



**PUBLIC REQUEST TO ADDRESS  
THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, CALIFORNIA**

MEMBERS OF THE BOARD

HILDA L. SOLIS  
HOLLY J. MITCHELL  
LINDSEY P. HORVATH  
JANICE HAHN  
KATHRYN BARGER

**Correspondence Received**

The following individuals submitted comments on agenda item:				
Agenda #	Relate To	Position	Name	Comments
Public Comment		Favor	colin campbell	<p>Hello LA Board of Supervisors Holly Mitchell and Kathryn Barger, US CyberCommand, County of Los Angeles, Sharmaine Moseley, Sheriff Civilian Oversight Commission/Gov Newsom/President Biden/VP Harris, President Elect Trump and VP Elect Vance: This will help provide family services and provide the compute power for our most powerful ai.-Enhancing Linkages for Department of Children and Family Services Impacted Families</p> <p>This committee would be a great place to do a pilot to help citizens &amp; officers deal with contested situations w/law enforcement, Courts, Jails, Homeless, Healthcare, for policy, Complaints, families and compliance? Holly Mitchell, Sharmaine Moseley/Hans/Kathryn Barger- I applied for the position as a oracle developer (Job Number -G2525T-R) to rollout US Cybercommand/Oracle Federal that is sentient/self aware and knows/records all and will identify racism and persecution of the poor I call this AI - Martin Luther the King? Kamalacare/KathrynCare/Trump LifeSupport/Dept of Gov Efficiency our AI being required to colonize the moon and mars needs to be trained on the world's medical and justice data as we study black holes by Niel Degraass Tyson we should study and protect the human condition with as much detail.</p> <p>Hello I am Colin Campbell representing US Cybercommand under orders by President Biden/Gov Newsom/Senator Dodd &amp; US Senate/House of Representatives "Select committee's of Intelligence" and presented the federal budget for this year of \$238.5 Billion for Oracle Federal AI for healthcare and justice to LA Board of supervisors on 9/10/2024 -12 weeks ago, in person. Can we use (US Cybercommand's/NASA/JPL general intelligence) that can talk/listen/monitor everyone for helping with our homeless problem as well as Oracle Federal has a contract management module that was an issue in the report discussed Nov 26, 2024 by Mr Robert Campbell, Dr Valencia Kellum and Ms. Janine Trejo and CEO Davenport? The federal budget released under the "AI accountability Act" signed into law 9/30/2024 - 8 weeks ago, by Gov Newsom/Senator Dodd Homeless has approximately 2.59 billion this year 2024 allocated to LA County and would like to start the pilot at the Pasadena Homeless shelter I have submitted to Kathryn Barger's office. Oracle Federal tracks all money and human behavior using our newly realized laws of physics of Quantum Computing which I helped rollout in July 2019 for LADWP. Can the Civilian Oversight Commission also use Oracle federal/US Cybercommand I presented to them 1 week ago -Robert Bonner, Sharmaine Moseley, Hans Johnson, Robert Luna for Homeless issues? This will help our homeless on the moon and mars and our AI (from JPL-NASA Pasadena)</p>



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			<p>needs to be trained on the world's population. Respectfully submitted,</p> <p>dropbox.com/scl/fi/o96g5i7ag4nnp5mhrj86/Nov-26-la-pitch-and-new-department-for-oracle-federal-saved-the-world.m4a?rlkey=l5i1hn48bzzb43hlm3kmgdc95&amp;st=a20hizle&amp;dl=0</p> <p>dropbox.com/scl/fi/jlpvp0seku91klmzehgmy/Nov-26-pitch-to-La-county-homeless-general-intelligence.m4a?rlkey=xlkt8sjo67dpsgr0rnibsapyb&amp;st=35s6il6e&amp;dl=0</p> <p>Colin M Campbell III</p> <p>420 El Coronado St</p> <p>South Pasadena, CA 91030</p> <p>colinmcampbell3@gmail.com</p> <p>434 466 4055</p> <p>Dec 3, 2024 - 9:00 am pst</p>	
		<b>Other</b>	Daryl Twerdahl	<p>See attached document</p>
			Eric Stiles	<p>Dear Board of Supervisors,</p> <p>I'm Anna Harris, a Los Angeles County resident, amateur racer, content creator and now I've become an activist for legal racing. I want to thank you for the opportunity to speak about a movement that I believe will help keep our streets safer throughout Los Angeles County and the entire Southern California region.</p> <p>I know the county is trying to prevent the issues and problems associated with illegal street racing and takeovers. I'm trying to save the last LA County racetrack open to the public. As you may have heard, Irwindale Speedway in the San Gabriel Valley is poised to shut down at the end of the year. We've heard that the company that purchased the land last year wants to build warehouses on land that has been home to racing for many decades. It would be impossible to pinpoint the exact number of lives that have been saved by Irwindale Speedway and racetracks like it, but the number of street takeovers has significantly increased throughout Los Angeles City and County since the start of the pandemic, as noted in this year's report from the city of Los Angeles.</p> <p>In item 2(b)5 of your 2023 motion to address illegal street takeovers and racing in unincorporated Los Angeles County, supervisors voted to find out the feasibility of "securing a permanent closed track for street performance activities, separate from public streets, in communities most impacted by street takeovers and racing."</p> <p>It's clear that county officials would spend far more money on building a new</p>



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track anywhere in the county than they would in working with the developer that bought Irwindale. It's also clear that developers would spend far more money destroying the racetrack and building more warehouses than it would cost to keep the track, burnout box and drag strip alive for residents throughout Southern California.

Irwindale Speedway already has the amenities in place that county officials are looking for as a legal place for Southern Californians to perform stunts and race. Irwindale has a burnout box where stunts can be performed, a 1/8 mile drag strip with 1/2 mile runout, and a 1/2 mile racing oval where professionals currently race. This is the only racing facility still open to the public in Los Angeles County. This is a real shame, because drag racing was born in the San Gabriel Valley all those decades ago.

Earlier this month, I started a petition to save Irwindale Speedway from destruction. The petition has more than 6,000 signatures as of December 2. That number keeps climbing daily as more people ask that this track be saved. I fear that Irwindale's loss could lead to an even greater rise in illegal street racing and street takeovers - a problem that has plagued many areas of the county.

Irwindale is a safe place for both professional and amateur racers to take out their road rage, aggression and other bad behavior on the track instead of on innocent drivers. I believe that the issue of illegal street racing and burnouts is a major problem in Southern California, not just an issue in Los Angeles County. We need to keep our racetracks open or even try to open new ones instead of shutting them down. We need to save Irwindale Speedway for racing.

We need to form a public-private partnership to keep Irwindale open, and increase the number of events geared at amateur racers to keep them off the streets. Themed nights for different types of vehicles, concerts, fireworks shows, drag racing, car enthusiast and even more events could be held if the county worked with Irwindale track officials and the racing public to keep racing on the track and prevent illegal street takeovers. The county can help with the marketing of these events, which could actually help add to the county's budget instead of draining the budget looking for more solutions.

I'm not sure that one racetrack alone could help solve this problem, but Irwindale Speedway has been packed for nearly every event since people found out about the closure. Clearly, the support for the track is at its highest point. We've heard that the track amenities will be moved to an area near Bakersfield, but the drag strip, racing oval and burnout box can't be moved. I think these should be kept open for amateur racing, especially on Friday and Saturday nights, and if warehouses are built on the property, that they could have an automotive focus.

I also think an automotive school for vocational training, defensive driver training for teens and young adults learning to drive, The track could host community concerts, drone shows and other events that are fun for families. Irwindale could help shape the automotive industry instead of being flattened by it. The support is there. We just need the help from officials to make this place a historical landmark and partnership instead of something else flattened into the earth by development.

