

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
THURSDAY NOVEMBER 21, 2024
10:00 A.M.
BOARD MEETING

Meeting Held In-Person, Zoom & Teleconference

2590 Venture Oaks Way
BSCC Board Meeting Room
Sacramento, California 95833

Anti-Recidivism Coalition
1320 East 7th Street Suite 260
Los Angeles, CA 90021

Lassen Probation Department
2950 Riverside Drive Suite 101
Susanville CA 96130

The full recording of the meeting can be viewed here:

<https://youtu.be/ymSMqdZrkd4>

I. Call Meeting to Order

Chair Linda Penner called the meeting to order at 10:00 a.m. and welcomed the Board members and the public to the meeting.

Penner said that member Christina Corpus resigned from the Board and thanked her for her service.

Board Secretary Adam Lwin called roll and announced that there was a quorum.

The following members were in attendance:

Chair Penner	Mr. Johnson	Mr. Haynes*	Mr. Taylor
Ms. Branning**	Ms. Gaard	Mr. Scott*	Mr. Budnick*
Ms. Cumpian**	Dr. Lai	Ms. Zaragoza*	Mr. Macomber^

* Board member attended remotely through Zoom.

**Board member attended at remote public location.

^Mr. Macomber joined the meeting at 11:19AM

II. Information Items

1. Chair's Report

Penner announced that the Speaker of the California State Assembly, Robert Rivas, has reappointed Mr. Scott Budnick to the Board.

2. Executive Director's Report

Acting Executive Director Aaron R. Maguire reported on the following:

- Maguire introduced Adrienne Winuk as the new Assistant Deputy Director of the Corrections Planning and Grants Division with 18 years of experience in grants management.
- California Violence Intervention and Prevention (CalVIP) Grant:
 - Maguire said that the BSCC is seeking a six-month extension for the CalVIP Program due to delays in expected revenue from the new excise tax and ammunition tax imposed by AB 28.
 - Will give additional time for grantees to spend down funds and implement advance payments required by the new legislation.
- In-Custody Death Review:

Maguire provided the following updates:

- Director Allison Ganter's current focus on data gathering, recruitment, and policy development.
- Collection of death incident data since July 1st, with 48 in-custody deaths reported.
- Breakdown of deaths: one homicide, three natural deaths, and four suicides.
- Development of data dashboards for public sharing via the BSCC website.
- Community listening sessions scheduled in San Diego and Northern California.
- Visits to sheriff's offices to understand current in-custody death review processes and research methods from other states.
- Recruitment progress, including hiring Michael Lee and seeking additional staff for attorney and field representative positions.
- Ongoing policy development with updates to be presented regularly to the Board.

3. Legal Update

Acting Executive Director Maguire reminded Board members to review the Agenda Items and recuse themselves from items that may have potential conflicts of interest pursuant to Government Code section 1091.

4. Legislative Update

Legislative Analyst Adam Lwin referred the Board to their reading materials.

Chair Penner called for public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed by turning closed captions on here: <https://youtu.be/ymSMqdZrkd4>. Public comment for Information Items Start: 23:57; End: 26:20.

III. Action: Consent Items

A. Minutes from the October 3, 2024, Board Meeting: Requesting Approval

B. Senate Bill 863 – (Adult Local Criminal Justice Construction) – Merced County Scope Change: Requesting Approval

This agenda item requested the Board’s approval of Merced County’s request for a scope change to clarify the project scope of the county’s Senate Bill 863 project.

C. Senate Bill 81 – (Local Youthful Offender Rehabilitative Facilities Construction) – Riverside County Scope Change: Requesting Approval

This agenda item requested the Board’s approval of Riverside County’s request for a change in project scope. Riverside County is seeking to construct new, therapeutic space to support and expand the existing Alan M. Crogan Youth Treatment and Education Facility (YTEC) (SB81, Round 1).

This new scope proposal seeks to add approximately 14,000 square feet of classroom, program, vocational training, multi-sensory rooms and a dental office to land adjacent to the existing YTEC facility. Additionally, approximately 10,000 square feet of outdoor recreational space will be added to create stationary fitness, gym, handball courts and basketball courts.

Mr. Taylor moved approval. Mr. Budnick seconded. The motion was approved by all other Board members for Agenda item A through C.

D. California Violence Intervention and Prevention (CalVIP) Grant – Cohort 4-Six-Month, No-Cost Extension: Requesting Approval

This agenda item requested the Board’s approval for a six-month no-cost contract extension for the Cohort 4 California Violence Intervention and Prevention (CalVIP) grant program. Due to an unanticipated delay in the availability of funds for Cohort 5, this extension will allow BSCC to avoid a service gap between cohorts and allow Cohort 4 projects additional time to spend down remaining funds. The approval of this action would extend the service delivery period for currently funded grantees to December 31, 2025, and the contract end date to June 30, 2026.

Mr. Johnson moved approval. Ms. Zaragoza seconded. Mr. Scott, Mr. Budnick and Ms. Cumpian recused pursuant to Government Code section 1091. The motion was approved by all other Board members for Agenda item D.

