

**MEETING DATE:** November 8, 2018

**AGENDA ITEM:** E

**TO:** BSCC Chair and Members

**FROM:** Evonne Garner, Deputy Director, [evonne.garner@bscc.ca.gov](mailto:evonne.garner@bscc.ca.gov)

**SUBJECT:** Standards and Training in Corrections Training Project and Supplemental Award of unspent Edward Byrne Memorial Assistance Grant (JAG) Funds: **Requesting Approval.**

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### **Summary**

This agenda item requests approval to use \$7 million of unused prior year Edward Byrne Memorial Justice Assistance Grant (JAG) funding for an education and training initiative for corrections law enforcement agencies.

### **Background**

Since 2012, BSCC has applied for and received JAG funding from the Bureau of Justice Assistance (BJA). Although BSCC applied for the 2017 and 2018 JAG funding, it has not been awarded due to ongoing litigation.

Each year, local assistance funds that grantees were unable to spend reverted to BSCC. The only exception was 2015 JAG funding when, by action of the Board, grantees were permitted to move their unspent funds into their 2016 grant agreements. This annual unused JAG funding has accumulated to \$6,629,000. Additionally, there is \$371,000 in unspent administrative funding from 2015. In total, there is \$7,000,000 in unspent JAG funding that will revert to BJA if not used by September 30, 2019.

This proposal requests Board approval to use the unspent JAG funds for a statewide education and training initiative for correctional staff employed at local jails, juvenile facilities, and probation departments. This initiative will focus on providing resources to local correctional agencies to deliver critical behavioral health training to in response to the growing proportion of individuals in custody and on probation with mental illness, substance use disorder and other co-occurring disorders.

### **Proposal**

As has been discussed at recent Board meetings, California is suffering from a mental health crisis in our local jails, juvenile facilities and probation caseloads. Staff is often ill equipped to appropriately recognize and/or respond to a mental health crisis. A recent comprehensive job analysis of these corrections jobs conducted by the BSCC found that correctional jobs have changed significantly in recent years and one of the biggest areas of change was mental health. Correctional staff are spending more time than ever before performing behavioral health-related duties and need more and better behavioral health training to successfully perform their jobs.

In June, Santa Barbara County Sheriff Bill Brown and Senior Researcher Ashley Mills presented to the Board findings and recommendations from a study performed by the Mental Health Services Oversight & Accountability Commission that focused on the intersection between mental illness and law enforcement. One of those findings was that criminal justice and mental health professionals need new knowledge, skills and abilities to better serve the mentally ill.

In response to this need, BSCC is revising the entry-level minimum training standards for local corrections agencies to include behavioral health training as well as training in other needed areas such as gender identification and sexual assault prevention. Additionally, the BSCC is in the process of developing a model Behavioral Health lesson plan that will be made available to the field. This effort is being conducted under the direction of an Executive Steering Committee chaired by Nevada County Probation Chief Michael Ertola. That ESC is wrapping up its final recommendations that will likely be presented to the Board at its next meeting.

In the meantime, there is a need to get critical training to corrections staff immediately. Once the Behavioral Health lesson plan is complete, there is a need to train instructors statewide to ensure fidelity to the training and to develop a “training for trainers” program that will allow agencies to certify trainers in-house to sustain ongoing delivery.

The proposed one-time education and training initiative that will be funded by unused JAG funds will include three components as follows:

- 1) Behavioral Health Training – Funding to all local law enforcement agencies that operate a jail, juvenile facility or probation function for behavioral health training in 2019 (Approximately \$2 million).
- 2) Train the Trainer – Funding for a “train the trainer” program to implement the BSCC Behavioral Health training module for entry-level corrections staff. This program will train qualified instructors on the new module and provide all the training materials so that the training can be sustained at the local level and expanded beyond the entry-level requirement if desired (Approximately \$1.5 million).
- 3) Core Training Expansion – Funding provided to local law enforcement agencies that deliver their own core training programs to include new training in areas such as gender identification and sexual assault prevention (Approximately 3.5 million)

### **Authority**

In 2015, the Board approved a state strategy and priorities for JAG funds. This plan identified the state priorities of 1) Law Enforcement, 2) Prevention and Education and 3) Prosecution, Courts, and Indigent Defense. In 2017, another ESC was formed to develop a new three-year plan. The recommendations from that ESC are presented in Agenda Item and include the same three priority areas as the prior plan. Additionally, on August 20, 2018, BSCC staff sought to determine whether BJA would authorize the unspent funds to be used for training purposes and submitted a Grant Adjustment Notice (GAN) to BJA requesting federal authorization. In addition, staff requested a one-year extension for spending the 2015 administrative funding. On September 27, 2018 BJA approved the use of JAG funding for this initiative and the time extension.

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**Recommendation/Action Needed**

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Approve this request to use \$7 million in unspent JAG funding for a statewide law enforcement education and training initiative as described above and authorize staff to seek a one-year extension for spending if necessary.