

MEETING DATE:**AGENDA ITEM: J****TO:** BSCC Chair and Members**FROM:** Kathleen T. Howard, Kathleen.Howard@bscc.ca.gov, Executive Director
John Prince, John.Prince@bscc.ca.gov, Deputy Director**SUBJECT:** Regional Youth Programs and Facilities Grant Program: Planning and Implementation of Senate Bill 823

Summary

This agenda item proposes the establishment of a working group to determine what type of survey and information should be requested from counties for the implementation of the Youth Programs and Facilities Grant Program portion of Senate Bill 823 (Chapter 337, Statutes of 2020). Specifically, this item proposes the formation of a working group, co-chaired by Chair Linda Penner and BSCC Board Member David Steinhart, to develop a request for information (RFI) for counties to respond to about proposed uses for the \$9.6 million in grant funding.

Background

On September 30, 2020, Governor Newsom signed Senate Bill 823, which began the closure of the state's Division of Juvenile Justice, realigning those state functions to county governments. As part of SB 823, \$9.6 million was set aside for the Board of State and Community Corrections to "award one-time grants, to counties for the purpose of providing resources for infrastructure related needs and improvements to assist counties in the development of a local continuum of care." The direction to the Board in the legislation follows:

CHAPTER 5. Regional Youth Programs and Facilities Grant Program

Welfare and Institutions Code sec. 2250.

(a) Nine million six hundred thousand dollars (\$9,600,000) is hereby appropriated from the General Fund to the Youth Programs and Facilities Grant Program, which shall be administered by the Board of State and Community Corrections, to award one-time grants, to counties for the purpose of providing resources for infrastructure related needs and improvements to assist counties in the development of a local continuum of care.

(b) Each entity receiving a grant from the Youth Programs and Facilities Grant Program shall submit a detailed report to the office with the following information:

(1) An accounting of expenditures.

- (2) A description of the physical and system enhancements made.
 - (3) How many regional placement beds were supported with the funding.
 - (4) What proportion of the regional placement beds were contracted to other counties and which counties.
- (c) A local public agency that has responsibility for making arrests and detaining suspects as its primary responsibility, or which is responsible for prosecutions, is ineligible to apply for this grant.
- (d) Funds from the Youth Programs and Facilities Grant Program shall not be used by counties to enter into contracts with private entities whose primary business is the custodial confinement of adults or youth in a prison or prison-like setting.
- (e) (1) The Board of State and Community Corrections shall complete and submit, no later than October 1, 2024, a report to the budget and public safety policy committees of the Legislature describing the expenditures of the Youth Programs and Facilities Grant Program, including, but not limited to, recipients and award amounts, how funding was spent, how many regional placements were supported and a detailed description of the counties that contracted to utilize the regional facility beds. The report shall also be made available to the public on the board's internet website.
- (2) The report required by paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.
- (f) Any costs incurred by the office in connection with the development or administration of the grant program shall be deducted from the amount appropriated before awarding any grants, not to exceed five percent of the amount appropriated.
- (g) This chapter shall remain in effect only until January 1, 2026, and as of that date is repealed.

Earlier amendments to SB 823 had proposed that \$34 million in grant funding would be used for the establishment of regional youth facilities. (Assem. Amend. to Sen. Bill No. 823 (2019-2020 Reg. Sess.) August 24, 2020 at p. 79.) Although the final approved version of SB 823 contains references to regionalization, including requirements that the numbers of "regional placement beds" be reported, there are fewer limitations placed on the use of this grant funding. However, promotion of regionalization for certain DJJ programming may be desirable (e.g. specialized sex offender treatment programs or gender-specific programming). Given the lack of specific direction for the use of these funds, it is recommended that a request for information (RFI) be developed to solicit from counties information on the types of projects that should be funded for this grant program. Information that would be useful in further developing this grant program could include:

- The number and geographic location of counties willing and able to support regionalization;
- The number and geographic location of counties willing to support specialized programming;
- Whether funding is needed for other planning activities;
- Whether funding is needed by additional counties impacted by SB 823.

Given that intake at DJJ will stop on July 1, 2021, and the need for this grant funding for planning and infrastructure purposes should be expedited, it is further recommended that the RFI be further developed through a working group established by the Board. Specifically, it is recommended that Chair Linda Penner and Board Member David Steinhart co-chair a working group with BSCC staff to develop the criteria for the RFI and the RFI be released to the field as soon as possible and without additional board approval. Additional grant development and funding recommendations will be brought back to the Board for additional approval at a future board meeting.

Recommendation/Action Needed

- 1) Establish a working group comprised of Chair Linda Penner and Board Member David Steinhart and task the working group with developing an RFI to gather additional information for the development of the Youth Facilities Grant Program.
- 2) Delegate authority to the working group to release the RFI to the field without additional approval from the Board.