



Date: August 31, 2026
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 4
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 fourth quarter of Fiscal Year (FY) 2025-26 (April 1, 2026 – June 30, 2026) 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.

As a reminder, on December 1, 2025, counties were notified of updates made to the methodology utilized to identify the final IST determination count. The data represented in this quarterly progress report is based on the updated methodology. For more information, please refer to the memo available at the following link: [FY24-25 Annual Report and Methodology Updates](#).

Additional Growth Cap Program Announcements

- Final Reconciled Data for FY 2024-25 & Dispute Process
The data for FY 2025-26 is currently being finalized and will be released by the end of October. Following the release of that data, the dispute window will open.
- Invoices for FY 2024-25
Invoices from last FY were released. If you received an invoice, payment is now due. Once DSH has an approved expenditure plan on file,



reimbursement will be issued back to the county. You can find the expenditure plan guidance [here](#).

- Expense Reports Due by October 1, 2026

If you have received a reimbursement from the Mental Health Diversion fund, don't forget to submit your annual expense report detailing the use funds from the prior FY. Expense reports are due by October 1 annually and must be submitted until all funds have been expended. For more information on the expense report please visit our [website](#). You can access the expense report template [here](#).

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 4 Progress Report

Department of State Hospitals IST Determinations - FY 2025-26 Quarterly Progress Report, Quarter 4

From Date of FIST Commitment to DSH and Received through June 30, 2026

UNRECONCILED DATA



Committing County	FY 2021-22 Fnl Adjusted Baseline IST Referrals	FY 2021-22 Monthly Average	FY 2025-26 Quarter 1 (Refresh)	FY 2025-26 Quarter 2 (Refresh)	FY 2025-26 Quarter 3 (Refresh)	FY 2025-26 Quarter 4	FY 2025-26 YTD Total	FY 2025-26 YTD Monthly Average	Monthly Average Difference
Alameda	88	7.3	36	28	25	37	126	10.5	3.2
Alpine	0	0.0	0	0	0	0	0	0.0	0.0
Amador	5	0.4	0	3	2	2	7	0.6	0.2
Butte	50	4.2	16	16	12	4	48	4.0	(0.2)
Calaveras	2	0.2	0	3	1	1	5	0.4	0.3
Colusa	3	0.3	4	0	1	1	6	0.5	0.3
Contra Costa	101	8.4	25	24	21	30	100	8.3	(0.1)
Del Norte	13	1.1	4	1	0	4	9	0.8	(0.3)
El Dorado	25	2.1	11	4	6	3	24	2.0	(0.1)
Fresno	136	11.3	49	44	46	47	186	15.5	4.2
Glenn	11	0.9	0	1	0	0	1	0.1	(0.8)
Humboldt	54	4.5	11	8	5	7	31	2.6	(1.9)
Imperial	21	1.8	7	4	3	3	17	1.4	(0.3)
Inyo	3	0.3	1	1	0	0	2	0.2	(0.1)
Kern	236	19.7	46	35	51	53	185	15.4	(4.3)
Kings	51	4.3	5	7	4	9	25	2.1	(2.2)
Lake	31	2.6	7	5	2	4	18	1.5	(1.1)
Lassen	5	0.4	1	4	2	3	10	0.8	0.4
Los Angeles	1,512	126.0	344	410	370	330	1,454	121.2	(4.8)
Madera	27	2.3	0	1	1	6	8	0.7	(1.6)
Marin	23	1.9	10	8	3	4	25	2.1	0.2
Mariposa	3	0.3	1	0	0	1	2	0.2	(0.1)
Mendocino	30	2.5	9	8	8	8	33	2.8	0.3
Merced	58	4.8	18	12	9	10	49	4.1	(0.8)
Modoc	0	0.0	0	0	0	1	1	0.1	0.1
Mono	2	0.2	1	0	0	2	3	0.3	0.1
Monterey	63	5.3	13	10	12	28	63	5.3	0.0
Napa	27	2.3	2	7	8	4	21	1.8	(0.5)
Nevada	3	0.3	2	0	1	2	5	0.4	0.2
Orange	85	7.1	18	12	23	24	77	6.4	(0.7)
Placer	52	4.3	14	14	12	12	52	4.3	0.0
Plumas	3	0.3	1	1	1	1	4	0.3	0.1
Riverside	167	13.9	50	35	40	42	167	13.9	0.0
Sacramento	226	18.8	52	53	44	52	201	16.8	(2.1)
San Benito	11	0.9	2	2	5	0	9	0.8	(0.2)
San Bernardino	258	21.5	97	45	57	72	271	22.6	1.1
San Diego	228	19.0	84	94	114	88	380	31.7	12.7
San Francisco	28	2.3	12	12	15	14	53	4.4	2.1
San Joaquin	96	8.0	45	41	22	14	122	10.2	2.2
San Luis Obispo	55	4.6	13	18	11	18	60	5.0	0.4
San Mateo	51	4.3	9	14	22	25	70	5.8	1.6
Santa Barbara	88	7.3	24	21	22	20	87	7.3	(0.1)
Santa Clara	121	10.1	16	16	25	30	87	7.3	(2.8)
Santa Cruz	64	5.3	8	10	8	3	29	2.4	(2.9)
Shasta	40	3.3	26	14	9	9	58	4.8	1.5
Sierra	2	0.2	0	0	0	0	0	0.0	(0.2)
Siskiyou	13	1.1	6	2	4	3	15	1.3	0.2
Solano	79	6.6	20	23	20	32	95	7.9	1.3
Sonoma	63	5.3	28	24	16	15	83	6.9	1.7
Stanislaus	108	9.0	23	32	32	38	125	10.4	1.4
Sutter	16	1.3	6	6	3	6	21	1.8	0.4
Tehama	16	1.3	8	4	5	10	27	2.3	0.9
Trinity	8	0.7	0	4	2	0	6	0.5	(0.2)
Tulare	88	7.3	18	23	19	18	78	6.5	(0.8)
Tuolumne	16	1.3	5	6	2	6	19	1.6	0.3
Ventura	82	6.8	11	17	15	28	71	5.9	(0.9)
Yolo	37	3.1	9	10	7	13	39	3.3	0.2
Yuba	23	1.9	3	6	0	1	10	0.8	(1.1)
DSH Total	4,707	392.3	1,231	1,203	1,148	1,198	4,780	298.8	(93.5)

