

**MINUTES**  
**BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING**  
**THURSDAY, AUGUST 13, 2020**

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

**I. Call to Order**

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Chair Linda Penner called the meeting to order at 10:09 AM.

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

Penner administered the new Board Member Oath to Mr. Guillermo Viera Rosa, Director of the Division of Adult Parole Operations, California Department of Corrections and Rehabilitation.

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

Lwin called roll and announced that there was a quorum.

The following members were in attendance on Zoom or Teleconference:

Chair Penner	Mr. Viera Rosa	Mr. Growdon	Mr. Budnick
Mr. Seale	Mr. Ertola	Mr. Baranco	Mr. Steinhart
Mr. Gore	Mr. Mills	Ms. Cumpian	

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**ABSENT BOARD MEMBERS:**

Mr. Diaz

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## **II. Information Items**

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### **1. COVID-19 Update:**

#### **A. BSCC Dashboard**

##### **Chair's Comments:**

Chair Penner reported on the following:

COVID-19 Data Dashboard:

- In July the BSCC announced the launch of the dashboard and with cooperation and help from the counties the dashboard has published two weeks of data and is available on the BSCC's website.
- Sacramento and Tehama Counties opted not to report data to the BSCC.

Executive Director Kathleen Howard reported on the following:

- Data elements of the COVID-19 Dashboard include:
  - ❖ Facility population
  - ❖ Number of incarcerated people who have been tested for COVID-19
  - ❖ Number of positive tests that were returned
  - ❖ Number of incarcerated people who have been hospitalized
  - ❖ Number of those who have recovered
  - ❖ Number of deaths
  - ❖ Number of staff tested
  - ❖ Number confirmed positive tests
  - ❖ Number of cases that have been resolved
- Data are updated each Friday.
- Values between one and ten are reported as "< 11." This method is consistent with the California Health and Human Services data de-identification guidelines. These guidelines are intended to assist in ensuring that data reporting complies with the requirements of the California Information Practices Act and Health Insurance Probability and Accountability Act.

**Chair Penner added:**

- Reporting cumulative data to date was a challenge for counties as they are handling many other issues related to COVID-19 response.
- The data definitions have not been released to the field until two weeks ago, which raised concerns for cumulative numbers to be collected accurately.
- The focus of the dashboard is to provide information about health status, outcomes, and population.
- The information the dashboard provides has to do with what is happening day-to-day (or week to week) with COVID-19 in the facilities. The weekly data reporting meets that goal.

Board Members had a discussion on understanding, collection, and limitations of the data.

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**B. CESF Update From CDCR**

Jessica Fernandez (CDCR-Division of Rehabilitative Programs (DRP)) provided an updated on the progress CDCR has made with the \$15M in Coronavirus Emergency Supplemental Funding (CESF) that was allocated at the July 2020 Board meeting:

- Overview of how the DRP provides services to the released population via the Standardize Treatment for Optimized Programming (STOP) network.
- Distribution of Coronavirus Emergency Supplemental Funding.
  - Funding is allocated according to the percentage of releases to each program area.
  - At any given time, CDCR could fund approximately 534 individuals enrolled in emergency housing services.
  - Over the fiscal year CDCR could provide Emergency Housing to approximately 6,000 participants.
- Use of current network of Community Based Organizations to address the emergent needs of the releasing population.

Oversight and monitoring services:

- DRP will provide oversight of the funding being used to fund Emergency Housing by:
  - Extracting data from the Automated Reentry Management System (ARMS) to track referrals, placements, and lengths of stay.
  - Monitoring the rates of Community Based Organizations as additional capacity is added to the current network.
  - Monitoring monthly reimbursements to each Community Based Organization via invoice process.

Community Based Organizations:

- CBOs provide services directly to the releasing population.
- There are approximately 500 CBOs in the STOP network.
- 269 CBOs will be leveraged to provide services to people being released in need of Emergency Housing services.

STOP Program works by:

- Contracts are awarded using the state's competitive bid process.
- The direct contracts require the Contractor to establish, maintain, and provide oversight to Community Based Organizations, who provide services directly to the releasing population.
- Services include:
  - Non-Medical Detox
  - Licensed Residential Treatment
  - Recovery and Reentry Housing
  - Outpatient Services
- Using Reentry Housing to provide Emergency Housing services to releasing population.
  - Any individual released from an institution after July 1, 2020 who has identified a need for housing is eligible for Emergency Housing.
- Adding new capacity in identified areas.
- Working with stakeholders such as Probation departments and county health departments to identify trends and needs in respective areas.

Implementation:

- Since mid-July DRP has:
  - Distributed funds via contract amendments.
  - Implemented A state-wide referral/placement procedure.
  - Conducted regional calls with Probation and STOP contractors to increase capacity in identified areas.

- Developed internal procedures to track daily number of referrals, placements, and utilization of emergency housing.
- has placed 100 released individuals in Emergency Housing services since August 1, 2020.

Board Members discussed the specifications of the programs, monitoring, and providers.

