

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING
Thursday, July 12, 2017

Teleconference Meeting Locations:

BSCC Board Room
2590 Venture Oaks Way, Room 101
Sacramento, CA 95833

Hyatt Palm Springs
Chino Boardroom
285 North Palm Canyon Drive
Palm Springs, CA 92262

Chula Vista Community Relations
Office
2015 Birch Road, Suite 221
Chula Vista, CA 91915

Steinhart Law Office
205 Camino Alto Blvd., Suite 265
Mill Valley, CA 94941

Lassen County Sheriff's Office
1415 Sheriff Cady Lane
Susanville, CA 96130

Kern County Administrative Center
1115 Truxtun Avenue, Fifth Floor
Bakersfield, CA 93301

I. Call to Order:

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

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

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

The following members were in attendance at their respective locations:

Ms. Penner	Ms. Perez	Mr. Steinhart
Mr. Kernan	Mr. Varela	Ms. Tournour
Mr. Powers	Mr. Ertola	
Mr. Growdon	Mr. Bejarano	

ABSENT BOARD MEMBERS

Mr. Gore and Mr. Budnick

II. INFORMATION ITEMS:

1. Chair's Report

Chair Penner provided a report on the following:

Congratulated Sheriff William Gore of San Diego County and Chief Mark Varela of Ventura County for their appointments to the Board.

Penner administered the Oath to Chief Varela for the office of member to the BSCC. Chief Varela thanked the Board and expressed excitement to be a member of the Board.

Announced the reappointment of Supervisor Leticia Perez and thanked former Board Members Sheriff Geoff Dean and Chief Michelle Scray Brown for their years of service to the Board.

Reported that Secretary Kernan will be retiring from CDCR in August and invited him to join the Board Meeting in September.

Added that the Judicial Council is currently in the process of selecting a judge to fill the vacant seat and plans to have a judge appointed by the September Board Meeting.

2. Executive Director's Report

Executive Director Kathleen T. Howard provided updates on the following:

Thanked the Board Members for arranging their schedules to attend the July teleconference meeting.

Reported that the 2018-2019 Budget designated the BSCC as a pass-through state agency for the following funds:

- \$8.7 million to Kings County Public Safety Infrastructure Project
- \$3 million to the City of Stockton to purchase a helicopter
- \$45 Boys and Girls Club of Fullerton
- \$4 million to City of Pomona
- \$1.5 million to the County of Monterey
- \$1.5 million to New Earth Organization
- \$50,000 to the City of San Diego

3. Legislative Update Report (presented by Executive Director Howard):

Legislative Board Report in Board binders.

4. Legal Update:

General Counsel Maguire reported that there will not be a closed session at today's meeting.

Maguire reported that the US DOJ released the Byrne/JAG funding awards following the Seventh Circuit's decision to lift the nationwide injunction involving the notice and access conditions for Byrne/JAG. Maguire stated that while the injunction is still in place for Chicago, its application nationwide has been stayed.

Maguire stated that California has received no information about the status of its award. The Office of Justice Planning posted a list of recipients in state and local jurisdictions to its website, but California is not on it nor are any local jurisdictions. Oregon, Vermont and Illinois are not on the list either.

Maguire reported on the California vs. Sessions case, in which the California Attorney General sued the federal government about the new conditions in the Byrne/JAG grant, and related that the case is ongoing with the next hearing scheduled for September 5.

End of Legal Update

III. Action: Consent Items:

A. Minutes from the June 7, 2018 Board Meeting: Requesting Approval

B. Delegation of Authority to Executive Director to Execute Lease Revenue Bond Program Documents: Requesting Approval

This item requested the Board delegate authority to the Executive Director of the Board of State and Community Corrections to execute documents related to the construction and financing of local detention facilities projects authorized by the Legislature pursuant to Senate Bill 1022 (Chapter 42, Statutes of 2012), Senate Bill 863 (Chapter 37, Statutes of 2014), and Senate Bill 844 (Chapter 34, Statutes of 2016). This item also requests the Board to ratify all prior agreements executed by the Chair, Executive Director, and subordinate officers.

