



DATE: November 20, 2024

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 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) 2024-25 (July 1, 2024 – September 30, 2024) 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  
The final reconciled data report of annual IST determinations for FY 2023-24 was released on October 31, 2024. That release officially opened the dispute window for [FY 2023-24 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.
- Update to Dispute Process Timeline (DL 23-003, Attachment E)  
DSH issued an update to DL 23-003, Attachment E: Dispute Process to establish 90 days as the standard time frame for the submission of a dispute. This is an extension of time from the 60-day dispute window that became effective with the reconciliation of FY 2023-24 IST determinations. The update was made effective on November 15, 2024. Please refer to the new [Attachment E, Dispute Process](#) for instructions on how to submit records for correction. The deadline for submitting a dispute for FY 2023-24 data is January 31, 2025.



If you have any questions or require additional information, please send inquiries to:  
DSHISTGrowthCap@DSH.CA.GOV

A handwritten signature in black ink, appearing to read 'C. Edens'. The signature is fluid and cursive.

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 1 Progress Report

## Department of State Hospitals IST Determinations - FY 2024-25 Quarterly Progress Report, Quarter 1

From Date of FIST Commitment to DSH and Received through September 30, 2024



UNRECONCILED DATA

Committing County	FY 2021-22 Fnl Adjusted Baseline IST Referrals	FY 2021-22 Monthly Average	FY 2024-25 Quarter 1	FY 2024-25 Quarter 2	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				21	7.0	0.6
Alpine	0	0.0	0				0	0.0	0.0
Amador	5	0.4	3				3	1.0	0.6
Butte	49	4.1	10				10	3.3	(0.8)
Calaveras	2	0.2	1				1	0.3	0.2
Colusa	1	0.1	1				1	0.3	0.3
Contra Costa	90	7.5	25				25	8.3	0.8
Del Norte	12	1.0	2				2	0.7	(0.3)
El Dorado	25	2.1	4				4	1.3	(0.8)
Fresno	106	8.8	53				53	17.7	8.8
Glenn	10	0.8	1				1	0.3	(0.5)
Humboldt	49	4.1	16				16	5.3	1.3
Imperial	18	1.5	3				3	1.0	(0.5)
Inyo	3	0.3	0				0	0.0	(0.3)
Kern	227	18.9	59				59	19.7	0.8
Kings	48	4.0	8				8	2.7	(1.3)
Lake	26	2.2	7				7	2.3	0.2
Lassen	5	0.4	0				0	0.0	(0.4)
Los Angeles	1,435	119.6	344				344	114.7	(4.9)
Madera	21	1.8	4				4	1.3	(0.4)
Marin	23	1.9	4				4	1.3	(0.6)
Mariposa	3	0.3	2				2	0.7	0.4
Mendocino	30	2.5	4				4	1.3	(1.2)
Merced	53	4.4	10				10	3.3	(1.1)
Modoc	0	0.0	0				0	0.0	0.0
Mono	2	0.2	0				0	0.0	(0.2)
Monterey	59	4.9	12				12	4.0	(0.9)
Napa	22	1.8	10				10	3.3	1.5
Nevada	3	0.3	0				0	0.0	(0.3)
Orange	77	6.4	21				21	7.0	0.6
Placer	42	3.5	8				8	2.7	(0.8)
Plumas	2	0.2	0				0	0.0	(0.2)
Riverside	146	12.2	51				51	17.0	4.8
Sacramento	217	18.1	64				64	21.3	3.3
San Benito	7	0.6	1				1	0.3	(0.3)
San Bernardino	223	18.6	53				53	17.7	(0.9)
San Diego	207	17.3	102				102	34.0	16.8
San Francisco	25	2.1	19				19	6.3	4.3
San Joaquin	91	7.6	43				43	14.3	6.8
San Luis Obispo	45	3.8	16				16	5.3	1.6
San Mateo	46	3.8	22				22	7.3	3.5
Santa Barbara	80	6.7	14				14	4.7	(2.0)
Santa Clara	92	7.7	32				32	10.7	3.0
Santa Cruz	47	3.9	13				13	4.3	0.4
Shasta	39	3.3	10				10	3.3	0.1
Sierra	2	0.2	0				0	0.0	(0.2)
Siskiyou	11	0.9	2				2	0.7	(0.3)
Solano	75	6.3	19				19	6.3	0.1
Sonoma	61	5.1	19				19	6.3	1.3
Stanislaus	89	7.4	43				43	14.3	6.9
Sutter	15	1.3	5				5	1.7	0.4
Tehama	15	1.3	3				3	1.0	(0.3)
Trinity	8	0.7	4				4	1.3	0.7
Tulare	74	6.2	18				18	6.0	(0.2)
Tuolumne	16	1.3	7				7	2.3	1.0
Ventura	80	6.7	29				29	9.7	3.0
Yolo	28	2.3	15				15	5.0	2.7
Yuba	18	1.5	7				7	2.3	0.8
<b>DSH Total</b>	<b>4,282</b>	<b>356.8</b>	<b>1,244</b>				<b>1,244</b>	<b>414.7</b>	<b>57.8</b>

