



**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: County Executive
Department No.: 012
For Agenda Of: July 18, 2023
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Director Contact Info: Mona Miyasato, County Executive Officer
County Executive Office
Tanja Heitman, Assistant County Executive Officer

DocuSigned by:
Mona Miyasato
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SUBJECT: Department of State Hospitals Collaborative Workgroup Grant Agreement

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors consider the following recommendations regarding the Department of State Hospitals Collaborative Workgroup Grant Agreement, as follows:

- a) Approve, ratify, and authorize the County Executive Officer, or designee, to execute a Grant Agreement with the Department of State Hospitals (DSH), Agreement No. 23-79016-000, to coordinate a collaborative community stakeholder workgroup focused on developing and implementing local solutions to reduce Felony Incompetent to Stand Trial commitments, for a total grant amount of \$500,000, for the period of July 1, 2023 to June 30, 2028 (Attachment A), and;
- b) Approve, ratify, and authorize the County Executive Officer, or designee, to execute the Contractor Certification Clause (Attachment B) and California Civil Rights Laws Attachments (Attachment C);
- c) Approve Budget Revision Request No. 0008981 to receive \$100,000 in intergovernmental state revenue for services and supplies in FY 2023-24 (Attachment D), and;
- d) Determine that the proposed action does not constitute a "Project" within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because it consists of the creation of a government funding mechanism or other government fiscal activities, which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and pursuant to Section 15378(b)(5), since the

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activity is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

Summary Text:

This item is on the agenda to request the Board of Supervisors (Board) approve, and authorize the County Executive Officer, or designee, to execute a Grant Agreement with the Department of State Hospitals (DSH) (Agreement No. 23-79016-000) to coordinate a collaborative community stakeholder workgroup focused on developing and implementing local solutions to reduce Felony Incompetent to Stand Trial (FIST) commitments. The workgroup will be coordinated by the County Executive Office (County) and will be required to meet quarterly with designated membership defined by DSH and must submit meeting notes to DSH for an annual grant of \$100,000. The total grant amount of \$500,000 is for the five-year period of July 1, 2023 to June 30, 2028. This item also seeks to approve Budget Revision Request Number 0008981 to establish intergovernmental state revenue and supplies.

Approval of the recommended actions will allow the County to facilitate recommendations and implement local solutions that target the reduction of the number of individuals with serious mental illness arrested and incarcerated for behavior connected to their illness.

Background:

Felony incompetent to stand trial individuals are those with serious mental illnesses who are accused of felony crimes, but due to their mental illness are unable to understand the charges against them or assist their counsel in their defense. Courts determine whether an individual is FIST and then orders them to DSH for treatment. Based on DSH data, the majority are experiencing homelessness at the time of their arrest and often have not accessed any Medi-Cal specialty mental health treatment services in the six months prior to their arrest. These individuals are often cycling in and out of the criminal justice system; in California, nearly half of the individuals at DSH had 15 or more prior arrests. FIST commitments in California have increased year over year with currently over 1400 individuals on a state-wide waitlist. The increase in referrals to DSH continue to outpace all capacity growth and systems improvement.

After FIST treatment at DSH, individuals are returned to jail and court to proceed with their case. DSH evaluated statewide outcomes after returning individuals to court and found that 76% of individuals remain at the county level where 26% individual's court cases are dismissed or acquitted, 28% of individuals are convicted with probation and/or jail, 14% are convicted with a jail sentence. Of the 24% of those who return that don't remain at the county level, they were either committed to DSH as not guilty by reason of insanity (.2%) or sentenced to prison (23%). Yet, overall recidivism is high as 71% of individuals recidivating within three years post FIST discharge.

In December 2022, DSH invited all California Counties to participate in a collaborative stakeholder workgroup grant intended to support the work of criminal justice and behavioral health stakeholder groups within a County that are working toward creating solutions to reduce the total of FIST individual commitments that are referred to DSH and enhance community supports. In January 2023, the County submitted a letter of intent to DSH to participate and were awarded the grant in April 2023. The Board is being requested to approve the Grant Agreement and Budget Revision Request to establish the activities of the workgroup.

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The Santa Barbara County collaborative stakeholder workgroup membership will be comprised of representatives from the Superior Court and the County Offices of the Public Defender, the District Attorney, the Sheriff, Department of Behavioral Wellness, the Public Guardian, and the Probation Department. The workgroup will be facilitated by the County Executive Office and must begin to meet at least quarterly, from July 1, 2023 to June 30, 2028, and provide an annual membership roster and evidence of meeting notes to DSH. The funding is \$100,000 annually with a total grant amount of \$500,000.

The workgroup will analyze DSH's grant requirements and establish initial goals and objectives based on brainstorming of focus areas inclusive of systemic barriers and opportunities. During the five-year period, the group will meet at least quarterly to develop workplans with data and outcomes in order to create solutions. Activities may include planning for Care Court, coordinating treatment, discussing housing options, planning for rearrests and/or reentry into diversion programs. In order to develop strategies, an analysis of the population using data from prior years will be created to review potential solutions and measure success and improvements as a result of recommendations from the workgroup. This project is in its initial inception and the workgroup will meet at least quarterly to propose recommendations and implement solutions that are identified.

Performance Measure:

The County is expected to provide all services, including any and all required reports, in a timely manner in accordance with the criteria articulated in the agreement's Statement of Work.

Specifically, the County must identify the workgroup membership to include, but not limited to representatives from the Superior Court and the County Offices of the Public Defender, the District Attorney, the Sheriff, Department of Behavioral Wellness, the Public Guardian, and the Probation Department. The County will coordinate the workgroup at least quarterly, maintain and submit an annual roster of current members to DSH, utilize the workgroup to develop and implement local solutions, and submit evidence of meeting occurrences to DSH.

Fiscal and Facilities Impacts:

Budgeted: No; Budget Revision Request No. 0008981 requested to establish budget.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Annual Total</u>	<u>Total 5 Year Agreement Total</u>
General Fund		
State - DSH grant	\$ 100,000.00	\$ 500,000.00
Federal		
Total	\$ 100,000.00	\$ 500,000.00

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Narrative: The Grant Agreement is from the Department of State Hospitals to fund a collaborative stakeholder workgroup that meets on a quarterly basis. Funding will be utilized on services and supplies related to the workgroup's activities. It is an annual total of \$100,000, with a cumulative five-year total grant of \$500,000.

Key Contract Risks

The County must coordinate the contractor responsibilities in compliance with the Grant Agreement. The County shall provide services outlined in the agreement and shall incur expenses at its own risk and invest sufficient time and capital to fulfill the agreement obligations. DSH may terminate the agreement for cause if County fails to comply with the terms of the agreement or other local, federal, or state laws. DSH will distribute funding to the County in accordance with the payment schedule and DSH reserves the right to perform quality assurance and financial audit and/or reviews. The agreement also includes an indemnity provision under section 5 of the general terms and conditions. Under this provision, the County is to indemnify, defend, and save harmless the State.

Staffing Impacts

There are no staffing impacts.

Special Instructions:

Please return one (1) Minute Order to liwalter@countyofsb.org.

Attachments:

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- a) Department of State Hospitals Collaborative Workgroup Grant Agreement No. 23-79016-000
 - b) California Civil Rights Laws
 - c) Contractor Certification Clauses
 - d) Budget Revision Request No. 0008981

Authored by:

Lindsay Walter, Principal Management Analyst