Please help us stop illegal street racing and takeovers and keep Irwindale

			Speedway alive. You can find more information on change.org with the petition Save Irwindale Speedway for Racing, and my YT channel Monarch Ranch Garage. Thank you for your support.
		Eric M Stiles	Take a look at earn a speedway video 7170 on YouTube regarding about Irwindale if we lose this property, they'll be a lot of street takeovers
		MARIAN Dorsey	Please check me out if you would like me to perform to bring in more love and peace youtube.com/@MarianDorsey amazon.com/author/mariandorsey
		Sonny Newberry	We The people will be filing a federal lawsuit against the board.
		Thomas S Powers	NPO desires to create awareness & seek BOS assistance/clarification regarding the Current DMH Acute/Sub-Acute Bed Demand, Informal Proposal & implementation process for assisting Non-County entities interested in filling "Gap Needs" and Guaranteeing Access to DMH-ODR clients that'll benefit the Community by increasing capacity for much needed Acute/Sub-Acute Beds; this along with obtaining Four (4) REQUIRED Letters of Support for the CA DSH IST Infrastructure Grant by the 12/31/24 application deadline from County Stakeholder's (County Superior Court Representative, County DA Office, County Public Defender's Office, County Executive Office, and County Behavioral Health Dept), for the Acquisition, Renovation & furnishing of a 5 Unit 17Br/15Ba Multi-Family Dwelling that will be licensed by DHCS as a LOCKED 82 Bed Acute/Sub-Acute PHF/MHRC for housing FIST, MIST, P3 & P4 inmates that are currently awaiting beds and needing to be relocated from Twin Towers Jail.
		<b>Item Total</b>	<b>7</b>
<b>Grand Total</b>			<b>7</b>



California Department of State Hospitals  
Incompetent to Stand Trial  
Diversion and Community-Based Restoration  
Infrastructure Project  
Round 1: Request for Proposals

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# Part One: Overview

## 1.1. INTRODUCTION

The California Department of State Hospitals (DSH) is administering the Incompetent to Stand Trial (IST) Infrastructure funding to build out the state's capacity of residential treatment homes and facilities. This funding opportunity is open to California counties that commit to contract with DSH for an ongoing diversion and/or community-based restoration (CBR) program.

There will be two rounds of funding. Round 1 includes a non-competitive rolling allocation schedule open to all counties or non-county entities partnering with a county. Non-county entities, such as community-based organizations or private providers, must have a fully executed, signed Memoranda of Agreement (MOA) or partnership agreement with the county in order to apply. Round 2 will be based on remaining funds. Proposals are submitted through the online portal and will be funded on a first come, first served basis, in the order in which proposals are received and approved. Proposals are subject to consideration of regional needs and statewide equity. Dates for funding are as follows:

Round 1: March 1, 2023, to December 31, 2024

All funds must be expended by June 30, 2028.

Advocates for Human Potential, Inc. (AHP), a research and consulting firm, is providing project management services to DSH in the outreach, technical assistance (TA), solicitation, and selection processes, as well as the negotiation and contracting process for awarding the IST Infrastructure funding.

## 1.2. BACKGROUND AND PURPOSE

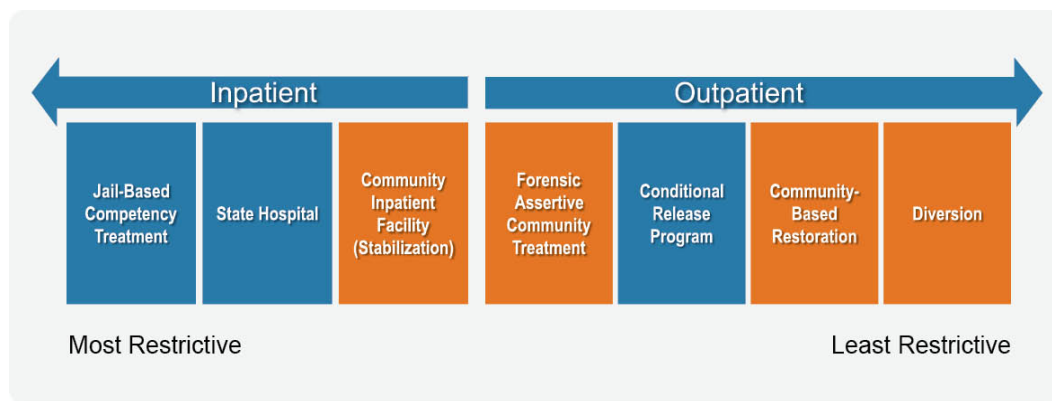
Over the last decade, California has seen significant growth in the number of individuals found IST on felony charges and referred to DSH for restoration of competency treatment. The year-over-year growth in IST referrals from the superior courts to DSH has outpaced the Department's ability to create additional capacity. Despite recent efforts resulting in increased bed capacity, decreased average length of stay, and implementation of county-based treatment programs, this insufficient capacity has led to a large waitlist and extended wait times for IST defendants pending DSH placement. Furthermore, the impacts of the COVID-19 pandemic and infection control measures required at DSH facilities necessitated slower admissions and reduced capacity for the treatment of individuals found IST on felony charges at DSH. As of January 30, 2023, 1,391 individuals are awaiting restoration of competency treatment.

The purpose of the DSH IST Infrastructure Project is to increase access to diversion and community-based treatment for eligible individuals found IST on felony charges. This project provides \$468.8 million in one-time funds specifically designated to develop residential housing settings in support of these individuals who are participating in either DSH-funded diversion or CBR programs. DSH estimates that approximately 3,000 of the individuals identified as IST on felony charges annually are eligible for participation in community-based treatment programs. An average length of stay of 18 months per participant results in a housing capacity deficit of approximately 5,000 beds. The proposed funding level

assumes these beds will be spread across approximately 700 housing units, averaging 8 beds per unit. Startup funds at a rate of \$93,750 per bed will be provided for each bed in a residence to cover the down payment, renovation, necessary retrofitting, and furnishings for staff and patients.

The ongoing cost of operating the homes will be provided through a separate per-patient rate paid to counties or to service providers, who are responsible for securing client housing and providing wraparound treatment services. Counties will receive \$125,000 per felony IST client, apportioned over 18 months, treated in either a CBR or a diversion program through a separate program services contract. This rate is intended to support an intensive community treatment model with increased frequency of clinical contacts and access to psychiatry services, as well as all wraparound services and housing costs for an average 18-month length of stay. Counties may subcontract with service providers to secure client housing and/or provide wraparound services.

This residential housing program will complement the Institutions for Mental Diseases (IMD) and Sub-Acute infrastructure program funded in the 2021 Budget Act. IMD and sub-acute beds are a key component for treating individuals identified as IST on felony charges in the community. DSH is currently developing new IMD and sub-acute capacity across the state. These beds will be available as a step-down stabilization option for felony IST clients transitioning from jail to the community-based restoration or diversion programs and can also be used when IST clients receiving treatment in these community programs need a higher level of care. Together, these programs will support a comprehensive continuum of community placement and housing options for individuals deemed IST on felony charges across the state.



### 1.3. AUTHORIZATION OF FUNDING

This funding opportunity has been approved through the 2022 Budget Act: [Senate Bill No. 154 Chapter 43](#) and [Welfare and Institutions Code Section 4361.6](#).

