



DATE: December 31, 2025

TO: ALL COUNTY CHIEF ADMINISTRATIVE/EXECUTIVE OFFICERS

SUBJECT: FISCAL YEAR 2025-26 FELONY INCOMPETENT TO STAND TRIAL
(IST) GROWTH CAP QUARTERLY PROGRESS DATA REPORT:
QUARTER 1

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 first quarter of Fiscal Year (FY) 2025-26 (July 1, 2025 – September 30, 2025) provided along with reference to the updates 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 2024-25
The final reconciled data report of annual IST determinations for FY 2024-25 was released on December 1, 2025. That release officially opened the dispute window for [FY 2024-25 IST determination data](#). Please ensure that the designated representatives for your county are up to date to guarantee you receive the individualized records for your county. [Attachment D](#) contains the process for verifying and appointing authorized representatives.
- Dispute Process
DSH issued notice of new methodology that was applied to the baseline data and all FYs moving forward. Due to the release of new methodology an extension was granted to allow counties ample time to get their FY 2024-25 record corrections submitted to DSH. All counties have until the end of February 2026 to submit claims. Please refer to the new [Attachment E, Dispute Process](#) for instructions on how to submit records for correction.



If you have any questions or require additional information, please send inquiries to: 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 2025-26 Quarter 1 Progress Report

Department of State Hospitals IST Determinations - FY 2025-26 Quarterly Progress Report, Quarter 1

From Date of FIST Commitment to DSH and Received through September 30, 2025

UNRECONCILED DATA



Committing County	FY 2021-22 Final Adjusted Baseline IST Referrals	FY 2021-22 Monthly Average	FY 2025-26 Quarter 1	FY 2025-26 Quarter 2	FY 2025-26 Quarter 3	FY 2025-26 Quarter 4	FY 2025-26 YTD Total	FY 2025-26 YTD Monthly Average	Monthly Average Difference
Alameda	88	7.3	36				36	12.0	4.7
Alpine	0	0.0	0				0	0.0	0.0
Amador	5	0.4	0				0	0.0	(0.4)
Butte	50	4.2	16				16	5.3	1.2
Calaveras	2	0.2	0				0	0.0	(0.2)
Colusa	3	0.3	4				4	1.3	1.1
Contra Costa	101	8.4	26				26	8.7	0.3
Del Norte	13	1.1	4				4	1.3	0.3
El Dorado	25	2.1	10				10	3.3	1.3
Fresno	136	11.3	48				48	16.0	4.7
Glenn	11	0.9	0				0	0.0	(0.9)
Humboldt	54	4.5	12				12	4.0	(0.5)
Imperial	21	1.8	6				6	2.0	0.3
Inyo	3	0.3	1				1	0.3	0.1
Kern	236	19.7	42				42	14.0	(5.7)
Kings	51	4.3	5				5	1.7	(2.6)
Lake	31	2.6	3				3	1.0	(1.6)
Lassen	5	0.4	2				2	0.7	0.3
Los Angeles	1,512	126.0	390				390	130.0	4.0
Madera	27	2.3	0				0	0.0	(2.3)
Marin	23	1.9	10				10	3.3	1.4
Mariposa	3	0.3	1				1	0.3	0.1
Mendocino	30	2.5	8				8	2.7	0.2
Merced	58	4.8	18				18	6.0	1.2
Modoc	0	0.0	0				0	0.0	0.0
Mono	2	0.2	1				1	0.3	0.2
Monterey	63	5.3	13				13	4.3	(0.9)
Napa	27	2.3	2				2	0.7	(1.6)
Nevada	3	0.3	2				2	0.7	0.4
Orange	85	7.1	19				19	6.3	(0.8)
Placer	52	4.3	14				14	4.7	0.3
Plumas	3	0.3	1				1	0.3	0.1
Riverside	167	13.9	47				47	15.7	1.8
Sacramento	226	18.8	50				50	16.7	(2.2)
San Benito	11	0.9	2				2	0.7	(0.3)
San Bernardino	258	21.5	95				95	31.7	10.2
San Diego	228	19.0	82				82	27.3	8.3
San Francisco	28	2.3	12				12	4.0	1.7
San Joaquin	96	8.0	44				44	14.7	6.7
San Luis Obispo	55	4.6	13				13	4.3	(0.3)
San Mateo	51	4.3	9				9	3.0	(1.3)
Santa Barbara	88	7.3	23				23	7.7	0.3
Santa Clara	121	10.1	16				16	5.3	(4.8)
Santa Cruz	64	5.3	8				8	2.7	(2.7)
Shasta	40	3.3	26				26	8.7	5.3
Sierra	2	0.2	0				0	0.0	(0.2)
Siskiyou	13	1.1	6				6	2.0	0.9
Solano	79	6.6	20				20	6.7	0.1
Sonoma	63	5.3	27				27	9.0	3.8
Stanislaus	108	9.0	23				23	7.7	(1.3)
Sutter	16	1.3	6				6	2.0	0.7
Tehama	16	1.3	8				8	2.7	1.3
Trinity	8	0.7	1				1	0.3	(0.3)
Tulare	88	7.3	16				16	5.3	(2.0)
Tuolumne	16	1.3	4				4	1.3	0.0
Ventura	82	6.8	11				11	3.7	(3.2)
Yolo	37	3.1	9				9	3.0	(0.1)
Yuba	23	1.9	3				3	1.0	(0.9)
DSH Total	4,707	392.3	1,255				1,255	418.3	26.1

