



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Public Defender  
**Department No.:** 023  
**For Agenda Of:** January 28, 2020  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Tracy M. Macuga, Public Defender X83494  
Director(s)  
Contact Info: Deepak Budwani, Chief Financial & Administrative Officer  
X83589

**SUBJECT:** Acceptance of Board of State and Community Corrections (BSCC) Award of \$5,988,511 million for Prop 47 Crisis Intervention, Diversion and Support (CIDS) program FY19-22

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**County Counsel Concurrence**

As to form: Yes or No

**Behavioral Wellness**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve, ratify and authorize the Public Defender, or designee, to execute the multi-year grant agreement with the Board of State and Community Corrections (BSCC) accepting \$5,988,511 for the County of Santa Barbara to provide crisis intervention, diversion and support to individuals at three main points of entry: field law enforcement contact (arrest), jail booking, and prior to arraignment for the forty-five month period of 8/15/2019 or upon State approval, whichever is later, through 05/15/2023 (BSCC Grant Agreement); and
- b) Approve and authorize the Public Defender, or designee, to execute subsequent reports pursuant to Exhibit A, Section 5 of the BSCC Grant Agreement or make immaterial amendments that do not change the amount or substantive terms of the BSCC Grant Agreement; and
- c) Direct Public Defender staff to work with various stakeholders, including the County departments of Behavioral Wellness, County Executive Office, District Attorney, Probation and Sheriff; the Superior Court; local community-based organizations to create a program to divert individuals with a history of serious mental illness (SMI) and/or substance use disorder (SUD) from the

criminal justice system to trauma-informed crisis stabilization and comprehensive mental health and SUD wraparound services; and

- d) Authorize the Public Defender, or designee, to amend the BSCC Grant Agreement to add a liaison position with no change to the amount of grant funds and return to the Board with a salary resolution after the amendment has been approved by the BSCC; and
- e) Designate the Public Defender as the programmatic lead, and the Public Defender and Behavioral Wellness as co-leads, for the implementation of the BSCC Prop 47 CIDS grants funds; and
- f) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA guidelines.

**Summary Text:**

The above referenced item is on the agenda to request approval of the recommended actions authorizing the Public Defender (PD) to sign an agreement with the BSCC accepting Prop 47 grant funds in the amount of \$5,988,511 over the forty-five month period of 8/15/2019 through 5/15/2023 and request an amendment of the agreement to add the liaison position. The recommended actions would also authorize the Public Defender to execute subsequent reports or immaterial amendments to the BSCC Grant Agreement that do not change the amount or substantive terms of the BSCC Grant Agreement. The PD will return to the Board with a salary resolution after the BSCC has approved the amendment.

California voters approved Proposition (Prop) 47 in November 2014 with the goal of lowering incarceration rates across the State by reclassifying certain classes of low-level, non-violent felonies as misdemeanors for individuals who do not have prior convictions for serious offenses. Due to the expected decrease in the State's prison population, the Legislative Analyst's Office estimated annual State correctional savings following implementation of the legislation to be between \$150-200 million. Prop 47 requires these savings to be placed in the Safe Neighborhoods and Schools Fund and mandates the BSCC to allocate 65% of the Fund for mental health and substance use disorder (SUD) treatment that is aimed at reducing recidivism, 25% for crime prevention and to support programs in schools, and 10% for trauma recovery services for crime victims. Funds are allocated to local agencies through a competitive grant process administered by the BSCC.

Through the BSCC's Cohort II grant process, Santa Barbara County in collaboration with stakeholders would develop and implement the Crisis Intervention, Diversion and Support (CIDS) Program. The Public Defender's Office is the lead grantee, with program partners including the Behavioral Wellness Department, Sheriff's Office, District Attorney's Office, and local community-based organizations (Good Samaritan Shelter, Family Service Agency). CIDS leverages the promise of Prop 47 by diverting individuals with a history of serious mental illness (SMI) and/or SUD from the criminal justice system to trauma-informed crisis stabilization and comprehensive mental health and SUD wraparound services. The program aims to reduce criminal justice involvement and help ensure adults with SMI/SUD who come into contact with law enforcement are adequately supported.

