

**FINAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS OF THE  
BOARD OF STATE AND COMMUNITY CORRECTIONS  
REGARDING THE MINIMUM STANDARDS FOR THE DESIGN AND  
CONSTRUCTION OF LOCAL AND JUVENILE DETENTION FACILITIES  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1 AND 2**

**(BSCC 01/18)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**UPDATES TO THE INITIAL STATEMENT OF REASONS:**

The proposed text is a product of three separate subject-specific regulation revision processes conducted by the Board of State and Community Corrections (BSCC). Preliminary rulemaking activities included the use of Executive Steering Committees and Workgroups; participants of which were made up of varied and specific subject matter experts including but not limited to a State Fire Marshall, Architect, Facility Administrators, Compliance Officer, Criminal Justice Analyst and Advocate, Juvenile Justice Commission Members, and Prison Rape Elimination Act (PREA) experts.

As an adopting agency the BSCC Board approved the Title 24 regulations at their February 16, 2017, June 8, 2017, and February 8, 2018 Board meetings. Upon approval by the Board the provisions for Title 24 Part 1 and Part 2 were submitted to BSC for approval and publication into Title 24. BSCC staff submitted their proposed changes to BSC with the intent of utilizing our public vetting process (45-Day comment period) to further vet their provisions with stakeholders and interested parties.

There were no public comments received during the 45-day public comment period. All rulemaking documents specified in the Initial Statement of Reasons were made available for public review by the BSCC during the entirety of this rulemaking process.

There have been no modifications made to the proposed text originally published on September 7, 2018, as part of the Notice of Proposed Regulator Action. Furthermore, there have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Regulatory Action. Therefore, the requirements of Government Code Section 11347.1 are not applicable.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The Board of State and Community Corrections has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

## **OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).**

The BSCC did not receive any comments, objections or recommendations regarding the proposed regulations specifically directed to the proposed action or the procedures followed by the BSCC.

## **DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

The BSCC has determined that no reasonable alternative considered by the BSCC or that has otherwise been identified and brought to the attention of the BSCC would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

In order to increase public participation and improve the quality of these regulations the BSCC involved parties who would be subject to these proposed regulations by using an Executive Steering Committee (ESC) and Workgroups. ESC and Workgroup members include stakeholders, experts in specific fields of knowledge, and persons with specific knowledge and/or experience in local corrections. The proposed regulations were part of three subject-specific regulation revision processes (juvenile facilities, sexual assault, and visiting), each revision was brought before, and approved by, the BSCC Board at a public meeting where public comment was heard.

## **REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

The BSCC did not receive any reasonable proposals for alternatives that would lessen any adverse economic impact on small businesses. No adverse impact to small business due to these proposed changes is expected.