

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
TUESDAY, JANUARY 28, 2025**

**MINUTE ORDER NO. 20**

**SUBJECT: AUTHORIZE ACCEPTANCE OF INCOMPETENT TO STAND TRIAL  
DIVERSION AND COMMUNITY-BASED RESTORATION INFRASTRUCTURE  
PROJECT GRANT FUNDS (DISTRICTS: ALL)**

**OVERVIEW**

The California Department of State Hospitals (DSH) is making funding available to counties to locally serve individuals charged with a felony offense who are found Incompetent to Stand Trial (IST). This includes funding for local infrastructure, as well as funding for local diversion and community-based restoration programming to reduce the number of IST findings through upstream prevention before custody or diversion and to reduce the number of individuals with serious mental illness arrested and incarcerated for behavior connected to their illness.

The *IST Diversion and Community-Based Restoration Infrastructure Project* grant (IST Infrastructure Grant) will provide funding for capital infrastructure to serve individuals who have been charged with a felony, deemed IST, and who are identified by DSH as eligible for diversion or community-based services. With letters of support from the San Diego Superior Court, Public Defender's Office, District Attorney's Office, and the County of San Diego (County) Chief Administrative Officer (CAO), the County applied for the maximum allocation of up to \$21,375,000 for Fiscal Years 2024-25 through 2027-28.

On August 29, 2024, DSH notified the County of a preliminary award for the full amount. With today's action, and any requisite approvals by DSH and other regulatory bodies, the County will utilize funds for facility renovations to convert existing psychiatric acute inpatient beds within the San Diego County Psychiatric Hospital (SDCPH) to specialized long-term care beds for patients deemed felony IST. Today's item requests the San Diego County Board of Supervisors to authorize acceptance of one-time IST Infrastructure Grant funds of up to \$21,375,000.

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

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Authorize the acceptance of one-time Incompetent to Stand Trial (IST) Diversion and Community-Based Restoration Infrastructure Project grant funding of up to \$21,375,000 from the California Department of State Hospitals (DSH) for Fiscal Years 2024-25 through 2027-28, for facility improvement costs to establish capital infrastructure to serve individuals identified as IST on felony charges, and authorize the Chief Administrative Officer, or designee, to execute all required documents, upon receipt, including any annual extensions, amendments, or revisions that do not materially impact or alter the services or funding level.

## **EQUITY IMPACT STATEMENT**

Individuals who are justice-involved frequently experience barriers that impact their ability to successfully navigate systems of care and the justice system. Nationwide, systemic issues such as poverty, lack of education, inadequate access to healthcare, unsafe neighborhoods, and insufficient social support contribute to disproportionately high rates of crime, arrests, and incarceration among Black, Indigenous, and People of Color, as well as individuals of a lower socioeconomic status who are struggling with mental health or substance use challenges or experiencing homelessness. It is anticipated that the funding associated with the Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project grant will have a positive impact on these populations by enhancing access to community-based mental health and diversion programming.

## **SUSTAINABILITY IMPACT STATEMENT**

Today's actions support the County of San Diego's (County) Sustainability Goal #2 to provide just and equitable access to County services by addressing barriers that disproportionately affect justice-involved individuals, particularly Black, Indigenous, and People of Color populations and those experiencing homelessness, mental health, or substance use conditions.

## **FISCAL IMPACT**

Funds for the Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project grant are not included in the Fiscal Year (FY) 2024-25 Operational Plan in the Health and Human Services Agency. If approved, this request is anticipated to result in no costs and revenue in FY 2024-25 and one-time estimated costs and revenue of \$21.4 million in FYs 2025-26 through 2027-28 for facility improvements which will be included in future Operational Plans. The funding source is State General Funds from the California Department of State Hospitals. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

Noting for the record that this item was discussed at the January 29, 2025 session; ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended.

AYES: Anderson, Lawson-Remer, Montgomery Steppe, Desmond

ABSENT: (District 1 Seat Vacant)

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER  
Clerk of the Board of Supervisors



**Signed**  
by Andrew Potter