



DATE: May 27, 2025

TO: ALL COUNTY CHIEF ADMINISTRATIVE/EXECUTIVE OFFICERS

SUBJECT: FISCAL YEAR 2024-25 FELONY INCOMPETENT TO STAND TRIAL  
(IST) GROWTH CAP QUARTERLY PROGRESS DATA REPORT:  
QUARTER 3

RE: IST GROWTH CAP DEPARTMENT LETTER: 23-003

Please find attached to this memo, a progress report of unreconciled Incompetent to Stand Trial (IST) determination data for the third quarter of Fiscal Year (FY) 2024-25 (January 1, 2025 – March 31, 2025) provided along with reference to the FY 2021-22 baseline IST determination numbers. A copy of all previously issued notices including Department Letter (DL) 23-003 are available on the [DSH Growth Cap Webpage](#).

DSH releases unreconciled data reports, referred to as progress reports, within sixty days following the end of each new quarter. The intent of the progress report is to provide counties with quarterly updates on how the current year trend of felony IST determinations compares to baseline trends so counties have an opportunity to take action that could result in reducing the likelihood of exceeding the IST determination cap and potential funding redirection.

### **Additional Growth Cap Program Announcements**

- Final Reconciled Data for FY 2023-24  
DSH has completed the review of all disputes that were received and provided response to each county. As a result, a new FY 2023-23 IST determination data report has been posted on the DSH webpage and reflects corrections that were made as a result of the dispute process.
- Invoicing for FY 2023-24  
Counties subject to Growth Cap fees, received advanced notification of the anticipated invoiced amount in April 2025, and DSH is releasing invoices beginning in late May 2025. Counties have 90 days from receipt of invoice to submit payment to DSH for deposit into the Mental Health Diversion Fund.

If you have any questions or require additional information, please send inquiries to: [DSHISTGrowthCap@dsh.ca.gov](mailto:DSHISTGrowthCap@dsh.ca.gov).



Chris Edens  
Chief Deputy Director, Program Services  
Department of State Hospitals



cc: All counties' Behavioral Health Directors  
All counties' Sheriffs  
All counties' Public Defenders  
All counties' District Attorneys  
All Presiding Judges of the Superior Courts of California  
All counties' Designated Representatives

**Attachment(s):** Fiscal Year 2024-25 Quarter 3 Progress Report

Department of State Hospitals IST Determinations - FY 2024-25 Quarterly Progress Report, Quarter 3

