



Board Agenda Item 57

DATE: December 14, 2021
TO: Board of Supervisors
SUBMITTED BY: Kirk Haynes, Chief Probation Officer
SUBJECT: Adult Compliance Team Operating Agreement

RECOMMENDED ACTION(S):

Approve the Adult Compliance Team Operating Agreement, and authorize the Chairman to ratify the execution of the Operating Agreement by members of the Community Corrections Partnership.

There is no Net County Cost associated with the recommended action, which will approve and ratify the execution of the Public Safety Realignment Act (Assembly Bill 109) Adult Compliance Team's (ACT) Operating Agreement, as approved by the Community Corrections Partnership (CCP). The CCP is composed of seven members as follows: the Chief Probation Officer (chair), the Presiding Judge of the Superior Court or designee, the District Attorney, the Sheriff, the Public Defender, the Director of Behavioral Health, and the City of Kingsburg's Chief of Police. The Chief Probation Officer, District Attorney, and the Sheriff executed the Operating Agreement for the County. The Operating Agreement establishes the purpose of the ACT as a joint and cooperative effort between the participating agencies for policy and planning to address public safety concerns in Fresno County. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the CCP would be required to develop a new Operating Agreement for your Board's review. This will delay the review and approval of FY 2021-22 ACT agreements with various cities, delaying reimbursement of costs for ACT operations.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Costs for services provided under this Operating Agreement are funded with Assembly Bill 109 funds received from the State of California. Sufficient appropriations and estimated revenues for these services are included in Probation's FY 2021-22 Adopted Budget for Org 3430

DISCUSSION:

Assembly Bill 109 was signed into law on April 5, 2011 and went into effect on October 1, 2011. Assembly Bill 109 transferred responsibility for housing/supervising of specified inmates and parolees from the California Department of Corrections to counties. In accordance with Assembly Bill 109/Assembly Bill 117, the County created a CCP Executive Committee, and developed an implementation plan that will enable the County to meet the goals of the Public Safety Realignment Act. The CCP Executive Committee (voting members) in Fresno County consist of seven members: the Chief Probation Officer (chair), the Presiding Judge of the Superior Court or designee, the District Attorney, the Sheriff, the Public Defender, the Director of Behavioral Health, and the City of Kingsburg's Chief of Police. This implementation plan was approved by

the CCP on August 19, 2011, and approved by the Board on September 13, 2011.

The CCP Executive Committee and the Board have approved six updates to the CCP plan since it was initially approved. The ACT was included in the original CCP Plan, and updates have included expansions of the ACT.

The ACT is currently comprised of sworn officers from the Fresno County Sheriff's Department; the Fresno Police Department, which also includes a Crime Analyst; the Clovis Police Department, which also includes a Crime Specialist; the Selma Police Department; the Reedley Police Department; the Kerman Police Department; the Kingsburg Police Department; the Fresno County Probation Department; and two Investigators from the Fresno County District Attorney's Office. The purpose of the ACT is to add an additional layer of 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 enforces conditions of probation, conducts compliance and non-compliance searches of Assembly Bill 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 Operating Agreement identifies the responsibilities and obligations of the signing parties in operation of the ACT, and is intended to be a binding agreement, with indemnification provisions to protect all signing parties. The Operating Agreement was previously executed by members of the CCP, and requires approval and ratification of County staff's signatures, including the Chief Probation Officer, District Attorney, and the Sheriff. This Agreement is an Exhibit to the various ACT agreements. It should be noted that ACT agreements with various entities are also before your Board on this date.

REFERENCE MATERIAL:

BAI # 8 - September 13, 2011

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - ACT Operating Agreement

CAO ANALYST:

Greg Reinke