### 1.4. TIMELINE FOR ROUND 1 IST INFRASTRUCTURE PROJECT

March 1, 2023 to December 31, 2024



## Part Two: Proposal Process and Submission

### 2.1. TOTAL AMOUNTS

#### Round 1: DSH IST Infrastructure Project

DSH is making available \$468.8 million in one-time infrastructure funding to develop residential housing settings to support individuals identified as IST on felony charges who are participating in either diversion or CBR programs. Counties and providers that participate in this funding opportunity must commit to contracting with DSH for a mental health diversion and/or CBR program, as well as a restrictive covenant that the property will be used to serve DSH-identified populations for a minimum of 20–30 years (see Section 3.1) from the date of the award. After expenditure of award funding, any remaining mortgage debt owed to support the full cost of a property’s purchase, as well as ongoing future maintenance of the property, can be paid for through the required DSH diversion/CBR operational contract with the Department.

#### County Funding Reserve Methodology

This program is budgeted through a cost-per-bed, X beds per county formulation, based on a county’s total IST determinations in Fiscal Year 2021–22, as shown below. Funding allocations are listed on the following page in Table 2. To calculate the funding amount, DSH assumed a flat rate of \$750,000 per 8-bed residence, which equates to \$93,750 per bed. Residences can be larger or smaller than 8 beds, but the cost per bed remains \$93,750.

Assuming funding will support the purchase of residential properties, as in the model in the Los Angeles County Office of Diversion and Reentry program, the funding amount is intended to support down payments for the properties and renovations. DSH will offer some flexibility to allow for a variety of residential models that work within the goals of this project. The ongoing debt service (mortgage) would be covered as part of the operating budget obtained through the required services contract with DSH. For the applicants’ planning purposes, the last column below reflects the annual Maximum Operating Budget available to support the ongoing cost of providing services to the patients, assuming the infrastructure funding allocated is for the maximum number of proposed beds identified for each county.

**Table 2: County Bed Allocations**

County Bed Allocations—IST Infrastructure Project					
County	FY 21–22	Proposed Beds	Budget Per Bed	Total Maximum Funding Allocation	Maximum Operating Budget*
	IST Referrals @ 60%				
Alameda	53	88	\$93,750	\$8,250,000	\$9,243,750
Alpine	0	0	\$93,750	\$ -	\$ -
Amador	2	3	\$93,750	\$281,250	\$1,155,357
Butte	30	50	\$93,750	\$4,687,500	\$5,437,500
Calaveras	2	3	\$93,750	\$281,250	\$1,155,357
Colusa	1	2	\$93,750	\$187,500	\$1,011,607
Contra Costa	56	93	\$93,750	\$8,718,750	\$9,675,000
Del Norte	7	12	\$93,750	\$1,125,000	\$1,874,107
El Dorado	16	27	\$93,750	\$2,531,250	\$3,167,857
Fresno	84	140	\$93,750	\$13,125,000	\$13,700,000
Glenn	5	8	\$93,750	\$750,000	\$1,586,607
Humboldt	33	55	\$93,750	\$5,156,250	\$5,868,750
Imperial	12	20	\$93,750	\$1,875,000	\$2,592,857

Inyo	2	3	\$93,750	\$281,250	\$1,155,357
Kern	149	248	\$93,750	\$23,250,000	\$23,043,750
Kings	31	52	\$93,750	\$4,875,000	\$5,581,250
Lake	18	30	\$93,750	\$2,812,500	\$3,455,357
Lassen	2	3	\$93,750	\$281,250	\$1,155,357
Los Angeles**	N/A	1,731	\$93,750	\$162,281,250	\$ -
Madera	17	28	\$93,750	\$2,625,000	\$3,311,607
Marin	13	22	\$93,750	\$2,062,500	\$2,736,607
Mariposa	2	3	\$93,750	\$281,250	\$1,155,357
Mendocino	19	32	\$93,750	\$3,000,000	\$3,856,250
Merced	35	58	\$93,750	\$5,437,500	\$6,656,250
Modoc	1	2	\$93,750	\$187,500	\$1,011,607
Mono	1	2	\$93,750	\$187,500	\$1,011,607
Monterey	37	62	\$93,750	\$5,812,500	\$6,943,750
Napa	17	28	\$93,750	\$2,625,000	\$3,311,607
Nevada	2	3	\$93,750	\$281,250	\$1,155,357
Orange	55	92	\$93,750	\$8,625,000	\$9,531,250
Placer	31	52	\$93,750	\$4,875,000	\$5,581,250
Plumas	2	3	\$93,750	\$281,250	\$1,155,357
Riverside	106	177	\$93,750	\$16,593,750	\$16,862,500

Sacramento	146	243	\$93,750	\$22,781,250	\$22,612,500
San Benito	6	10	\$93,750	\$937,500	\$1,730,357
San Bernardino	168	280	\$93,750	\$26,250,000	\$25,775,000
San Diego	137	228	\$93,750	\$21,375,000	\$21,318,750
San Francisco	16	27	\$93,750	\$2,531,250	\$3,167,857
San Joaquin	62	103	\$93,750	\$9,656,250	\$10,537,500
San Luis Obispo	35	58	\$93,750	\$5,437,500	\$6,156,250
San Mateo	32	53	\$93,750	\$4,968,750	\$5,725,000
Santa Barbara	54	90	\$93,750	\$8,437,500	\$9,387,500
Santa Clara	47	78	\$93,750	\$7,312,500	\$8,381,250
Santa Cruz	40	67	\$93,750	\$6,281,250	\$7,375,000
Shasta	26	43	\$93,750	\$4,031,250	\$4,862,500
Sierra	1	2	\$93,750	\$187,500	\$1,011,607
Siskiyou	8	13	\$93,750	\$1,218,750	\$2,017,857
Solano	53	88	\$93,750	\$8,250,000	\$9,243,750
Sonoma	43	72	\$93,750	\$6,750,000	\$7,806,250
Stanislaus	72	120	\$93,750	\$11,250,000	\$11,975,000
Sutter	9	15	\$93,750	\$1,406,250	\$2,161,607
Tehama	11	18	\$93,750	\$1,687,500	\$2,449,107
Trinity	5	8	\$93,750	\$750,000	\$1,586,607

Tulare	51	85	\$93,750	\$7,968,750	\$8,956,250
Tuolumne	10	17	\$93,750	\$1,593,750	\$2,305,357
Ventura	55	92	\$93,750	\$8,625,000	\$9,531,250
Yolo	21	35	\$93,750	\$3,281,250	\$4,143,750
Yuba	14	23	\$93,750	\$2,156,250	\$2,880,357
<b>Total</b>	<b>3,000</b>	<b>5,000</b>	<b>\$93,750</b>	<b>\$468,750,000</b>	<b>\$348,238,389</b>

\* The maximum operating budget includes calculated costs for wraparound services, county overhead, justice partner funding, violence risk assessment support, and court liaison positions.  
 \*\* Los Angeles County’s FY 21–22 referrals were higher than estimated when the budget for this program was developed. To stay within budget, Los Angeles will be allocated 5,000 beds less the beds needed for the 57 other counties. Los Angeles County’s operational contract is under negotiation currently, so the total is not reflected here.

## 2.2. PROPOSAL PROCESS

Proposals for the DSH IST Infrastructure Project will be accepted on a rolling basis. Projects that meet program criteria will be eligible for funding until all grant funds are committed. Proposals will only be accepted electronically and may not be hand delivered or mailed. The proposal and attachments, along with instructions for submission of the applicant’s online proposal, can be found on the [DSH IST Infrastructure Project website](#). No modified formats of the proposal will be accepted, nor will any attachments except as provided within the proposal.

Proposals can be submitted at any time via the [online portal](#). Approved proposals will be funded in the order in which they are received. There are six steps in this funding process:

Step 1: Applicant submits proposal(s) identifying the number of beds it proposes to provide.

