

**MINUTES  
CORRECTIONS STANDARDS AUTHORITY MEETING  
THURSDAY, JULY 16, 2009**

**600 BERECUT DRIVE  
SACRAMENTO, CA 95811  
(916) 445-5073**

Meeting held at: Corrections Standards Authority, 660 Bercut Drive, Sacramento, CA 95811

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**CLOSED SESSION:** **(AGENDA ITEMS)**

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SAVE RURAL YOLO COUNTY – UPDATE PER THE BAGLEY-KEENE OPEN MEETING ACT, SECTION 11126 (E) (1)

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**OPEN SESSION:**

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Mr. Matthew Cate, Chair, welcomed everyone to the July 16, 2009 Corrections Standards Authority (CSA) meeting.

Mr. Cate asked Ms. Krysten Meyer, Executive Assistant to call roll.

The following members were in attendance:

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|------------|------------|---------------|--------------|
| Mr. Cate   | Mr. Ryan   | Ms. Penner    | Ms. Epps     |
| Mr. Warner | Mr. Prieto | Mr. Ingrassia | Mr. Adams    |
| Ms. Arnold | Mr. Baca   | Ms. Silbert   | Mr. Townsy   |
| Ms. Silva  | Ms. Bates  | Ms. Biondi    | Ms. McBrayer |

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**ABSENCE OF BOARD MEMBERS**

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Ms. Krysten Meyer announced the absences of the Board members and the reason for their absence.

Mr. Kernan and Ms. Campbell had prior commitments. There was a quorum.

Mr. Wilson, Executive Director, CSA, provided the Board with a budget update.

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**APPROVAL OF THE MAY 21, 2009 MEETING MINUTES (AGENDA ITEM A)**

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Mr. Cate asked for a motion to approve the May Minutes.

**A motion to approve the May 21, 2009 meeting Minutes was made by Ms. Biondi and seconded by Ms. Silbert. Mr. Ryan Abstained. The motion carried.**

## **CONSENT AGENDA ITEMS:**

Mr. Cate asked for a motion to accept the consent calendar agenda items B, C, and D.

**A motion to accept the items B, C, and D on the consent calendar was made by Ms. McBrayer and seconded by Ms. Silbert. Mr. Ryan Abstained. Ms. McBrayer Abstained from Item D. The motion carried.**

## **DISCUSSION AGENDA ITEMS:**

### STATE SELECTION AND TRAINING STANDARDS (SSATS) PROJECT – CORRECTIONAL OFFICER ACADEMY AND OFF-POST TRAINING STANDARDS, SELECTION EXAM, AND HEARING AND VISION STANDARDS **(AGENDA ITEM E)**

Mary Wakefield presented this informational item which provided an update on the State Selection and Training Standards project that is being conducted by the Standards and Training for Corrections (or STC) Division. As of July 2005, STC became responsible for the development and monitoring of selection and training standards for state correctional peace officers. We completed the job analyses of the correctional officer, youth correctional officer, and youth correctional counselor in December 2007 and are now winding up on the second phase of this project which is the development of academy and annual training standards for the state correctional officer classification. We held four subject matter expert meetings between June 2008 and April 2009. Our subject matter experts included correctional officers, sergeants, in-service training lieutenants, and academy trainers. The subject matter experts wrote knowledge skill maps (which consist of the value of a task, the knowledge, skills, and abilities required to complete a task, rules and concepts, steps, and aids and resources.) They also developed learning objectives for 47 of the Basic Correctional Officer Academy training modules and made recommendations regarding testing methods and class hours. On July 9, 2009 STC staff met with the Department's acting Chief Learning Officers Pamela Shintaku, Paul Bestolarides, and Travis McCann to provide a briefing of the project and request input from the academy to develop an implementation plan and timeline for the new academy training standards. We also met with supervisors from the Office of Training and Professional Development to discuss annual training standards for state correctional officers. Staff are also working on vision and hearing selection standard development for both state and local correctional officers. Consultants and staff visited three state institutions in June. In addition to these activities, work on the interim basic skills written exam for the selection of CDCR's correctional officers, youth correctional officers, and youth correctional counselors is continuing. Five new forms of the 2009 exam were delivered to the Office of Peace Officer Selection in June for use beginning this month. A final written exam is now being developed based on the job analysis and is scheduled to be completed in 2010.

