



Legislation Text

File #: 18-0828, **Version:** 2

Probation Department recommending the Board consider the following:

- 1) Make findings in accordance with County ordinance 3.13.030 that it is more economical and feasible to continue to contract out for transdermal electronic alcohol monitoring equipment and services than to obtain the facilities, personnel, and equipment necessary to provide such services; and continue to utilize SCRAM of California for these services as previously contracted through Agreement 834; and
- 2) Approve and authorize the Chair to sign Agreement for Services 3073 effective June 19, 2018 through December 31st, 2019 for a Not to Exceed Amount of \$200,000.00.

FUNDING: Public Safety Realignment (AB 109).

DEPARTMENT RECOMMENDATION

Probation Department recommending the Board approve and authorize the Chair to sign Agreement for Services #3073 effective June 19, 2018 through December 31st, 2019 for a Not to Exceed Amount of \$200,000.00.

With the implementation of the County of El Dorado, Superior Court of California's Pretrial Supervision Program, specified offenders are ordered to participate in an electronic monitoring program supervised by the Probation Department. The original agreement did not anticipate additional usage beyond the grant term date of April 30, 2018, however the Superior Court will continue to order clients to utilize the Pretrial Supervision Program, requiring the Probation Department to continue funding through the 18/19 Fiscal Year.

DISCUSSION / BACKGROUND

The Probation Department has been continuously operating the Electronic Monitoring Program (EMP) since 2006 to provide home detention services as a custody alternative for appropriate offenders. The department has the necessary expertise in this area and has necessary contracts in place with multiple vendors to provide the electronic and GPS monitoring equipment.

On April 4, 2011, Governor Jerry Brown signed into law Assembly Bill (AB) 109, referred to as 2011 Public Safety Realignment. AB 109 was later modified by AB 117. Both bills taken together create extensive changes to existing law which reduces the number of offenders eligible for incarceration in state prison and "realigns" these offenders to local entities who are now responsible to manage the specified offenders.

The intent of the realignment is to allow maximum local flexibility within the statutory framework set forth in these two pieces of legislation. The legislation requires a local collaborative planning and implementation process which emphasizes community based corrections and punishment, use of evidenced based practices, and improved supervision strategies. To implement the Public Safety Realignment Plan, El Dorado created a Community Corrections Partnership (CCP) and an executive committee to make recommendations to the Board of Supervisors on how the funds should be expended to reduce recidivism.

As a result of recent case law (In re: Humphrey) and a commensurate change in the Courts practice of releasing defendants from custody, there has been a significant increase in the orders from the court to use Global Positioning Satellite (GPS) and Continuous Alcohol Monitoring (CAM) tracking devices. Additionally, on April 30, 2018, funding through the Pre-Trial Supervision Program (PTSP) Grant will end and is not renewable. As a result, the cost of defendants being placed on any electronic monitoring device through the PTSP will no longer be reimbursed. However, the Court has directed the continuance of the PTSP beyond the grant end date, which causes all responsibilities and contract costs to be absorbed by the Probation Department's budget. There is sufficient Public Safety Realignment funding available, and the Probation Department will work with the Community Corrections Partnership (CCP) to ensure that the the full Fiscal Year 2018-19 costs will be included in the CCP final budget.

The Probation Department is working with SCRAM of California, Inc., to utilize a "Full Service Program," which will dedicate a part time SCRAM employee to complete the installations and removals of the electronic monitoring devices, a responsibility currently being completed by a full time Deputy Probation Officer. This type of work is labor intensive, but does not require a Peace Officer's attention. Although there is an added cost for this service, it allows the department to utilize the Deputy Probation Officer to address more pressing needs that affect community safety, such as responding to program failures.

ALTERNATIVES

N/A.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

No change to Net County Cost. Funding to be provided through Public Safety Realignment.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1.) Obtain signature of Chair on two (2) originals of Agreement #3073
- 2.) Forward one (1) fully executed document to the Chief Administrative Office Procurement and Contracts Division for finalization in FENIX.

STRATEGIC PLAN COMPONENT

CONTACT

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