Department of State Hospitals IST Determinations - FY 2025-26 Quarterly Progress Report, Quarter 4
 From Date of FIST Commitment to DSH and Received through June 30, 2026



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	138	0	6	0	2		4	126		126
Alpine	0	0	0	0	0		0	0		0
Amador	8	0	0	0	0		1	7		7
Butte	49	0	1	0	0		0	48		48
Calaveras	5	0	0	0	0		0	5		5
Colusa	6	0	0	0	0		0	6		6
Contra Costa	119	0	11	0	1		7	100		100
Del Norte	11	0	1	0	0		1	9		9
El Dorado	25	0	1	0	0		0	24		24
Fresno	201	0	9	2	1		3	185		185
Glenn	1	0	0	0	0		0	1		1
Humboldt	34	0	2	0	0		1	31		31
Imperial	18	0	1	0	0		0	17		17
Inyo	2	0	0	0	0		0	2		2
Kern	199	0	10	0	1		3	185		185
Kings	31	0	2	0	0		3	26		26
Lake	21	0	2	0	0		2	17		17
Lassen	11	0	0	0	0		1	10		10
Los Angeles	1,517	5	67	1	2		0	1,442		1,442
Madera	9	0	0	0	0		1	8		8
Marin	29	0	3	0	0		1	25		25
Mariposa	2	0	0	0	0		0	2		2
Mendocino	35	0	2	0	0		0	33		33
Merced	55	0	4	0	0		2	49		49
Modoc	1	0	0	0	0		0	1		1
Mono	3	0	0	0	0		0	3		3
Monterey	68	0	5	0	0		0	63		63
Napa	25	0	1	0	1		2	21		21
Nevada	5	0	0	0	0		0	5		5
Orange	85	0	4	0	1		3	77		77
Placer	64	2	4	0	3		3	52		52
Plumas	4	0	0	0	0		0	4		4
Riverside	188	0	17	0	1		3	167		167
Sacramento	208	0	7	0	0		0	201		201
San Benito	10	0	0	0	0		1	9		9
San Bernardino	285	0	13	0	0		1	270		270
San Diego	409	5	17	0	0		7	380		380
San Francisco	60	0	1	0	2		4	53		53
San Joaquin	143	1	4	0	8		7	123		123
San Luis Obispo	83	0	5	0	3		15	59		59
San Mateo	78	0	7	0	0		1	70		70
Santa Barbara	114	0	15	0	1		12	86		86
Santa Clara	93	0	3	0	0		3	87		87
Santa Cruz	34	0	4	0	0		1	29		29
Shasta	63	0	4	0	1		1	57		57
Sierra	0	0	0	0	0		0	0		0
Siskiyou	18	0	2	0	1		0	15		15
Solano	108	0	9	0	1		3	95		95
Sonoma	103	0	17	0	1		2	83		83
Stanislaus	136	0	10	0	0		1	125		125
Sutter	25	0	1	0	0		3	21		21
Tehama	28	0	0	0	0		1	27		27
Trinity	8	0	0	0	1		1	6		6
Tulare	85	0	6	0	0		1	78		78
Tuolumne	25	0	0	0	0		6	19		19
Ventura	72	0	1	0	0		0	71		71
Yolo	42	0	3	0	0		0	39		39
Yuba	10	0	0	0	0		0	10		10
DSH Total	5,209	13	282	3	32	0	112	4,767	0	4,764
Monthly Avg.	651	2	35	0	4	0	14	596	0	397

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.

displays the Updated IST Determinations will all data pulled as of the end of the most recent quarter. This will result in different totals from the Comparison Summary YTD and the Summary IST Determinations.

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 2024-25 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.