

1. GRANT TITLE

INTENSIVE PROBATION SUPERVISION FOR HIGH-RISK FELONY AND REPEAT DUI OFFENDERS

2. NAME OF AGENCY
COUNTY OF FRESNO

4. GRANT PERIOD

From: 10/1/16
To: 9/30/17

3. AGENCY UNIT TO ADMINISTER GRANT
PROBATION DEPARTMENT

5. GRANT DESCRIPTION

The County Probation Department will work to reduce DUI related fatalities, injuries, and DUI recidivism. The worst-of-the worst, high-risk, felony, and repeat DUI offenders will be held accountable through intensive supervision to ensure compliance with court ordered conditions of probation and to prevent re-arrest on new DUI charges. Supervision activities include: monitoring of treatment and DUI program participation, conducting office visits, unannounced fourth waiver searches, field visits, random alcohol testing, distribution of HOT sheets.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 364,254.00

7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement:

- Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure
- Schedule B (OTS-38d) – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)
- Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable)
- Exhibit A –Certifications and Assurances
- Exhibit B* - OTS Grant Program Manual

Items shown with an asterisk (), are hereby incorporated by reference and made a part of this agreement as if attached hereto.

These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.

We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

8. APPROVAL SIGNATURES

A. GRANT DIRECTOR

NAME: Mike Elliott PHONE: 559-600-1233
TITLE: Interim Chief Probation Officer FAX: 559-455-2416

ADDRESS: 890 S. Tenth Street
Fresno, CA 93702

E-MAIL: melliott@co.fresno.ca.us

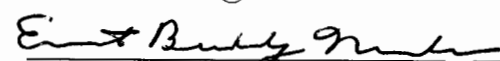

(Signature) 8/24/16
(Date)

B. AUTHORIZING OFFICIAL OF AGENCY

NAME: Ernest Buddy Mendes PHONE: 559-600-4000
TITLE: Chairman FAX: 559-600-1609

ADDRESS: 2281 Tulare Street, Room 301
Fresno, CA 93721

E-MAIL: District4@co.fresno.ca.us

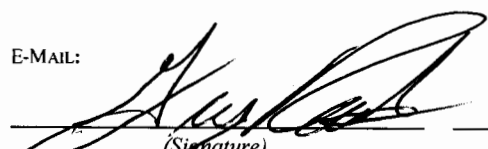

(Signature) 9/27/2016
(Date)

C. FISCAL OR ACCOUNTING OFFICIAL

NAME: Greg Reinke PHONE: 559-600-1247
TITLE: Probation Administration Division Director FAX: 559-455-4785

ADDRESS: 3333 E. American Avenue, Suite B
Fresno, CA 93725

E-MAIL:


(Signature) 8/24/16
(Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: Fresno County Probation Department
ADDRESS: 3333 E. American Avenue, Suite B
Fresno, CA 93725

9. DUNS NUMBER

DUNS #: 932953037

REGISTERED ADDRESS & ZIP: 3333 E. American Avenue, Suite B
Fresno, CA 93725-9248

ATTEST:

BERNICE E. SEIDEL, Clerk
Board of Supervisors



By  Deputy

EFFECTIVE DATE OF AGREEMENT: <u>10/1/2016</u>		GRANTEE <u>COUNTY OF FRESNO</u>	GRANT NO. <u>AL1703</u>
10. Fin Action No. <u>1</u>	Date: <u>8/8/2016</u>	12. TYPE OF AGREEMENT	Initial <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Cont. <input type="checkbox"/>
Revision No.	Date:	PAID MEDIA	PROGRAM INCOME
			TASK NO. <u>8</u>
			F.F.Y. <u>2017</u>

11. Action Taken Initial approval of 2017 HSP funds obligated.	13. FUNDING DISPOSITION & STATUS	
	Fiscal Year	Amount
	<u>2016-17</u>	<u>364,254.00</u>
	<u>2015-16</u>	
	<u>2014-15</u>	
	<u>2013-14</u>	
	Total	<u>364,254.00</u>
	Obligated This Action	<u>364,254.00</u>
	Previously Obligated	<u>0.00</u>
	Total Amount Obligated	<u>364,254.00</u>
	TOTAL FUNDS PROGRAMMED	<u>364,254.00</u>

14. FUNDING DETAIL - FISCAL YEAR GRANT PERIOD ENDING: <u>9/30/2017</u>						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
164AL	20.608	0521-0890-101 (10/15)	2015	10/15	2015	\$ 218,553.00
164AL	20.608	0521-0890-101 (23/16)	2016	23/16	2016	\$ 145,701.00
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
TOTAL FEDERAL FUNDS:						\$ 364,254.00