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### **3. Executive Director Report & Legislative Report:**

#### **C. BSCC inspections, training compliance, and grants**

Howard reported on the following:

- The biennial inspection cycle for 2018-2020 has completed.
- In-person inspections have begun on a case by case basis based on travel restrictions, employee safety, and PPE availability.
- At the September Board meeting the BSCC will discuss the summary of the 2018-2020 cycle and as well as provide information on the enhanced inspection process.
- The adult title 15 and 24 regulations revisions process will continue on Zoom and will be scheduled in the near future.
- CPGP is currently handling grant modification requests and no-cost extensions and currently assisting grantees.
- STC is continuing to conduct remote compliance reviews.

### **5. Legal Update:**

General Counsel Aaron Maguire reported on the following:

Reminded Board members who might have remote interest on the grant items during the funding discussions to recuse themselves pursuant to Government Code section 1091.

Edward Byrne Memorial Justice Assistance Grant (JAG):

In July 2020, the 9<sup>th</sup> Circuit determined that the federal government cannot impose additional requirements to the Byrne/JAG funding in the case of San Francisco County and City vs. United States, which included the State of California. This also includes funding for Title II and the RSAT program from 2017, 2018 and 2019 grant funding.

Maguire will continue to update the board as the case progresses.

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*Public Comment was heard for the Information Items:*

**Avalon Edwards (Starting Over Inc.):** Requested emergency in-person inspections of local detention facilities. Recommended a revision of guidelines of COVID-19 data dashboard with cumulative data.

**Renee Menart (CJCJ):** Suggested that in-person inspections should be completed in the field. Also suggested BSCC re-administer guidelines for local county facilities.

**Miguel Garcia (ARC):** Asked that the CESF funds be allocated to CBOs. Asked for a revision of guidelines on COVID-19 tests and discharge of incarcerated persons.

**Karen McDaniel (Place for Grace):** Asked how information is being disseminated to probation, parole and local institutions about beds availability.

**Brian Goldstein (CJCJ):** Requested cumulative data on COVID-19.

**Dominique Nong (CJCJ):** Requested release of new or updated guidelines to protect staff and incarcerated individuals on COVID-19.

Board members and CDCR representatives discussed the number of available beds and the reentry needs for individuals coming out of state prison.

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*End of Public Comment*

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**Action: Consent Items:**

**A.** Minutes from the following Board Meetings:

- [June 11, 2020](#)
- [July 16, 2020](#)

**Requesting Approval**

Mr. Gore moved approval. Mr. Growdon seconded. The motion carried.

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## Discussion Items

B. [Standards for Training in Corrections \(STC\): Carotid Hold Training Certification Prohibition: Requesting Approval](#)

Deputy Director Evonne Garner presented Agenda item B.

**The Board approved the following:**

- Permanently revoke certification of the courses that have been suspended;
- Prohibit the certification of courses that include carotid hold training;
- Require staff to conform STC's policy manuals for agencies and training providers to include language to directing that carotid hold training cannot be included in certified courses.

Mr. Mills moved approval. Mr. Ertola seconded. The motion carried.

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C. [Adult Reentry Grant Program, Rental Assistance Funding Recommendations: Requesting Approval](#)

Field Representative Tanya Hill presented Agenda item C.

**The Board approved the following:**

- Award funding to the ranked-order list of proposals as recommended by the ESC for the ARG.
- Fund the ranked-order list of proposals
- Offer a partial award to Time for a Change Foundation, which falls at the funding cut-off point for Grant Proposals Recommended for Funding
- Authorized staff to continue to make awards from the proposal ranked-order lists if any applicant is unable to accept the award or relinquishes an award, first by offering to any partial awardee(s).
- Authorized staff to continue to make awards, if staff determine during the follow-up award-making process that an applicant recommended for an award is ineligible or if a grantee becomes ineligible during the grant cycle.

*Public Comment was heard for Agenda Item C:*

**Jordanna Wong-Omshehe (Starting Over, Inc):** Recommended the update of guidelines and best practices regarding COVID-19 to further ensure the safety of everyone currently in local jails.

*End of Public Comment*

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Mr. Ertola moved approval. Mr. Gore seconded. Mr. Budnick was not present during the vote. The motion carried.

### **III. Public Comments**

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**Terah Lawyer (Impact Justice):** Requested that the ARG grant services would consider COVID-19 impacts and cater to outreach that corresponds to its impact.

### **IV. Adjourn**

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The meeting adjourned at: 12:02 pm.

### **Next Meeting:**

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❖ BSCC Board Meeting:

September 10, 2020 (Via Zoom)



## **ROSTER OF PERSONS IN ATTENDANCE**

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### **BSCC BOARD MEMBERS:**

1. Chair Penner, Chair, Board of State and Community Corrections
2. Mr. Viera Rosa, Director Division of Adult Parole CDCR
3. Mr. Growdon, Sheriff, Nevada County
4. Mr. Gore, Sheriff, San Diego County
5. Mr. Seale, Chief Probation Officer, Sacramento County
6. Mr. Ertola, Chief Probation Officer, Nevada County
7. Mr. Baranco, Retired Judge, Alameda County
8. Mr. Mills, Chief of Police, Santa Cruz County
9. Mr. Budnick, Founder, Anti-Recidivism Coalition
10. Mr. Steinhart, Director, Commonwealth Juvenile Justice Program
11. Ms. Cumpian, Women's and Non-Binary Services Manager 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  
Adam Lwin, Board Secretary  
Tanya Hill, Field Representative, Corrections Planning and Grants Program