Board Agenda Item 35

DATE: September 6, 2022

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: Probation Specialized Units Program Grant Application/Agreement

RECOMMENDED ACTION(S):

1. **Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant application to the State of California, Governor's Office of Emergency Services (Cal OES), for the Probation Specialized Units Program ($100,000), to provide funding for specialized supervision of high-risk domestic violence offenders and support to their victims through the Specialized Supervision Program; and**
2. **Approve and authorize the Chairman to execute a grant application/agreement with the State of California, Governor's Office of Emergency Services for the Probation Specialized Units Program with Cal OES, for the period of October 1, 2022 through September 30, 2023 ($100,000); and**
3. **Approve and Authorize the Auditor-Controller/Treasurer-Tax Collector, or his designee, to execute the required Authorization for the Grant Subaward Certification of Assurance of Compliance.**

There is no additional Net County Cost associated with the recommended actions. To meet the grant filing date, the Grant Application was submitted contingent upon your Board's approval. The Application provides funding for specialized supervision of high-risk domestic violence offenders and support to their victims through the Specialized Supervision Program (Program). The recommended actions will authorize the previous submittal of the grant application and execution of the Grant Agreement. Once the Grant Agreement is executed by the Chairman and Cal OES, the application documents become the final Agreement between the County and Cal OES. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the grant application will be withdrawn. This will result in the elimination or reduction of specialized supervision of domestic violence offenders and enhanced assistance to their victims. It will also result in the elimination of the Deputy Probation Officer (DPO) and Victim-Witness Advocate (VA) positions dedicated to this Program, unless an alternative funding source is identified.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The grant is a total of $100,000 in grant funds. Cal OES requires a cash match of $33,333. A total of $152,109 in additional funding is required to provide the services included in this Program. The additional $152,109 will be funded with Senate Bill 678 funds. There is a DPO and a VA position in this Program. Sufficient appropriations and estimated revenues for this grant Program are included in Probation's FY 2022-23 Recommended Budget

Org 3432 that will be presented to your Board in mid-September. It should be noted, the Department does not charge indirect costs to administer the grant Program.

DISCUSSION:

The Department has received Probation Specialized Unit Program grant funds from Cal OES since 2014. On October 8, 2018, Cal OES awarded the County a new competitive Probation Specialized Unit Program grant to fund the Department's existing Program from October 1, 2018 through September 30, 2019 with the opportunity to apply for non-competitive funds for an additional three consecutive years, for a total of four years of funding. The Board has provided yearly approval for this grant application, most recently on September 7, 2021.

The Request for Proposal for this grant, including the allocations of funds, was provided to the Department on March 14, 2022, with a filing deadline of May 6, 2022. To meet the filing deadline of May 6, 2022, the grant application was previously submitted to Cal OES, contingent upon your Board's approval and is being brought to your Board with the associated agreement on the first available Board date. On June 9, 2022, Cal OES awarded the County a new competitive Probation Specialized Unit Program grant to fund the Department's existing Program, October 1, 2022 through September 30, 2023, with the opportunity to apply for non-competitive funds for four consecutive years, contingent upon availability of funds. Once the Application/Grant Agreement is executed by the Chairman and Cal OES, it becomes the final agreement between the County and Cal OES, effective October 1, 2022.

The grant will be used to fund the Probation Specialized Unit Program, which allows for a DPO and a VA to be dedicated entirely to a specialized domestic violence caseload of high-risk violent offenders and their victims. The Program will intensely supervise high-risk offenders convicted of a violent crime related to domestic violence, sexual assault, dating violence, and/or stalking, while minimizing further trauma to victims and families by providing protection and referrals to supportive services and counseling. Intensive supervision requires weekly contact with offenders, with at least 80% of the contacts being face-to-face. It also requires monthly contact with counseling and treatment programs where each offender is enrolled, to assess the offender's progress. In addition, the DPO updates risk assessments every six months, checks police logs, conducts drug and alcohol testing, reviews court files, and requests appropriate sanctions if the probationer commits a new abuse or violation, fails to participate in designated counseling and/or treatment programs, or commits a new criminal offense.

A VA engages victims of probationers as early as possible and minimizes further trauma to victims and families by providing victim protection and referrals to supportive services and counseling. The VA ensures that victims understand the terms of the offenders' probation and works with the DPO in the Program to make each victim's safety concerns known. The DPO/VA team maintains records of all contacts with offenders and the services provided to victims and children.

If grant funding is eliminated, the positions funded with this grant will be deleted, unless an alternative funding source is identified.

California Environmental Quality Act

The Grant requires subrecipients to certify their project is in compliance with the California Environmental Quality Act (CEQA). Local government agencies must certify that they have adopted or certified the completion of an environmental impact report that complies with the requirements of CEQA, or they have filed a Notice of Exemption with the County Clerk.

The recommended Grant application/agreement is exempt under Section 15061, subdivision (b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This determination is based on the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment,

and a grant funding supervision of probationers and victim witness assistance staff is not the type of activity that can be reasonably considered as causing a direct physical change, or foreseeable indirect change, to the environment. Assuming your Board's approval of the recommended actions, Staff will prepare to post a Notice of Exemption.

REFERENCE MATERIAL:

BAI #45, September 7, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Application/Agreement with Cal OES

CAO ANALYST:

Samantha Buck