



Board Agenda Item 52

DATE: July 18, 2023

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: Edward Byrne Memorial Justice Assistance Grant Agreement

RECOMMENDED ACTION(S):

1. **Retroactively approve and authorize the Chief Probation Officer's previous submittal of a grant application to the Board of State and Community Corrections for the Edward Byrne Memorial Justice Assistance Grant effective June 1, 2023 through December 31, 2026 (\$2,837,831), including execution of a required Certificate of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement and an assurance regarding criteria for non-governmental organizations receiving BSCC grant funds;**
2. **Approve and authorize the Chairman to execute a retroactive Grant Agreement with the Board of State and Community Corrections for the Edward Byrne Justice Assistance Grant effective June 1, 2023 through December 31, 2026 (\$2,837,831); and**
3. **Adopt a resolution authorizing the Chairman to execute the retroactive grant Agreement and any extensions or amendments thereto with the Board of State and Community Corrections for the Edward Byrne Memorial Justice Assistance Grant Agreement effective June 1, 2023 through December 31, 2026, not to exceed \$2,837,831, subject to approval as to legal form by County Counsel and to accounting form by the Auditor-Controller/Treasurer-Tax Collector.**

There is no increase in Net County Cost associated with the recommended actions. To meet the grant filing deadline, the Grant Application was previously submitted by the Probation Department, contingent upon your Board's approval. The Board of State and Community Corrections (BSCC) awarded the Probation Department the competitive Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds for another grant cycle, which is a period of three years. At the end of the three-year period, the Probation Department is allowed an additional three months to complete the grant evaluation report. The JAG Program will resume operations for the reentry case management and supportive services for individuals who are incarcerated in the Fresno County Jail for at least sixty days, male or female, 18-30 years of age, affiliated or previously affiliated with a gang, and with a medium to high risk to reoffend. The goal of the JAG Program is to reduce gang activity after release from custody, reduce recidivism, and increase public safety. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the JAG agreement will not be signed, which will result in the loss of the grant funds for the Adult Reentry Planning Program (ARPP) and deletion of a currently funded Deputy Probation Officer position.

RETROACTIVE AGREEMENT:

The agreement before your Board is retroactive due to the length of time between application submittal and

notification of award received from the BSCC on May 25, 2023. The Department is bringing this to your Board on the first available Board date within the agenda item processing deadlines. Once the JAG agreement is executed by the Chairman and BSCC, it becomes the final agreement between the County and BSCC.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action; the costs for case management and supportive services to facilitate the target population's re-entry into the community will be fully offset with the grant funds. No match funds are required. The award also includes funding for one DPO position. Sufficient appropriations and estimated revenues will be included in the FY 2023-24 Recommended Budget for Org 3432 which will be presented to your Board in September.

DISCUSSION:

On November 19, 2019, your Board authorized the execution of the retroactive Grant Agreement No. 19-603 with the BSCC for the competitive funding award of the Edward Byrne Memorial Justice Assistance Grant to the Fresno County Probation Department. The agreement was for the period of October 1, 2019 to December 31, 2022, in the amount of \$3,136,875. The JAG Program's purpose is to develop reentry case management and supportive services for individuals who are incarcerated in the Fresno County Jail for at least sixty days, male or female, 18-30 years of age, affiliated or previously affiliated with a gang, and with a medium to high risk to reoffend. The goal of the JAG Program was to reduce gang activity after release from custody, reduce recidivism, and increase public safety.

On September 6, 2022, your Board approved Amendment No. 1 to the Agreement with the BSCC for the JAG Grant extending the term by a period of 6-months with no change made to the maximum compensation. This extension was offered due to effects of the worldwide pandemic COVID-19 on program restricting utilization of the grant funds. The approved extension increased the length of time for the Probation Department to expend grant funds and provide services to participants from September 30, 2022 to March 31, 2023 and close out the grant from April 1, 2023 to June 30, 2023.

On October 14, 2022, BSCC offered a competitive funding opportunity with a filing deadline of December 2, 2022. The Probation Department submitted the County's proposal, contingent upon your Board's approval. On May 25, 2023, BSCC notified the County of the award for funding, which will allow the Probation Department to resume operations of the reentry case management and supportive services to facilitate successful reentry into the community for the targeted population both pre- and post-release from custody. The award also includes funding for one DPO position to supervise the participants in the Program and collaborate with and monitor the contractors in addressing the participants' needs and ensuring their progress over the course of the grant term of three years (June 1, 2023 through December 31, 2026).

The grant funds will be utilized to contract with reentry case management and supportive services providers to facilitate the successful reentry into the community for the targeted population both pre- and post-release from custody. The ARPP's goal is to prepare participants for life after incarceration, so they can lead productive lives and not reenter the criminal justice system. Services start while the participant is serving their sentence in the Fresno County Jail, at minimum sixty days prior to release. Contracted case managers, in collaboration with the DPO, will conduct assessments to identify the individual's needs and develop a case plan to address those identified needs. Additionally, the case managers will assist participants to obtain any essential documentation, such as a photo ID or Driver's License, and complete applications for health insurance and other assistance programs. The highest priority will be to address housing, employment, and other stability issues for when participants are released from custody. Other pre-release services offered to participants will include mentoring, family reunification, and pro-social behavior. Post-release, the case managers will make referrals for any necessary services, such as to the Department of Behavioral Health for mental health and substance abuse counseling. For up to six months

after release from custody, the case managers will monitor the progress of the participants and address any issues that are hindering participants from completing their goals. Existing County of Fresno contracts will be utilized for transitional housing, reentry employment readiness, mentoring, program evaluation, and a construction apprenticeship program. Amendments to these agreements, as needed, will be brought to your Board at a future date. In addition, Fresno Housing Authority agreed to provide vouchers to participants, as availability permits, to secure affordable and quality permanent housing. Case Management, Batterers' Intervention Program providers and extended stay vouchers will be contracted to provide services in accordance with Purchasing Guidelines.

Approval of the first recommended action will approve, authorize, and ratify the Chief Probation Officer's previous submittal of the grant application to BSCC for JAG on December 2, 2022. The second recommended action will approve and authorize the Chairman to execute the Retroactive Agreement with BSCC for the JAG Grant. The third recommended action will adopt a resolution authorizing the Chairman to execute the recommended Retroactive Agreement, as well as any extensions or amendments to this grant, as required by BSCC. If the grant funding is eliminated, the DPO position associated with this grant will be deleted, unless an alternative funding source is identified.

Please note the recommended agreement deviates from the County's standard agreement as it does not contain the County's standard insurance language and limits and requires that the County indemnify the State for any claims and losses in connection with the performance of the recommended agreement. However, the Department believes the benefits associated with these recommended actions outweigh any associated risks. The Risk Management Division of the Human Resources Department has reviewed the insurance and indemnification language and finds it acceptable.

REFERENCE MATERIAL:

BAI # 9, November 19, 2019
BAI # 34, September 6, 2022

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with BSCC
On file with Clerk - Resolution

CAO ANALYST:

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