

KATHLEEN T. HOWARD
Executive Director, BSCC

BOARD MEMBERS

LINDA M. PENNER
Chair, BSCC

KATHLEEN ALLISON
Secretary, CDCR

GUILLERMO VIERA ROSA
Director
Adult Parole Operations, CDCR

DEAN GROWDON
Sheriff, Lassen County

WILLIAM GORE
Sheriff, San Diego County

VACANT
CAO/ County Supervisor

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Chief Probation Officer
Sacramento County

KELLY M. ZUNIGA
Chief Probation Officer
Kings County

GORDON S. BARANCO
Retired Judge
Alameda County

ANDREW MILLS
Chief of Police
City of Santa Cruz

SCOTT BUDNICK
Film Producer and Founder of
The Anti-Recidivism Coalition

DAVID STEINHART
Director, Commonweal
Juvenile Justice Program

NORMA CUMPIAN
Women's and Non-Binary Services Manager
Anti-Recidivism Coalition (ARC)

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY, JUNE 10, 2021 BSCC BOARD MEETING

Meeting Held Via Zoom & Teleconference
Pursuant to Governor's [Executive Order N-29-20](#)

I. Call to Order

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

Chair Penner welcomed the Board Members and the public to the Zoom meeting.

Board Secretary Adam Lwin provided instructions to the Board members and the public for participating in the meeting.

Lwin called the roll and announced that there was a quorum.

The following members were in attendance on Zoom or Teleconference:

Chair Penner	Mr. Steinhart	Mr. Viera Rosa	Ms. Vernon
Mr. Gore	Ms Allison	Mr. Growdon	
Mr. Baranco	Mr. Mills	Ms. Cumpian	

ABSENT BOARD MEMBERS:

Mr. Budnick

Chair Penner announced that this is Judge Gordon Baranco's last meeting as the Judicial Council has appointed another Judge to the Board.



II. Information Items

1. COVID-19 Update:

This information item was presented by Executive Director Kathleen Howard:

[Presented on COVID data trends:](#)

- The Supplemental JPS collects select data elements on a weekly basis to track coronavirus-related impacts for local detention systems. The data consists of: Average Daily Population (ADP), Bookings, Releases, and Releases Related to COVID-19, and a significant drop-off in ADP and the lowest point occurred on the week ending 5/16/2020 with a total ADP of 50,631.
- Since the last Board update (March 27, 2021), there has been a slight decrease in ADP, going from 61,574 to 60,499.
- The BSCC COVID-19 Weekly Data Reporting survey collects select data elements on a weekly basis to track coronavirus-related impacts for local detention systems. The data includes: Testing, Confirmed Cases, Hospitalizations, Deaths, and more.
- Several counties' data were excluded from these slides because they had more than three missing reports during this time.
- These counties/facilities are Humboldt, Madera, Mendocino, Merced, Plumas, and Tehama.
- Of the counties that had 3 or fewer missing reports, some of their data have been imputed to better represent statewide trends.
- These counties/facilities are: El Dorado, Fresno, Lake, Lassen, Los Angeles, Marin, Mariposa, Monterey, Placer, Riverside, San Bernardino, San Francisco, Santa Barbara, Shasta, Sutter, Trinity, Tulare, and Tuolumne.
- total number of detained people who were confirmed positive from July 19, 2020 to May 29, 2021.
- Orange county reported 1,036 detained people tested in the week ending on January 30, 2021, then reported 2,230 the following week. And in the week after ending on February 13, 2021, Orange county reported 1,303. These increases and decreases correlate to the data seen in the "Total Number of Detained People Tested" figure above.
- The total number of detained people confirmed positive has continued to decrease since December 19, 2020. In the last eleven weeks (March 14, 2021 – May 29, 2021), no county reported any confirmed positive cases of 11 or more in seven of the last eleven weeks.
- Hospitalizations peaked in January 2021 and have declined since. In the last twelve weeks, there have been three hospitalizations reported.
- Since the start of data collection (July 19, 2020), 19 counties reported hospitalizations. Those counties who reported hospitalizations are: Butte, El

Dorado, Fresno, Imperial, Kern, Kings, Lake, Lassen, Monterey, Orange, Riverside, San Diego, San Luis Obispo, Santa Barbara, Shasta, Solano, Stanislaus, Sutter, and Tuolumne.

