
THIRD READING

Bill No: AB 762
Author: Wicks (D)
Amended: 5/25/23 in Assembly
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 4-0, 7/11/23

AYES: Bradford, Ochoa Bogh, Skinner, Wiener

NO VOTE RECORDED: Wahab

SENATE APPROPRIATIONS COMMITTEE: 7-0, 9/1/23

AYES: Portantino, Jones, Ashby, Bradford, Seyarto, Wahab, Wiener

ASSEMBLY FLOOR: 80-0, 5/31/23 - See last page for vote

SUBJECT: California Violence Intervention and Prevention Grant Program

SOURCE: Giffords Center for Violence Intervention

DIGEST: This bill makes changes to 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.

ANALYSIS:

Existing law:

- 1) Establishes the Board of State and Community Corrections (BSCC). (Pen. Code, § 6024, subd. (a).)
- 2) Requires the BSCC to do the following, among other things:
 - a) Develop recommendations for the improvement of criminal justice and delinquency and gang prevention activity throughout the state;

- b) Identify, promote, and provide technical assistance relating to evidence-based programs, practices, and promising and innovative projects consistent with the mission of the board;
 - c) Receive and disburse federal funds, and perform all necessary and appropriate services in the performance of its duties as established by federal acts;
 - d) Develop procedures to ensure that applications for grants are processed fairly, efficiently, and in a manner consistent with the mission of the board;
 - e) 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;
 - f) 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;
 - g) 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;
 - h) Conduct evaluation studies of the programs and activities assisted by the federal acts.
 - i) 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).)
- 3) Establishes several grant programs to be administered by BSCC. (See Pen. Code, §§ 6045 et seq. and 6047 et seq.)
 - 4) Establishes CalVIP to be administered by BSCC. (Pen. Code, § 14131.)
 - 5) 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).)

- 6) 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).)
- 7) 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).)
- 8) 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:
 - a) Clearly defined and measurable objectives for the grant.
 - b) A statement describing how the applicant proposes to use the grant to implement an evidence-based violence reduction initiative in accordance with this section.
 - c) 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.
 - d) Evidence indicating that the proposed violence reduction initiative would likely reduce the incidence of homicides, shootings, and aggravated assaults. (Pen. Code, § 14131, subd. (f).)
- 9) 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).)

- 10) 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).)
- 11) 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).)
- 12) 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).)
- 13) 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).)
- 14) 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).)
- 15) 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).)
- 16) Repeals the CalVIP provisions on January 1, 2025. (Pen. Code, § 14132.)

This bill:

- 1) 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.
- 2) 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.”

- 3) Specifies that “cities” includes tribal governments and adds counties that have one or more cities disproportionately impacted by community gun violence within their jurisdiction.
- 4) Requires, in addition to existing requirements, an applicant of CalVIP to provide the following:
 - a) 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.
 - b) Where relevant, include a description of efforts to coordinate with tribal governments located near or within the planned service delivery area; and,
 - c) 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.
- 5) Increases the maximum award amount to \$2,500,000 and provides that the grant cycle shall be at least three years.
- 6) 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.
- 7) Adds tribal governments to the types of listed entities to whom a city that receives a CalVIP grant may distribute funds.
- 8) 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.

- 9) 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.
- 10) 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:
 - a) 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.
 - b) 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.
 - c) 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.
 - d) 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.

- 11) Changes the timeline for the report to no later than 120 days following the close of each grant cycle.
- 12) 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.
- 13) Removes the sunset date of January 1, 2025, and allows the CalVIP to operate indefinitely.

Comments

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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- The Board of State and Community Corrections reports annual ongoing costs of approximately \$300,000 in order to hire 2.0 permanent positions (General Fund).
- Unknown general fund cost pressures to appropriate funds to support the \$1 million increase in grant caps and provide new and additional grants to entities that qualify for funding under the expanded eligibility provisions. Because

CalVIP grants are competitive, it's possible to expand both the caps and eligibility pool even in the absence additional funding. However, to the extent that existing funds are insufficient to support the corresponding increased demand for grant money, there will be cost pressures to the General Fund.

SUPPORT: (Verified 9/1/23)

Giffords Center for Violence Intervention (source)
 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 Office
 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: (Verified 9/1/23)

None received

ASSEMBLY FLOOR: 80-0, 5/31/23

AYES: 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, Essayli, 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, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Rendon

Prepared by: Stella Choe / PUB. S. /
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