



# Board Agenda Item 14

DATE: March 28, 2023  
TO: Board of Supervisors  
SUBMITTED BY: Kirk Haynes, Chief Probation Officer  
SUBJECT: Salary Resolution Amendment

RECOMMENDED ACTION(S):

**Approve Amendment to the Salary Resolution adding one Deputy Probation Officer I/II/III to the Probation Org 3432, effective April 3, 2023, as reflected in Appendix "D".**

There is no additional Net County Cost associated with the recommended action. The Superior Court of California, County of Fresno (Court) was awarded an amendment to its Office of Traffic Safety (OTS) grant to fund the expansion of the Driving Under the Influence (DUI) Treatment Court. Defendants in DUI cases who plead guilty to their DUI charges may be able to enter the DUI Treatment Court instead of incarceration. Currently Probation temporarily reassigned a current FTE DPO III to the grant to be eligible to receive the third-party funding. Approval of the recommended action will add 1 FTE DPO III position to fulfill Probation's responsibility under the Agreement. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, Probation will not be able to fully participate in the expanded DUI Treatment Court and will have to further amend the Agreement to reduce staffing and refuse the revenue for the 0.6 FTE DPO III position.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended Salary Resolution Amendment will add one DPO position to Probation Org 3432. The cost for this additional position will be 60% funded via reimbursement from the Court; the remaining 40% of costs will be funded by the Probation Department. Sufficient appropriations and estimated revenues are available in Probation's Org 3432 FY 2022-23 Adopted Budget and will be included in future budget requests for the duration of this program.

The following is a list of funding and positions provided by the Court:

- Department of Behavioral Health (DBH) - \$178,504 for .50 FTE Community Mental Health Specialist and 1.0 FTE Senior Substance Abuse Specialist.
- Probation - \$193,180 to fund 1.6 FTE Deputy Probation Officer (DPO) III positions. Probation will fund the remaining .4 FTE DPO III, estimated at \$32,500 annually.

DISCUSSION:

Fresno County has a high number of driving while impaired and DUI cases (collectively, "DUI"). To prevent

recidivism, the Court provides treatment rather than simply incarceration for defendants in these cases. Defendants who wish to enter DUI Treatment Court must agree to plead guilty to their DUI criminal charges. Once the Court accepts their pleas, defendants are sentenced and enter the DUI Treatment Court Program in lieu of incarceration.

The DUI Treatment Court Program takes a minimum of 12 months, and consists of two tracks, during which participants attend court regularly, engage in substance use disorder treatment and mental health therapy, attend self-help groups such as Narcotics Anonymous/Alcoholics Anonymous, check in with their Probation Officers regularly, and participate in frequent drug testing. The frequency of treatment sessions and court appearances in each track is based on each individual participant's progress or relapse.

The Board approved Agreement No. 20-470 with the Court on November 24, 2020, to provide staffing from DBH and the Probation Department. On September 21, 2021, the Board approved the first amendment to the agreement with the Court extending the term of the agreement by one year and modified the agreement to allow for increased staffing levels to provide support and services to the expanded population eligible to participate in the DUI Treatment Court. On September 20, 2022, your Board approved a second amendment to the Agreement with the Court which further expanded the treatment Court, allowed for changes in staffing for Probation and DBH, and extended the term by one year and increased the annual compensation. Probation is to provide 2 full time equivalent (FTE) DPO III positions, which is an increase of one 1 FTE DPO III position. Probation staff will report directly to the Assistant Deputy Chief Probation Officer of the Drug Suppression Unit under the Adult Probation Services Deputy Chief Probation Officer.

It should be noted that Probation temporarily reassigned a current FTE DPO III to immediately fulfill its responsibility under this Agreement and be eligible to receive the third-party funding associated with the Agreement. Probation anticipated to bring this Salary Resolution Amendment at an earlier date, however, due to delays in that process, the Department is now bringing this amendment to the salary resolution.

REFERENCE MATERIAL:

BAI #31, September 20, 2022  
BAI #40, September 21, 2021  
BAI #10, November 24, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Salary Resolution Amendment - Appendix "D"

CAO ANALYST:

Samantha Buck