
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

Bill No: AB 762 **Hearing Date:** July 11, 2023
Author: Wicks
Version: May 25, 2023
Urgency: No **Fiscal:** Yes
Consultant: SC

Subject: *California Violence Intervention and Prevention Grant Program*

HISTORY

Source: Giffords Center for Violence Intervention

Prior Legislation: AB 1603 (Wicks), Ch. 735, Stats. 2019
AB 97 (Committee on Budget), Ch. 14, Stats. 2017

Support: Alameda Health System; Brady Campaign; Californians for Safety and Justice; California Partnership for Safe Communities; California Public Defenders Association; City of Oakland Department of Violence Prevention; Equal Justice USA; Everytown for Gun Safety Action Fund; Health Alliance for Violence Intervention; Johns Hopkins Center for Gun Violence Solutions; Juma Ventures; Los Angeles County Hospital-Based Violence Intervention Consortium; March for Our Lives Action Fund (National); Moms Demand Action for Gun Sense in America; Movement 4 Life; Prosecutors Alliance California; Providence Health; San Diegans for Gun Violence Prevention; Shaphat Outreach; Soledad Enrichment Action, Inc.; Southern California Crossroads; Students Demand Action; Toberman Neighborhood Center; Urban Peace Institute; Youth ALIVE!

Opposition: None known

Assembly Floor Vote: 80 - 0

PURPOSE

The purpose of this bill is to make changes the purpose of the California Violence Intervention and Prevention Grant Program (CalVIP), as well as the eligibility requirements for the grant, and to make the program permanent.

Existing law establishes the Board of State and Community Corrections (BSCC). (Pen. Code, § 6024, subd. (a).)

Existing law requires the BSCC to do the following, among other things:

- Develop recommendations for the improvement of criminal justice and delinquency and gang prevention activity throughout the state;
- Identify, promote, and provide technical assistance relating to evidence-based programs, practices, and promising and innovative projects consistent with the mission of the board;

- Receive and disburse federal funds, and perform all necessary and appropriate services in the performance of its duties as established by federal acts;
- Develop procedures to ensure that applications for grants are processed fairly, efficiently, and in a manner consistent with the mission of the board;
- Identify delinquency and gang intervention and prevention grants that have the same or similar program purpose, are allocated to the same entities, serve the same target populations, and have the same desired outcomes for the purpose of consolidating grant funds and programs and moving toward a unified single delinquency intervention and prevention grant application process in adherence with all applicable federal guidelines and mandates;
- Cooperate with and render technical assistance to the Legislature, state agencies, local governments, or other public or private agencies, organizations, or institutions in matters relating to criminal justice and delinquency prevention;
- Develop incentives for units of local government to develop comprehensive regional partnerships whereby adjacent jurisdictions pool grant funds in order to deliver services, to a broader target population and maximize the impact of state funds at the local level;
- Conduct evaluation studies of the programs and activities assisted by the federal acts.
- Identify and evaluate state, local, and federal gang and youth violence suppression, intervention, and prevention programs and strategies, along with funding for those efforts. (Pen. Code, § 6027, subd. (b).)

Existing law establishes several grant programs to be administered by BSCC. (See Pen. Code, §§ 6045 et seq. and 6047 et seq.)

Existing law establishes CalVIP to be administered by BSCC. (Pen. Code, § 14131.)

Existing law states that the purpose of CalVIP is to improve public health and safety by supporting effective violence reduction initiatives in communities that are disproportionately impacted by violence, particularly group-member involved homicides, shootings, and aggravated assaults. (Pen. Code, § 14131, subd. (b).)

This bill makes changes to the purpose of CalVIP by stating that the purpose of the program is to improve public health and safety by supporting effective community gun violence reduction initiatives in communities that are disproportionately impacted by community gun violence.

This bill defines “community gun violence” to mean “intentional acts of interpersonal violence involving a firearm, generally committed in public areas by individuals who are not intimately related to the victim, and which result in physical injury, emotional harm, or death.”

