

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution No. 25-233

Adopt a resolution to:)
Authorize and direct the Auditor-Controller to)
amend the FY 2024-25 Adopted Budget for the)
County Administrative Office, Other General)
Expenditures (001-1050-CAO014-8039), to)
increase appropriations by \$1,425,000, financed)
by a decrease in appropriations in General Fund)
Contingencies (001-1050-CAO020-8034), for)
payment of the County's FY 2023-24)
Incompetent to Stand in Trial (IST) growth cap)
and penalty payment per Welfare & Institutions)
Code (WIC) 4336 to the State of California)
Department of State Hospitals (DSH) (4/5th vote)
required).....)

WHEREAS, Senate Bill 184 (SB184) added section 4336 to the WIC to implement a growth cap program for all counties for individuals committed pursuant to Section 1370 of the Penal Code;

WHEREAS, the growth cap program was deemed by the legislature as an actionable solution to address the increasing number of individuals with serious mental illness who become justice-involved and deemed Incompetent to Stand Trial (IST) on felony charges by helping to ensure that the expansion of DSH-funded community-based care does not create unintended incentives that result in an increased number of individuals being found IST on felony charges;

WHEREAS, WIC section 4336 establishes a growth cap for each county for felony IST determinations and includes a county redirection of funds that is aimed at supporting county activities that will divert individuals with serious mental illnesses away from the criminal justice system and lead to the reduction of felony IST determinations;

WHEREAS, beginning in FY 2022-23, counties that exceed their IST Baseline are penalized;

WHEREAS, in FY 2023-24, County of Monterey had a total of 84 commitments, exceeding the 59-growth cap by 25, resulting in a penalty of \$1,425,000 owed to DSH. These funds will be deposited into the Mental Health Diversion Fund by DSH, and 100% of the funds paid by the county will be returned to the county within 45 days after receipt and approval of a required expenditure plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Monterey, as follows:

Authorize and direct the Auditor-Controller to amend the FY 2024-25 Adopted Budget for the County Administrative Office, Other General Expenditures (001-1050-CAO014-8039), to increase appropriations by \$1,425,000, financed by a decrease in appropriations in General Fund Contingencies (001-1050-CAO020-8034), for payment of the County's FY 2023-24 Incompetent to Stand in Trial (IST) growth cap and penalty payment per Welfare & Institutions Code (WIC) 4336 to the State of California Department of State Hospitals (DSH) (4/5th vote required).

PASSED AND ADOPTED on this 1st day of July 2025, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Daniels

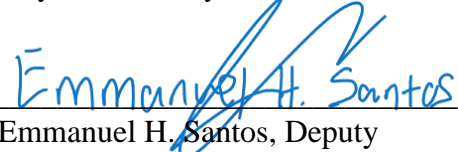
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on July 1, 2025.

Dated: July 2, 2025
File ID: RES 25-107
Agenda Item No. 16

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy

Legistar File ID No. RES 25-107 Agenda Item No. 16