The foundation of these newly developed resources will implement a seamless and well-integrated continuum of programs and dedicated teams facilitated through ongoing collaboration with the Prop 47 Local Advisory Committee (LAC) created to be eligible for Prop 47 grant funds, community stakeholders, and CBO partnerships. The LAC includes local stakeholders who have experience and expertise in the prospective programs and/or services to be implemented by the proposal. Members include Good Samaritan Shelter; the City of Goleta; SB County Supervisor District 2; Family Service Agency; Transitions Mental Health; Isla Vista Community Services District; Mental Wellness Center; NAMI (Santa Barbara Chapter); Santa Barbara County departments of Behavioral Wellness, District Attorney, Sheriff, and Public Defender; Council on Alcoholism & Drug Abuse (CADA), Families ACT, and Community Corrections Partnership.

The Public Defender's Office has partnered with a highly experienced research team (led by David Onek) from Resource Development Associates (RDA), that will (1) provide a formative evaluation that will guide our understanding and refinement of the CIDS program, and (2) implement a quasi-experimental mixed methods research design to measure the effects of CIDS on key outcomes. RDA has extensive experience evaluating similar programs concerning mental health, the justice system, and housing.

The evaluation will address the following measurable program goals and objectives: Increase successful field resolution of SMI/SUD issues, reduce SMI/SUD arrests, incarceration, hospitalization and recidivism, increase SMI/SUD access to treatment services, increase law enforcement (CIT and non-CIT) use of South County Crisis Services (SCCS) Hub, increase CIDS engaged client access to services, and increase CIDS identified homeless access to housing resources.

Good Samaritan will manage the proposed Sobering Center and will provide a Case Manager to connect the target population to necessary care and services, thereby helping to ensure a successful transition through the proposed CIDS program. Family Service Agency will provide ongoing support services.

**Background:**

The CIDS program provides crisis intervention and diverts individuals with a history of SMI and/or SUD from the criminal justice system to a variety of trauma-informed, community-based treatment services, including comprehensive behavioral health services, case management support, and housing assistance.

**Stage 1: Engagement and Screening.** CIDS provides crisis outreach, intervention, and screening at three points of entry: in the field at arrest, at the jail during booking, and prior to arraignment. During the initial engagement and screening stage, program partners determine if individuals are eligible for and interested in the CIDS program.

**Diversion in the field at arrest:** Santa Barbara County has created a full-time co-response Crisis Intervention Team (CIT) consisting of a CIT Coordinator, a Sheriff's Deputy who specially trained in crisis intervention, and a mental health clinician. The CIT is present in the field at arrest and is trained to identify symptoms of SMI/SUD and conduct a brief screening to determine program eligibility. After confirming eligibility, the CIT explains the requirements and benefits of the CIDS program to potential participants and offers the options of going to jail for booking or participating in the program and receiving stabilization and linkage services.

**Diversion at booking or pre-arraignment:** Engagement and screening opportunities for the CIDS program also exist at the jail at booking and during pre-arraignment. The Public Defender's Office,

District Attorney's Office, Sheriff's Office, and Behavioral Wellness are currently developing the processes and tools that will be used to identify individuals for diversion at those two entry points.

**Stage 2: Crisis Stabilization and Assessment.** Eligible individuals electing to participate in the CIDS program will receive trauma-informed, community-based crisis stabilization services at the Crisis Stabilization Unit, Sobering Center, and/or SCCS Hub. All three crisis stabilization facilities are in close proximity to the jail, which facilitates transitions between locations. At each crisis stabilization facility, staff conduct assessments to identify participants' needs and support the development of individualized service plans to link participants with the most appropriate behavioral health treatment and wraparound services.

**Crisis Stabilization Unit (CSU):** The CSU is a comfortable space that helps to stabilize individuals who are experiencing crises for up to 23 hours before they are connected to appropriate Community-based treatment options. The CSU offers an intake and assessment space, peer counseling, bilingual capacity and interpreter access, treatment referrals, emergency medications, Nursing assessment, and psychiatric consultation. Staffing includes a Peer Recovery Specialist, Psychiatric RN, and a 24-hour on-call psychiatrist.

