



## Legislation Text

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**File #:** 22-1319, **Version:** 1

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Probation Department recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment III 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 \$370,000 for a total not to exceed amount of \$1,600,000 and to update the contract term of January 1, 2020, through December 31, 2022, to January 1, 2020, through April 30, 2023; and
- 2) Authorize the Chief Probation Officer and Deputy Chief Probation Officer 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) (65%); Pretrial (20%); Substance Abuse Focus Grant (10%); and Juvenile Probation Funding (5%).

### **DISCUSSION / BACKGROUND**

The Probation Department (Probation) 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, 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 no longer 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 Probation's budget. Additionally, 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 utilizes the "Full Service Program," offered by SCRAM of California (SCRAM), which dedicates 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 allows Probation to utilize the Deputy Probation Officer to address more pressing needs that affect community safety.

Contract #4371 with SCRAM currently expires on December 31, 2022. SCRAM uses the NASPO

ValuePoint Cooperative Purchasing Organization Master Agreement #00212, which expires in May of 2023. Probation is extending the current SCRAM contract term to expire concurrently with the NASPO contract.

**ALTERNATIVES**

N/A

**PRIOR BOARD ACTION**

21-1897 #18, 01/11/2022

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 2022-23 Budget.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

1) Obtain signature of Chair on two (2) originals of Amendment III 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**

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