- Deaths: 1 death in Fresno, 6 deaths in Los Angeles, 1 death in Mendocino, 2 deaths in Orange, 1 death in Santa Barbara, and 1 death in San Diego. The last death reported is from reporting period 01/31/21 - 02/06/21.
- total number of juveniles who were tested for COVID-19 and total number of juveniles who were confirmed positive from July 19, 2020 to May 29, 2021.
- In the weeks following the last board meeting update up to March 27, 2021, the Juveniles Confirmed Positive have continued to remain relatively low.
- Howard stated that the data will be collected for a few more months and will revisit at the September meeting to see if the data is still needed.

2. Chair's Report:

Chair Penner congratulated Sheriff Dean Growdon for his installment as president of California State Sheriff's Association and thanked him for his participation on the Board.

3. Executive Director Report:

Executive Director Kathleen Howard reported on the following:

On the process of the adult regulations revisions:

- Howard stated that the virtual platform for the executive steering committee to meet and discuss as well as engage the public comment proved to be difficult.
- Howard thanked the FSO team and Chair of the committee for the work they have done.
- On May 25 the committee met virtually with many public comments. The public requested additional time for public comment.
- Public comments centered on collecting input from individuals with lived experiences and those who are currently incarcerated.
- The public comment period has been extended to July 31, 2021.
- The proposed revisions will be brought to the Board at the November 2021 meeting.

Ms. Allison and Ms. Cumpian agreed to assist in the outreach of formerly or currently incarcerated individuals.

Budget:

- Howard reported that June 15 is the deadline for the Legislature to release the budget. The May revise included several changes.
- The Governor's spring finance letter (SFL) included an increase of 14 new positions for the BSCC to enhance the inspection process and increase the frequency of inspections. The proposal was rejected by both houses of the Legislature. The Legislature did approve some aspects of the SFL which included conducting unannounced visits to local detention facilities.
- Howard said the budget is still in negotiations and is hopeful that the SFL will be approved.

Grants:

Howard stated that the May Revise and the Legislature's proposal includes:

- \$10.3 million one-time for a Gun Violence Reduction Grant Program
 - This program will support local law enforcement agencies in conducting activities related to seizing weapons and ammunitions from persons who are prohibited from possessing them
- \$18 million one-time pass-through funding for a County Resentencing Pilot Program
 - Recipients include various statewide district attorneys' and public defenders' offices
 - \$1.35 million of the \$18 million is made available to RAND Corporation for an evaluation of the pilot program
- \$30 million one-time augmentation to the Adult Reentry Grant Program
 - For re-entry, housing, and wraparound services
- \$1 million one-time pass-through funding for Statewide Gun Violence Restraining Order Training
 - Full funding will go to the San Diego City Attorney's Office
 - Funding shall be used to provide gun violence restraining training to agencies statewide beginning in 2021-22 through 2022-23
- CalVIP Budget Bill Language
 - \$200 million from May Revise was approved by the Legislature
 - Proposed language should include a 20% match for CBOs and cities

Howard said the full budget changes will be brought to the Board at the July Board meeting.

Howard mentioned that the Byrne/JAG solicitation has been received and General Counsel will provide brief information on the litigation of the grant.

Howard reported on the fees and charges of juvenile facilities which was discussed at the April Board meeting. The BSCC will develop a survey to the field and have a public

comment period. Howard thanked Board members Baranco and Steinhart for their input on the survey development.

4. Legal Update:

General Counsel Aaron Maguire reported on the following:

- Maguire mentioned litigation on the Byrne/JAG solicitation no longer contains immigration enforcement information. There is still ongoing discussions with California and the Federal Government to finalize the Byrne/JAG litigation.
- Maguire flagged conflict of interests for Board Members who may have remote interests on agenda items.

5. Legislative Update:

Legislative Analyst Adam Lwin flagged eight bills that may impact the BSCC as follows:

- [AB 653](#): Medication-Assisted Treatment Grant Program, would require the BSCC to administer the grant.
- [AB 731](#) County jails: recidivism: reports, and [AB 1474](#) Sentencing: consideration of costs, would require data and research on recidivism and the cost of incarceration.

Lwin mentioned bills that have died but may be acted upon in 2022:

- [AB 1165](#) Juvenile facilities: storage and use of chemical agents and facility staffing, which would have prohibited use or storage of chemical agent, with the exception of OC spray inside or on the grounds of a juvenile facility and use of chemical agents against those under 18 years of age.
- [SB 493](#) Local government financing: juvenile justice, by senator Bradford which would require the BSCC to include additional disaggregated information regarding race, ethnicity, and gender identity of program participants in the JJCPA reports that we collect from counties.
- Lwin stated that the Governor must sign or veto bills by October 21 and will continue to monitor bills that may impact the BSCC.

There were no public comments for Information Items 1-5

III. Action: Consent Items:

A. [Minutes from the April 8, 2021 Board Meeting: Requesting Approval](#)

Mr. Gore moved approval. Mr. Steinhart seconded. The motion was approved by all Board members.