IV. Action: Discussion Items

E. Missing and Murdered Indigenous People Grant Program (MMIP) – Cohort 3 – Release of the Requests for Proposals: Requesting Approval – [PDF](#)

Field Representative Eddie Escobar presented this agenda item which requested Board approval to release a Request for Proposals (RFP) for Cohort 3 of the Missing and Murdered Indigenous People (MMIP) Grant with \$12.93 million in available funding, as recommended by the MMIP Executive Steering Committee (ESC).

Board members echoed appreciation for Member Norma Cumpian for chairing the grant and thanked staff for outreach and working on the MMIP grant.

Chair Penner called for public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed by turning closed captions on here: <https://youtu.be/ymSMqdZrkd4>. Public comment for Agenda E Start: 34:17; End: 38:01.

Mr. Scott moved approval. Mr. Taylor seconded. The motion was approved by all other Board members for Agenda item E.

F. Adult Reentry Grant (ARG) Program – Cohort 4 – Release of the Requests for Proposals: Requesting Approval – [PDF](#)

Field Representatives Katie Thompson and Lonni Jones presented this agenda item which requested Board approval to release an RFP for Cohort 4 of the Adult Reentry Grant (ARG), as recommended by the ESC. This RFP will make \$108.3 million available to eligible community-based organizations to provide warm handoff, reentry, and rental assistance programs that support individuals released from state prison.

Board members discussed the inclusion of geographic considerations in the RFP, aimed at providing funding to smaller rural counties. Staff outlined the administration of advance payments, stating that monitoring efforts will involve field representatives and fiscal teams. Grantees can repay advances incrementally, with 50% of their claims withheld towards repayment. Grantees must meet specific eligibility criteria and document their need for advance payments. A policy is being developed to ensure proper documentation and monitoring.

Ms. Gaard moved approval. Mr. Johnson seconded. Mr. Budnick, Ms. Zaragoza, and Ms. Cumpian recused pursuant to Government Code Section 1091. The motion was approved by all other Board members for Agenda item F.

G. Implementation of Assembly Bill 268 – Cardiopulmonary Resuscitation (CPR) Requirements (Section 1028 of Title 15) Adoption of Revised Regulations: Requesting Approval – [PDF](#)

Staff Services Manager II Ginger Wolfe presented this agenda item which requested Board approval to finalize the adoption of regulations related to Assembly Bill 268 (Chapter 298, Statutes of 2023), which requires, among other things, the Board to adopt regulations related to the administration of cardiopulmonary resuscitation (CPR) in local detention facilities. Specifically, this item requests final approval of the text of section 1028 of Title 15 of the California Code of Regulations and direct staff to submit final rulemaking documents to the Office of Administrative Law. Below is the modified text of Title 15 Section 1028 (Fire and Life Safety Staff) for submission to Office of Administrative Law.

- [Modified Text of Title 15, section 1028 \(Fire and Life Safety Staff\)](#)
- [Final Proposed Text of Title 15, section 1028, \(Fire and Life Safety Staff\)](#)
- [Final Statement of Reasons](#)

Chair Penner called for public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed by turning closed captions on here: <https://youtu.be/ymSMqdZrkd4>. Public comment for Agenda F Start: 1:09:23; End: 1:10:48.

Ms. Lai asked if AED devices were included in the updated regulations. Ms. Wolfe clarified that regulation was specific to the requirements of AB 268.

Mr. Johnson moved approval. Mr. Taylor seconded. The motion was approved by all other Board members for Agenda item G.

H. Standards and Training for Corrections Compliance Report and Annual Update: Information Only – [PDF](#)

Deputy Director Kasey Warmuth provided an update on compliance findings and program information for the Standards and Training for Corrections (STC) Division for Fiscal Year (FY) 2023-24. Section 318 of Title 15 of the California Code of Regulations directs the BSCC to annually monitor local correctional agency compliance with the STC Program.

- STC’s annual review found 143 agencies to be in compliance with the policy.
- Eight agencies were found to be out of compliance with the requirements of the STC Program. Five of those agencies are in their first year of non-compliance status and three agencies are out of compliance for a second consecutive year.
- All agencies found to be out of compliance for FY 2023-24 have submitted responsive corrective action plans to remedy the deficiencies in the subsequent fiscal year.
- Detailed statistics may be found below:
 - [Power Point Presentation](#)
 - [FY 2023-24 STC Program Statistics](#)
 - [FY 2023-24 Compliance Monitoring Findings](#)
 - [FY 2023-24 Out of Compliance Agencies](#)
 - [STC Compliance History](#)

I. Local Detention Facilities Inspection Update: Requesting Approval

Acting Deputy Director Steven Wicklander presented this regular update on the local detention facility inspections completed in the 2023/2024 Biennial Inspection Cycle and a summary of current outstanding items of noncompliance.

