



## Legislation Text

---

**File #:** 21-1897, **Version:** 1

---

Probation Department recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment II to Agreement for Services 4371 with SCRAM of California, for the Electronic Monitoring Program (home detention as a custody alternative) to increase the amount of the contract by \$430,000 for a total not to exceed amount of \$1,230,000 for the term of January 1, 2020, through December 31, 2022; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 4371, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

**FUNDING:** Public Safety Realignment (AB 109) (67.5%); Coronavirus Aid, Relief, and Economic Security (CARES) Act (25%); Substance Abuse Focus Grant (3%); and General Fund (4.5%).

### **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.

On April 4, 2011, then-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. These bills reduced the number of offenders eligible for incarceration in state prison, and "realigned" the offenders to local entities, who became responsible for management of the offenders.

The past few years, notably 2020 due to the coronavirus pandemic, have seen a significant increase in the Court's practice of releasing defendants from custody, thus increasing orders from the courts to use Global Positioning Satellite (GPS) and Continuous Alcohol Monitoring (CAM) tracking devices. On April 30, 2018, funding through the Pre-Trial Supervision Program (PTSP) Grant ended and was not renewed. As a result, the costs of defendants being placed on any electronic monitoring device through the PTSP were longer be reimbursed. However, the Court directed the continuance of the PTSP beyond the grant end date, which caused all responsibilities and contract costs to be absorbed by the Probation Department's (Probation) budget.

California Assembly Bill 1869, effective July 1, 2021, prohibits charges for, and collection of, fees for electronic monitoring. The state will provide a percentage of appropriations to counties to help offset the costs of these programs.

Probation has utilized the "Full Service Program," offered by SCRAM, which will dedicate a part time SCRAM employee to complete the installations and removals of the electronic monitoring devices, a responsibility previously 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.

Effective upon full execution of this Amendment, Full Service Program service costs will increase \$0.25 per day per client. This, in addition to the continued increase in court-ordered services, necessitates an increase in the not to exceed amount of the contract.

**ALTERNATIVES**

N/A

**PRIOR BOARD ACTION**

21-0539 #23, 05/18/2021

19-1377 #45, 12/17/2019

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

There is no increase to Net County Cost as amounts are included in the FY 2021-22 Budget and will be included in the FY 2022-23 Recommended Budget.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Obtain signature of Chair on two (2) originals of Amendment II to Agreement 4371.
- 2) Forward one (1) fully executed document to the Probation Department for finalization and distribution to vendor.

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

Jackie Cook, Administrative Analyst, 530-621-5588