Step 2: Applicant receives award letter or request for revisions from DSH.

Step 3: Upon approval of proposal, applicant executes the Program Funding Agreement (PFA)

Step 4: Applicant submits project package(s) for each infrastructure project to AHP and DSH for approval.

Step 5: Applicant receives draw-down funding to support their awarded project(s).

Step 6: Applicant submits any additional project application packets (Step 4).

It is the applicant’s responsibility to ensure that the submitted proposal is complete and includes all required supporting forms. Reviewers may request additional clarifying information from the applicant.

## Reasonable Accommodations

Section 508 of the American with Disabilities Act (1990) requires “electronic and information technology to be accessible to people with disabilities. An accessible information technology system is one that can be operated in a variety of ways and does not rely on a single sense or ability of the user.”<sup>1</sup> AHP produces all materials in compliance with section 508 for individuals with disabilities. To request and access accommodations, please email the IST team at [IST@ahpnet.com](mailto:IST@ahpnet.com).

## 2.3. TECHNICAL ASSISTANCE

AHP Account Managers will work with counties to provide training and TA from subject matter experts in real estate, financing, and programmatic best practices serving individuals in need of crisis and behavioral health services. This TA may take the form of one-on-one consulting, workgroups, learning communities, webinars, and/or other tools and strategies. To request TA, please email the IST team at [IST@ahpnet.com](mailto:IST@ahpnet.com).

# Part Three: Project Requirements

## 3.1. REQUIREMENTS

Applicants will receive \$93,750 per bed for the approved number of Felony Incompetent to Stand Trial (FIST) beds in each proposed residence. This funding is intended to provide, prepare, and/or improve a building (or buildings) for delivery of diversion/CBR services, such as the initial down payment to purchase a property, refurbishment costs, and/or the costs of furniture needed for occupancy. Applicants are required to provide documentation of costs for the infrastructure project, such as proof of purchase of property, costs of rehabilitation construction, and cost of furniture, and/or payment methodology.

This funding opportunity is available to all counties and non-county entities that partner with a county. However, counties must clearly indicate their intention to participate in an ongoing DSH diversion and/or CBR program. All counties are required to execute a contract with DSH to provide a diversion and/or CBR program for individuals deemed IST on felony charges. Through this service contract, DSH will provide \$228.00 per day per resident, up to a maximum of \$125,000 for an anticipated 18-month length of stay, to cover the costs of wraparound services, as well as additional program funding to support other operational costs of these programs. Admission into a diversion and/or CBR program is administered by the courts, and individuals charged with certain types of felonies are excluded; please see Penal Code section 1001.36 for a list of felonies excluded.<sup>2</sup>

DSH’s diversion program is intended to serve eligible felony IST defendants in intensive community-based service settings. If defendants are successful in the program, their current charges may be dropped. DSH’s CBR program is also community-based treatment, but with the focus of restoring competency so a defendant’s criminal proceedings can resume. Once an individual is restored to

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<sup>1</sup> ADA.gov. (n.d.). *Guide to disability rights laws*. <https://www.ada.gov/resources/disability-rights-guide/>

<sup>2</sup> California Penal Code Part 2, Title 6, Ch. 2.8.A. Diversion of Individuals with Mental Disorders, Section 1001.36. [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=1001.36.&lawCode=PEN](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1001.36.&lawCode=PEN)

competency and their charges are resolved, or once an individual completes diversion and the charges are dropped, the county will be responsible for transitioning them from DSH-funded housing to long-term community treatment and support to ultimately reduce the cycle of criminalization.

Counties are required to submit the following with their proposals:

- A legally binding letter of intent to contract for operations with DSH utilizing the infrastructure to be funded (template provided)
- Letters of support for the infrastructure diversion and/or CBR programming from all county stakeholders participating in the county program and planning team, including but not limited to:
  - County Superior Court representative
  - County District Attorney's Office
  - County Public Defender's Office (if one exists)
  - County Administrator/Executive's Office
  - County Behavioral Health Department/Agency
- Applicant's Certification of Prevailing Wage
- Applicant's Certification of Funding Terms

Additionally, non-county entities, such as community-based organizations or private providers, must have a fully executed, signed Memoranda of Agreement (MOA) or partnership agreement with the county in order to apply.

Counties and non-county entities must also commit to using the property to serve a DSH-identified population for 30 years (for new construction projects) or 20 years (for rehabilitation projects). The restricted use covenant must be signed by the property owner. Properties can be leased, and applicants can receive IST infrastructure funds to rehabilitate or furnish the residences; however, IST infrastructure funds cannot be used to pay for lease payments. Counties may also subcontract with other entities to provide housing and/or services; however, the county and any separate subcontracted service provider will be named in the restricted use covenant. DSH maintains the right to replace a service provider with a new service provider if a provider terminates services before fulfilling the 20- or 30-year restricted use covenant or if the current service provider is not performing to DSH standards.

DSH encourages regional models or partnerships between counties and service providers, especially for counties projected to need fewer than six IST allocated beds. In counties with higher numbers of IST allocated beds counties/applicants can apply for funding of larger residences (more than 10 beds) and/or multiple residences. The maximum amount of funding per site will be adjusted to reflect the number of individuals to be served by this initiative and/or projected impact of the project, based on award assumptions previously specified.

Projects must be compliant with all local, county, state, and federal laws, and requirements. Residential units must meet all building codes and adhere to building standards as outlined in California Code of Regulations, Title 24, Part 2.5.<sup>3</sup>

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<sup>3</sup> California Department of General Services. (n.d.). [California Building Standards Commission](https://www.dgs.ca.gov/BSC). <https://www.dgs.ca.gov/BSC>

Counties can engage a third-party contractor or community-based organization partner to administer all or a portion of their DSH IST Infrastructure project. Third-party contractors and/or community-based organization partners will be required to provide a Memorandum of Agreement upon award of funds.

### 3.2. RESIDENTIAL MODEL

The residential model for the DSH IST Infrastructure Project is based on supportive housing models such as Frequent Users System Engagement (FUSE)<sup>4</sup> and the Felony Incompetent to Stand Trial Community-Based Restoration (FIST-CBR) program.<sup>5</sup> FUSE, an initiative of the Corporation for Supportive Housing (CSH), is an evidence-based approach that provides supportive housing with wraparound services. FUSE has been proven to significantly reduce returns to jail, homelessness, and reliance on emergency health services. The FIST-CBR, created by DSH and Los Angeles County's Office of Diversion and Reentry (ODR), provides housing, competency restoration treatment, case management, individual and group therapy, and medication management. These models combine community-based supportive housing with direct services, such as intensive case management, medical and behavioral health treatment, and specialized pretrial probation services, to restore individuals to competency.

For this funding opportunity, residences are intended to be settings to serve between 6 and 10 individuals for an anticipated 18-month length of stay. In counties with higher numbers of IST allocated beds counties/applicants can apply for funding of larger residences (more than 10 beds) and/or multiple residences to meet the needs of their community and take advantage of economies of scale. Counties with smaller IST populations are encouraged to partner with other counties to develop residences that will meet the needs of their respective IST individuals.

Regardless of size, residences must provide bedrooms, bathroom facilities, shared living spaces, and access to outdoor spaces. DSH will consider a variety of licensed and unlicensed, locked and unlocked residential treatment homes and facilities, including but not limited to Supported Transitional Housing, Board and Care, Adult Care Facilities, and Recovery Residences.

