

**COUNTY OF SONOMA
AGENDA ITEM
SUMMARY REPORT**

Clerk of the Board Use Only
Meeting Date: _____ Held Until: _____
Agenda Item No: _____ Agenda Item No: _____

Department: Probation

(X) 4/5 Vote Required

Contact:
Robert Ochs

Phone:
(707) 565-2732

Board Date:
07/14/09

Deadline for Board Action:

AGENDA SHORT TITLE:

Contract with the State of California Department of Corrections and Rehabilitation (CDCR)

REQUESTED BOARD ACTION:

Approval of a resolution authorizing the Chief Probation Officer, or his designee, to execute a contract, and any amendments or extensions that do not significantly change the contract content, between the Sonoma County Probation Department and the State of California Department of Corrections and Rehabilitation (CDCR) in an amount not to exceed \$150,000.00 for the diagnostic treatment services and temporary detention for case referrals from the Juvenile or Criminal Courts for a term to begin retroactively from July 1, 2008 through June 30, 2010.

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES

Estimated Cost

\$150,000

Amount Budgeted

\$175,000

Other Avail Approp
(Explain below)

Additional Requested:

\$0

ADD'L FUNDS REQUIRING BOARD APPROVAL

Contingencies
(Fund Name:)

Unanticipated Revenue
(Source: California Department of Parks And Recreation)

Other Transfer(s)
(Source:)

Add'l Funds Requested:

Explanation (if required): These funds have been budgeted in the FY 08-09 and FY 09-10 budgets.

Prior Board Action(s):

Alternatives – Results of Non-Approval: The Juvenile and Criminal Courts will not be able to refer persons to the State for diagnostic and treatment services.

BACKGROUND:

The Probation Department requests this Board to authorize the Chief Probation Officer to enter into a contract with the California Department of Corrections and Rehabilitation (CDCR) for the provision of diagnostic and treatment services to, as well as temporary detention of, Sonoma County juveniles referred to the CDCR by the Juvenile or Criminal Court. The total contract amount is not to exceed \$150,000 for the term beginning retroactively on July 1, 2008 through June 30, 2010. This contract is required to permit CDCR to accept juveniles referred to it by the Court pursuant to the requirements of Welfare and Institutions Code Section 1752.1. Under applicable law, the Court may only refer juveniles to the CDCR for such services if they are eligible for commitment to the CDCR and the County lacks the resources or facilities to provide a proper disposition for the juvenile's case.

The Probation Department initially entered contract discussions with CDCR on the proposed contract well before the beginning of FY 08-09. The original language proposed by CDCR included one-sided provision with respect to provision and payment of emergency medical or mental health treatment provided to referred juveniles in CDCR custody, with no oversight by the County. Staff for each of the parties worked together over an extensive period of time to craft acceptable language, which is included in the proposed contract. While the County retains the sole obligation to pay for such emergency services provided to the referred Sonoma County juveniles, the CDCR has agreed to provide information to the Probation Department that will permit it to oversee the provision of such services. Due to the length of time spent in negotiations, the parties are seeking to have the term of the agreement begin retroactively on July 1, 2008, which was the date on which CDCR started providing such services to Sonoma County juveniles. County costs incurred under the contract to date for FY 08-09 total approximately \$23,000.

The Probation Department is seeking approval of this proposed agreement at present due to the CDCR's change in policy. While it previously accepted referrals of Sonoma County juveniles without a written contract, it is currently refusing to accept a particular juvenile the Sonoma County Court has referred to it unless a signed contract is in place. There is presently a juvenile in Juvenile Hall awaiting CDCR transfer, which transfer cannot be completed unless a contract is in place between the County of Sonoma and CDCR.

Attachments: Resolution authorizing the Chief Probation Officer to execute a contract between the Probation Department and the State of California Department of Corrections and Rehabilitation.

On File With Clerk: Agreement for CDCR diagnostic and treatment services

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote:

BACKGROUND:

Pursuant to the proposed contract, the Sonoma County Probation Department will reimburse CDCR in an amount not to exceed Six Thousand, Six Hundred and Ninety Dollars (\$6,690.00) per month per juvenile case (total amount not to exceed \$150,000 for the two-year contract term). For services provided during periods of less than a full month, the rate will be 1/30th of the monthly rate per person/per day (\$223.00). Also included in this cost is the provision of routine medical, dental or mental health treatment and routine periodic medical examinations for the referred juveniles; the cost does not include emergency medical or mental health treatment (or related transportation costs), which remain the County's responsibility to pay. In addition, the cost of the contract does not include the provision of ancillary or unnecessary medical or dental services, or related transportation costs.

Requested Board Action:

Approval of a resolution authorizing the Chief Probation Officer to sign a contract with the State of California Department of Corrections and Rehabilitation (CDCR) regarding the provision and payment of diagnostic and treatment services, as well as temporary detention, for juveniles referred to the CDCR by the Juvenile or Criminal Court under W&I §1752.1, in an amount not to exceed \$150,000 for the term to begin retroactively on July 1, 2008 through June 30, 2010.