



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

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First District

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Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: December 10, 2024

DRAFT

XX

TO: Board of Supervisors

SUBJECT

AUTHORIZE ACCEPTANCE OF PROPOSITION 47 COHORT 4 GRANT PROGRAM FUNDS AND AUTHORIZE ACCEPTANCE OF INCOMPETENT TO STAND TRIAL DIVERSION AND COMMUNITY-BASED RESTORATION INFRASTRUCTURE PROJECT GRANT FUNDS (DISTRICTS: ALL)

OVERVIEW

To support the well-being of those with behavioral health conditions, the San Diego County Board of Supervisors (Board) and the County of San Diego's (County) Health and Human Services Agency (HHS) remain committed to investing in services to meet the needs of individuals, including those who are involved with the justice system. In alignment with this commitment, County Behavioral Health Services (BHS) continues to pursue funding to enhance and expand access to critical mental health and substance use disorder prevention, engagement, housing, and treatment services. Recent grant programs from the State have created a unique opportunity to advance Board priorities and provide better connections to care for vulnerable populations with specialized needs.

The Proposition 47 Grant Program: Safe Neighborhood and Schools Act, Cohort 4 from the California Board of State and Community Corrections (BSCC) released \$152 million in total funding. BHS applied for the maximum allowable grant funding award of \$8.0 million and on October 3, 2024, the BSCC notified BHS of a final award in the full amount of \$8.0 million. Upon approval of today's item, BHS will expand the evidence-based Assertive Community Treatment (ACT) approach to include implementation of the Forensic Assertive Community Treatment (FACT) treatment model, which currently does not exist in the BHS system of care. FACT services build on the ACT model and provide care to people with serious mental illness who are involved with the criminal justice system by providing customized supports based on criminogenic needs and risks, while bridging the behavioral health and criminal justice systems.

The Incompetent to Stand Trial (IST) Diversion and Community-Based Restoration (CBR) Infrastructure Project grant (IST Infrastructure Grant) from the Department of State Hospitals (DSH) released \$468.8 million in total funding to increase the State's capacity of residential treatment homes and facilities for people who have been charged with a felony, deemed incompetent to stand trial, and who are identified by DSH as eligible for diversion or community-based services. BHS applied for the maximum allowable award of \$21,375,000 and on August 29,

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2024, DSH notified BHS of a preliminary award for the full amount. Upon approval of today's item, BHS will utilize funds for renovations that convert approximately 22 existing psychiatric acute inpatient beds within the San Diego County Psychiatric Hospital to specialized long-term care beds for patients deemed IST.

These items support the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities by implementing new services that are designed to improve outcomes for persons with serious mental illness who are involved with the justice system.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the acceptance of \$8,000,000 of one-time *Proposition 47 Cohort 4 Grant Program* funding from the California Board of State and Community Corrections for Fiscal Years (FY) 2024-25 through 2027-28 to support people with justice involvement who have behavioral health conditions, and authorize the Agency Director, Health and Human Services Agency, or designee to execute all required documents, upon receipt, including any annual extension, amendments, or revisions that do not materially impact or alter the services of funding level.
2. Authorize the acceptance of \$21,375,000 of one-time *Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project* grant funding from the California Department of State Hospitals for Fiscal Years (FY) 2024-25 through 2027-28, to expand access to residential housing infrastructure for individuals found to be incompetent to stand trial and eligible for DSH-funded diversion or community-based restoration services, and authorize the Agency Director, Health and Human Services Agency, or designee to execute all required documents, upon receipt, including any annual extension, amendments, or revisions that do not materially impact or alter the services of funding level.

