

GOVERNOR'S VETO
AB 912 (Jones-Sawyer)
As Enrolled September 14, 2023
2/3 vote

SUMMARY

Provides for the establishment, expansion, and funding for early-violence-intervention programs, school-based physical and mental health services, and youth-recreational activities, contingent upon appropriation.

Senate Amendments

- 1) Authorizes the State Department of Public Health (DPH) to contract with entities for the purpose of providing assistance to school-based health centers that receive grant moneys and requires those entities to provide assistance in a specified manner.
- 2) Repeal the California Gang, Crime, and Violence Prevention Partnership Program.
- 3) Specify that the Department of Parks and Recreation (DPR) must award grants to tribal governments in addition to local governments, when disbursing funds for anti-violence initiatives for youth.
- 4) Allow DPR to use up to 5% of the funds annually from the Parks and Recreation Anti-Violence Initiative for Youth for the costs of administering the program.

Governor's Veto Message

This bill would, subject to an appropriation, establish the Violence Reduction Grant Program to be administered by the Department of Justice, re-establish the Youth Reinvestment Grant Program to be administered by the Office of Youth and Community Restoration, and create additional grant programs designed to improve the health and well-being of youths in the State.

While I appreciate the author's commitment to early interdiction and violence reduction efforts, this bill creates new additional cost pressures and must be considered in the annual budget in the context of all state funding priorities.

In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing.

With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure.

COMMENTS

As Passed by the Assembly: This bill provided for the establishment, expansion, and funding for early-violence-intervention programs, school-based physical and mental health services, and youth-recreational activities, contingent upon appropriation.

Major Provisions

- 1) Found and declared, in part, that the funding appropriated by the provisions in this bill is intended to derive from the estimated cost savings from the anticipated closure of specified state prisons.
- 2) Provided that the DPH must, on or before January 1, 2025, make available planning grants in specified amounts to be used for costs associated with assessing the need for a school-based health center in a particular community or area and developing partnerships for its operation.
- 3) Stated that, on or before January 1, 2025, DPH must make available facilities and startup grants in specified amounts for the purpose of establishing a school-based health center, as specified.
- 4) Stated that, on or before January 1, 2025, DPH must make expansion grants available in specified amounts for the purpose of improving an existing school-based health center, enhancing and expanding programming at a fully operational school-based health center, or supporting operations at a fully operational school-based health center, among other things.
- 5) Provided that, on or before January 1, 2025, DPH must make sustainability grants available in specified amounts for the purpose of operating a school health center and outlines the requisite criteria for eligibility.
- 6) Required the DPH to collaborate with the Office of School-Based Health Programs in the State Department of Education when collecting applicant information and determining which proposals to accept. Gives preference to school-based health centers attending to underserved areas, as specified.
- 7) Stated that when awarding the school health center grants, preference shall be given to schools and other non-law enforcement entities.
- 8) Stated that the requirements imposed on DPH are contingent upon appropriation from the annual Budget Act or by a statute implementing these provisions.
- 9) Created the Department of Justice (DOJ) Violence Reduction Grant Program (VRGP) which requires the DOJ to oversee a grant program to support, expand, and replicate evidence-based, deterrence-focused, collaborative programs that conduct outreach to individuals involved in gangs and offer supportive services as a preemptive measure to curb gang violence.
- 10) Stated that the grants must be made on a competitive basis with preference to jurisdictions disproportionately impacted by violence and gangs, and schools and community-based organizations (CBOs) that serve such jurisdictions.