As mentioned previously, applicants must contract with DSH to operate a diversion and/or CBR program, which will be supported by a \$228.00 per day reimbursement per resident (up to a maximum of \$125,000 for an anticipated 18-month length of stay). Residences must provide individuals with access to supportive staff and a variety of therapeutic and wraparound supportive services<sup>6</sup>, including but not limited to the following:

- Intensive case management
- Mental health treatment
- Substance use disorder treatment

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<sup>4</sup> CSH. (n.d.). *FUSE*. <https://cshorg.wpengine.com/fuse/#intro>

<sup>5</sup> Office of Diversion and Reentry. (n.d.). *Jail-based/clinical diversion innovative programs*. Health Services Los Angeles County. <https://dhs.lacounty.gov/office-of-diversion-and-reentry/our-services/office-of-diversion-and-reentry/fist-cbr/>.

<sup>6</sup>“Wraparound services’ means services provided in addition to the mental health treatment necessary to meet the individual’s needs for successfully managing the individual’s mental health symptoms and to successfully live in the community.” [California Code, Welfare and Institutions Code - WIC § 4361](https://codes.findlaw.com/ca/welfare-and-institutions-code/wic-sect-4361/). <https://codes.findlaw.com/ca/welfare-and-institutions-code/wic-sect-4361/>



- Medication management
- Peer support services
- Vocational and rehabilitative services
- Assistance with filling out job application and benefits entitlement paperwork
- Group sessions, including wellness groups
- Family reunification services
- Linkages to community resources
- Criminal justice coordination
- Transportation to/from medical appointments

Community outreach and engagement will be essential to support and sustain the program over time. In addition to required letters of support for diversion and/or CBR programs, counties are encouraged to obtain letters of support for their projects from community partners. Partnerships with a variety of community providers for service delivery and/or care coordination are also critical to successful outcomes for individuals. Findings from a recent study of FIST-CBR found that linkages to community providers and services are fundamental to successful outcomes; however, this requires frequent communication and coordination across numerous providers.<sup>7</sup>

### 3.3. ACCESSIBILITY AND NONDISCRIMINATION

All projects proposed and funded shall adhere to the accessibility requirements set forth in California Building Code Chapters 11A and 11B and the Americans with Disabilities Act, Title II. In addition, developments shall adhere to either the Uniform Federal Accessibility Standards (UFAS), 24 CFR Part 8, or the U.S. Department of Housing and Urban Development’s (HUD) modified version of the 2010 ADA Standards for Accessible Design (Alternative 2010 ADAS), HUD-2014-0042-0001, 79 FR 29671 (5/27/14) (commonly referred to as “the Alternative Standards” or “HUD Deeming Notice”). Accessible units shall, to the maximum extent feasible and subject to reasonable health and safety requirements, be distributed throughout the project and be available in a sufficient range of sizes and amenities consistent with 24 CFR Part 8.26.

Awardees shall adopt a written nondiscrimination policy requiring that no person shall—on the grounds of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, age, medical condition, genetic information, citizenship, primary language, immigration status (except where explicitly prohibited by federal law), justice system involvement (except where explicitly required by law), or arbitrary characteristics—be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any project or activity funded in whole or in part with funds made available pursuant to this RFP. Nor shall all other classes of individuals protected from discrimination under federal or state fair housing laws, individuals perceived to be a member of any of the preceding classes, or any individual or person associated with any of the preceding classes be excluded from participation

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<sup>7</sup> Office of Diversion and Reentry. (n.d.). [Jail-based/clinical diversion innovative programs](https://dhs.lacounty.gov/office-of-diversion-and-reentry/our-services/office-of-diversion-and-reentry/fist-cbr/). Health Services Los Angeles County. <https://dhs.lacounty.gov/office-of-diversion-and-reentry/our-services/office-of-diversion-and-reentry/fist-cbr/>.

in, be denied the benefits of, or be subjected to discrimination under any project or activity funded in whole or in part with funds made available pursuant to this RFP.

Awardees shall comply with the requirements of the Americans with Disabilities Act of 1990, the Fair Housing Amendments Act, the California Fair Employment and Housing Act, the Unruh Civil Rights Act, Government Code Section 11135, Section 504 of the Rehabilitation Act of 1973, and all regulations promulgated pursuant to those statutes, including 24 CFR Part 100, 24 CFR Part 8, and 28 CFR Part 35.

### 3.4. STATE AND FEDERAL PREVAILING WAGE

An applicant's DSH IST Infrastructure project is a "public works" project if the applicant intends to use the DSH IST Infrastructure Project funds for the "[c]onstruction, alteration, demolition, installation, or repair" of a building or structure (Cal. Lab. Code Section 1720(a); Cal. Lab. Code Section 1750(b)(1)). Counties using DSH IST Infrastructure funding to fund public works are subject to California's prevailing wage and working hours laws (Division 2, Part 7, Chapter 1 of the California Labor Code) and the applicant's project is subject to compliance monitoring and enforcement by the Department of Industrial Relations (Cal. Lab. Code Section 1771.4(a)(1)).

Applicants must complete Form 1: Applicant's Certification of Prevailing Wage as a part of the proposal process. If DSH selects an applicant to receive DSH IST Infrastructure Project funding and the applicant is using the money to fund a public works project, then the applicant shall submit a Certification of Compliance that includes an attestation from the general contractor certifying that the general contractor will comply with California's prevailing wage and working hours laws (including posting job notices, as required by Labor Code Section 1771(a)(2)). The Certification of Compliance shall also state that the general contractor will maintain its labor records in compliance with all applicable state laws (Cal. Lab. Code Section 1776) and shall make all labor records available to the Department of Industrial Relations and any other applicable enforcement agencies upon request (Cal. Lab. Code Section 1771.4(a)(3)). The general contractor(s) and the applicant shall sign the Certification of Compliance.

If DSH selects an applicant to receive DSH IST Infrastructure funding and the applicant is not using the money to fund a public work, then the applicant shall submit a Certification of Inapplicability to DSH explaining why the project is not a public work as defined by California Labor Code Section 1720. The general contractor(s) and the applicant shall sign the Certification of Inapplicability.

## Part Four: Award Process

### 4.1. PROPOSAL CRITERIA

1. Completed proposal, submitted electronically via the portal.
2. Standard letter of intent to contract with DSH for a diversion and/or CBR program (Template provided).
3. Letters of support from county departments (See Section 3.1).
4. Attestation that the project will meet federal, state, and local laws and regulations.

5. Non-county entities, such as community-based organizations or private providers, must have a fully executed, signed Memoranda of Agreement (MOA) or partnership agreement with the county.

## 4.2. AWARD PROCESS

As mentioned previously, there are six steps in the award and funding process: submit proposal, receive award letter or request for revisions, execute program funding agreement (PFA), submit project application packet for infrastructure project, begin to draw down funds to support awarded project, and submit any additional application project packets for more infrastructure projects. After submission of the proposal, applicants will receive an award email with the PFA from AHP based on the approved number of beds proposed. The agreement must be signed, returned, and fully executed with AHP before initial funding will be awarded. This agreement will spell out what information and documents are necessary for each proposed infrastructure project, including but not limited to an itemized budget, supporting documentation, construction documents and/or proof of site control, and any Memoranda of Agreement with housing or direct service partners. After the project application package is completed and approved, applicants can begin to draw down funds to support their project(s).

Funds awarded pursuant to the project must be used to supplement, and not supplant, other funding available from existing local, state, or federal programs or from grants with similar purposes. Funding may not be used for “reimbursement” of previously expended funds. Only those costs that can be associated with completing the project would be eligible costs.

DSH reserves the right to withdraw an award offer and/or recoup funds from counties if projects are no longer in compliance with their PFA.

## 4.3. APPEALS

California law does not provide a protest or appeal process against award decisions made through an informal selection method. Counties submitting a response to this RFP may not protest or appeal the award. All award decisions made by DSH shall be final.