From Date of FIST Commitment to DSH and Received through March 31, 2025

UNRECONCILED DATA



Committing County	FY 2021-22 Final Adjusted Baseline IST Referrals	FY 2021-22 Monthly Average	FY 2024-25 Quarter 1 (Refresh)	FY 2024-25 Quarter 2 (Refresh)	FY 2024-25 Quarter 3	FY 2024-25 Quarter 4	FY 2024-25 YTD Total	FY 2024-25 YTD Monthly Average	Monthly Average Difference
Alameda	77	6.4	21	26	21		68	7.6	1.1
Alpine	0	0.0	0	0	0		0	0.0	0.0
Amador	5	0.4	3	2	4		9	1.0	0.6
Butte	50	4.2	10	14	9		33	3.7	(0.5)
Calaveras	2	0.2	1	1	2		4	0.4	0.3
Colusa	1	0.1	1	0	0		1	0.1	0.0
Contra Costa	90	7.5	25	27	24		76	8.4	0.9
Del Norte	12	1.0	2	2	2		6	0.7	(0.3)
El Dorado	25	2.1	4	2	5		11	1.2	(0.9)
Fresno	106	8.8	53	49	33		135	15.0	6.2
Glenn	10	0.8	1	1	2		4	0.4	(0.4)
Humboldt	49	4.1	17	13	10		40	4.4	0.4
Imperial	18	1.5	3	4	1		8	0.9	(0.6)
Inyo	3	0.3	0	1	1		2	0.2	(0.0)
Kern	227	18.9	59	43	62		164	18.2	(0.7)
Kings	48	4.0	8	6	10		24	2.7	(1.3)
Lake	26	2.2	7	3	5		15	1.7	(0.5)
Lassen	5	0.4	0	2	0		2	0.2	(0.2)
Los Angeles	1,435	119.6	344	294	184		822	91.3	(28.3)
Madera	21	1.8	4	9	5		18	2.0	0.3
Marin	23	1.9	5	9	12		26	2.9	1.0
Mariposa	3	0.3	2	1	0		3	0.3	0.1
Mendocino	30	2.5	4	5	3		12	1.3	(1.2)
Merced	53	4.4	12	20	17		49	5.4	1.0
Modoc	0	0.0	1	1	0		2	0.2	0.2
Mono	2	0.2	0	0	1		1	0.1	(0.1)
Monterey	59	4.9	12	22	12		46	5.1	0.2
Napa	22	1.8	10	5	7		22	2.4	0.6
Nevada	3	0.3	0	0	3		3	0.3	0.1
Orange	77	6.4	21	18	27		66	7.3	0.9
Placer	42	3.5	8	9	8		25	2.8	(0.7)
Plumas	2	0.2	0	0	0		0	0.0	(0.2)
Riverside	146	12.2	49	51	35		135	15.0	2.8
Sacramento	217	18.1	60	63	49		172	19.1	1.0
San Benito	7	0.6	1	3	1		5	0.6	(0.0)
San Bernardino	223	18.6	53	70	49		172	19.1	0.5
San Diego	207	17.3	102	87	67		256	28.4	11.2
San Francisco	25	2.1	19	13	19		51	5.7	3.6
San Joaquin	92	7.7	48	46	48		142	15.8	8.1
San Luis Obispo	45	3.8	16	14	4		34	3.8	0.0
San Mateo	46	3.8	22	19	18		59	6.6	2.7
Santa Barbara	80	6.7	14	19	24		57	6.3	(0.3)
Santa Clara	113	9.4	32	42	20		94	10.4	1.0
Santa Cruz	47	3.9	13	7	13		33	3.7	(0.3)
Shasta	39	3.3	9	10	16		35	3.9	0.6
Sierra	2	0.2	0	0	0		0	0.0	(0.2)
Siskiyou	11	0.9	2	6	4		12	1.3	0.4
Solano	75	6.3	20	23	22		65	7.2	1.0
Sonoma	61	5.1	20	30	21		71	7.9	2.8
Stanislaus	89	7.4	43	27	27		97	10.8	3.4
Sutter	15	1.3	5	6	7		18	2.0	0.8
Tehama	15	1.3	3	2	3		8	0.9	(0.4)
Trinity	8	0.7	4	3	2		9	1.0	0.3
Tulare	74	6.2	18	24	24		66	7.3	1.2
Tuolumne	16	1.3	8	10	5		23	2.6	1.2
Ventura	80	6.7	31	21	17		69	7.7	1.0
Yolo	28	2.3	15	13	8		36	4.0	1.7
Yuba	18	1.5	7	3	5		15	1.7	0.2
DSH Total	4,305	358.8	1,252	1,201	978		3,431	381.2	22.5

**Adjustments to the FY 2021-22 Final Adjusted Baseline IST Referrals:**

Numbers have been corrected to reflect the true adjusted amounts per county. Previous Quarterly Progress Reports reflected the unadjusted numbers for select counties, and going forward Quarterly Progress Reports will reflect the true adjusted numbers.

Department of State Hospitals IST Determinations - FY 2024-25, Quarterly Progress Report, Quarter 3  
From Date of FIST Commitment to DSH and Received through March 31, 2025



