



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Health Agency		(2) MEETING DATE 4/23/2019		(3) CONTACT/PHONE Scott Seyer, ASO, 788-2156	
(4) SUBJECT Request for permission to apply for an Edward Byrne Memorial Justice Assistance (JAG) grant for the 36-month period from October 1, 2019 through September 30, 2022 in the total amount of up to \$2,145,000 to support law enforcement, drug treatment, and correctional programs, and the establishment of mental health diversion court services. All Districts.					
(5) RECOMMENDED ACTION It is recommended that the Board authorize the Health Agency to apply for an Edward Byrne Memorial Justice Assistance (JAG) grant for the 36-month period from October 1, 2019 through September 30, 2022 in the total amount of up to \$2,145,000 to support law enforcement, drug treatment, and correctional programs, and the establishment of mental health diversion court services.					
(6) FUNDING SOURCE(S) Federal grant		(7) CURRENT YEAR FINANCIAL IMPACT \$0.00		(8) ANNUAL FINANCIAL IMPACT \$536,000 (FY 2019-20) \$715,000 (FY 2020-21) \$715,000 (FY 2021-22) \$179,000 (FY 2022-23)	
(9) BUDGETED? No					
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A					
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A				(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A		(15) BUSINESS IMPACT STATEMENT? No		(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Morgan Torell					
(18) SUPERVISOR DISTRICT(S) All Districts					



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Michael Hill, Health Agency Director / Anne Robin, Behavioral Health Administrator

DATE: 4/23/2019

SUBJECT: Request for permission to apply for an Edward Byrne Memorial Justice Assistance (JAG) grant for the 36-month period from October 1, 2019 through September 30, 2022 in the total amount of up to \$2,145,000 to support law enforcement, drug treatment, and correctional programs, and the establishment of mental health diversion court services. All Districts.

RECOMMENDATION

It is recommended that the Board authorize the Health Agency to apply for an Edward Byrne Memorial Justice Assistance (JAG) grant for the 36-month period from October 1, 2019 through September 30, 2022 in the total amount of up to \$2,145,000 to support law enforcement, drug treatment, and correctional programs, and the establishment of mental health diversion court services.

DISCUSSION

The Edward Byrne Memorial Justice Assistance (JAG) program (34 U.S.C. Section 10151-10158) is a key provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides critical funding necessary to support state and local initiatives including technical assistance, strategic planning, research and evaluations, data collection, training, and other criminal justice information systems. California's 2018 State Strategy for the JAG Programs has the following priorities:

1. Prevention and Education;
2. Law Enforcement; and
3. Prosecution, Courts, Defense, and Indigent Defense.

The County of San Luis Obispo application will target the priority #3 above which includes problem solving courts (e.g. Mental Health Diversion Court). This is the third State grant application which will braid together funding sources into a comprehensive program to implement the Assembly Bill (AB) 1810 (2018) mandates for mental health diversion (both pre-plea and post-plea) in our county. AB 1810 authorizes the court to grant pretrial diversion for defendants suffering from a mental health disorder if the court finds that the defendant's mental disorder played a significant role in the offense. Only California's 58 counties are eligible to apply for the Edward Byrne Memorial Justice Assistance (JAG) grant and for County of San Luis Obispo the lead agency will be the Probation Department. While the Health

Agency is helping to prepare the JAG grant application, Probation will take administrative lead of the grant, if awarded.

The grant funds, awarded by the Board of State and Community Corrections (BSCC), are to be used to support new program activities. The State of California, through Assembly Bill 1810 and through changes in Welfare and Institutions Code 4361, is working to provide a pathway of diversion for those with mental health issues into treatment and community-based services as opposed to long-term jail stays for criminal offenses. Individuals who commit serious criminal offenses such as murder, voluntary manslaughter, rape and lewd and lascivious acts with a child under the age of 14 are not eligible for diversion. The program participants may have misdemeanor or felony charges/offenses. In addition, the program participant must meet certain criteria for mental health diagnoses which are treatable in the community and will not pose a risk of danger to public safety if treated in the community. The Superior Court will order the individual into the Mental Health Diversion Court (MHDC) with regular weekly court treatment hearings to ensure continued compliance. The program participant must agree with all terms and conditions, including complying with mental health treatment and medication recommendations as a condition of diversion.

If awarded funds, an intensive outpatient treatment program is required and will mimic the County's highly successful Behavioral Health Treatment Court which includes: 2.00 FTE Behavioral Health Clinicians, 1.00 FTE Behavioral Health Specialist as a Case Manager, 1.00 FTE Probation Officer, 0.50 FTE Psychiatrist, night time stays at the homeless shelter as needed upon release of custody, and recovery residential housing. Using the intensive collaborative court model, all criminal justice and behavioral health partners will ensure a reduction in recidivism and a return to stable and productive lives of the program participants.

OTHER AGENCY INVOLVEMENT/IMPACT

The Community Corrections Partnership, consisting of the Chief of Probation, Sheriff, District Attorney, Public Defender, Health Agency Director, and Law Enforcement Police Chief, have endorsed this grant proposal. Intensive collaboration and solicitation of public input is needed prior to the grant application submission. The Community Corrections Partnership will function as the local JAG Steering Committee. The local JAG Steering Committee members needs to possess a working knowledge of the problem areas of adults with behavioral health and justice-involved individuals to reduce violent crime and recidivism in the County. In addition, while the Health Agency is providing support for the grant application, the Probation Department will serve as the lead agency for this grant, and the administrative costs will be allocated to the Probation Department for management, report writing, and data outcomes on this law enforcement funding opportunity.

FINANCIAL CONSIDERATIONS

Medium sized counties are eligible to apply for up to \$715,000 per year for each of the three years. If awarded, there are no matching requirements for the duration of this grant. At the maximum amount, there would be three medium sized county awards made.

At the time of this staff report, the budget and grant proposal are still being finalized. The application must be submitted by April 25, 2019. If awarded, Behavioral Health and the Probation Department will return to the Board for approval of the contract which will outline the budget and other project requirements, including the County and the funder's ongoing roles and responsibilities. This grant will have no impact on any departments budgeted level of General Fund support.

Ultimately, the goal of this grant is to help reverse the cycle of ongoing criminal justice involvement. This also aligns with the goals of Stepping Up and will dovetail with the Stepping Up Initiative for diverting persons with mental illness prior to incarceration or reducing the time they stay in jail with a court mandate to attend mental health treatment. The County is going to explore funding options for potentially continuing the program beyond the three-year grant period, including applying for additional grant funding.

RESULTS

The primary objectives of the grant program are to:

- (1) Demonstrate effective strategies and community-based programs that can support the diversion of clients with mental health issues with a current criminal justice involvement.
- (2) Reduce the recidivism of program participants within the three-year period of the grant.
- (3) Integrate individuals into long-term community treatment after diversion to reverse cycle of criminalization.

ATTACHMENTS

None.