



Legislation Text

File #: 22-1744, **Version:** 1

Probation Department recommending the Board:

- 1) Adopt and authorize the Chair to sign retroactive revenue Memorandum of Understanding 6951 (MOU) between the El Dorado County Probation Department and Superior Court of California regarding California Senate Bill 129 (2021), in the amount of \$796,523.54, for the period of July 1, 2021, through June 30, 2024; to provide pretrial release services; and
- 2) Authorize the Chief Probation Officer and Deputy Chief Probation Officer to execute further documents relating to the MOU, including amendments which do not increase the maximum dollar amount or term of the MOU, contingent upon approval by County Counsel and Risk Management.

FUNDING: State Funding - Judicial Council of California. (100%)

DISCUSSION / BACKGROUND

California Senate Bill 129 - SB 129 Budget Act of 2021 (SB 129), was signed by Governor Newsom on July 12, 2021. SB 129 appropriated \$140 million to the Judicial Council of California to fund the implementation and operation of ongoing court programs and practices that promote safe, efficient, fair, and timely pretrial programs. The funding is intended to provide courts with information and resources to support judicial officers in making pretrial release decisions that impose the least restrictive conditions to address public safety and return to court as well as implementation of appropriate monitoring practices and provision of services for released individuals.

SB 129 requires courts to contract with any county department, including probation departments, to provide pretrial release services. Services may include improving support provided to justice-involved individuals (JII), incorporating monitoring for JIIs eligible for mental health pretrial diversion, participation in the County's Mental Health Diversion (MHD) Program, and improving access for JIIs to contact and work with Probation staff to assist them in fulfilling their legal obligations.

The Court provided draft Memorandum of Understanding #6951 (MOU) to the Probation Department on May 27, 2022. Probation staff made initial edits and returned to Court on July 1, 2022. Probation received additional comments by the Court on July 14, 2022. Probation staff made further edits and returned to Court on August 2, 2022.

A final draft MOU was received from Court on September 19, 2022.

Probation has completed all tasks outlined in the MOU which predate execution of the retroactive agreement.

As the Court does not bring items to the El Dorado County Board of Supervisors, Probation is bringing the item to the Board at the earliest opportunity. The MOU is retroactive to July 1, 2021, and expires on June 30, 2024.

ALTERNATIVES

The BOS could choose to decline the revenue from the Court for the identified services. The

department would seek to provide support out of General Fund revenue in the 22/23 Budget Year.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Superior Court of California, County of El Dorado

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

No change to Net County Cost. State funding will reimburse Probation for the pretrial services provided for in the MOU, and the revenue is included in Probation's FY 2022-23 budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Clerk of the Board to obtain the signature of the Chair on two (2) originals of MOU #6910.
2. Clerk of the Board to return one (1) fully executed original of MOU #6910 to the Probation Department in Shingle Springs for final processing.

STRATEGIC PLAN COMPONENT

Public Safety

CONTACT

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