



DATE: February 25, 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 2

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 second quarter of Fiscal Year (FY) 2024-25 (October 1, 2024 – December 31, 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 dispute window for [FY 2023-24 IST determination data](#) closed on January 31, 2025. DSH is now reviewing all disputes that were received and will respond to each county no later than April 30, 2025.
- Invoicing for FY 2023-24
Counties subject to Growth Cap fees, will receive advanced notification of the invoiced amount in April 2025. DSH will then release invoices beginning in May 2025.

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

“Caring Today for a Safe and Healthy Tomorrow”



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 2 Progress Report

Department of State Hospitals IST Determinations - FY 2024-25 Quarterly Progress Report, Quarter 2

From Date of FIST Commitment to DSH and Received through December 31, 2024

UNRECONCILED DATA

Committing County	FY 2021-22 Final 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	26			47	7.8	1.4
Alpine	0	0.0	0	0			0	0.0	0.0
Amador	5	0.4	3	2			5	0.8	0.4
Butte	49	4.1	10	14			24	4.0	(0.1)
Calaveras	2	0.2	1	2			3	0.5	0.3
Colusa	1	0.1	1	0			1	0.2	0.1
Contra Costa	90	7.5	25	25			50	8.3	0.8
Del Norte	12	1.0	2	2			4	0.7	(0.3)
El Dorado	25	2.1	4	2			6	1.0	(1.1)
Fresno	106	8.8	53	45			98	16.3	7.5
Glenn	10	0.8	1	1			2	0.3	(0.5)
Humboldt	49	4.1	17	13			30	5.0	0.9
Imperial	18	1.5	3	3			6	1.0	(0.5)
Inyo	3	0.3	0	1			1	0.2	(0.1)
Kern	227	18.9	59	40			99	16.5	(2.4)
Kings	48	4.0	8	4			12	2.0	(2.0)
Lake	26	2.2	7	2			9	1.5	(0.7)
Lassen	5	0.4	0	2			2	0.3	(0.1)
Los Angeles	1,435	119.6	344	289			633	105.5	(14.1)
Madera	21	1.8	4	10			14	2.3	0.6
Marin	23	1.9	5	9			14	2.3	0.4
Mariposa	3	0.3	2	1			3	0.5	0.3
Mendocino	30	2.5	4	5			9	1.5	(1.0)
Merced	53	4.4	12	20			32	5.3	0.9
Modoc	0	0.0	1	1			2	0.3	0.3
Mono	2	0.2	0	0			0	0.0	(0.2)
Monterey	59	4.9	12	22			34	5.7	0.8
Napa	22	1.8	10	5			15	2.5	0.7
Nevada	3	0.3	0	0			0	0.0	(0.3)
Orange	77	6.4	21	18			39	6.5	0.1
Placer	42	3.5	8	9			17	2.8	(0.7)
Plumas	2	0.2	0	0			0	0.0	(0.2)
Riverside	146	12.2	49	47			96	16.0	3.8
Sacramento	217	18.1	60	65			125	20.8	2.8
San Benito	7	0.6	1	3			4	0.7	0.1
San Bernardino	223	18.6	53	70			123	20.5	1.9
San Diego	207	17.3	102	86			188	31.3	14.1
San Francisco	25	2.1	19	13			32	5.3	3.3
San Joaquin	91	7.6	48	39			87	14.5	6.9
San Luis Obispo	45	3.8	16	14			30	5.0	1.3
San Mateo	46	3.8	22	19			41	6.8	3.0
Santa Barbara	80	6.7	14	21			35	5.8	(0.8)
Santa Clara	92	7.7	32	41			73	12.2	4.5
Santa Cruz	47	3.9	13	7			20	3.3	(0.6)
Shasta	39	3.3	9	9			18	3.0	(0.3)
Sierra	2	0.2	0	0			0	0.0	(0.2)
Siskiyou	11	0.9	2	6			8	1.3	0.4
Solano	75	6.3	20	23			43	7.2	0.9
Sonoma	61	5.1	20	28			48	8.0	2.9
Stanislaus	89	7.4	43	28			71	11.8	4.4
Sutter	15	1.3	5	6			11	1.8	0.6
Tehama	15	1.3	3	2			5	0.8	(0.4)
Trinity	8	0.7	4	3			7	1.2	0.5
Tulare	74	6.2	18	24			42	7.0	0.8
Tuolumne	16	1.3	8	9			17	2.8	1.5
Ventura	80	6.7	31	21			52	8.7	2.0
Yolo	28	2.3	15	13			28	4.7	2.3
Yuba	18	1.5	7	3			10	1.7	0.2
DSH Total	4,282	356.8	1,252	1,173			2,425	404.2	47.3

