




Agenda Item 36

DATE: February 24, 2015
TO: Board of Supervisors
FROM: Rick Chavez, Chief Probation Officer 
SUBJECT: Retroactive Agreement with the City of Fresno to participate on the Public Safety Realignment Act (AB 109) Adult Compliance Team

RECOMMENDED ACTION:

Approve and authorize the Chairman to execute a retroactive Agreement with the City of Fresno to assign a sworn Police Officer to the AB 109 Adult Compliance Team, effective July 1, 2014 through June 30, 2015 (\$176,996).

The recommended action will approve an Agreement with the City of Fresno to provide one sworn Police Officer to participate as a member of the Adult Compliance Team (ACT), as authorized by the approved Community Corrections Partnership (CCP) Plan with no net County cost.

ALTERNATIVE ACTION(s):

If the recommended action is not approved, the Adult Compliance Team would not include a Police Officer from the City of Fresno.

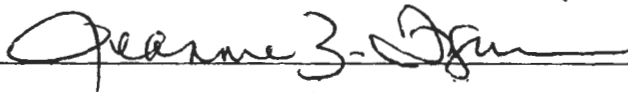
RETROACTIVE AGREEMENT:

Due to the length of time required to prepare the Agreement and have it reviewed and approved by the City of Fresno, this item is coming to your Board retroactively.

FISCAL IMPACT:

There is no net County cost associated with the recommended action. The cost of \$176,996 for the recommended Agreement is funded with Public Safety Realignment (AB 109) funds received from the State of California. The appropriations and estimated revenues for these services have been included in the 2014-15 Adopted Probation Org. 3430 Budget, which will

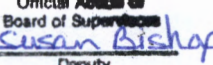
ADMINISTRATIVE OFFICE REVIEW



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APPROVED AS RECOMMENDED

Official Action of
Board of Supervisors

Deputy

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allow for reimbursement of the costs for one police officer from the City of Fresno.

DISCUSSION:

The State of California, under the Public Safety Realignment Act, Assembly Bill (AB) 109, transferred responsibility for probation, post release community supervision (PRCS) and mandatory supervised release of offenders to the counties. Pursuant to AB 109, each county is required to create a Community Corrections Partnership (CCP) with specified members to develop a plan that will enable the county to meet the goals of the Public Safety Realignment Act. The CCP developed the "Public Safety Realignment Act AB 109 Implementation Plan 2011," which was approved by your Board on September 13, 2011. The Implementation Plan included formation of the Adult Compliance Team (ACT), an interagency safety alliance of city and county justice partners.

The ACT is comprised of sworn officers from the Fresno County Sheriff's Department, the Fresno Police Department, the Clovis Police Department, the Fresno County Probation Department, and an investigator from the Fresno County District Attorney's Office. The purpose of the ACT is to add an additional layer of offender supervision and public safety by working as a cooperative unit capable of addressing public safety concerns and issues facing local law enforcement in Fresno County. The ACT team enforces conditions of probation, conducts compliance and non-compliance searches of AB 109 probationers who are under the supervision of the Fresno County Probation Department, and provides immediate response to crisis situations. In addition, ACT can provide surveillance and warrant sweeps in conjunction with other law enforcement agencies.

The recommended Agreement identifies responsibilities and obligations of the City of Fresno and the County in operation of the Adult Compliance Team and allows for reimbursement of the costs of an ACT officer with AB 109 funds.

This Agreement differs from the County's model contract in that it contains a mutual hold harmless clause. This has the effect of making each party responsible for losses arising from their own negligent acts. The mutual hold harmless clause has been reviewed by Risk Management and deemed to be acceptable for this Agreement between public entities.

REFERENCE MATERIAL:

BAI # 35 June 18, 2013

BAI # 8 September 13, 2011