Ms. Wakefield asked for questions. There were none.

**BEST PRACTICES APPROACH INITIATIVE: VENDOR AND ADMINISTRATIVE  
OFFICE OF THE COURTS**

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**(AGENDA ITEM F)**

Connie Lucero presented this action agenda item. The State Advisory Committee on Juvenile Justice and Delinquency Prevention voted in favor of the Executive Steering Committee's 1<sup>st</sup> recommendation to fund Assessments.com as the vendor for this project but did not approve the Executive Steering Committee's 2<sup>nd</sup> recommendation to fund the Administrative Office of the Courts in support of this project. Staff intends to come back at a later date with that recommendation. At the CSA's May 21<sup>st</sup> meeting, this board gave staff approval to allocate \$1.7 million in Juvenile Accountability Block Grant funds to support the statewide implementation of the Best Practices Approach Initiative and to release a Request for Proposal to select a vendor for the project. This initiative supports the Evidence-Based Program priority area as identified in California's 2009 Three-year State Plan that was approved by the board in March of 2009. The recipient of these funds would be tasked with comprehensive assessment of all 58 counties for validated risk/needs tools, current practices being administered, and each county's readiness to implement best practices, this part of the project begins with the knowledge that some surveys have already been conducted. Statewide training, development of training guides, development of measurement tools to gauge success of the project, Provide Enhanced training over a 12-18 month period for three to five probation departments who are prepared to participate in the organizational development and system change needed to implement an integrated agency-wide approach in the use of best practices. The Executive Steering Committee for this project was by Co-Chaired by CSA members Eleanor Silva and Adele Arnold and included: Don Meyer, Chief Probation Officer of Yolo County and President of the Chief Probation Officers of California Ted Baraan; Director for Alameda County Probation, Amanda Gibbs; Deputy Director Napa County Probation; Winston Peters, Assistant Public Defender of Los Angeles. The Request for Proposal was released on May 21<sup>st</sup> upon board approval with a due date of June 17, 2009. The Executive Steering Committee members read and rated each vendor's proposal and oral presentation as part of the competitive process. Out of the 4 proposals submitted, Assessments.com ranked number one and is being recommended for funding.

Ms. Lucero asked for questions.

Mr. Wilson added as a reminder to the Board that with the modification the staff recommendation is to include recommendation #1 but staff has withdrawn recommendation #2.

Mr. Warner commented that the initiative looks as if it focuses primarily on 58 counties and evidence based implementation at a local level, and added that he hopes that the Board and staff can look at the entire Juvenile Justice continuum and include the state facilities and parole as part of the effort as well.

Ms. McBrayer asked if there was anything that precludes the Board from looking at Juvenile Correction Facilities.

Mr. Yarber added that in regards to Mr. Warner and Ms. McBrayer's questions, staff has not yet finalized the contract and pending the Boards approval, we can include some of what Mr. Warner and Ms. McBrayer suggested including other facilities and other parts

of the continuum I believe that is within the scope of use with these funds.

Ms. Biondi asked if that could be added to the recommendation.

**A motion to approve the first recommendation to contract with Assessments.com and to include our Juvenile Facilities and Juvenile Stakeholders without changing the terms or the dollar amount of the Contract was made by Ms. McBrayer and seconded by Ms. Biondi. The motion carried.**

Ms. Penner stated that she feels as though the Board is moving away from the RFP.

Ms. McBrayer recommended that staff checked to see if Assessments.com would be will to expand the RFP.

Mr. Wilson asked what Ms. McBrayer would suggest doing if Assessments.com was not willing to expand the RFP.

Ms. McBrayer responded then she would want to stick with the RFP but doesn't feel that it would hurt to ask.

Ms. Epps added that in addition to asking about the RFP, if staff could ask what the fiscal impact would be.