**Sobering Center:** The Sobering Center offers a safe option for individuals acutely under the influence of alcohol or drugs who need the supportive intervention offered without further fear of arrest. Services include case management, alcohol and drug counseling, and medical care. Staffing includes an Alcohol and Other Drugs (AOD) certified counselor, Registered Nurse (RN), recovery assistant, and caseworker.

**South County Crisis Services (SCCS) Hub:** The SCCS Hub offers an intake area staffed by crisis services staff 24 hours a day, 7 days a week. Staffing includes Mental Health Practitioners, Psychiatrists/prescribers, case workers, psychiatric technicians, and peer recovery specialists. Mobile Crisis staff outreach to individuals in crisis, conduct assessments under Welfare and Institutions Code (WIC) 5150, and facilitate inpatient treatment for individuals placed on psychiatric holds. Crisis Triage staff conduct assessments, provide short term treatment, and link individuals to longer term care both within the department's system of care and among community providers.

**Stage 3: Treatment and Services.** After stabilization, CIDS program participants engage in longer-term service and treatment options through Behavioral Wellness and contracted service providers. Santa Barbara County offers a full continuum of specialty mental health services and a full range of residential and outpatient SUD health services. In addition to behavioral health treatment, Prop 47 funding is contributing to the development of supportive step-down Housing First units that provide up to 20 beds to individuals for six to twelve months provided by Good Samaritan and will include ongoing support services provided by Good Samaritan and Family Service Agency. The Housing First model views housing as a right, not a privilege earned through treatment participation and compliance.

**Contract Renewals and Performance Outcomes:**

County will be required to report data and outcomes to the BSCC for all diversion program participants and will measure the:

Domain	Quantitative Data	Qualitative Data
<b>Crisis Stabilization and Service Completion</b>	<ul style="list-style-type: none"> <li>• % of participants who are successfully stabilized and/or referred to appropriate services</li> </ul>	<ul style="list-style-type: none"> <li>• Experiences regarding crisis stabilization and referrals</li> </ul>
<b>Behavioral Health</b>	<ul style="list-style-type: none"> <li>• Change in # of crisis system engagements prior to joining, during, and after the program</li> <li>• Change in # of participant psychiatric hospitalizations prior to joining and after the program</li> </ul>	<ul style="list-style-type: none"> <li>• Experiences regarding how and why the CIDS program impacted engagement in behavioral health services and/or improved behavioral health functioning</li> </ul>
<b>Housing and Self-Sufficiency</b>	<ul style="list-style-type: none"> <li>• % of participants who successfully exit step-down housing</li> <li>• Change in participant housing status, employment status, and education level at program enrollment and completion</li> </ul>	<ul style="list-style-type: none"> <li>• Experiences regarding how and why the CIDS program impacted housing stability and self-sufficiency</li> </ul>
<b>Criminal Justice</b>	<ul style="list-style-type: none"> <li>• Participant recidivism rates</li> <li>• Participant recidivism date</li> <li>• Change in participant jail days prior to joining and after the program</li> </ul>	<ul style="list-style-type: none"> <li>• Experiences regarding how and why CIDS impacted criminal justice involvement</li> </ul>
<b>Community Partnership</b>	<ul style="list-style-type: none"> <li>• # of county and community service providers involved in CIDS program</li> </ul>	<ul style="list-style-type: none"> <li>• Experiences regarding how and why providers are engaged with CIDS program</li> </ul>

County shall not disclose data or documents or disseminate the contents of the final or any preliminary report without written permission of BSCC, as permitted by law. The County will otherwise comply with the California Public Records Act (Government Code sections 6250 et seq.) and privacy laws regarding medical and personal information.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

[Follows on next page]