- 11) Outlined criteria for VRGP proposals, as specified.
- 12) Provided that, when awarding VRGP grants, the DOJ must give preference to applicants whose proposals demonstrate the greatest likelihood of reducing violence and gang involvement without contributing to mass incarceration.
- 13) Required each city or local jurisdiction receiving VRGP funds to distribute no less than half of the monies to CBOs or government agencies primarily dedicated to community safety or violence prevention.
- 14) Stated that the DOJ must form a grant selection advisory committee that includes victims of violence, formerly incarcerated persons, and persons with direct experience implementing evidence based violence and gang reduction programs.
- 15) Required grantees of the VRGP to report to the DOJ progress reports.
- 16) Required the DOJ to submit at the close of each grant cycle, a report to the Legislature regarding the impact of the violence prevention programs funded by the VRGP.
- 17) Stated that the provisions in this bill regarding the VRGP are contingent upon appropriation by the Legislature.
- 18) Required the DPR to award grants to local governments and with preference to CBOs to support existing and create new parks and recreation opportunities, as well as summer programs for youth.
- 19) Stated that DPR, when developing the program, must establish criteria and accountability measures as needed, and must ensure priority is given to underserved populations, schools, and CBOs, as specified.
- 20) Mandated that DPR give priority to outdoor recreational and health-based intervention programs that operate during peak times of violence.
- 21) Required DPR to collect information from grantees for evaluation purposes, summarize such information, and report to the appropriate policy, budget and fiscal committees of the Legislature. The report must include total number of youth served, number and types of entities funded, improvement recommendations, and other specified information.
- 22) Stated that the requirements imposed on DPR are contingent upon appropriation by the Legislature.
- 23) Reestablished the Youth Reinvestment Grant Program (YRGP) and designates the Office of Youth and Community Restoration (OYCR) to administer it.
- 24) Created the Youth Reinvestment Fund and allocates monies into it, as specified.
- 25) Required that OYCR allocate YRGP funds to implement a mixed-delivery system of trauma informed health and development diversion programs for Native American youth.
- 26) Outlined eligibility criteria to receive YRGP funding, as specified.

- 27) Required that OYCR allocate YRGP funds, as specified, to programs offering mixed-delivery systems of trauma-informed health and development diversion programs for youth, and specifies, among other things, that the entities must not be governmental or law enforcement, or probation entities.
- 28) Stated that YRGP funds must be awarded to applicants with an official letter from at least one government agency demonstrating the agency's intent to refer youth enrolled in a diversion program to the applicant.
- 29) Stated that OYCR must distribute YRGP funds as follows:
 - a) Be provided in communities with high arrest rates or with high racial or ethnic disparities in youth arrest rates;
 - b) Be evidence based or research supported, trauma informed, culturally relevant, gender responsive, and developmentally appropriate;
 - c) To applicants with prior experience serving at-risk youth; and,
 - d) Give priority to organizations employing people who were youths with experience in the juvenile justice system.
- 30) Stated that youth diversion programs under the YRGP must include alternatives to arrest and the justice system, with preference given to programs diverting youth as early as possible.
- 31) Stated that YRGP funded diversion programs must include one or more of the following: educational services, mentoring services, mental health services, and other specified services.
- 32) Stated that the OYCR is responsible for the administration, oversight, and compliance of the YRGP and specifies the duties included.
- 33) Created the Trauma Intervention (TI) program.
- 34) Designated the Health and Human Services Agency (HHSA) for the purpose of implementing the TI program and to select an organization to study specified student outcomes.
- 35) Required HHSA to develop a list of evidence-based interventions, evaluate applications and award grants.
- 36) Stated that local educational agencies applying for funding must demonstrate how they will prioritize interventions for pupils most impacted by trauma and in a demographic that has historically been unable to access traditional services.
- 37) Stated that the HHSA must give priority to applicants in the counties of Alameda, Fresno, Merced, Tulare, Kern, and Los Angeles, as regions most impacted by gun violence.
- 38) Required that HHSA award grants to schools that meet specified criteria.

- 39) Requires HHS, when considering research grant applications, give preference to organizations with demonstrated track records of studying youth, CBOs and nonprofits, working with schools to create trauma-sensitive environments, and other specified criteria.
- 40) Stated that every five years, eligibility for grants shall open and priority be given to the six counties with the highest rate of violent crime and homicide, as outlined by the DOJ's annual crime data report.
- 41) Required the agency to submit a report to the legislature detailing outcomes, including academic performance and rates of criminal offenses, among other things.
- 42) Stated that the provisions in this bill regarding the TI program are contingent upon appropriation by the Legislature.