Mr. Cate stated that what Ms. McBrayer stated in her recommendation is that we would ask staff while recognizing that we would stay within the current contract how broadly can we read the existing scope. If we can't do it without changing the contract, its terms or the dollar amount then that's not what we're voting for today. Mr. Cate asked if that was consistent with what Ms. McBrayer's motion was.

Ms. McBrayer replied yes.

Mr. Cate added that with that understanding of the motion that was made is there any further discussion. There was none.

Ms. Penner added that she would like to add to the record that on Item 2 where we're removing away from, it's nothing to do with a lack of desire to work with the Administrative Office of the Courts (AOC) but that there were some issues that need to be refined.

Mr. Wilson added that it is accurate and after making those refinements and working with the AOC staff does intend on returning with it back to the Board.

## ASSEMBLY BILL 900 UPDATE OF CONDITIONAL AWARDS(AGENDA ITEM G)

Leslie Heller presented this agenda item providing the opportunity for the CSA Board to review the status of AB 900 conditional awards for jail construction financing. It was reported that there are currently 11 counties that have a conditional award. With regards to 10 of those counties, there is nothing noteworthy to report and they are continuing in the process. Secretary Cate received a letter in May from the Yolo County Board of Supervisors advising that they voted to withdraw from the process of attempting to assist CDCR in siting a reentry facility. Ms. Heller indicated that given this piece of information staff recommends that the Board consider the information provided and determine appropriate action if needed.

Mr. Wilson stated that the staff recommendation at this point would be for the Board to rescind the conditional award that was previously awarded to Yolo County.

**A motion to rescind the conditional award that was previously awarded to Yolo County by the Board was made by Ms. Silbert and seconded by Mr. Baca. Mr. Prieto Abstained. The motion carried.**

Mr. Cate asked for further discussion from the Board or the public; there was none.

## ASSEMBLY BILL 900 JAIL CONSTRUCTION PHASE I ROUND 2 REQUEST FOR PROPOSALS (AGENDA ITEM H)

Leslie Heller presented this action agenda item requesting the Board's approval of the second AB 900 Phase I Request for Proposals (RFP) – the 2009 Edition. At the May 2009 Board meeting the timeline for the process was approved by the Board and it includes bringing the final draft of the RFP to the Board at this July 2009 meeting for its consideration and potential approval, and then releasing the final RFP document to the field. In January 2009 the Board authorized reconvening the AB 900 Phase I Executive Steering Committee in order to develop this second Phase I RFP to allow previously denied or new counties the opportunity to participate in the AB 900 funding process for county jail construction, coupled with the potential for bringing in more state reentry facility sites. Of the \$750 million total available in Phase I funding, \$164,426,779 remained available at the time the committee met, as funds had reverted from previously awarded counties. Prior to the January 2009 meeting all 24 counties that had submitted Phase I proposals had been given the opportunity to be conditionally awarded funding in the process. The Executive Steering Committee met; chaired by Sheriff Prieto of Yolo County and co-chaired by Sheriff Youngblood of Kern County. A draft RFP was developed based on the committee's recommendations to this Board, with very little change from the first Phase I RFP that went out in December of 2007, as the committee attempted to not confuse matters with changing components of the RFP process mid-stream in Phase I. The second round draft RFP was then circulated for review to four state entities, just as it had in the first round, going to Department of Finance staff to the State Public Works Board, the CDCR Office of Legal Affairs, the Attorney General's Office, and the Governor's Office. The Department of Finance made numerous edits to the document, primarily in terminology; however, no substantive programmatic changes were made.

Ms. Heller highlighted the most significant components of the final draft RFP. Assisting the state in siting state reentry facilities is required in order for a county to be eligible to participate in the jail construction funding process. The scope of work must include adding beds that are supported by a needs assessment, and this is consistent with the AB 900 legislative intent. Matching fund requirements are the same as the first round, and again consistent with AB 900: small counties may petition the board for a reduction in match, and as discussed at the last Board meeting the RFP process is set-up to accept a small county's petition upon submittal of their proposal provided all related aspects of the proposal pass staff's technical review; and medium and large counties have the 25% match requirement as required by the legislation.