EQUITY IMPACT STATEMENT

Individuals who are justice-involved experience barriers that impact their ability to successfully navigate systems of care and the justice system. Recent grant programs from the State have created opportunities to address barriers to services by supporting connections to behavioral health treatment, housing support, and other customized services for persons with high needs who intersect with the justice system. Nationwide, systemic issues such as poverty, lack of education, inadequate access to healthcare, unsafe neighborhoods, and insufficient social support contribute to disproportionately high rates of crime, arrests, and incarceration among Black, Indigenous, and People of Color (BIPOC), as well as individuals who are poor, struggling with mental health or substance use challenges, or experiencing homelessness. It is anticipated that funding from these grants will have a positive impact on these populations by providing mental health services, substance use disorder treatment, diversion programs, and other supportive services.

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SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County's Sustainability Goal #2 to provide just and equitable access to County services by addressing barriers that disproportionately affect justice-involved individuals, particularly Black, Indigenous, and People of Color (BIPOC) and those experiencing homelessness, mental health, or substance use conditions. Funding from the Proposition 47 Grant program addresses barriers to care by connecting individuals with behavioral health treatment, housing support, and diversion programs following incarceration. Funding from the IST Infrastructure Grant aims to restore competency to individuals with serious mental illness.

Furthermore, these efforts align with Sustainability Goal #4 to protect the health and well-being of everyone in the region. By supporting connections to essential services for individuals re-entering the community after incarceration, the program helps reduce the cycle of incarceration and homelessness, contributing to long-term improvements in health outcomes for San Diego residents. Ongoing community engagement and program evaluation will ensure that services remain responsive to community needs, fostering sustainable improvements in both the justice and behavioral health systems over time.

FISCAL IMPACT

Recommendation #1

Funds for the *Proposition 47 Cohort 4 Grant* program request are included in the Fiscal Year (FY) 2024-28 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of \$8,000,000 million in FYs 2024-25 through 2027-28. The funding source is State General Funds from the Safe Neighborhoods and Schools Fund and will leverage \$6.4 million of existing Mental Health Services Act (MHSA) funding within current ACT programs. There will be no additional staff years with the approval of the recommended actions.

Recommendation #2

Funds for the *Incompetent to Stand Trial (IST) Diversion and Community Based Restoration Infrastructure Project* grant are included in the Fiscal Year (FY) 2024-28 Operational Plan in the Health and Human Services Agency. If approved, this request will result in one-time estimated costs and revenue of \$21,375,000 million in FYs 2024-25 through 2027-2028. The funding source is State General Funds from the California Department of State Hospitals. There will be no additional staff years with the approval of the recommended actions.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

On November 7, 2024, the Behavioral Health Advisory Board voted to [REDACTED] this Board Letter on consent.

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BACKGROUND

To support the well-being of those with behavioral health conditions, the San Diego County Board of Supervisors (Board) and the County of San Diego's (County) Health and Human Services Agency (HHSA) remain committed to investing in services to meet the needs of individuals, including those who are involved with the justice system. In alignment with this commitment, County Behavioral Health Services (BHS) continues to pursue funding to enhance and expand access to critical mental health and substance use disorder prevention, engagement, housing, and treatment services. Recent grant programs from the State have created a unique opportunity to advance Board priorities and provide better connections to care for vulnerable populations with specialized needs.

I. Proposition 47 Grant Program

In 2014, Proposition 47 was approved by California voters with the purpose of reducing certain felony drug and theft crimes to misdemeanor offenses and enacting the *Safe Neighborhoods and Schools Act* which designates 65 percent of the State corrections savings by invested in alternatives for nonserious, nonviolent crime and for treatment and other services. These savings are deposited into a fund that is made available for various grant programs released through the California Board of State and Community Corrections (BSCC).

On April 12, 2024, BSCC released the *Proposition 47 Grant Program: Safe Neighborhood and Schools Act, Cohort 4* grant opportunity which provided \$152 million in total funding to eligible California public agencies for the provision of mental health services, substance use disorder treatment, and diversion programs for people in the criminal justice system. In addition to this service alignment, applicants were encouraged to submit proposals that also offer housing-related services and other community-based supports.