C. Working Group on Sexual Assault-Final Regulations: Requesting Approval

The Board of State and Community Corrections is required to biennially review, and revise if necessary, the Minimum Standards for Local Detention Facilities, which are codified as Titles 15 and 24 of the California Code of Regulations. (Pen. Code, § 6030).

The proposed revisions approved by the Board in June 2017 have proceeded through the Administrative Procedures Act process, including two public comment periods. Staff requested approval of the final proposed regulation revisions that would expand and enhance existing statewide minimum standards for local

detention facilities to prevent, detect and respond to incidents of in-custody sexual assault and sexual harassment.

Mr. Ertola moved approval. Mr. Kernan seconded. Mr. Varela abstained. The motion carried.

IV. DISCUSSION ITEMS:

D. Youth Reinvestment Grant Program Appointment of Chair and Establishment of Executive Steering Committee: **Requesting Approval**

Field Representative Kimberly Bushard presented this agenda item, which requested the Board's approval to establish an Executive Steering Committee (ESC) to oversee the development of a Request for Proposals (RFP) for the Youth Reinvestment Grant Program. Staff requested that the Board establish an ESC and designate a Chair to oversee the grant development process; authorize staff to work with the ESC Chair to establish a diverse ESC with relevant juvenile subject-matter expertise, such as diversion, behavioral health, the juvenile justice system, trauma informed care, Indian tribes, and education; and delegate authority to the Chair to modify ESC membership as needed.

The Youth Reinvestment Grant was established June 27, 2018 with the enactment of the State Budget and associated trailer bill. This new grant will provide \$37.3 million over the next three years.

- 94 percent to be awarded to local jurisdictions through a competitive grant process
- 3 percent to be awarded to Indian tribes
- 3 percent to the BSCC for administration of the grant program

The primary purpose of the Youth Reinvestment Grant program is to divert low level offenders from initial contact with the juvenile justice system.

Community based organizations receiving these funds must have experience serving at-risk populations and must provide:

- Diversion and alternatives to arrest, incarceration, and formal involvement with the juvenile justice system;
- Academic and vocational education services;
- Mentoring;
- Behavioral health services; and
- Mental health services.

Chair Penner recommended the appointment of Mr. David Steinhart and Chief Varela as Co-Chairs of the ESC.

Counsel Maguire reminded both Co-Chairs that if they take on this responsibility their direct agencies would not be able to apply for the grant.

Mr. Kernan moved approval of the staff recommendation with the nomination of co-chairs Mr. Steinhart and Mr. Varela. Mr. Growdon seconded. The motion carried.

E. Adult Reentry Grant Program Appointment of Chair and Establishment of Executive Steering Committee: Requesting Approval

Field Representative Colleen Stoner presented this agenda item, which requested the Board's approval to establish an ESC to oversee the development of a RFP for the Adult Reentry Grant Program. Staff requested that the Board establish an ESC and designate a Chair to oversee the grant development process; authorize staff to work with the ESC Chair to establish a diverse ESC with relevant subject-matter expertise, including but not limited to the:

- Department of Housing and Community Development;
- Office of Health Equity;
- County Probation;
- Representatives of reentry-focused community-based organizations;
- Criminal justice impacted individuals; and
- Representatives of housing-focused community-based organizations.

The \$50 Million in funding will be allocated as follows:

- \$25 Million for rental assistance;
- \$15 Million for the rehabilitation of existing property or buildings for housing offenders released from prison;
- \$9.35 Million to support the "warm hand-off" and reentry of offenders transitioning from prison to communities;
- \$150,000 to support the Berkeley Underground Scholars Initiative; and
- \$500,000 to the BSCC for costs to administer the grant programs and report on program outcomes.

Public comment was heard for Agenda Item E

Renee Menart, (Center For Juvenile and Criminal Justice): Offered CJCJ as a resource for ESC candidates and asked for directly impacted individuals to participate in the ESC.

End of public comment

Chair Penner volunteered to Chair the ESC and asked if Ms. Tournour would like to Co-Chair this ESC.

Ms. Tournour accepted and thanked Chair Penner for the nomination.

Mr. Kernan moved approval. Mr. Varela seconded. The motion carried.