Committing County	Initial Count - FY 2024-25 IST Determinations	FIST Commitments Removed from Count						Updated FY 2024-25 IST Determinations	2024-25 Diversion Offset	
		Program Revokes	Re-Commits	Deaths	Cancelled	Re-Evaluated 1372	EASS 1372		Diversion Credit/Offset	Final Adjusted IST Determinations Count
Alameda	76	0	2	0	0	3	3	68		68
Alpine	0	0	0	0	0	0	0	0		0
Amador	9	0	0	0	0	0	0	9		9
Butte	34	0	1	0	0	0	0	33		33
Calaveras	5	0	0	0	0	0	0	5		5
Colusa	1	0	0	0	0	0	0	1		1
Contra Costa	86	0	1	0	0	0	9	76		76
Del Norte	6	0	0	0	0	0	0	6		6
El Dorado	12	0	0	0	0	0	1	11		11
Fresno	146	0	5	0	0	0	6	135		135
Glenn	4	0	0	0	0	0	0	4		4
Humboldt	43	0	2	0	0	0	1	40		40
Imperial	8	0	0	0	0	0	0	8		8
Inyo	3	0	0	0	0	0	1	2		2
Kern	172	0	0	0	1	0	5	166		166
Kings	28	1	2	0	0	0	1	24		24
Lake	16	0	0	0	0	0	1	15		15
Lassen	3	0	0	0	0	0	1	2		2
Los Angeles	971	66	41	0	6	32	0	826		826
Madera	18	0	0	0	0	0	0	18		18
Marin	27	0	0	0	0	1	1	25		25
Mariposa	3	0	0	0	0	0	0	3		3
Mendocino	12	0	0	0	0	0	0	12		12
Merced	53	0	0	0	0	0	4	49		49
Modoc	2	0	0	0	0	0	0	2		2
Mono	1	0	0	0	0	0	0	1		1
Monterey	48	0	1	0	0	0	1	46		46
Napa	24	0	1	0	0	0	1	22		22
Nevada	3	0	0	0	0	0	0	3		3
Orange	69	0	2	0	0	0	1	66		66
Placer	27	0	0	0	1	0	1	25		25
Plumas	0	0	0	0	0	0	0	0		0
Riverside	143	0	5	0	0	0	2	136		136
Sacramento	180	0	2	0	0	2	4	172		172
San Benito	6	0	1	0	0	0	0	5		5
San Bernardino	187	0	4	1	1	0	9	172		172
San Diego	266	0	6	0	1	0	3	256		256
San Francisco	57	2	1	0	1	2	0	51		51
San Joaquin	149	0	1	0	0	0	2	146		146
San Luis Obispo	41	0	3	0	0	0	4	34		34
San Mateo	62	0	2	0	0	0	1	59		59
Santa Barbara	70	1	5	0	0	0	7	57		57
Santa Clara	103	0	3	0	0	5	0	95		95
Santa Cruz	36	0	0	0	1	0	2	33		33
Shasta	38	0	2	0	0	0	0	36		36
Sierra	0	0	0	0	0	0	0	0		0
Siskiyou	15	0	2	0	0	0	1	12		12
Solano	74	2	1	0	0	0	6	65		65
Sonoma	80	1	4	0	1	0	3	71		71
Stanislaus	105	0	4	0	1	0	3	97		97
Sutter	18	0	0	0	0	0	0	18		18
Tehama	8	0	0	0	0	0	0	8		8
Trinity	11	0	0	0	0	0	2	9		9
Tulare	67	0	1	0	0	0	0	66		66
Tuolumne	25	1	1	0	0	0	0	23		23
Ventura	72	0	1	0	0	0	2	69		69
Yolo	37	0	0	0	0	0	1	36		36
Yuba	19	0	1	0	0	0	3	15		15
<b>DSH Total</b>	<b>3,779</b>	<b>74</b>	<b>108</b>	<b>1</b>	<b>14</b>	<b>45</b>	<b>93</b>	<b>3,444</b>	<b>0</b>	<b>3,444</b>
<b>Monthly Avg.</b>	<b>315</b>	<b>8</b>	<b>12</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>10</b>	<b>278</b>	<b>0</b>	<b>383</b>

**Methodology Notes:**

FY 2021-22 Baseline determinations reflect FIST referrals received with a commitment date to a DSH funded program in FY 2021-22 and referrals were received no later than 8/31/2023. This methodology would be applied to IST Determinations for all subsequent years.

**Adjustments to the FIST determination count include:**

Program Revokes - these are FIST individuals who may have been committed to DSH and placed in a diversion or CBR program in a prior fiscal year then revoked from the program and subsequently re-referred to DSH (inpatient) on the same charge in the applicable fiscal year.

Cancelled FIST commitments/referrals to DSH include FIST individuals who were committed to DSH and either competency was restored or case was dismissed while waiting in jail prior to DSH treatment and/or re-evaluation. Cancelled FIST commitments are excluded as one of the adjustments reducing the FY 2021-22 baseline count. For FY 2022-23 and all future years, cancelled commitments will be incorporated as an adjustment and reduced from the IST determination counts.

Re-Evaluated 1372 includes individuals who were re-evaluated by DSH's Re-Evaluation Program and identified as competent prior to admission to any DSH treatment program, including Early Access and Stabilization Services (EASS). Totals also include the re-evaluations performed by Los Angeles County Office of Diversion and Re-Entry (known as "off-ramps").

EASS 1372 includes IST individuals who were found competent after participation in EASS services, but were removed from the DSH wait list prior to admission to a DSH program bed in a JBCT, State Hospital, Community Inpatient Facility, CBR, Diversion or CONREP.

Refer to DL 23-003, Attachment C, regarding the methodology applied for the Diversion Credit.