Existing law provides that CalVIP grants shall be used to support, expand, and replicate evidence-based violence reduction initiatives, including, without limitation, hospital-based violence intervention programs, evidence-based street outreach programs, and focused deterrence strategies, that seek to interrupt cycles of violence and retaliation in order to reduce the incidence of homicides, shootings, and aggravated assaults. These initiatives shall be primarily focused on providing violence intervention services to the small segment of the population that is identified as having the highest risk of perpetrating or being victimized by violence in the near future. (Pen. Code, § 14131, subd. (c).)

Existing law states that CalVIP grants shall be made on a competitive basis to cities that are disproportionately impacted by violence, and to community-based organizations that serve the residents of those cities, as provided. (Pen. Code, § 14131, subd. (d).)

This bill specifies that “cities” includes tribal governments and adds counties that have one or more cities disproportionately impacted by community gun violence within their jurisdiction.

Existing law requires an applicant for a CalVIP grant shall submit a proposal, in a form prescribed by the board, which shall include, but not be limited to, all of the following:

- Clearly defined and measurable objectives for the grant.
- A statement describing how the applicant proposes to use the grant to implement an evidence-based violence reduction initiative in accordance with this section.
- A statement describing how the applicant proposes to use the grant to enhance coordination of existing violence prevention and intervention programs and minimize duplication of services.
- Evidence indicating that the proposed violence reduction initiative would likely reduce the incidence of homicides, shootings, and aggravated assaults. (Pen. Code, § 14131, subd. (f).)

This bill additionally requires the following:

- A statement on how the applicant will identify, engage, and provide violence intervention services to individuals at high risk of perpetrating or being victimized by community gun violence in the near future.
- Where relevant, include a description of efforts to coordinate with tribal governments located near or within the planned service delivery area; and,
- For city or county applicants, a statement demonstrating support for the proposed violence reduction initiative from one or more community-based organizations, or from a public agency or department other than a law enforcement agency that is primarily dedicated to community safety or violence prevention.

Existing law states that in awarding CalVIP grants, the board shall give preference to applicants whose grant proposals demonstrate the greatest likelihood of reducing the incidence of homicides, shootings, and aggravated assaults in the applicant’s community, without contributing to mass incarceration. (Pen. Code, § 14131, subd. (g).)

Existing law provides that the amount of funds awarded to an applicant shall be commensurate with the scope of the applicant’s proposal and the applicant’s demonstrated need for additional resources to address violence in the applicant’s community. (Pen. Code, § 14131, subd. (h).)

Existing law states that BSCC may award competitive grants in amounts not to exceed \$1,500,000 per grant cycle. The length of the grant cycle shall be determined by BSCC. (Pen. Code, § 14131, subd. (h)(1).)

This bill increases the maximum award amount to \$2,500,000 and provides that the grant cycle shall be at least three years.

This bill provides that upon making CalVIP grant awards, BSCC shall make at least 20 percent of an approved grantee's total grant award available to the grantee at the start of the grant period or as soon as possible thereafter, in order to enable grantees to immediately utilize such funds to support violence reduction initiatives.

Existing law requires each city that receives a CalVIP grant shall distribute no less than 50 percent of the grant funds to one or more of any of the following types of entities: (1) community-based organizations or (2) public agencies or departments, other than law enforcement agencies or departments, that are primarily dedicated to community safety or violence prevention. (Pen. Code, § 14131, subd. (j).)

This bill adds tribal governments to the types of listed entities.

Existing law requires BSCC to form a grant selection advisory committee, including, without limitation, persons who have been impacted by violence, formerly incarcerated persons, persons with direct experience in implementing evidence-based violence reduction initiatives, including initiatives that incorporate public health and community-based approaches. (Pen. Code, § 14131, subd. (k).)

This bill instead requires BSCC to form an executive steering committee including persons who have been impacted by community gun violence, formerly incarcerated persons, subject matter experts in community gun violence prevention and intervention, the director of the Office of Gun Violence Prevention or the director's designee, and at least three persons with direct experience in implementing evidence-based community gun violence reduction initiatives, including initiatives that incorporate public health and community-based approaches focused on providing violence intervention services to the small segment of the population identified as high risk of perpetrating or being victimized by community gun violence in the near future.