Department of State Hospitals IST Determinations - FY 2024-25 Quarterly Progress Report, Quarter 1  
 From Date of FIST Commitment to DSH and Received through September 30, 2024

UNRECONCILED DATA



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	26	0	1	0	0	2	2	21	21	
Alpine	0	0	0	0	0	0	0	0	0	
Amador	3	0	0	0	0	0	0	3	3	
Butte	11	0	1	0	0	0	0	10	10	
Calaveras	1	0	0	0	0	0	0	1	1	
Colusa	1	0	0	0	0	0	0	1	1	
Contra Costa	27	0	1	0	0	0	1	25	25	
Del Norte	2	0	0	0	0	0	0	2	2	
El Dorado	4	0	0	0	0	0	0	4	4	
Fresno	61	0	3	0	0	0	5	53	53	
Glenn	1	0	0	0	0	0	0	1	1	
Humboldt	18	0	2	0	0	0	0	16	16	
Imperial	3	0	0	0	0	0	0	3	3	
Inyo	0	0	0	0	0	0	0	0	0	
Kern	61	0	0	0	1	0	1	59	59	
Kings	8	0	0	0	0	0	0	8	8	
Lake	7	0	0	0	0	0	0	7	7	
Lassen	0	0	0	0	0	0	0	0	0	
Los Angeles	378	12	15	0	1	6	0	344	344	
Madera	4	0	0	0	0	0	0	4	4	
Marin	4	0	0	0	0	0	0	4	4	
Mariposa	2	0	0	0	0	0	0	2	2	
Mendocino	4	0	0	0	0	0	0	4	4	
Merced	12	0	0	0	0	0	2	10	10	
Modoc	0	0	0	0	0	0	0	0	0	
Mono	0	0	0	0	0	0	0	0	0	
Monterey	13	0	1	0	0	0	0	12	12	
Napa	10	0	0	0	0	0	0	10	10	
Nevada	0	0	0	0	0	0	0	0	0	
Orange	22	0	1	0	0	0	0	21	21	
Placer	8	0	0	0	0	0	0	8	8	
Plumas	0	0	0	0	0	0	0	0	0	
Riverside	55	0	4	0	0	0	0	51	51	
Sacramento	66	0	1	0	0	0	1	64	64	
San Benito	2	0	1	0	0	0	0	1	1	
San Bernardino	61	0	2	0	0	0	6	53	53	
San Diego	106	0	2	0	1	0	1	102	102	
San Francisco	23	1	1	0	1	1	0	19	19	
San Joaquin	45	0	1	0	0	0	1	43	43	
San Luis Obispo	19	0	0	0	0	0	3	16	16	
San Mateo	24	0	2	0	0	0	0	22	22	
Santa Barbara	15	0	0	0	0	0	1	14	14	
Santa Clara	37	0	2	0	0	3	0	32	32	
Santa Cruz	15	0	0	0	0	0	2	13	13	
Shasta	11	0	1	0	0	0	0	10	10	
Sierra	0	0	0	0	0	0	0	0	0	
Siskiyou	2	0	0	0	0	0	0	2	2	
Solano	22	1	0	0	0	0	2	19	19	
Sonoma	20	0	0	0	0	0	1	19	19	
Stanislaus	45	0	1	0	0	0	1	43	43	
Sutter	5	0	0	0	0	0	0	5	5	
Tehama	3	0	0	0	0	0	0	3	3	
Trinity	4	0	0	0	0	0	0	4	4	
Tulare	18	0	0	0	0	0	0	18	18	
Tuolumne	8	0	1	0	0	0	0	7	7	
Ventura	31	0	1	0	0	0	1	29	29	
Yolo	16	0	0	0	0	0	1	15	15	
Yuba	9	0	1	0	0	0	1	7	7	
<b>DSH Total</b>	<b>1,353</b>	<b>14</b>	<b>46</b>	<b>0</b>	<b>4</b>	<b>12</b>	<b>33</b>	<b>1,244</b>	<b>0</b>	<b>1,244</b>
<b>Monthly Avg.</b>	<b>113</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>104</b>	<b>0</b>	<b>104</b>

**Methodology Notes:**

FY 2024-25 determinations reflect FIST referrals received with a commitment date to a DSH funded program in FY 2024-25 and referrals were received no later than 9/30/2024. 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.