



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 12-0982 **Version:** 1  
**Type:** Agenda Item **Status:** Approved  
**File created:** 7/30/2012 **In control:** Board of Supervisors  
**On agenda:** 8/21/2012 **Final action:** 8/21/2012  
**Title:** Probation Department recommending the Board authorize the Chair to sign Agreement No.112-O1310 with the State of California Department of Corrections & Rehabilitation (CDCR) to establish the content, use, and protection of information needed by CDCR and the County of El Dorado to support the implementation of Public Safety Realignment (AB 109.)

**FUNDING:** This is a non-financial agreement.

### Sponsors:

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### Code sections:

**Attachments:** 1. A - Agrmt 112-O1310, 2. B - County Counsel Blue Sheet - Agmt 112-O1310

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 8/21/2012 | 1    | Board of Supervisors | Approved | Pass   |

Probation Department recommending the Board authorize the Chair to sign Agreement No.112-O1310 with the State of California Department of Corrections & Rehabilitation (CDCR) to establish the content, use, and protection of information needed by CDCR and the County of El Dorado to support the implementation of Public Safety Realignment (AB 109.)

**FUNDING:** This is a non-financial agreement.

### Fiscal Impact/Change to Net County Cost

No fiscal impact or change to Net County Cost.

### Background

Assembly Bill (AB) 109, titled "2011 Realignment Legislation Addressing Public Safety" was signed by the Governor on April 4, 2011, and took effect June 30, 2011.

In summary, the bill "realigns" numerous responsibilities concerning adult felony offenders to the counties, including: specifying local jail custody only for certain offenders previously eligible for a commitment to state prison; and specifying certain offenders, upon release from prison, are subject to community supervision and accountability by a local agency (Probation Department) and Courts rather than state parole.

As a result of AB109, it is essential that El Dorado County has a mechanism in place to share information with the CDCR relative to the offenders who will now be supervised by the Probation Department.

This agreement is effective upon execution by both parties through the duration of Post Release Community Supervision releases from State institutions under AB109, as amended. The agreement

may be terminated by either party upon no less than thirty (30) calendar days written notice, without cause, unless a lesser time is mutually agreed upon by both parties.

### **Reason for Recommendation**

Approval of this recommendation will put a mechanism in place that will allow CDCR to provide information to El Dorado County that will be used to prepare the County for the supervision of CDCR inmates upon release to the community. In addition, El Dorado County will provide information to CDCR staff that will assist in preparing an inmate for release. CDCR is establishing this information sharing protocol with all 58 California counties and has verified all security measures required by law.

Lastly, this agreement also establishes the Secure File Transfer (SFT) process as the official method for exchanging information between the State and County of El Dorado.

### **Action(s) to be taken following Board approval**

- 1) Chair to sign both originals of agreement #112-O1310
- 2) Board Clerk's Office to return both signed agreements to Probation
- 3) Probation will forward two original agreements to CDCR for final execution
- 4) Probation will return one original fully executed agreement to the Board Clerk's Office upon receipt from CDCR

### **Contact**

Gregory S. Sly, Chief Probation Officer

### **Concurrences**

County Counsel and Risk Management