This bill authorizes BSCC, with the advice and assistance of the executive steering committee, to reserve up to 5 percent of the funds appropriated each year for the purpose of supporting programs and activities designed to build and sustain capacity in the field of community gun violence intervention and prevention, and to support detailed community gun violence problem analyses that help service providers and other stakeholders inform and develop community gun violence reduction initiatives by identifying individuals in their community who are at high risk of perpetrating or being victimized by community gun violence in the near future and have the highest need for violence intervention services.

This bill specifies that activities to build and sustain capacity in the field of community-based gun violence intervention and prevention may include any of the following:

- Contracting with or providing grants to organizations that provide training, certification, or continued professional development to community-based gun violence intervention and prevention professionals, including frontline professionals and technical assistance providers.

- Contracting with or providing grants to nonprofit intermediary organizations that foster the development and growth of community-based organizations dedicated to community gun violence intervention and prevention.
- Providing mental health support and other supportive services to frontline community gun violence intervention professionals in order to recruit, retain, and sustain these professionals in their field.
- Providing mental health services or financial assistance to family members of frontline community gun violence intervention professionals who are killed or violently injured in the performance of their work.

Existing law states that each grantee shall report to BSCC, in a form and at intervals prescribed by the board, their progress in achieving the grant objectives. (Pen. Code, § 14131, subd. (m).)

Existing law requires BSCC, by no later than 90 days following the close of each grant cycle, prepare and submit a report to the Legislature regarding the impact of the violence prevention initiatives supported by CalVIP. (Pen. Code, § 14131, subd. (n).)

This bill changes the timeline for the report to no later than 120 days following the close of each grant cycle.

This bill specifies that the changes made by this bill shall apply solely to CalVIP grant applications and awards made after January 1, 2024, and shall not be construed to affect grant applications or awards made prior to this date.

Existing law repeals the CalVIP provisions on January 1, 2025. (Pen. Code, § 14132.)

This bill removes the sunset date of January 1, 2025 and allows the CalVIP to operate indefinitely.

COMMENTS

1. Need for This Bill

According to the author of this bill:

AB 1603, formerly known as the Break the Cycle of Violence Act, which codified and significantly reformed the then-new CalVIP grant program. Within that measure however, a sunset date of January 1, 2025 was established. To foster program stability, longer-term strategic planning, and renew the state's commitment to violence intervention professionals' lifesaving work, we must renew the Break the Cycle of Violence Act and write the CalVIP program more permanently into the public safety infrastructure of our state.

AB 762 will indefinitely extend the provisions already established within the Break the Cycle of Violence Act. In addition, AB 762 will make various technical changes to the authorizing statute to clarify definitions for grant administrators and applicants, authorize tribal governments and counties to apply for grants, and

incorporate some vetted best practices that will help address some of the barriers to access for new programs.

2. Background on CalVIP

From 2007 to 2017, California’s budget acts appropriated \$9.215 million per year to operate the California Gang Reduction, Intervention and Prevention (CalGRIP) program, which provided matching grants to cities for initiatives to reduce youth-and gang-related crime. The budget acts between 2007 and 2017 guaranteed \$1 million annually for the City of Los Angeles, with the remainder distributed to other cities of all sizes through a competitive application process, overseen by BSCC. In the 2017 Budget Act, the CalGRIP program, which was restructured to CalVIP, shifted the program away from initiatives targeting gang crime and affiliation toward a narrower and more objective focus on evidence-based violence prevention programs.

According to the BSCC website:

In October 2019 Governor Newsom signed the Break the Cycle of Violence Act (AB 1603). AB 1603 codified the establishment of CalVIP and defined its purpose: to improve public health and safety by supporting effective violence reduction initiatives in communities that are disproportionately impacted by violence, particularly group-member involved homicides, shootings, and aggravated assaults.

The Break the Cycle of Violence act specifies that CalVIP grants shall be used to support, expand and replicate evidence-based violence reduction initiatives, including but not limited to:

- Hospital-based violence intervention programs,
- Evidence-based street outreach programs, and
- Focused deterrence strategies.