Ms. Heller indicated that the \$164 million figure that is stated in the draft RFP was the current available balance at the time the document was drafted. Also, the RFP does indicate that currently available funding is subject to increase during the RFP process should additional funds become available. Regarding funding set-aside amounts, in working with the \$164 million figure the committee has recommended putting \$30 million into a set-aside for small counties wherein any small counties that submit a proposal compete amongst themselves for the \$30 million. The remaining \$134,426,779 would go into a set-aside for medium and large counties combined; where-in any medium or large counties that submit a proposal would compete together for that pot of money.

Ms. Heller suggested to the Board that with the addition of the \$30 million reverted today based on the Board's action on the previous agenda item, the Board may consider changing the amount available for disbursement as stated in the RFP from the \$164 million figure to \$194 million plus, and then determine in which set-aside the additional \$30 million should be placed. Ms. Heller further suggested that pertinent to that decision by the Board are a few factors to consider. First, when this potential situation was posed to the Executive Steering Committee regarding where to place funds that may be added in mid-stream during the Round 2 RFP and awarding process, the committee specifically chose to defer to the Board on this matter. Secondly, the RFP includes project caps, or maximum state dollar amounts a county may apply for. The Executive Steering Committee is recommending they stay the same as they were for Round 1. These caps are based on county size, with population statistics reported by the Department of Finance: small counties (200,000 or less in population) are capped at \$30 million; medium counties (200,001 to 700,000) are capped at \$80 million, and large counties (over 700,000) are capped at \$100 million. Thirdly, staff does not anticipate receiving but a handful of proposals potentially, and have heard of interest from only one small county, yet it is realized there could be more. Lastly as a consideration, nothing precludes the Board from shifting funds from one set-aside pot to another further along in the process, as needed, just as the Board has already done in the Phase I funding in order to exhaust the original list of counties that submitted proposals.

Staff recommended that the Board take the following action: approve the final draft of the AB 900 Phase I 2009 Edition Request for Proposals for construction or expansion of county jails; amend the total available dollars to \$194,426,779; amend the set-aside amounts to further reflect the additional \$30 million currently available, increasing the medium/large set-aside to \$164,426,779; and, authorize staff to release the final RFP to the field.

Ms. Heller asked for questions.

**A motion to approve staff recommendations was made by Ms. Silbert and seconded by Mr. Baca. The motion carried.**

Mr. Cate asked for any comments.

Public Comment

Mr. Cate asked for any further discussion. There was none.

**SENATE BILL 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES CONSTRUCTION FINANCING PROGRAM STATUS UPDATE OF CONDITIONAL AWARDS (AGENDA ITEM D)**

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Charlene Aboytes presented this action item which provides the Board with the status of the SB 81 Local Youthful Offender Rehabilitative Facilities Construction Financing Program conditionally funded projects and requests approval to redistribute funds remaining in the medium county set aside. At the March 19, 2009 meeting the Board accepted the SB 81 Construction Financing Program Executive Steering Committee's recommended funding list for proposals and provided conditional awards to the six highest ranked counties: Alameda, Stanislaus, San Luis Obispo, Monterey, Tuolumne and Shasta. Alameda, Stanislaus, San Luis Obispo, and Tuolumne counties were fully funded. Monterey County and Shasta County received only partial funding due to being at the cutoff point in available funding within their respective set-asides (medium county set-aside and small county set-aside). Monterey County subsequently declined the funding citing fiscal constraints. Shasta County accepted the conditional award partially funding their project and will complete the project's full scope of work and commit to the full match. Because Monterey County declined the SB 81 construction financing, \$3,879,017 remained in the medium county set-aside. Corrections Standards Authority (CSA) staff contacted Santa Cruz County and the Santa Cruz County Board of Supervisors voted to accept a conditional award of \$1,355,608 fully funding their project at their April 21, 2009 Board meeting. With Santa Cruz accepting the conditional award of \$1,355,608, there was \$2,523,409 remaining to partially fund Merced County's request for \$8,897,708. At their June 6, 2009 meeting, the Merced County Board of Supervisors declined the funding. An Updated Conditional Awards list is provided in Attachment A with a modified form on the projector screen. These documents show that there remains \$2,523,409 in the medium county set-aside with no medium-sized counties remaining on the list. Three large counties (Santa Clara, Riverside and Los Angeles) and three small counties (Humboldt, Yolo and Colusa) remain on the rank ordered list. One option the Board could consider is to approve fully funding Shasta County by shifting \$1,050,000 from the Medium County Set-Aside to the Small County Set-Aside, which would be consistent with the Board's past practice to fully fund counties "on the cusp" when funds have become available. Such action would still leave \$1,473,409 in unallocated state funds. A letter from Shasta County expressing their appreciation for the Board's consideration of this request has been provided. Chief Probation Officer Brian Richart attended the meeting and was available to answer questions. Although \$1,473,409 may be a small amount of state funds to offer the remaining counties relative to the amount