Department of State Hospitals IST Determinations - FY 2024-25 Quarterly Progress Report, Quarter 2

From Date of FIST Commitment to DSH and Received through December 31, 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	27	0	1	0	0	0	0	26	26	
Alpine	0	0	0	0	0	0	0	0	0	
Amador	2	0	0	0	0	0	0	2	2	
Butte	14	0	0	0	0	0	0	14	14	
Calaveras	2	0	0	0	0	0	0	2	2	
Colusa	0	0	0	0	0	0	0	0	0	
Contra Costa	31	0	0	0	0	0	6	25	25	
Del Norte	2	0	0	0	0	0	0	2	2	
El Dorado	3	0	0	0	0	0	1	2	2	
Fresno	47	0	2	0	0	0	0	45	45	
Glenn	1	0	0	0	0	0	0	1	1	
Humboldt	13	0	0	0	0	0	0	13	13	
Imperial	3	0	0	0	0	0	0	3	3	
Inyo	1	0	0	0	0	0	0	1	1	
Kern	43	0	0	0	1	0	2	40	40	
Kings	6	0	1	0	0	0	1	4	4	
Lake	2	0	0	0	0	0	0	2	2	
Lassen	3	0	0	0	0	0	1	2	2	
Los Angeles	330	4	21	0	1	15	0	289	289	
Madera	10	0	0	0	0	0	0	10	10	
Marin	10	0	0	0	0	0	1	9	9	
Mariposa	1	0	0	0	0	0	0	1	1	
Mendocino	5	0	0	0	0	0	0	5	5	
Merced	21	0	0	0	0	0	1	20	20	
Modoc	1	0	0	0	0	0	0	1	1	
Mono	0	0	0	0	0	0	0	0	0	
Monterey	22	0	0	0	0	0	0	22	22	
Napa	7	0	1	0	0	0	1	5	5	
Nevada	0	0	0	0	0	0	0	0	0	
Orange	20	0	1	0	0	0	1	18	18	
Placer	11	0	0	0	1	0	1	9	9	
Plumas	0	0	0	0	0	0	0	0	0	
Riverside	48	0	1	0	0	0	0	47	47	
Sacramento	66	0	0	0	0	0	1	65	65	
San Benito	3	0	0	0	0	0	0	3	3	
San Bernardino	75	0	2	1	0	0	2	70	70	
San Diego	90	0	3	0	0	0	1	86	86	
San Francisco	15	1	0	0	0	1	0	13	13	
San Joaquin	39	0	0	0	0	0	0	39	39	
San Luis Obispo	17	0	3	0	0	0	0	14	14	
San Mateo	19	0	0	0	0	0	0	19	19	
Santa Barbara	27	0	5	0	0	0	1	21	21	
Santa Clara	44	0	1	0	0	2	0	41	41	
Santa Cruz	7	0	0	0	0	0	0	7	7	
Shasta	9	0	0	0	0	0	0	9	9	
Sierra	0	0	0	0	0	0	0	0	0	
Siskiyou	9	0	2	0	0	0	1	6	6	
Solano	25	0	1	0	0	0	1	23	23	
Sonoma	33	0	4	0	1	0	0	28	28	
Stanislaus	31	0	3	0	0	0	0	28	28	
Sutter	6	0	0	0	0	0	0	6	6	
Tehama	2	0	0	0	0	0	0	2	2	
Trinity	3	0	0	0	0	0	0	3	3	
Tulare	25	0	1	0	0	0	0	24	24	
Tuolumne	9	0	0	0	0	0	0	9	9	
Ventura	22	0	0	0	0	0	1	21	21	
Yolo	13	0	0	0	0	0	0	13	13	
Yuba	5	0	0	0	0	0	2	3	3	
DSH Total	1,280	5	53	1	4	18	26	1,173	1,173	
Monthly Avg.	107	0	4	0	0	2	2	98	98	

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.