

Agenda Report

May 8, 2023

TO: Honorable Mayor and City Council

FROM: City Attorney/City's Prosecutor Office

SUBJECT: AUTHORIZATION TO ENTER INTO A SUBRECIPIENT AGREEMENT WITH FLINTRIDGE CENTER FOR ASSISTANCE WITH IMPLEMENTATION OF JUSTICE REINVESTMENT INITIATIVE GRANT FOR AN AMOUNT NOT TO EXCEED \$350,000 FOR THREE YEARS

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5); and, as such, no environmental document pursuant to CEQA is required for the project; and
2. Authorize the City Attorney to execute a Justice Reinvestment Initiative Grant Subrecipient Agreement with Flintridge Center for an amount not-to-exceed \$350,000 for a period of three (3) years for case manager assistance with connecting criminal defendants with resources and programs in an effort to reduce recidivism; and
3. It is further recommended that the City Council grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

BACKGROUND:

In November 2020, the Department of Justice awarded the City, through a grant application from the City Attorney/City Prosecutor's Office, a total of \$1,000,000 over three years to implement a program designed to reduce recidivism rates for misdemeanor cases in Pasadena and to hire a full-time deputy city prosecutor to oversee this program.

On July 19, 2021, the City Council authorized the City to enter into a Memorandum of Understanding with the U.S. Department of Justice to accept and administer the grant funds. The City Council also amended the City Attorney/City Prosecutor's Office operating budget and authorized the hiring of a 1.0 limited-term FTE deputy city prosecutor position at an estimated annual cost of \$134,000 plus benefits. The grant also provides for programming costs, supplies, and other associated costs with running the program.

The background supporting award of this grant includes the fact that the Pasadena City Attorney/City Prosecutor's Office is responsible for more than 1,500 defendants who have violent or serious criminal histories. This is a high percentage of total defendants when compared to other agencies given that the population of Pasadena is approximately 140,000. This indicates that the City may be disproportionately impacted by defendants with violent or serious criminal histories.

In addition, although recidivism rates vary by state, California has among the highest recidivism rates in the nation. Estimates indicate that more than 60% of those released from California's prison system return within three years and about 73% of those recidivists committed a new crime within 1 year of release. Moreover, Pasadena faces severe mental health and substance abuse challenges from defendants with violent or serious criminal histories.

It was against this backdrop that the City Attorney/City Prosecutor's Office applied for and was awarded a Department of Justice Reinvestment Initiative Grant. The overall goal of the grant is to reduce recidivism by strengthening the referral process from the courts to treatment organizations, particularly to resources that are as close as possible to Pasadena, while also providing programs and case management to defendants placed in the program. The aim is to reduce recidivism for defendants who have a violent prior criminal history and have committed a new crime while struggling with substance abuse or mental health issues. Those accepted into the program work with the Flintridge Center, which provides a "one-stop-shop" to provide the participants with resources, programs, and treatment. Participants are on pre-plea diversion while in the program and successful participants have their cases dismissed.

The grant program, through the grant attorney, began operating in January 2022 and the Flintridge Center has been a partner in the program. A subrecipient agreement is needed to fund Flintridge Center's case manager to work with candidates in finding resources, programs, and other assistance. The case manager also collects data and prepares reports. Salary and benefits for the case manager, along with programming costs, totals approximately \$100,000 per year. For three years, this would total \$300,000, though could increase slightly due to increased costs of salaries and/or benefits and/or programming costs. As a result, the subrecipient agreement calls for the total cost for the three year period payable to Flintridge Center to not exceed \$350,000.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's strategic planning goal to ensure public safety by increasing enforcement strategies of federal, state, and local laws that protect the public from harm.


ENVIRONMENTAL ANALYSIS:

The action herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5). The acceptance and appropriation of grant funding to provide services for protecting the community is a governmental fiscal activity that does not involve a direct or reasonably foreseeable indirect physical change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since this action is not a project subject to CEQA, no environmental document is required.


FISCAL IMPACT:

Approval of the staff recommendation will have no fiscal impact to the City as the Flintridge Center funding is part of the Department of Justice grant of \$1,000,000 that has been awarded and continues to be used to further the grant project. The three (3) year estimate term for the grant started during the Fiscal Year 2022. Project cost accounting is set-up to monitor expenditures to ensure that the total grant award is not exceeded.

Respectfully submitted,


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