



# Board Agenda Item 33

DATE: June 20, 2023

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Agreement with DSH for Felony IST Program Planning Grant Funding

RECOMMENDED ACTION(S):

- 1. Retroactively approve and authorize the previous submittal of a Letter of Intent to Apply for Funding by the County Administrative Officer to the Department of State Hospitals Community Forensics Partnerships Division for annual planning grant funding to support the work of criminal justice and behavioral health stakeholder groups within the County of Fresno; and**
- 2. Approve and Authorize the Chairman to execute an agreement, as well as required certifications, with the California Department of State Hospitals for receipt of funds to facilitate a collaborative community stakeholder workgroup for implementation of the Felony Incompetent to Stand Trial Program in the County of Fresno for the period of July 1, 2023 through June 30, 2028 (\$500,000).**

Approval of the recommended actions will approve the previous submittal of a Letter of Intent to Apply for Funding from the California Department of State Hospitals (DSH) and will authorize the execution of an agreement between the County and DSH to receive annual grant funding in the amount of \$100,000 per year for the implementation of the Felony Incompetent to Stand Trial (IST) Program from July 1, 2023 through June 30, 2028 for a maximum compensation of \$500,000. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, planning grant funding would not be available to implement the Felony IST Program within the County.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. Approval of the recommended actions would provide the County with annual planning grant funding in the amount of \$100,000 per year for the grant performance period of July 1, 2023 through June 3, 2028 for a maximum compensation of \$500,000. No match funds are required.

DISCUSSION:

As part of this agreement with DSH to receive Community Collaborative Stakeholder Workgroup Annual Planning Grant funds, the County will coordinate, participate in, and facilitate a collaborative community stakeholder workgroup focused on developing and implementing local solutions that target the reduction of the number of individuals with serious mental illness arrested and incarcerated for behavior connected to their illness. This can include, but not be limited to, planning for Care Court, coordinating treatment,

discussing housing options, planning for rearrest and/or reentry into diversion programs. The workgroup shall also focus on targeting the reduction of Felony IST commitments overall within the county.

The members of the workgroup coordinated by the County must include, but are not limited to, representatives from the Superior Court, the Public Defender's Office, the District Attorney's Office, the County Sheriff, the County Department of Behavioral Health or Primary Service Provider, and the County Probation Officer.

The recommended agreement with the DSH requires that the County indemnify and hold the DSH harmless from any losses, claims or damages to the extent the claim arises from the County's violation of the California Consumer Privacy Protection Act. It also requires that the County make available to DSH at no cost to DSH to testify as witnesses in the event of litigation or administrative proceedings being commenced against DSH based on claimed violation of laws relating to security and privacy, which involves inactions or actions by the County, except where County or its subcontractor, workforce employee or agent is a named adverse party. Despite these non-standard provisions, the County Administrative Office staff believes that the benefits of entering into the recommended agreement outweigh any risks associated with entering into the agreement.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Letter of Intent  
On file with Clerk - Agreement with DSH

CAO ANALYST:

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