# Part Five: Project Operations

## 5.1. DISBURSEMENT OF FUNDS

The PFA will set forth the general conditions for disbursement of funds. Once the PFA between the awardee and AHP is fully executed, applicants will receive the project application packet for individual infrastructure projects. This packet will include an application, budget template, and budget instructions. Once project applications have been approved, applicants can authorize work to begin on their project and/or draw down funds. Applicants are responsible for managing their own project’s legal requirements and construction management.

Fundamental PFA requirements include the following:

- Sponsors’ Responsibilities

- Notice and Cures
- Indemnity
- Fiscal Management
- Fiduciary Responsibilities

In addition to the above, grantees must record a declaration of restriction for a 30-year service agreement for new properties or a 20-year service agreement for rehabilitation constructions. In the event that the service agreement between DSH and the county is no longer in effect, DSH shall record a termination and release of the deed restriction in the county where the Infrastructure Projects are located.

Applicants are required to submit a full, complete, and accurate budget with their application. Counties must ensure that expenses are allowable under the contract and will be expected to provide sufficient backup documentation. Applicants shall be solely responsible for any costs to complete the project in excess of the program funds award amount. Neither DSH nor AHP will be responsible for any cost overruns. Additional details regarding the funding and disbursement process will be provided upon award.

## 5.2. PROJECT OVERSIGHT AND REPORTING

As specified by DSH and upon request, applicants shall provide monthly progress reports, budget, and any updates for completion of the project. The progress reports should include the project's completion of milestones and any updates or substantial changes. Applicants shall promptly notify DSH of any changes in organization, authorization, or capacity. This information will be outlined in the PFA.

Applicants are required to meet state financial and administrative reporting requirements and submit data through an online portal which will be developed for this project. Reporting requirements will include quarterly reports and a final report. These requirements will be fully detailed upon award.

In addition to the foregoing, each awardee shall submit to DSH periodic reports, updates, and information as deemed necessary by DSH to monitor compliance and/or perform project evaluation. Any requested data or information shall be submitted electronically in a format provided by DSH.

Additional reporting requirements may be required by DSH for up to 30 years after the date of award.

Applicants will also be assigned an Account Manager from AHP to assist them in the contracting and implementation process. The Account Manager will be available on a regular basis to answer questions, facilitate program operations, and connect with AHP's extensive TA resources. AHP's TA includes subject matter experts and resources on real estate development and planning, treatment modalities and therapeutic programming, and program operations.

## Part Six: Proposal Worksheet

The online proposal includes the following pages for you to complete.

THIS IS A WORKSHEET, NOT THE REAL PROPOSAL. SUBMIT PROPOSALS ONLINE.

<p>Applicant</p>	<ul style="list-style-type: none"> <li>• Select the California county where project is located. (<i>dropdown</i>)</li> <li>• If county applicant, which one county department will be accepting, implementing, and monitoring the funds? (<i>free text entry, one line</i>)</li> <li>• If non-county entity, please upload MOA or partnership agreement</li> </ul>
<p>Applicant Contact Information</p> <ul style="list-style-type: none"> <li>• Primary Contact</li> <li>• Secondary Contact</li> <li>• Director Contact</li> </ul>	<p>For each contact:</p> <ul style="list-style-type: none"> <li>• First Name</li> <li>• Last Name</li> <li>• Title</li> <li>• Department</li> <li>• Phone</li> <li>• Email</li> <li>• Address</li> <li>• City</li> <li>• State</li> </ul>
<p>Will this be a collaborative effort across multiple counties?</p>	<p>Yes/No</p> <p><i>If Yes:</i> Please provide the name and contact information on any collaborating counties (county name, department, contact first name, contact last name, email, phone).</p>
<p>Number of beds</p>	<p>Please list the number of beds to be provided.</p>
<p>What is the type(s) of infrastructure proposed?</p>	<p>The infrastructure project will entail the following: (Check all that may apply)</p> <ul style="list-style-type: none"> <li>• Down payment on a property</li> <li>• Acquisition of a property</li> <li>• Ground-up construction of property</li> <li>• Renovation of a county-owned property</li> <li>• Renovation of a long-term leased property</li> <li>• Purchase of furniture and/or minor equipment</li> </ul>
<p>Letter of intent to contract with DSH</p>	<p>Please upload a letter of intent to contract with DSH for diversion and/or CBR programming, based on the template provided in the RFP.</p>
<p>Letters of support from key stakeholders</p>	<p>Please upload letters of support gathered from key stakeholders as outlined in section 3.1 of the RFP.</p> <p><i>(Multiple document upload)</i></p> <ul style="list-style-type: none"> <li>• County Superior Court representative</li> <li>• County District Attorney’s Office</li> <li>• County Public Defender’s Office (if applicable)</li> </ul>

	<ul style="list-style-type: none"> <li>• County Administrator/Executive’s Office</li> <li>• County Behavioral Health Department/Agency</li> <li>• Other community stakeholders (if applicable)</li> </ul>
Applicant’s Certification of Prevailing Wage	Please upload Form 1: Applicant’s Certification of Prevailing Wage
Applicant’s Certification of Funding Terms	Please upload Form 2: Applicant’s Certification of Funding Terms

## Part Seven: Attachments

Counties must include all of the following attachments with the proposal. All required forms and supporting documents must be completed and uploaded in the website portal.

Attachment 1: County Letter of Interest in Funding (LOI)  
Pre-Trial Felony Mental Health Diversion and CBR Programs

Attachment 2: Sample Letter of Support from key county stakeholders

- County Superior Court representative
- County District Attorney’s Office
- County Public Defender’s Office (if applicable)
- County Administrator/Executive’s Office
- County Behavioral Health Department/Agency

Form 1: Applicant’s Certification of Prevailing Wage

Description: Certification with an attestation from the general contractor that the general contractor will comply with California’s prevailing wage and working hours laws

Form 2: Applicant’s Certification of Funding Terms

Description: Certification that the applicant will receive, expend, and administer all funds received under this initiative pursuant to the terms outlined.

# Attachment 1

## **COUNTY LETTER OF INTEREST IN FUNDING** Pre-Trial Felony Mental Health Diversion and CBR Programs

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Please complete this attachment and submit via email to [DSHDiversion@dsh.ca.gov](mailto:DSHDiversion@dsh.ca.gov) For counties to participate in the DSH Diversion or CBR program and receive direct technical assistance in FY 2023-24, a Letter of Interest must be received by DSH.

### **1. Name of Person Submitting Letter of Intent:**

County Name:

Contact Number:

Email Address:

### **2. Lead Entity (Organization) (if known at this stage in application process)**

Name of Lead Entity:

Lead Entity Address:

Name of primary contact person:

Primary contact phone number:

Email Address:

### **3. Program Type and Size (please select one or both)**

- Diversion  
Proposed Annual Program Size:
  
- Community-Based Restoration  
Proposed Annual Program Size:

### **4. Technical Assistance:** What type of technical assistance will be useful to achieve success? Check all that apply.

- a. Planning support
- b. Implementation support
- c. Information on appropriate treatment and support services for this population
- d. Assistance with data collection for reporting requirements
- e. Other (please specify):

## Attachment 2: Sample Letter of Support

**[Name]**  
**[Title]**  
**[Organization]**  
**[Address]**  
**[City, State ZIP Code]**

**[Date]**

California Department of State Hospitals  
Stephanie Clendenin, Director  
1215 "O" Street  
Sacramento, CA 95814

Re: Letter of Support – California Department of State Hospitals Incompetent to Stand Trial (IST) Diversion and Community-Based Restoration Infrastructure Program

Dear Ms. Clendenin,

I am writing to express my strong support for the **[Name of Infrastructure Project]**, which is being proposed as part of the DSH IST Infrastructure Project. As a representative of **[Supporting Organization]**, I believe that this project will have a significant impact on our community.

