



DATE: July 26, 2024

TO: ALL COUNTY CHIEF ADMINISTRATIVE/EXECUTIVE OFFICERS

SUBJECT: FISCAL YEAR 2023-24 FELONY INCOMPETENT TO STAND TRIAL (IST) GROWTH CAP QUARTERLY PROGRESS REPORT: QUARTER 4

RE: IST GROWTH CAP DEPARTMENT LETTER: 23-003

Please find attached to this memo, a progress report of unreconciled Incompetent to Stand Trial (IST) determination data for the fourth quarter of FY 2023-24 (April 1, 2024 – June 30, 2024) provided along with reference to the FY 2021-22 baseline IST determination numbers. A copy of all previously issued notices including Department Letter (DL) 23-003 are available on the [DSH Growth Cap Webpage](#).

DSH releases unreconciled data reports, referred to as progress reports, within sixty days following the end of each new quarter. The intent of the progress report is to provide counties with quarterly updates on how the current year trend of felony IST determinations compares to baseline trends so counties have an opportunity to take action that could result in preventing cap overages and potential funding redirection.

Additional Growth Cap Program Announcements

- Update to DL 23-003, Attachment F
DSH will be issuing an update to DL 23-003, Attachment F: Rate & Tier to reflect the application of a Statewide Median IST rate in the calculation of Growth Cap invoices issued to counties that are subject to fees as a result of exceeding the IST baseline established for the county.
- Final Reconciled Data for FY 2023-24
The final reconciled data report of annual IST determinations for FY 2023-24 will be completed by DSH no later than September 30, 2024, and released to counties by the end of October 2024. With that release will come the opening of the dispute window for FY 2023-24 IST determination data. Please refer to [Attachment E, Dispute Process](#) if you determine a correction is needed after the release of the finalized data.

If you have any questions, please feel free to contact the team by emailing: DSHISTGrowthCap@DSH.CA.GOV.



A handwritten signature in black ink, appearing to read "C. Edens".

Chris Edens
Chief Deputy Director, Program Services
Department of State Hospitals

cc: All counties' Behavioral Health Directors
All counties' Sheriffs
All counties' Public Defenders
All counties' District Attorneys
All Presiding Judges of the Superior Courts of California
All counties' Designated Representatives

Attachment(s): Fiscal Year 2023-24 Quarter Four Progress Report