According to the Author

"By advancing sensible legislation and budget items to improve public safety and advance justice and equity, the State Legislature has decreased the number of incarcerated people in California. It is imperative that the resulting savings be reinvested into effective strategies proven to further reduce crime and violence. AB 912, the SAFE Act, will capture the savings from the closure of two prisons in the 2023-24 state budget and reinvest those funds in programs with proven success. By keeping the funding within our crime prevention budget rather than sending it back to the General Fund, we send a message that our efforts to reduce crime are continuous and we provide much needed resources for some outstanding programs. As such, the SAFE Act, specifically, will provide ongoing funding for the Youth Reinvestment Grant Program; reduce gang violence and gang involvement through programs modeled after successful ones, such as Oakland Ceasefire; expand the Cognitive Behavioral Intervention for Trauma in Schools (CBITS) program; increase access to physical and mental health services for K-12 students through school-based health centers; and, support parks and recreation opportunities, including summer youth leagues and extended programming."

Arguments in Support

According to *Indivisible CA: StateStrong*, "On December 6, 2022, the California Department of Corrections and Rehabilitation announced the closure and exiting of contract for two additional prison facilities. With the closure of these facilities, the Legislative Analyst's Office estimates a cost savings of \$235.3 million annually. Rather than returning to the General Fund, it is imperative these savings are kept within the Legislature's crime prevention budget and reinvested into effective strategies proven to further reduce crime and violence.

"Studies have shown health-based approaches have been successful in curbing violence through applied, skill-based prevention programs. Addressing youth mental health and adverse childhood experiences (ACEs) is crucial in mitigating long-term effects, such as substance abuse, mental illness, chronic health problems, and criminality. Existing programs have been successful in providing crucial resources and early intervention to youth.

"The SAFE Act calls for the reallocation of the \$235 million in annual savings from the proposed closure of two prisons in the 2023-24 state budget. Those funds will go to the following programs:

- 1) \$50 million annually to relocate the Youth Reinvestment Grant Program from the Board of State and Community Corrections to the Office of Youth and Community Restoration.

Grants are available for local jurisdictions and California tribes for trauma-informed diversion programs for minors.

- 2) \$35 million annually to the Department of Justice for the purpose of programs that reduce gang violence and gang involvement, modeled after successful programs like Ceasefire in Oakland that resulted in a 43% reduction in homicides and a 50% reduction in non-fatal shootings.
- 3) \$50 million annually to the State Department of Public Health, in consultation with the State Department of Education, to provide operational grants to School-based Health Centers and provide health and mental health services to children on school sites.
- 4) \$50 million annually to the California Health and Human Services Agency to support a pilot program for Cognitive Behavioral Intervention for Trauma in Schools (CBITS) in Alameda, Fresno, Merced, Tulane, Kern and Los Angeles. This program supports early trauma-informed interventions for school-aged children experiencing extreme traumatic events in support of their health, well-being and community stability.
- 5) 50 million annually to the Department of Parks and Recreation in support of grants to local governments and community-based organizations to create new parks and fund recreation and health-based opportunities during peak times of violence."

Arguments in Opposition

None Submitted.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) General Fund (GF) cost pressures, likely in the low hundreds of millions, to fund the various grant programs that would be established by this bill. In its original version, this would have appropriated \$235 million GF for these purposes. No funding has been included in the 2023-24 budget act for these grants.
- 2) Ongoing, significant administration costs to each of the departments that would be responsible for the various grant programs that are created by this bill, including the DOJ, the OYCR, the California Health and Human Services Agency (HHS), the Department of Public Health (CDPH), the Department of Education (CDE), and the Department of Parks and Recreation (DPR) (General Fund).

VOTES

ASM PUBLIC SAFETY: 7-0-1

YES: Jones-Sawyer, Alanis, Bonta, Bryan, Ortega, Santiago, Zbur

ABS, ABST OR NV: Lackey

ASM EDUCATION: 6-0-1

YES: Muratsuchi, Juan Carrillo, Hoover, Lee, McCarty, Quirk-Silva

ABS, ABST OR NV: Megan Dahle

ASM APPROPRIATIONS: 12-0-4

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Mathis, Papan, Pellerin, Weber, Ortega

ABS, ABST OR NV: Megan Dahle, Dixon, Robert Rivas, Sanchez

ASSEMBLY FLOOR: 77-0-3

YES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Rendon

ABS, ABST OR NV: Essayli, Lackey, Sanchez

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk

ABS, ABST OR NV: Caballero

ASSEMBLY FLOOR: 78-0-2

YES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Robert Rivas

ABS, ABST OR NV: Essayli, Jim Patterson

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