officer (A)
Maria Rodriguez-Rieger, Executive Assistant
Kara K. Ueda, Attorney, Best Best & Krieger Attorneys at Law
Robert J. Takeshta, Deputy Director, Administration and Research
Jean L. Scott, Deputy Director, CPP
Gary Wion, Deputy Director, FSO
Evonne Garner, Deputy Director, STC
Daryle McDaniel, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Shalinee Hunter, Field Representative, CPP
Colleen Stoner, Field Representative, CPP
Oscar E. Villegas, Field Representative, CPP
Ricardo Goodridge, Field Representative, CPP