Department of State Hospitals IST Determinations - FY 2025-26, Quarterly Update
 From Date of FIST Commitment to DSH and Received through September 30, 2025



Committing County	Initial Count - FY 2025-26 IST Determinations	FIST Commitments Removed from Count						Updated FY 2025-26 IST Determinations	2025-26 Diversion Offset	
		Program Revokes	Re-Commits	Deaths	Cancelled	Re-Evaluated 1372	EASS 1372		Diversion Credit/Offset	Final Adjusted IST Determinations Count
Alameda	36	0	0	0	0		0	36		36
Alpine	0	0	0	0	0		0	0		0
Amador	0	0	0	0	0		0	0		0
Butte	16	0	0	0	0		0	16		16
Calaveras	0	0	0	0	0		0	0		0
Colusa	4	0	0	0	0		0	4		4
Contra Costa	29	0	2	0	0		1	26		26
Del Norte	4	0	0	0	0		0	4		4
El Dorado	11	0	1	0	0		0	10		10
Fresno	50	0	2	0	0		0	48		48
Glenn	0	0	0	0	0		0	0		0
Humboldt	13	0	1	0	0		0	12		12
Imperial	6	0	0	0	0		0	6		6
Inyo	1	0	0	0	0		0	1		1
Kern	45	0	3	0	0		0	42		42
Kings	6	0	0	0	0		1	5		5
Lake	3	0	0	0	0		0	3		3
Lassen	2	0	0	0	0		0	2		2
Los Angeles	407	1	16	0	0		0	390		390
Madera	0	0	0	0	0		0	0		0
Marin	10	0	0	0	0		0	10		10
Mariposa	1	0	0	0	0		0	1		1
Mendocino	8	0	0	0	0		0	8		8
Merced	22	0	2	0	0		2	18		18
Modoc	0	0	0	0	0		0	0		0
Mono	1	0	0	0	0		0	1		1
Monterey	15	0	1	0	1		0	13		13
Napa	5	0	1	0	0		2	2		2
Nevada	2	0	0	0	0		0	2		2
Orange	21	0	1	0	0		1	19		19
Placer	16	1	0	0	0		1	14		14
Plumas	1	0	0	0	0		0	1		1
Riverside	49	0	1	0	1		0	47		47
Sacramento	51	0	0	0	1		0	50		50
San Benito	3	0	0	0	0		1	2		2
San Bernardino	99	0	4	0	0		0	95		95
San Diego	88	0	6	0	0		0	82		82
San Francisco	14	0	0	0	2		0	12		12
San Joaquin	48	1	0	0	2		1	44		44
San Luis Obispo	15	0	0	0	0		2	13		13
San Mateo	13	0	4	0	0		0	9		9
Santa Barbara	28	0	2	0	0		3	23		23
Santa Clara	17	0	1	0	0		0	16		16
Santa Cruz	9	0	1	0	0		0	8		8
Shasta	26	0	0	0	0		0	26		26
Sierra	0	0	0	0	0		0	0		0
Siskiyou	6	0	0	0	0		0	6		6
Solano	24	0	3	0	0		1	20		20
Sonoma	32	0	5	0	0		0	27		27
Stanislaus	24	0	1	0	0		0	23		23
Sutter	6	0	0	0	0		0	6		6
Tehama	8	0	0	0	0		0	8		8
Trinity	1	0	0	0	0		0	1		1
Tulare	18	0	2	0	0		0	16		16
Tuolumne	5	0	0	0	0		1	4		4
Ventura	11	0	0	0	0		0	11		11
Yolo	10	0	1	0	0		0	9		9
Yuba	3	0	0	0	0		0	3		3
DSH Total	1,343	3	61	0	7		17	1,255	0	1,255
Monthly Avg.	112	0	5	0	1		1	105	0	105

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.

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.

DSH has eliminated the IST Re-evaluation count offsets to the final IST determination data for the FY 2021-22 baseline and will carry this change to all future FYs beginning with FY 2024-25 data.