



# Board Agenda Item 53

DATE: June 18, 2024

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: Agreement with California Department of Corrections and Rehabilitation

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute an Agreement with California Department of Corrections and Rehabilitation (CDCR) for fire training program, care and housing for detained youth at the Probation Department, performed at the Pine Grove Youth Conservation Camp in Pine Grove, CA, not to exceed two consecutive years until June 30, 2026, total not to exceed \$121,020; and**
- 2. Approve and authorize the Chairman to execute the Contractor Certification Clauses form, as required by CDCR, to be incorporated by reference into the Agreement.**

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action will provide fire training program, care and housing for Probation Department detained youth, through the CDCR, and performed at the Pine Grove Youth Conservation Camp ("Fire Camp"), not to exceed two consecutive years until June 30, 2026, total not to exceed \$121,020. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the Probation Department would not be able to provide a fire training program for detained youth.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum compensation for the recommended agreement is \$121,020; the costs for the recommended agreement will be funded with the ongoing Division of Juvenile Justice (DJJ) Allocation Funding. There are sufficient appropriations and estimated revenues available in FY 2023-24 Probation Org 3440 Adopted Budget for any potential cost incurred in the current fiscal year. Sufficient appropriations and estimated revenues will be included in future budget requests.

DISCUSSION:

Pursuant to Senate Bill (SB) 823, signed into law on September 30, 2020, which phases in the closure of the DJJ and realigns incarcerated youth to their local counties, juvenile incarceration in California juvenile state prisons has been reduced and rehabilitative programs provided to youth increased. As of January 2023, the Fire Camp's operations transitioned to the Division of Adult Institutions and is operated jointly by CAL FIRE and the CDCR. The Fire Camp remains open as a detention or placement option for juvenile court county youthful offenders ranging from ages 18 to 25 years old, and continues to offer many treatment services through contracted providers, as well as the fire training program. To place youth at the Fire Camp for the

fire training program, youth must meet its criteria, and the Court must order youth placed at the Fire Camp.

Basic placement consideration includes: male offenders, age 18 to 25 years old, under juvenile court jurisdiction and probation supervision for a felony offense, possess a high school diploma or GED, cleared medically and clinically, free of serious disciplinary action for past 60 days, no active holds or pending court actions that may result in additional confinement time, and depending upon offense history, no less than 6 months and no more than 72 months until release date. Youth with a history of a sustained juvenile court petition for the following offenses are permanently excluded: Escape by Force, Arson, Manufacturing or Possession of Explosive Device, and Sex Offense. Youth who are medically unfit for fire-fighting duties, as well as youth with active holds or pending court actions that may result in additional confinement time are also not eligible.

All youth placed at the Fire Camp for the fire training program will receive 96 hours (12 days) of training in order to receive six professional entry-level wildland fire service certificates of completion; one certificate is received from CAL FIRE and five additional certificates from the National Wildfire Coordination Group (NWCG). NWCG classes provides training on national standards for federal agencies. An additional 16-hour (2-day) course is provided in Wildlife Chainsaws, taking the fire training program up to a period of 14 days. While at the Fire Camp, after completing the required training, detained youth will earn wages equal to the amount paid to CDCR youth housed at the Fire Camp, which is currently between \$2.50 and \$4.00. for injuries incurred by detained youth while at the Fire Camp, the County shall not be responsible for Workers' Compensation claims required by California law.

CDCR has requested to remove the agreement signature block onto their STD 213 form as the main signature page. The STD 213 form and all attachments, in whole, will constitute the agreement. CDCR is also requiring a signed copy of the Contractor Certification Clauses (CCC) to be returned with the STD 213 package.

The recommended agreement requires that the County transport and pay the costs of transportation of the youth to the Fire Camp. If it is necessary to remove a County detained youth from the Fire Camp, the CDCR shall immediately remove the detained youth to a nearby juvenile hall pending pickup by County. While at the Fire Camp, CDCR shall provide basic healthcare to the detained youth, while medical costs beyond basic healthcare and dental care costs shall be the responsibility of County.

The recommended agreement provides that while each detained youth is in the fire-fighting training, the County shall pay \$81 per day (14 days for each detained youth); after training is completed, County shall pay \$10 per day while each detained youth is housed at the CDCR Fire Camp.

The recommended agreement deviates from the County's standard contract language in that it does not have an indemnification clause in favor of the County, and instead requires the County indemnify CDCR for claims for lost youth property, workers compensation claims due to County staff onsite, and any claims related to blood borne pathogens, aerosol transmissible disease, or communicable disease during the County's performance of the agreement. However, the Department believes that the benefits provided by the recommended agreement outweigh the risk, as the County will be receiving services from another public entity.

The CDCR requires that the Chairman sign the attached Contractor Certifications, which includes certifications of compliance with nondiscrimination program requirements, drug free workplace requirements, national labor relations board certifications, legal services pro bono requirement, expatriate corporations, sweat free code of conduct, domestic partner requirements, gender identity requirements, conflicts of interest, labor code/workers' compensation, Americans with Disabilities Act, name change and corporate qualifications to do business in California, air or pollution violations, proof of authority to execute the agreement, and a payee data form requirement.

Approval of the recommended action will allow CDCR to provide youth at the Probation Department to

participate in the fire training program and services that are performed at the Fire Camp, not to exceed two consecutive years until June 30, 2026, total not to exceed \$121,020.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CDCR  
On file with Clerk - Contractor Certification Clauses

CAO ANALYST:

Fine Nai