15. GRANT APPROVAL & AUTHORIZATION TO EXPEND OBLIGATED FUNDS

A. APPROVAL RECOMMENDED BY	B. AGREEMENT & FUNDING AUTHORIZED BY
NAME: MARCO COELHO TITLE: Program Coordinator PHONE: (916) 509-3019 E-MAIL: marco.coelho@ots.ca.gov Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 Signature 	NAME: RHONDA L. CRAFT TITLE: Director Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 Signature 

**PROBATION
SCHEDULE A
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• **PROBLEM STATEMENT**

When the Preventing Repeat Impaired Driving Effectively (PRIDE) grant was implemented in 2006, the Fresno County Probation Department (FCPD) had seen a significant increase in DUI offenders being placed on probation. From 2005 to 2006, countywide misdemeanor DUI convictions increased 21%, and countywide felony DUI convictions increased 121%. The FCPD did not have adequate resources to effectively supervise felony DUI offenders and local statistics during that time indicated a pressing need for a concerted effort on reducing DUI incidents in our community.

Alcohol-related deaths and injuries declined substantially during the time Fresno County has operated this Repeat DUI program. According to the California Highway Patrol's Statewide Integrated Traffic Records System (SWITRS), alcohol-related fatalities decreased over 30% between 2006 and 2010, while injuries decreased nearly 24%. Although the numbers trended downward every year from 2007 to 2010, it should be noted that 2010 was an especially good year for Fresno County, with numbers coming in substantially lower than would be predicted by the previous progression. Both deaths and injuries attributed to alcohol-involved collisions increased from 2010 to 2011. However, the figures for alcohol-involved fatal collisions and fatalities in 2011 follow the downward trend experienced from 2007-2009. The figures for alcohol-involved injury collisions and the number of persons injured were higher in 2011 than anticipated.

We compared Fresno County's DUI experience during the three years prior to implementation of our Repeat DUI program to the time period since Repeat DUI has been in operation. The average number of fatalities has dropped from 66 to 55 per year, a reduction of 17%, while the average number of injured persons dropped from 858 to 696 per year, a reduction of 19%. Statewide, the average number of alcohol-involved fatalities for those same periods dropped 9%, while the average number of injuries from alcohol-involved collisions dropped 10%.

It is evident that grant funded intensive supervision of high-risk, repeat DUI offenders has been very effective, but alcohol-involved fatal and injury collisions continue to pose a grave problem in our community. DUI related collisions afflict Fresno County families—disrupting their lives, interfering with plans, altering capabilities and, all too often, ending relationships in an instant. DUI related casualties also impact Fresno County's economy—with employers losing man-hours and employees losing work (and paychecks) due to another person's choice to drive after drinking alcohol or when impaired by drugs. All too often, the person who made that choice is a repeat offender, causing untold physical, emotional, and economic damage to yet another victim...or victims!

According to the California Office of Traffic Safety (OTS) Collision Rankings, Fresno County has experienced an increase in alcohol involved collisions in relation to miles driven. In 2009, Fresno County ranked 38 out of 58 counties for alcohol involved collisions based on daily vehicle miles traveled. (The County ranked number 1 has the highest or "worst" rate of collisions to miles.) In 2011, Fresno County's rank adversely moved to 21 of 58. In 2012, Fresno County's rank increased to 53rd among the 58 counties, but the ranking methodology was revised during that data collection period. In 2013, Fresno County's rank continued to increase to 57th among the 58 counties.

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Tracking collisions, injuries and fatalities in Fresno County demonstrates that intensive supervision of DUI offenders has averted collisions and prevented victims from being killed and injured in alcohol involved collisions; however, there is a need to provide intensive supervision of offenders who sustain convictions for driving under the influence of drugs (DUID). Recently, researchers in traffic safety have placed great emphasis in detecting, apprehending and monitoring DUID's.

A 2012 statewide survey on alcohol and drug use of California nighttime weekend drivers found that:

“In terms of breath and oral fluid test results, [14%] tested positive for at least one drug, and 7.3% tested positive for alcohol. One percent of tested drivers were at .08 blood alcohol content (BAC) or above.”

The survey results revealed that over half of the drivers who tested positive for “at least one drug” tested positive for marijuana. Nearly 90% of drug positive drivers tested negative for alcohol. Based on this information, it is likely that many DUI collisions involved drivers impaired by drug use. Statewide, drug involved crash injuries increased 9% over the past decade; while drug involved crash fatalities increased 39%.