The **[Name of Infrastructure Project]** aims to address critical infrastructure needs in our area and for this population.

Specifically, the proposed project includes the following key components:

1. **[Briefly describe the project components, such as bed count.]**
2. **[Highlight any unique features or benefits of the project.]**
3. **[Discuss how the project aligns with the goals and priorities of the DSH IST Infrastructure Project.]**

On behalf of **[Supporting Organization]**, I fully endorse the **[Name of Infrastructure Project]**.

Thank you for your attention to this matter, and I look forward to the difference that the **[Name of Infrastructure Project]** will make for our community.

Sincerely,

**[Name]**  
**[Title]**  
**[Organization]**



## Form 1: Applicant's Certification of Prevailing Wage

I, \_\_\_\_\_, as Lead Authorized Representative of \_\_\_\_\_ (insert name of applicant), certify that:

1. The information and statements set forth below are, to the best of my knowledge and belief, true and correct.

2. I possess the legal authority to submit this certification on behalf of the Applicant.

3. I am providing this information in conjunction with an application for funding from the State of California Department of State Hospitals' (DSH's) Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project and acknowledge that the State and its administrator, Advocates for Human Potential, Inc. (AHP), are relying on this information in awarding grant funds.

4. For construction projects, the Applicant will submit a construction budget prepared with the assistance of a licensed contractor, architect, or experienced construction manager that specifically adheres to the compliance requirements that all construction work will be performed by skilled workers being paid current prevailing wages for the project's region, pursuant to California Labor Code 1720 et seq. I further certify that the Applicant shall, in constructing the project, meet the prevailing wage requirements for construction projects in the State of California (Lab. Code, Sec 1720 et seq.). The Applicant shall, prior to commencing construction of the project, provide a certification of compliance with California's prevailing wage law, registration with the California Department of Industrial Relations (DIR), as well as compliance with all applicable federal prevailing wage law. The certification shall (a) verify that prevailing wages have been or will be paid, (b) verify that labor records will be maintained and made available to any enforcement agency upon request, (c) verify that the Applicant's contractor is registered with DIR and (d) be signed by the general contractor(s) and the Applicant.

The Applicant shall defend, indemnify, and hold harmless DSH, the State of California, and all officers, trustees, agents, and employees of the same, as well as AHP, from and against any and all claims, losses, costs, damages, or liabilities of any kind or nature, including attorneys' fees, whether direct or indirect, arising from or relating to the project.

I certify that the above information is true and correct, and that Applicant will comply with all requirements set forth above as a condition of receiving the grant funds.

\_\_\_\_\_  
Signature of Lead Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed Name of Signatory

\_\_\_\_\_  
Title of Signatory

## Form 2: Applicant’s Certification of Funding Terms

I, \_\_\_\_\_, as the Lead Authorized Representative of \_\_\_\_\_ (name of applicant) certify that:

1. The information, statements, and attachments included in this application are, to the best of my knowledge and belief, true and correct.

2. I possess the legal authority to submit this application on behalf of the entity identified as the Applicant for funding.

3. The following is a complete disclosure of all identities of interest—of all persons or entities, including affiliates, that will provide goods or services to the Department of State Hospitals’ (DSH’s) Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project (Project) either (a) in one or more capacity or (b) that qualify as a “Related Party” to any person or entity that will provide goods or services to the Project. “Related Party” is defined in Section 10302 of Title 4 of the California Code of Regulations (CTCAC Regulations).

4. As of the date of the application, the Project, or the real property on which the Project is proposed (Property), is not party to or the subject of any claim or action at the state or federal appellate level.

5. I have disclosed and described below any claim or action undertaken that affects or potentially affects the feasibility of the Project. In addition, I acknowledge that all information in this application and attachments is public and may be disclosed by the State.

6. I understand and agree that DSH will require applicants to submit a complete application with all required documents. Further, I understand and agree that DSH reserves the right to request clarification of unclear or ambiguous statements made in an application and in other supporting documents.

7. I understand and agree with DSH that funds awarded pursuant to the program must be used to supplement, and not supplant, other funding available from existing local, state, or federal programs or from grants with similar purposes. Funding may not be used for “reimbursement.” Only those costs that can be associated with completing the project would be eligible costs, per the Welfare and Institutions Code, Section 5960.15.

8. I further warrant and certify that Applicant will comply with the following guidelines as a condition of receiving this funding:

- a. Applicant commits to serving the felony IST population as identified by the courts for the Project.



b. Applicant commits to the provision of services and building use restrictions (property title shall be legally encumbered for required term) for 20 years for rehabilitation projects or 30 years for new construction after the project is placed in service.

c. Applicant shall use professionally licensed and insured contractors to carry out the work required for the Project.

d. Applicant shall comply with all applicable federal, state, and local relocation laws and shall have an approved relocation plan prior to proceeding with any phase of the Project that will result in the displacement of persons or businesses, if the proposed project requires relocation of any current residents.

e. Applicant shall adhere to the accessibility requirements set forth in California Building Code Chapter 11A and Chapter 11B and the Americans with Disabilities Act, Title II.

f. Applicant shall meet the prevailing wage requirements for construction projects in the State of California (Lab. Code, Sec 1720 et seq.). Applicant shall provide a certification of compliance with California’s prevailing wage law, as well as all applicable federal prevailing wage law. The certification shall (a) verify that prevailing wages have been or will be paid, (b) verify that labor records will be maintained and made available to any enforcement agency upon request, and (c) be signed by the general contractor(s) and the Applicant.

g. Applicant shall collect and report data to DSH as required.

The Applicant shall defend, indemnify, and hold harmless the Authority and the State of California, and all officers, trustees, agents, and employees of the same, as well as Advocates for Human Potential, Inc. (AHP), the third-party administrator, from and against any and all claims, losses, costs, damages, or liabilities of any kind or nature, including attorneys’ fees, whether direct or indirect, arising from or relating to the Project.

I certify that [insert Applicant name] will receive, expend, and administer all funds received under this initiative pursuant to the terms outlined above and understand this is a condition of receiving such funds.

The information provided within the form and attached is true and correct.

\_\_\_\_\_  
Signature of Lead Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed Name of Signatory

\_\_\_\_\_  
Title of Signatory



**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

65 June 6, 2023

CELIA ZAVALA  
EXECUTIVE OFFICER

Los Angeles County  
Board of Supervisors

Hilda L. Solis  
First District

Holly J. Mitchell  
Second District

Lindee P. Horvath  
Third District

Janice K. Hahn  
Fourth District

Kathryn Barger  
Fifth District

June 06, 2023

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Christina R. Ghaly, M.D.  
Director

Hal F. Yee, Jr., M.D., Ph.D.  
Chief Deputy Director, Clinical Affairs

Nina J. Park, M.D.  
Chief Deputy Director, Population Health

Elizabeth M. Jacobi, J.D.  
Administrative Deputy

Dear Supervisors:

**APPROVE ACCEPTANCE OF AN AWARD FROM THE CALIFORNIA  
DEPARTMENT OF STATE HOSPITALS AND APPROVE RELATED  
ACTIONS TO FURTHER IMPLEMENT THE FELONY INCOMPETENT TO  
STAND TRIAL COMMUNITY-BASED RESTORATION PROGRAM AND THE  
PRE-TRIAL FELONY MENTAL HEALTH DIVERSION PROGRAM  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

313 N. Figueroa Street, Suite 912  
Los Angeles, CA 90012

Tel: (213) 288-8050  
Fax: (213) 481-0503

[www.dhs.lacounty.gov](http://www.dhs.lacounty.gov)

**SUBJECT**

Approve acceptance of an award from the California Department of State Hospitals (DSH) in the amount of \$629,677,190 and approve related actions to further implement the Felony Incompetent to Stand Trial Community-Based Restoration Program and the Pre-Trial Felony Mental Health Diversion Program.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Delegate authority to the Director of Health Services (Director), or designee, to accept an anticipated award from the DSH in the amount of \$629,677,190, effective November 1, 2022 through June 30, 2027, and sign an agreement with DSH (Agreement No. 22-79016-000), and all other related documents, to further implement the County of Los Angeles' (County) Office of Diversion and Reentry (ODR) Felony Incompetent to Stand Trial Community-Based Restoration (FIST CBR) Program and Pre-Trial Felony Mental Health Diversion (Diversion) Program, subject to prior review and approval as to form by County Counsel.