they requested, particularly considering that should a county accept this partial award, they must still commit to the full scope of work and full amount of county matching funds as stated in their SB 81 project proposal, staff recommends that the remaining counties be contacted and given the opportunity to express their interest, if any, in the remaining funds. Staff will then update the Board at the September CSA Board meeting with the counties' responses. Staff recommends that the Board: Approve shifting \$1,050,000 from the Medium County Set-Aside to the Small County Set-Aside and supplement Shasta County's conditional award in the amount of \$1,050,000, fully funding Shasta County's SB 81 juvenile construction project. Staff's 2<sup>nd</sup> recommendation is that the Board authorize staff to send a letter to the counties remaining on the eligible funding list asking if, pending Board approval, they would be interested in accepting the remaining \$1,473,409 in state funds given the requirement to complete the full scope of work and commit to the full amount of county matching funds as stated in their SB 81 construction project proposals.

Ms. Aboytes asked if there were any questions.

Mr. Cate asked for additional comments or public comments. There were none.

**A motion to accept staff's recommendations was made by Ms. Penner and seconded by Ms. Arnold. The motion carried.**

Mr. Cate asked for any additional comments.

Ms. Penner stated that she would like to put on the record that the need is still very great for Juvenile Facilities and that it's important that we realize that the needs of these applicants do not fully represent the state in terms of the Juvenile population.

Mr. Cate stated there were no further comments.

**SENATE BILL 81 POLICY IMPACTS AND OPTIONS (AGENDA ITEM J)**

Mr. Wilson presented this informational item. By way of background, Item J comes to the Board by a way of conversations between Secretary Cate and CSA Staff and the Chief Probation Officers of California (CPOC) which has to do with the SB 81 funding which was just discussed. The \$100 Million which was allocated to the counties for the Juvenile Facilities, we had approximately \$232 Million in requests from those counties, the Chief Probation Officers have a concern that perhaps there is a need to go back and look at additional funding sources for the continued funding of SB 81. It's more of a policy call. What we would like to do is to have Dr. John Kohls walk us through some of the statistical data of where we are and essentially break the decision up in to two components. One whether or not there is a need at the local level and assuming that you do agree that there is a need, the next component would be for this body to make some determination about what they would like to do about it, if anything.

Dr. Kohls stated that he is here to present background issue related to juvenile hall capacity and juvenile hall need for space. This is statewide aggregated data. There are agencies that are experiencing crowding everyday but I will not be presenting that data

but instead this aggregated data. There are factors affecting Juvenile Hall population. The first set of factors is efforts to control the size of the detained Juvenile population which include: Increased use of juvenile programming, increased use of evidence-based programming, Adoption of validated risk-needs assessment instruments, Changing policies regarding when detention is the preferred option, and Alternatives to detention. Competing with those attempts to control the size of the population is these factors which are putting increased pressures on juvenile hall populations: The size of the at-risk population, The amount of crime in California, The number of juveniles arrested per year, The number of juveniles declared wards, The number of predisposition juveniles in halls, and The number of juveniles with felony charges. The results of those competing factors in regards to peak populations is as follows, the number of peak populations of juvenile halls from 1999-2007 haven't changed that much. In terms of projections, if the rated capacity of juvenile halls stays the same as it is today until the year 2020, and the peak populations increased my projection is that there would be 9420 juveniles in juvenile halls on the average day in the peak demand in 2020. If we stay at the rated capacity that we have today I believe we will have the same deficit of beds we had 10 years ago.