F. California Violence Intervention and Prevention Grant Program: Requesting Approval

Field Representative Colleen Curtin presented this agenda item, which requested the Board's approval to move down the existing ranked list developed by the CalVIP ESC in April 2018, to award a second cohort of CalVIP grants. The two-year grant period for the second cohort will begin September 1, 2018 and end August 31, 2020. On April 19, 2018 the Board approved 20 grant awards under the California Violence Intervention and Prevention (CalVIP) program, using Fiscal Year (FY) 2017-2018 funds. With the enactment of the FY 2018-2019 State Budget, an additional \$9 million has been made available for the CalVIP program.

Trailer bill language to the FY 2018-2019 State Budget Act (Senate Bill 840) includes additional funding for the CalVIP Grant Program.

Staff Recommended the following:

- Augment the awards of the City of Pasadena and the Young Visionaries Youth Leadership Academy, both partially funded in the FY 2017-2018 cohort, to bring them to their full requested amounts.
- Fund the City of Los Angeles for a \$1 million non-competitive grant, as authorized in statute. Should the City of Los Angeles not apply for this award, allow the BSCC to continue down the ranked city list.
- Fully fund seven new city proposals and six new CBO proposals, for programs and initiatives to prevent and reduce violence.
- Partially fund the City of Lompoc and Options Recovery Services, which fall at the funding cut-off points on the city and CBO ranked lists, respectively.
- In the event a grantee is unable to accept the conditional grant award, authorize staff to accept relinquished awards and offer conditional awards to city or CBO grantees next in line on the applicable city or CBO rank-ordered list.

Chair Penner thanked Chief Michelle Brown and Colleen Curtin for their work on CalVIP.

Mr. Steinhart asked if the original ESC was involved with the new recommendations.

Ms. Curtin stated that a member of the ESC was consulted.

Ms. Howard added that the rank list was produced by the CalVIP ESC and are the recommendations of the last ESC.

Ms. Curtin stated that she has spoken with the grantees who were excited about the new funds and will move forward by September 1, 2018.

Chair Penner stated the this was the most expedient way to continue what was done with the previous ESC.

Mr. Ertola moved approval. Mr. Kernan seconded. Prior to the discussion of this agenda item Mr. Bejarano noted he had a conflict of interest because he is a board member of South Bay Community Services and recused himself pursuant to government Code Section 1091 and ended the call.

V. Public Comment

Luis Angel (Fathers and Families of San Joaquin): Thanked the Board for the Youth Reinvestment Grant and the benefits it will do for the youth in the community.

Danny Mendoza (Fathers and Families of San Joaquin): Asked if the Adult Reentry Grant would fund various and diverse agencies.

VI. Closed Session - (Gov. Code, § 11126, subd. (e)(2)(B) & (C).)

- State of California v. Sessions, Case No. 17-cv-4701 (Byrne/JAG Litigation)
The Board did not meet in closed session.

The meeting adjourned at: 11:06 AM

Next meeting:

- ❖ BSCC Board Meeting: Thursday, September 6, 2018 (San Diego)

ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Chair Penner, Chair, Board of State and Community Corrections
Mr. Kernan, Secretary, California Department of Corrections
Mr. Powers, Director, Adult Parole Operations, CDCR
Mr. Growdon, Sheriff, Lassen County Sheriff's Department
Ms. Perez, County Supervisor, Kern County
Mr. Varela, Chief Probation Officer, Ventura County
Mr. Ertola, Chief Probation Officer, Nevada County Probation
Mr. Bejarano, Retired Chief of Police, City of Chula Vista Police Department
Mr. Steinhart, Director, Commonweal Juvenile Justice Program
Ms. Tournour, Director, City of Sacramento Office of Public Safety Accountability

BSCC Staff

Kathleen Howard, Executive Director
Tracie Cone, Communications Director
Aaron Maguire, General Counsel
Mary Jolls, Deputy Director, Corrections Planning and Grant Programs
John W. Prince, Deputy Director, County Facilities Construction
Allison Ganter, Deputy Director, Facilities Standards and Operations
Evonne Garner, Deputy Director, Standards and Training for Corrections
Colleen Curtin, Field Representative, Corrections, Planning, Grants and Programs
Kimberly Bushard, Field Representative, Corrections, Planning, Grants and Programs
Colleen Stoner, Field Representative, Corrections, Planning, Grants and Programs
Adam Lwin, Special Assistant to the Chair and Executive Director