The FCPD conducted a random sample of DUI offenders under active supervision to evaluate the need to establish an intensive DUID caseload. Thirty case files from each of the following caseloads were examined:

- DUI involving alcohol (non-intensive),
- DUID—DUI involving drugs (non-intensive), and
- Repeat DUI—High-risk, Repeat DUI Intensive Supervision (OTS grant-funded).

For each of these groups, we reviewed entries for the period of 10/1/2012 through 9/30/2013 and tabulated activities reflective of Repeat DUI grant objectives:

- Office contacts made,
- Probationers tested for alcohol/drug use,
- Positive test results, and
- Court actions initiated for violatable acts.

Our random sample revealed that in the first group, “DUI involving alcohol (non-intensive),” only 10 of the 30 offenders were seen in the office during 2012-13. Two offenders were tested for alcohol/drug use, with negative results. None of the cases had court actions for violatable acts.

Comparison of the DUID and the Repeat DUI caseloads was very interesting. Repeat DUI (OTS grant-funded) intensive caseload offenders had 210% more office contacts made than the DUID caseload. While nearly twice as many Repeat DUI offenders were tested for alcohol/drug use, DUID offenders had 45% more positive test results. Despite the greater likelihood of demonstrable violations, the DUID offenders were less likely to receive official consequences. Court actions initiated for violatable acts were 20% greater in the Repeat DUI caseload than the DUID caseload.

These results indicated that offenders on the DUID caseload were in need of intensive supervision. With an established DUID intensive caseload, the FCPD is more effectively supervising these probationers and it is anticipated that drug involved collisions, fatalities and injuries will decrease in Fresno County.

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Drug use is a formidable problem for Fresno County probationers—and a barrier to successful completion of Probation. Over the last year, the FCPD has been using state-of-the-art, saliva drug screening kits that test for the 6 most common drugs used by offenders. The kits provide immediate results, so officers are able to quickly test offenders in the office or out in the field. The use of these kits has significantly increased our effectiveness in providing intensive supervision of DUI offenders.

It is evident that OTS Repeat DUI grant-funded intensive supervision has suppressed criminal and unfavorable behavior of Repeat DUI offenders in Fresno County. Without funding from OTS and the National Highway Traffic Safety Administration, FCPD's supervision of DUI offenders would be adversely impacted. Without grant funding, DUI offender recidivism and the number of alcohol and drug involved traffic collisions, including injuries and fatalities would likely increase, posing a great risk to our community.

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A. Traffic Data Summary:

- **Data:** Use SWITRS data (www.chp.ca.gov) for fatal/injury and collision/victim numbers, and the “Annual Report of the California DUI Management Information System” (MIS) (www.dmv.ca.gov) Appendix B, Table B1 and B3, for countywide arrest and conviction numbers.

Collision Type	2011				2012				2013			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	111		121		106		118		101		119	
Injury	3247		5037		2407		3765		2089		3332	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol- Involved	45	431	50	672	45	299	50	443	36	273	43	448
Countywide Total DUI Arrests	4512				5725				5123			
Countywide Misdemeanor DUI Convictions	3904				4459				---			
Countywide Felony DUI Convictions	204				203				---			

	FFY 2013	FFY 2014	FFY 2015
Average Number of DUI Probationers Under Intensive Supervision	120	110	200
Warrant Sweeps Conducted	19	9	13
Field Contacts (Without Search) Conducted	154	139	98
Office Contacts Conducted	860	815	1290
Home Searches Conducted	120	98	207
Alcohol Tests Conducted	2200	1971	2294
HOT Sheets Distributed	12	3	4
SCRAM Probationer-Days	540	2104	2740
Positive Reports from SCRAM	0	1	2
Violations Resulting from SCRAM	0	3	2
Known Violatable Acts	191	216	182
Responses to Known Violatable Acts	191	213	182
Court Actions Initiated for Violatable Acts	56	59	77
Grant-Funded Full-Time DUI Probation Officers	1	1	2
Non-Grant Full-Time DUI Probation Officers	0	0	0

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• **PERFORMANCE MEASURES**

A. Goals:

- 1) Reduce the number of persons killed in traffic collisions.
- 2) Reduce the number of persons injured in traffic collisions.
- 3) Reduce the number of new DUI offenses by DUI probationers.
- 4) Reduce the number of DUI probationers arrested/cited for driving with suspended or revoked license.
- 5) Increase the percentage of DUI probationers in compliance with court-ordered probation.