These initiatives should seek to interrupt cycles of violence and retaliation in order to reduce the incidence of homicides, shootings, and aggravated assaults and shall be primarily focused on providing violence intervention services to the small segment of the population that is identified as having the highest risk of perpetrating or being victimized by violence in the near future.

(BSCC, California Violence Intervention and Prevention Grant Program – CalVIP https://www.bscc.ca.gov/s_cpgpcalvipgrant/ [as of Jun. 30, 2023].)

This bill would specify that the purpose of the CalVIP is to improve the public health and safety by supporting effective community gun violence reduction initiatives in communities that are disproportionately impacted by community gun violence. This bill would define “community gun violence” to mean “intentional acts of interpersonal violence involving a firearm, generally committed in public areas by individuals who are not intimately related to the victim, and which result in physical injury, emotional harm, or death.”

3. CalVIP Eligibility

Currently eligibility for the CalVIP grant program is described below:

Eligibility. Only cities that are disproportionately impacted by violence and the CBOs that serve the residents of those cities are eligible to apply for a CalVIP grant. Community-based organizations (CBOs) eligible for CalVIP funding include any nongovernmental organization that provides direct services to the community and meets the following eligibility criteria. Private individuals, independent contractors, professional grants management organizations, consulting firms, auditors, and evaluators may not apply directly for CalVIP funds (though they may be included as partners on a CalVIP grant project).

Funding thresholds. Eligible cities (see Table 1) and the CBOs that serve the residents of those cities may apply for up to \$6 million with a specific set-aside for small-scope CBOs that are eligible to apply for up to \$400,000.

The total available funding through this CalVIP Request for Proposals is \$53,440,829.

Eligible grant activities. CalVIP grants must be used to support, expand, and replicate evidence-based violence reduction initiatives that seek to interrupt cycles of violence. Strategies eligible for funding could include but are not limited to: hospital-based violence intervention programs, evidence-based street outreach programs, and focused deterrence strategies.

Target population. Initiatives funded by CalVIP must be primarily focused on providing violence intervention services to the small segment of the population that is identified as having the highest risk of perpetrating or being victimized by violence in the near future.

Match requirement. All applicants must provide a 100% match to state funds awarded (cash or in-kind).

Pass-through requirement for cities. City applicants must agree to distribute at least 50% of the grant funds it receives to one or more of the following: a) CBOs or b) public agencies (other than the lead applicant agency) that are primarily dedicated to community safety or violence prevention.

(California Grants, <https://www.grants.ca.gov/grants/california-violence-intervention-and-prevention-calvip-grant-program-2/>[as of Jun. 30, 2023].)

This bill would make several changes to CalVIP, including, but not limited to, who can apply, including counties and tribal governments, how much the applicant/grantee can receive, the immediate distribution of grant monies, eliminating matching funds, and making the program permanent.

4. Argument in Support

According to March for Our Lives Action Fund:

Since passage of the Break the Cycle of Violence Act, California has become one of the nation's leaders in investing in effective community-based violence intervention initiatives that work to interrupt entrenched cycles of shootings, trauma, and retaliation. This legislation is needed to ensure that California stays on this course, sustains recent investments, and keeps frontline violence intervention professionals in the field healing victims and stopping shootings before they occur.

In the years since passage of the Break the Cycle of Violence Act, grantees and other stakeholders have also continued to build a record of best practices and identified some barriers to access and success. Accordingly, we have developed priorities for relatively technical but vital changes to the CalVIP grant program's authorizing language to provide more definitions guidance for grant administrators and applicants, support broader investments for programs that train, certify, and support the field of violence prevention workers, and especially, to minimize administrative burdens and barriers to entry for gun violence intervention initiatives who lack significant financial resources to meet, for instance, the current 100% funding match requirement and all the accounting burdens that come with it for grantees and the state. We believe this Act would help effectively address these priorities, ensure more cities and organizations doing effective violence prevention work can focus on and expand that work, and build on the CalVIP program's important successes to date.

-- END --