Mr. Wilson added that it is aggregated data and that it represents statewide and not the individual county level and also that the data reflects beds with no respect to the programming available for those beds which was a portion of the intent of SB 81 nor does it affect the acuity of those beds.

Mr. Baca stated, if this is merely an effort to say, do we need to go back and ask for an amending piece of legislation to bill to the future, it's a no-brainer; I'd say we should do it.

Ms. Biondi stated that if we do more to reduce the size of the population we may not need more beds. I would hope that before we rush to build more beds that will be full, that we would take a position that we need to fund more programs that are alternatives to detention before we build beds to fill them.

Ms. Penner stated that programming and reentry is important but statistically, the data based on population alone shows there are needs that are coming and she feels that if we do not stay on the trend to get ahead of the curve, we need the proper beds and planning.

Ms. Silbert stated that when the Legislature funded a large amount of money for program funding, which was shown to be successful, the Legislature pulled the money even though the research showed the programs to be successful.

Ms. Penner stated that she would like to move the item forward.

Mr. Wilson added that it sounds as if the direction is to reconvene the Executive Steering Committee. One option would be for the Board to give the latitude to the Chair to make modifications as necessary to the membership.

Ms. Silbert asked that Dr. Kohls bring back the summary of the research that happened in 2000 from the local action plans.

Mr. Wilson replied that staff would work to locate the report.

**A motion to reconvene the Executive Steering Committee which gives the Chair the latitude to make modifications to the membership as necessary with reporting back to the Board once the work has been completed was made by Mr. Warner and seconded by Mr. Prieto. The motion carried.**

Mr. Cate asked for further discussion, there were none.

**PUBLIC COMMENT**

**(AGENDA ITEMS K)**

Mr. Cate asked if there was any public comment. There was none.

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**Next meeting: Thursday, November 19, 2009 at 1:00 p.m. in Riverside, CA.**

Meeting adjourned at 2:50 p.m.

Respectfully submitted,

*Originally signed by*

KRYSTEN MEYER  
Executive Assistant  
Corrections Standards Authority

**ROSTER OF PERSONS IN ATTENDANCE**

**CSA Board Members**

Mr. Cate, Secretary, CDCR  
Mr. Warner, Chief Deputy Secretary, Juvenile Justice  
Mr. Baca, Sheriff, Los Angeles County  
Ms. Bates, Supervisor, Orange County  
Ms. Epps, Supervising Probation Officer, San Bernardino County  
Ms. McBrayer, Executive Director, The Children's Initiative  
Mr. Ryan, Director, Division of Community Partnerships  
Ms. Silva, Administrator (A), Department of Juvenile Justice  
Mr. Prieto, Yolo County Sheriff's Department, Vice Chair  
Ms. Penner, Fresno County Probation Department  
Ms. Arnold, Siskiyou County Probation Department  
Mr. Ingrassia, San Diego County Sheriff's Department  
Ms. Biondi, Public Member  
Ms. Silbert, Executive Director, Delancey Street Foundation  
Mr. Adams, Yuba County Sheriff's Department  
Mr. Marshall, CDCR Division of Adult Parole Operations  
Mr. Townsy, Folsom State Prison

**CSA Staff**

Kurt O. Wilson, Executive Director  
Krysten Meyer, Executive Assistant  
Robert Takeshta, Deputy Director, CFC  
Debbie Rives, Deputy Director, STC  
Marlon Yarber, Deputy Director, CPP  
Gary Wion, Deputy Director, FSO  
Leslie Heller, Field Representative, CFC  
Charlene Aboytes, Field Representative, CFC  
Shalinee Hunter, Field Representative, CPP  
Mary Wakefield, Consultant, STC  
Chris Martin, Correctional Consultant, CPP  
Connie Lucero, Correctional Consultant, CPP  
Toni Gardner, Field Representative, FSO  
Rebecca Craig, Field Representative, FSO  
Reizo Shibamoto, Information System Technician  
Tina Perez, Information System Technician