IV. Discussion Items:

B. [Title II Grant Program, State Advisory Committee on Juvenile Justice and Delinquency Prevention \(SACJJDP\) 3-Year State Plan: Requesting Approval](#) -REVISED 6-10-2021

Field Representative Timothy Polasik presented this agenda item which requested Board approval of the Title II Grant Program Three-Year State Plan covering 2021-2023, as recommended by the State Advisory Group on Juvenile Justice and Delinquency Prevention (SACJJDP).

A typographical error was addressed by the Board members and a revised report was submitted during the meeting.

Public Comment was heard for Agenda Item C:

Dominique Nong (Children's Defense Fund): Asked to examine and replicate SACJJDP process to include community collaboration in other grants.

Miguel Garcia (Anti Recidivism Coalition): Suggested continual community input and replicate this process in other grants.

End of Public Comment

Mr. Growdon motioned approval. Mr. Steinhart seconded. Ms. Vernon recused pursuant to section pursuant to Government Code section 1091. The motion was approved by all other Board members.

C. [Senate Bill 823 Youth Programs and Facilities Grant Funding Recommendations: Requesting Approval](#)

Deputy Director John Prince presented this agenda item which requested Board approval of the Youth Programs and Facilities Grant Program (YPFG) portion of Senate Bill 823 (Chapter 337, Statutes of 2020) awards as recommended by the Executive Scoring Panel.

- This grant would award El Dorado, Fresno, and Sonoma counties the requested amounts for Part A (\$1,000,000 each) as recommended by the YPFG ESP.
- Fund 37 Counties in Part B pursuant to the distribution formula set forth by the Board's prior action and the RFA (40%, 30%, 30%) to applicant small, medium, and large counties.
- Allocate the remaining funds from Part A (\$2,000,000) to Part B and direct staff to solicit requests from counties for budget modifications for additional expenditures pursuant to the terms and conditions of the RFA.
- In the event a grantee is unable to accept the conditional grant award, authorize staff to accept relinquished awards. Further direct staff to reallocate any relinquished awards to further augment Part B.

Chair Penner thanked the scoring panel for the great work on this grant.

Mr. Steinhart thanked the scoring panel and Chair Penner for the work on this grant but was disappointed that not many counties applied.

Public Comment was heard for Agenda Item C:

Renee Menart CJCJ: Suggested that the funding should focus on programming and the pro rata funding is concerning. Asked the BSCC to create guidelines for locals on appropriate spending.

Miguel Garcia (ARC): Stated that there should be more oversight on local spending of the funds.

End of Public Comment

Mr. Steinhart moved approval. Mr. Baranco seconded. Ms. Vernon recused pursuant to Government Code section 1091. The motion was approved by all other Board members.

D. Board of State and Community Corrections Strategic Planning Process 2022-2026 Approval of Goals: Requesting Approval

Field Representative Tonya Parker-Mashburn presented this agenda item which requested approval of the organizational goals for the BSCC 2022-2026 Strategic Plan, which will be in effect for five years from January 1, 2022 to December 31, 2026.

Public Comment was heard for Agenda Item D:

Renee Menart (CJCJ): Suggested goal three to rephrase the term minimum standards and for goal four to add analyze and synthesize the data.

Brisley Martinez: Suggested that the term minimum standards should be rephrased in goal three and goal two should include more community input.

Dominique Nong: Suggested the following:

- Goal one: add community input especially from those with lived experiences and currently incarcerated individuals.
- Goal two: list of alignment goals prioritizing community-based services.
- Goal three: the term minimum standards should not be included.
- Goal four: include analysis of data that is collected and provide data easily accessible to the public.

End of Public Comment

Executive Director Howard suggested that the action should be to review public comment and revisit the strategic plan and make additional improvements.

Based on additional comments received during the Board meeting, the Board decided not to take action on Agenda Item D. The decision was to defer a motion to approve the organizational goals for the BSCC 2022-2026 Strategic Plan until the Board could review and further consider incorporating suggestions received today. A revised draft of the organizational goals as well as feedback regarding organizational objectives from the public, staff, and the management team will be brought back to the Board at the meeting scheduled for September 16, 2021, for consideration. Approval of the BSCC 2022-2026 Strategic Plan is projected for the November 18, 2021, Board meeting.

Mr. Steinhart moved approval. Ms. Cumpian seconded. All other board members approved the motion to direct staff to continue the work on the strategic plan by progressing to the second step in the process which is the development of organizational objectives.