**Project Budget (08/15/2019 to 05/15/2023)**

<b>Budget Line Item</b>	<b>A. Grant Funds</b>	<b>B. Leveraged Funds</b>	<b>C. Total Project Value (A+B)</b>	<b>Percentage of Funds</b>
1. Salaries and Benefits <i>(Lead Agency only)</i>	87,575	400,581	488,156	
2. Services and Supplies <i>(Lead Agency only)</i>	-	-	-	
3. Professional Services & Public Agency Subcontracts	1,391,986	2,633,664	4,025,650	
4. Community-Based Organization Subcontracts <i>(minimum 50%)</i>	4,201,193	880,956	5,082,149	70.4%
5. Indirect Costs <i>(Lead Agency only)</i>	8,757	-	8,757	
6. Data Collection and Evaluation <i>(at least 5 percent (or \$25,000, whichever is greater) but not more than 10 percent)</i>	300,000	-	300,000	5%
7. Fixed Assets/Equipment <i>(Lead Agency only)</i>	-	-	-	
8. Other <i>(Travel, Training, etc.) (Lead Agency only)</i>	9,000	-	9,000	
<b>TOTALS</b>	<b>\$5,998,511</b>	<b>\$3,915,201</b>	<b>\$9,913,712</b>	

**Narrative:**

This Board letter seeks authorization for the Public Defender to sign an agreement with the BSCC accepting BSCC grant funds in the amount of \$5,988,511 over the forty-five month period of 8/15/2019 through 5/15/2023 for the County of Santa Barbara to provide crisis interventions, diversion and support directed to individuals at certain points of entry to the criminal justice system. Additional leveraged funds will be provided by Santa Barbara County Departments: Public Defender, District Attorney, Behavioral Wellness and Sheriff. Leveraged funds would include personnel and operational equipment from County Departments along with DMC and Medi-Cal revenues in the sum of \$3,915,201. The funding sources are included in the FY 19-20 Adopted Budget. For future fiscal years, the budget is contingent on Board approval. Total project value would be \$9,913,712.

**Key Contract Risks:**

The BSCC Grant Agreement includes a budget contingency clause in Exhibit B, Section 3 which provides that the grant agreement is valid and enforceable only if sufficient funds are made available through the annual transfer of savings generated by Proposition 47 from the General Fund to the Safe Neighborhoods and Schools Fund and subsequent transfer from the Safe Neighborhoods and Schools Fund to the Second Chance Fund. (Gov. Code, § 7599.1 & Pen. Code, § 6046.2.) On or before July 31st of each fiscal year, the Department of Finance will calculate the state savings associated with Proposition 47 and certify the calculation to the State Controller who shall transfer those funds to the Safe Neighborhoods and Schools Fund. (Gov. Code, § 7599.1.) The grantee agrees that the BSCC’s obligation to pay any sum to the grantee under any provision of the BSCC Grant Agreement is

contingent upon the availability of sufficient funding transferred to the Safe Neighborhoods and Schools Fund and subsequent transfer to the Second Chance Fund. If funding for any fiscal year is reduced or falls below the Cohort 2 Prop 47 Request For Proposals estimate, the BSCC may cancel the agreement or propose it be amended with the County's approval. If the County does not agree to amend the BCSS Grant Agreement, the agreement will be canceled and the County will have no obligation to continue providing services.

**Staffing Impacts:**

**Legal Positions:**

4

**FTEs:**

2.6

Personnel will be established creating four new legal positions: 0.5 FTE DDA III in the District Attorneys' Office; 1.0 FTE Deputy and 0.5 FTE CIT Coordinator for the Sheriff's Office; and 1.0 FTE Be-Well Practitioner II in Behavioral Wellness. Public Defender's Office will return to the Board with a salary resolution after execution and amendment of the BSCC Grant Agreement by the State adding the liaison position.

Additional grant program staffing that will not require new legal positions will consist of a 1.0 FTE extra help Legal Office Professional II in PD and a 1.0 FTE MSW that will be a FSA employee embedded within the PD's office.

**Special Instructions:**

Please email one (1) copy of the minute order to Deepak Budwani, Chief Financial and Administrative Officer.

**Attachments:**

Attachment A: BSCC Grant Agreement FY 2019-2022

**Authored by:**

D. Budwani