BHS submitted a proposal and on May 8, 2024, it was shared with the County's Local Advisory Committee (LAC) for input. The LAC was formed in 2016 for the sole purpose of planning, developing, and overseeing programs funded by Proposition 47 grants with members consisting of representatives with diverse expertise in the criminal justice system, including those with lived experience. On June 10, 2024, BHS applied for the maximum allowable grant funding award of \$8.0 million, and on October 3, 2024, the BSCC notified BHS of a final award for the full amount.

Upon approval of today's item, this funding will allow the expansion of evidence-based Assertive Community Treatment (ACT) approach to include implementation of the Forensic Assertive Community Treatment (FACT) treatment model, which currently does not exist in the BHS system of care. ACT services provide the most intense level of outpatient treatment to adults with serious mental illness (SMI) who are experiencing homelessness using a "whatever it takes" approach to comprehensively address a person's needs with a focus on resilience and recovery. ACT services are tailored to each person based on their unique needs and include housing, intensive case management, wraparound services, outpatient services, rehabilitation and recovery services, supported employment and education services, peer support, and others.

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FACT services build on the ACT model and provide care to people with SMI who are involved with the criminal justice system by providing customized supports based on criminogenic needs and risks, while bridging the behavioral health and criminal justice systems. Through the Proposition 47 grant, BHS will expand and leverage \$6.4 million of existing Mental Health Services Act (MHSA) funding within current ACT programs to create the first local FACT program. The program will expand available housing interventions and ancillary housing supports, embed criminal justice staff, provide substance use services and flexible funding for customized supports.

The overall goals of the new FACT program will be to:

- Improve outcomes for persons with serious mental illness who are involved with the criminal justice system.
- Reduce homelessness and increase housing retention outcomes.
- Reduce recidivism through an integrated multi-disciplinary team approach.

Furthermore, it is anticipated these enhanced services will reduce time spent in detention, avoid psychiatric visits to emergency rooms, reduce admissions to psychiatric hospitals, increase engagement with treatment, and increase public safety. Today's action requests the Board to authorize the acceptance of Proposition 47 Cohort 4 Grant Program funding.

II. Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project Grant

On March 1, 2023, the State of California Department of State Hospitals (DSH) released Round 1 of non-competitive funding for the *Incompetent to Stand Trial (IST) Diversion and Community-Based Restoration (CBR) Infrastructure Project* grant (IST Infrastructure Grant). This funding provides \$468.8 million in total grant funding to agencies to increase the State's capacity of residential treatment homes and facilities for people who have been charged with a felony, deemed incompetent to stand trial, and who are identified by DSH as eligible for diversion or community-based services. The DSH IST Infrastructure grant funds are anticipated to create up to 5,000 beds statewide for this population. The one-time IST Infrastructure Grant funds can be utilized for counties to cover the costs of acquisition or down payment on a property, rehabilitation of a property, and/or furniture and minor equipment needed for occupancy.

In June 2024, BHS applied for the maximum allowable IST Infrastructure Grant fund award of \$21,375,000. On August 29, 2024, DSH notified BHS of a preliminary award for the full amount, pending the County's execution of a program funding agreement and submission of a project application. With the County, the IST Infrastructure Grant funds will be utilized for renovations that convert approximately 22 existing psychiatric acute inpatient beds within the San Diego Psychiatric Hospital (SDCPH) to specialized long-term care beds for patients deemed IST. Upon completion, the new IST beds will provide critical services within the SDCPH to restore competency to individuals with serious mental illness. Today's action requests the Board to authorize the acceptance of IST Infrastructure Grant funding.

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LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed actions support the County of San Diego’s 2024-2029 Strategic Plan initiatives of Equity (Health), Community (Quality of Life), and Justice (Restorative) as well as the regional *Live Well San Diego* vision, by reducing disparities and disproportionality of individuals by implementing new services that are designed to improve outcomes for persons with serious mental illness who are involved with the justice system.

Respectfully submitted,

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EBONY N. SHELTON
Chief Administrative Officer

ATTACHMENT(S)

N/A

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