

Clinical Operations and Community Forensic Partnerships Divisions
1215 O Street
Sacramento, California 95814
www.dsh.ca.gov



DEPARTMENT LETTER: 23-002

June 30, 2023

TO: ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY BEHAVIORAL HEALTH DIRECTORS
ALL COUNTY CHIEF EXECUTIVE OFFICERS
ALL COUNTY COUNSELS
ALL COUNTY DISTRICT ATTORNEYS
ALL COUNTY HEALTH CARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY PUBLIC HEALTH DIRECTORS
ALL COUNTY PUBLIC DEFENDERS
ALL COUNTY SHERIFFS
ALL COUNTY SUPERIOR COURTS

SUBJECT: ROUND 2: COLLABORATIVE COMMUNITY STAKEHOLDER
WORKGROUP ANNUAL FUNDING TO REDUCE THE
CRIMINALIZATION OF INDIVIDUALS WITH SERIOUS MENTAL
ILLNESSES

EXPIRES: RETAIN UNTIL RESCINDED

SUPERSEDES: DEPARTMENT LETTER 22-002

Purpose

Departmental Letter (DL) 22-002 provided counties with guidance on how to receive annual funds to support coordinating and facilitating collaborative County Stakeholder Workgroups that target strategies and seek solutions to reduce the criminalization of individuals with serious mental illnesses in their communities and reduce the number of individuals who are determined to be incompetent to stand trial (IST) on felony charges.

This DL informs counties of a second opportunity to receive funds. The requirements for any county to receive the funding has not changed since Department Letter 22-002 was released in December 2022.

Background

The 2022 Budget Act invested \$535.5 million beginning in 2022-23 and by 2025-26 will increase to \$638 million ongoing annually for the Department of State Hospitals

(DSH) to implement comprehensive IST solutions to provide timely access to care for individuals found IST on felony charges.

Included in the IST solutions is significant funding to be made available to counties to expand Community Based Restoration (CBR) and Felony Mental Health Diversion (Diversion) programs with the goal of expanding to a total of 5,000 beds in the community over the next four years to serve individuals deemed IST on felony charges.

As part of the expansion, funding was set aside to provide counties with an opportunity to coordinate and participate in collaborative community stakeholder workgroups focused on developing and implementing local solutions that reduce the number of individuals with serious mental illness arrested and incarcerated for behavior connected to their illness. All 58 counties are eligible to receive up to \$100,000 annually to support local efforts that focus on targeting the reduction of Felony Incompetent to Stand Trial (FIST) commitments overall within the county. Counties may utilize these funds to plan for various countywide efforts that could lead to a reduction in FIST commitments including but not limited to the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Court Program, pre-arrest diversion programs, and reentry services for individuals with a serious mental illness. While the primary focus of this funding is to support upstream efforts that prevent individuals with serious behavioral health conditions from being arrested and found incompetent to stand trial, funds may also be used to assist counties with planning efforts related to implementing new and/or expanding CBR and Diversion programs, including regional solutions, aimed at serving the FIST population.

As of July 1st, 2023, 32 of the 58 counties are participating in the program: Butte, Contra Costa, Del Norte, Fresno, Kern, Madera, Mendocino, Merced, Mono, Monterey, Nevada, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tulare, Tuolumne, Ventura, Yolo, and Yuba.

General Eligibility Requirements

All counties are eligible to receive annual funding for participating in the collaborative community stakeholder workgroup program. Counties are not required to have a current contract with DSH for a Diversion or CBR program to be eligible for this funding. Counties that already have a contract with DSH do not need to apply again.

To receive funding under this program, a county shall submit a Letter of Intent (LOI) to DSHDiversion@dsh.ca.gov. DSH will have two benchmark deadlines to submit the LOI.

- Benchmark 1: Submit the LOI by September 01, 2023, to enter into a contract effective January 01, 2024.
- Benchmark 2: Submit the LOI by December 01, 2023, to enter into a contract effective July 01, 2024.

Once approved, counties shall enter into a five-year contract with DSH and adhere to the program requirements to receive annual funding from DSH as outlined in the contract and may elect to renew the contract at the end of each five-year agreement with DSH.

Program Requirements

This section outlines the documentation required of each county that enters into a contract to receive the available funding for this program.

- 1) The lead county organization will be the entity to enter into a contract with DSH for up to \$100,000 annual planning grant funds (5-year total contract value of up to \$500,000).
- 2) Participants in the workgroup must, at a minimum include representatives from four of the following jurisdictions:
 - a. County Administrator/Executive Office
 - b. Superior Court
 - c. Public Defender's Office
 - d. District Attorney's Office
 - e. County Sheriff
 - f. County Department of Behavioral Health or Primary Service Provider
 - g. County Probation

Although additional members may be present, the minimum representative requirements must be met.

- 3) Counties will be required to submit and maintain an annual roster of all current members of their stakeholder workgroup. The annual roster must be emailed to DSH at DSHDiversion@dsh.ca.gov. For contracts starting January 2024, rosters will be due by January 31st and for contracts starting July 2024, rosters will be due by July 31st of each fiscal year.
- 4) The workgroup may meet as often as necessary however shall, at a minimum, hold meetings quarterly.

- 5) An invoice shall be sent to DSH in arrears and cannot exceed \$100,000 per fiscal year as outlined in the contract. Counties will have an option to send invoices quarterly, if necessary. The following items shall be submitted to DSH with each invoice:
- a. A list of roster members who attended the required meeting(s).
 - b. A copy of the meeting agenda(s) which includes a list of action items discussed.
 - c. A brief summary of the current status and outcomes resulting from the workgroup's efforts commensurate with the timeframe associated with the invoice period.

Counties will be eligible for partial payments even if they are unable to hold quarterly meetings. They may submit an invoice along with the required items to receive payment.

If you have any questions or require additional information, please contact DSH Diversion by email at DSHDiversion@dsh.ca.gov.

Original Signed By



Katherine Warburton
Medical Director, Clinical Operations
Department of State Hospitals



Stacey Camacho
Deputy Director (A), Community Forensic
Partnerships Division
Department of State Hospitals

Attachment(s)
Letter of Intent