E. [Enhanced Local Detention Facility Inspection Update: Requesting Approval](#)

Deputy Director Allison Ganter presented this agenda item and provided an update on the local detention facility inspections that have been completed in the 2020/2022 Biennial Inspection Cycle, a summary of current outstanding items of noncompliance for biennial inspections, and a summary of current outstanding items of noncompliance for targeted inspections.

Staff requested that the BSCC Board approve the format for information being reported to the Board on a regular basis and to approve that at this time no Sheriffs are being requested to appear at the next Board meeting.

Public Comment was heard for Agenda Item E:

Brian Goldstein (CJCJ): Reported concerns of noncompliance issues from Butte County jail. Requested local Sheriffs to publicly address issues of noncompliance.

End of Public Comment

Mr. Steinhart move approval. Ms. Allison seconded. Mr. Growdon abstained.
The motion was approved by all other board members.

F. [Adult Reentry Grant \(ARG\) Program, Warm Handoff Cohort II Funding Recommendations: Requesting Approval](#)

Field Representative Tanya Hill presented this agenda item which requests Board approval of the Adult Reentry Grant Program Cohort II awards as recommended by the Scoring Committee. If the proposed list of award recommendations is approved, 37 community-based organizations are eligible to receive \$17.5 million to provide warm handoff reentry services from July 1, 2021 - February 28, 2025. A list of proposals recommended for funding is provided in.

Public Comment was heard for Agenda Item F:

Christina Yee (Breakout Prison Outreach): Requested the Board fully fund their proposal and asked for reconsideration of the funding.

Sister Teresa Harpin (Restorative Partners): Thanked the Board for the funding recommendation to their agency.

End of Public Comment

Mr. Baranco moved approval. Mr. Mills seconded. The motion was approved by all board members.

G. Residential Substance Abuse Treatment (RSAT) Grant Program Funding Recommendations: Requesting Approval

Field Representative Timothy Polasik presented this agenda item which requested Board approval of the Residential Substance Abuse Treatment (RSAT) Program awards as recommended by the RSAT Executive Steering Committee. The Board approved the proposed list of award recommendations to five local adult detention facilities who will receive federal funding to provide substance-use disorder treatment and aftercare services from July 1, 2021 - June 30, 2024. This grant will fully fund \$1,839,901 to four proposals and partially fund \$160,099 to one which fell at the funding cut-off point in the ranked order list.

Mr. Steinhart moved approval. Ms. Vernon seconded. Mr. Mills recused pursuant to Government Code section 1091. All other board members approved.

Mr. Growdon thanked the staff for their work and added that this version contains a reentry component and expansion of positive new programs.

H. Proud Parenting Grant Program Request for Proposals: Requesting Approval

Field Representative Helene Zentner presented this agenda item which requested the Board approve the release of the 2022 Proud Parenting Grant Program Request for Proposals as recommended by its Executive Steering Committee.

Ms. Cumpian thanked staff and the ESC members for the work on this grant.

Ms. Allison moved approval. Mr. Steinhart seconded. Mr. Gore was not present for the vote. Ms. Vernon recused pursuant to Government Code section 1091. The motion was approved by all other Board members.

V. Public Comments

There were no public comments.

VI. Adjourn

The meeting adjourned at: 12:29 PM

Next Meeting:

❖ BSCC Board Meeting

July 15, 2021

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Ms. Allison, Secretary, California Department of Corrections & Rehabilitations (CDCR)
3. Mr. Viera Rosa, Director Division of Adult Parole CDCR
4. Mr. Growdon, Sheriff, Nevada County
5. Mr. Gore, Sheriff, San Diego County
6. Ms. Vernon, Chief Probation Officer, Kings County
7. Mr. Baranco, Retired Judge, Alameda County
8. Mr. Mills, Chief of Police, Santa Cruz County
9. Mr. Steinhart, Director, Commonweal Juvenile Justice Program
10. Ms. Cumpian, Associate Director, Women and Non-Binary Services, Anti-Recidivism Coalition

BSCC STAFF:

Kathleen T. Howard, Executive Director

Aaron Maguire, General Counsel

Tracie Cone, Communications Director

Ricardo Goodridge, Deputy Director, Corrections Planning and Grant Programs

Allison Ganter, Deputy Director, Facilities Standards & Operations

John Prince, Deputy Director, County Facilities & Construction

Adam Lwin, Board Secretary

Tonya Parker-Mashburn, Field Representative, County Facilities & Construction

Tanya Hill, Field Representative, Corrections Planning and Grants Program

Helene Zentner, Field Representative, Corrections Planning and Grants Program

Timothy Polasik, Field Representative, Corrections Planning and Grants Program