The list of outstanding items of noncompliance at adult facilities during the 2024 Annual Inspections is in attachment H-1 and can also be viewed here:

<https://app.smartsheet.com/b/publish?EQBCT=9bcd361e112546668af423a158507159>

The list of outstanding items of noncompliance at adult detention facilities during the 2023 Annual Inspections can be found here:

<https://app.smartsheet.com/b/publish?EQBCT=2ffa72a2d91b4f3bacf4d821a054d37e>

Wicklander said there are no other items of noncompliance that require immediate attention, and staff did not recommend a formal action at this time. Items of noncompliance that have been resolved.

Acting Executive Director Maguire provided an update on the Los Angeles County juvenile facilities, highlighting several key points of noncompliance and corrective action plans (CAPs) for various facilities:

- **Barry J. Nidorf:** Noncompliance issues include room confinement, grievances, and clothing exchange, with a CAP due on November 26.
- **Dorothy Kirby Center:** Submitted a CAP approved on October 28, with a resolution date of December 2.
- **Los Padrinos Juvenile Hall:**
 - **April:** Board found Los Padrinos and Barry J. Nidorf in compliance with regulations, but requested ongoing monitoring.
 - **August:** Los Padrinos was found noncompliant with Staffing (Section 1321), which resulted in lack of services, youth confinement, and missed medical appointments.
 - **October 11:** CAP due but initially unacceptable and later denied due to inadequate resolution plans and timeframes.
 - **October 14:** Formal notice sent, deeming the facility unsuitable. The facility must not be used for youth confinement after December 12 unless resolved.
 - **June 28:** Additional noncompliance with Section 1371 (Programs, Recreation, and Exercise).
 - **October 31:** Follow-up by Field Representative Lisa Southwell found continued noncompliance, with discrepancies between schedules, logs, and videos.
 - **November 8:** Notification of failure to implement CAP, maintaining the facility's unsuitable status.

Board members raised serious concerns about LA County Probation's lack efforts to comply with required standards. They questioned procedural actions if youth remained at Los Padrinos after the December 12 deadline, emphasizing the need to address noncompliance urgently. It was clarified that internal discussions are ongoing and these issues may be addressed in a future closed session.

Concerns were also expressed about the mandatory removal of youth if compliance is not achieved, with clarification that following the 60-day notice under Welfare and Institutions Code Section 209(a)(4), the facility must not be used for youth confinement.

It was explained that ongoing court orders would apply to any relocated youth, regardless of their new facility, ensuring legal obligations continue to be upheld.

Board members acknowledged that an emergency meeting might not yield new information since LA County is already aware of the situation and their obligations. They noted that the board has limited actions beyond deeming the facility unsuitable and further discussions on enforcement are needed.

The board agreed to keep their calendars open for December 12th and 13th to reconvene in closed session if necessary.

Chair Penner called for public comment. Public comment was heard; the full recording of the public comment and its transcription may be viewed by turning closed captions on

here: <https://youtu.be/ymSMqdZrkd4>. Public comment for Agenda I Start: 2:00:01; End: 2:04:10.

This item did not require a vote.

V. Public Comments

There were no public comments.

The following written comments were received and shared with the Board:

- [Written Public Comment from The Peace and Justice Law Center](#)

VI. Closed Session– Consultation with Legal Counsel Regarding Pending Litigation (Gov. Code, § 11126, subd. (e)(2)(C).)

The Board did not meet in closed session

VII. Adjourn

The meeting adjourned at: 12:09 p.m.

ATTENDANCE ROSTER

BSCC BOARD MEMBERS:

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Macomber, Secretary, California Department of Corrections & Rehabilitations
3. Mr. Johnson, Director, California Department of Corrections & Rehabilitations Division of Adult Parole
4. Mr. Taylor, Sheriff, San Benito County
5. Ms. Gaard, Retired Judge, Yolo County
6. Ms. Lai, M.D. Berkeley, Alameda County
7. Mr. Haynes, Chief Probation Officer, Fresno County
8. Ms. Branning, Chief Probation Officer, Lassen County
9. Mr. Budnick, Founder, Anti-Recidivism Coalition
10. Ms. Cumpian, Associate Director, Anti-Recidivism Coalition
11. Mr. Scott, Chief of Police, City of San Francisco
12. Ms. Zaragoza, Deputy Executive Director of Youth Justice Programs LA Room & Board

BSCC STAFF:

Aaron Maguire (A), Executive Director
Eloisa Tuitama, Staff Counsel
Jana Sanford-Miller, Director of Communications and External Affairs
Adam Lwin, Board Secretary
Collen Curtin, Deputy Director, Corrections Planning and Grant Programs
Kasey Warmuth, Deputy Director, Research and Standards & Training for Corrections
Steven Wicklander, Deputy Director, Facility Standards and Operations
Tonya Parker-Mashburn, Field Representative, County Facilities Construction
Michael Shores, Field Representative, County Facilities Construction
Eddie Escobar, Field Representative, Corrections Planning and Grant Programs
Katie, Thompson Field Representative, Corrections Planning and Grant Programs
Lonni Jones, Field Representative, Corrections Planning and Grant Programs
Ginger Wolfe, Staff Services Manager II, Facility Standards and Operations