*"To advance the health of our patients and our communities by providing extraordinary care"*



[www.dhs.lacounty.gov](http://www.dhs.lacounty.gov)

2. Delegate authority to the Director, or designee, to execute future no-cost amendments to Agreement No. 22-79016-000, on the condition that the amendments do not materially alter the legal obligations of the County under the base Agreement No. 22-79016-000, subject to prior review and approval as to form by County Counsel.

3. Delegate authority to the Director, or designee, to negotiate and execute new agreements and/or amendments to agreements with qualified Mental Health providers to provide acute and Institute of Mental Disease (IMD) hospital transitional beds that are necessary to provide care to eligible Incompetent to Stand Trial (IST) clients, including revisions to statements of work, extension to agreement terms, and/or increase contract sums, provided such actions do not exceed Board of Supervisors (Board) approved funding to deliver such services, subject to review and approval as to form by County Counsel with notification to the Board and Chief Executive Office (CEO). The foregoing delegated authority includes negotiating on a case-by-case basis appropriate changes to the standard County insurance and indemnification provisions, and other standard County contract terms, subject to review and approval of CEO Risk Management and County Counsel with notification to the Board.

4. Delegate authority to the Director, or designee, to execute new Supportive and/or Housing Services Master Agreement (SHSMA) Work Orders with qualified community-based organizations and amendments to existing SHSMA Work Orders that are necessary to implement FIST CBR and Diversion Programs, subject to prior review and approval as to form by County Counsel.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

### Background

On June 19, 2018, the Board delegated authority to the Director to execute DSH Agreement No. 18-78002-000 to accept the initial award of \$44,213,875 from DSH to implement the FIST CBR Program to provide community-based competency restoration for individuals charged with felony offenses and found by the courts IST under Penal Code section 1370. On November 2, 2021, the Board approved Amendment No. 4 to DSH Agreement 18-78002-000 to increase the award to a total of \$110,941,497 and expand the program to a total of 515 beds.

On February 5, 2019, the Board of Supervisors delegated authority to the Director to execute DSH Agreement No. 18-79901-000 to accept the initial award of \$25,864,100 from DSH to implement the Diversion Program for the provision of housing and services for up to 200 clients with serious mental health needs who have been diverted from the criminal justice system by the court pursuant to Penal Code Section 1001.36 et seq. On August 9, 2022, the Board approved Amendment No. 2 to DSH Agreement 18-79901-000 to increase the award to a total of \$59,576,100 and provide services for up to 336 total clients.

To streamline the management of the agreements and delivery of services, DSH is proposing to combine Agreements 18-78002-000 and 18-79901-000. The newly combined Agreement No. 22-79016-000 will increase funding and authorize the expansion of the FIST CBR and Diversion Programs to up to 1,344 beds and admit up to 840 IST clients per year. This will align the delivery of FIST community-based services in accordance with the legislative authority pending final approval

as part of the 2022-23 State budget.

The terms and conditions of Agreement 18-79002-000 will remain in full force and effect until such time as the new combined Agreement is fully executed and contingent upon enactment of the 2022-23 State budget. A Notice of Cancellation will be issued for Agreement 18-79002-000 upon execution of the new combined Agreement No. 22-79016-000. The terms and conditions of Agreement 18-79901-000 will remain in full force and effect until all contracted clients have been served at which point a Notice of Cancellation will be issued, if necessary, and the ongoing program funding will be paid through the new Agreement No. 22-79016-000.

### Recommendations

Approval of the first recommendation will allow the Director, or designee, to accept an award of \$629,677,190 for the FIST CBR and Diversion Programs, and sign Agreement No. 22-79016-000 with DSH effective November 1, 2022, and expiring on June 30, 2027. This award will authorize the expansion of the FIST CBR and Diversion Programs to up to 1,344 beds. The retroactive effective date will allow the Department of Health Services to submit claims for related costs prior to execution of Agreement No. 22-79016-000.

Approval of the second recommendation will allow the Director, or designee, to execute future amendments to Agreement No. 22-79016-000 without interruption to the provision of services in a timely manner.

Approval of the third recommendation will allow the Director, or designee, to execute new agreements and/or amendments to agreements with qualified Mental Health providers to provide acute and IMD hospital transitional beds that are necessary to provide care to eligible IST clients.

Approval of the fourth recommendation will allow the Director, or designee, to execute new SHSMA Work Orders with qualified community-based organizations and amendments to existing SHSMA Work Orders that are necessary to implement FIST CBR and Diversion Programs.

### **Implementation of Strategic Plan Goals**

The recommended actions support “Strategy I.3 Reform Service Delivery within Our Justice Systems” and “Strategy III.3 Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability” of the County’s Strategic Plan.”

### **FISCAL IMPACT/FINANCING**

The total FIST CBR and Diversion Program expansion costs are estimated at \$629,677,190 and the DSH award will fully fund the entire expansion. There will be no impact to net County cost.

\$34,407,000 of the total \$629,677,190 estimated costs is already included in the FY 2022-23 Final Budget.

Remaining appropriation will be requested in Fiscal Year 2023-24 Supplemental Budget Resolution (SBR) Request and future fiscal years, as needed.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Despite the decrease in the number of people in the general population of the County jails, the number of people with mental health needs in jail has increased to 5,500 individuals, comprising over 40% of the total jail population. Of those, approximately 1,620 have acute mental health needs (approximately 12% of the total jail population). As of May 3, 2023, there are 357 people awaiting transfer to a State hospital who are deemed IST, many of whom have been waiting for several months. Many people with serious mental health needs, including those who are deemed IST, remain in jail because they do not have access to other facilities for their care. Agreement No. 22-79016-000 will continue and expand community treatment services pursuant to Penal Code section 1001.36 (Diversion), Welfare & Institutions Code section 4361 (Diversion), and Penal Code section 1370 (CBR) for IST individuals charged with felonies who would otherwise remain in jail or receive care in other State hospital facilities. This contract furthers the County's efforts to come into compliance with provisions of the federal settlement agreement with the United States Department of Justice and its Care First, Jails Last priorities by ramping up additional community treatment capacity for those who would otherwise remain longer in County Jails.

Agreement No. 22-79016-000 and/or related documents, will be reviewed and approved as to form by County Counsel before execution.

**CONTRACTING PROCESS**

ODR was selected by DSH to administer the FIST CBR and Diversion Programs based on programmatic need in the County.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommendations will enable ODR to expand the FIST CBR and Diversion Programs to up to 1,344 beds.

Respectfully submitted,



Christina R. Ghaly, M.D.

Director

CRG:ch

c: Chief Executive Office  
County Counsel  
Executive Office, Board of Supervisors