B. Objectives:

1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. Establish all grant-funded positions and train staff on defined roles and duties, including data collection and reporting requirements by October 31.
3. Develop (and submit by October 31) a written “Operational Plan” to establish the method of operation and the policies applicable to carry out the activities of the DUI Probationer Supervision grant program.
4. Obtain, or develop, and utilize a risk or needs assessment tool to identify high-risk DUI offenders for placement on formal probation by October 31.
5. Establish 2 caseload(s) of 100 high-risk DUI probationers each, for intensive supervision by October 31.
6. Develop and/or maintain a “Hot Sheet” program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions by December 31. Updated Hot Sheets should be distributed to patrol and traffic officers on a monthly basis.
7. Work with court officials and the prosecutor’s office throughout the grant period to ensure the court establishes probation orders necessary to conduct and sustain intensive supervision of DUI probationers.

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8. Track the number of attempted field contacts (anywhere other than in the office, including all “door knocks”) with or without search, of high-risk DUI probationers.
9. Track and report SCRAM usage, and resulting SCRAM violations of high-risk DUI probationers.
10. Track and report probation violations and probation revocation proceedings for program participants who fail to abide by the terms and conditions of probation throughout the grant period.
11. Make 170 unannounced field contacts (anywhere other than in the office) with search of DUI probationers body/property. *Note: Surprise home contacts with search are the preferred method for ensuring compliance with court-ordered terms of probation.*
12. Make 1,000 office contacts with DUI probationers.
13. Conduct 1,000 alcohol tests of DUI probationers.
14. Conduct 10 warrant service operation(s) targeting informal and/or formal DUI probationers who fail to comply with the terms and conditions of probation and/or other DUI suspects who fail to appear in court.
15. Send 2 law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hour) POST-certified training.

• **METHOD OF PROCEDURE**

A. Phase 1 - Program Preparation, Training and Implementation (1st Quarter of Grant Year)

- The Probation Department will hire grant-funded staff positions responsible for conducting supervision and other related duties.
- Grant-related purchases of equipment and/or minor equipment, if any, will be initiated and other necessary equipment and supplies will be acquired.
- Staff will be trained in the use and calibration of Portable Alcohol Screening (PAS) devices and on relevant statutes pertaining to DUI offenders.
- The Risk Assessment tool will be purchased or developed, and staff will be trained on the use of the tool and the policies and procedures for identifying risk-levels and making caseload assignments.
- Staff will receive training and orientation related to the Department’s SCRAM program (if applicable) and will begin working closely with the SCRAM vendor to ensure a timely response to any violations by DUI offenders.

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- A written operational plan will be developed and submitted. The plan will outline the Department's policies and procedures related to the DUI Probationer Intensive Supervision Program including participant criteria, how individuals are identified and selected for inclusion on the caseload, how risk assessment is conducted, how and why offenders are moved on and off the caseload, policies and procedures for office visits, alcohol testing, field contacts, home searches, and court monitoring. The operational plan should include contact information for referrals to resources such as county mental health, treatment, Alcoholics Anonymous, vocational training, job search and placement. The operational plan should be written in a manner that allows it to serve as a manual for new or additional program staff working with the DUI supervision program.

B. Phase 2 - Program Operations (Throughout Grant Year)

- News releases highlighting program successes and high visibility programs, such as warrant service operations, will be developed, approved by OTS and issued to the media throughout the grant period.
- To ensure compliance with all court ordered conditions of probation, the Probation Department will conduct the intensive supervision activities specified in the grant objectives. Activities include: risk assessment and assignment; initial home evaluation; office visits; field contacts; warrant sweeps; surveillance; alcohol tests; home searches; monitoring of treatment and other program participation; review and monitoring of SCRAM alerts (if applicable); and ignition interlock device compliance.
- Staff should work with the court and District or City Attorney's office to ensure appropriate terms of probation are ordered.
- Probation should maintain and distribute a "Hot Sheet" to local law enforcement and will perform necessary record keeping and reporting.
- Probation should respond to all known probation violations and initiate appropriate interventions up to and including court action.

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at pio@ots.ca.gov, with a copy to your OTS Coordinator.
 - a) If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release should be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.

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- b) Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
- c) Activities such as warrant service operations and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

- Agencies are required to collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Statistical data relating to the grant goals and objectives will be collected, analyzed, and incorporated in Quarterly Performance Reports (QPRs). QPRs for the quarter ending September 30 will include year-to-date comparisons of goals and objectives. If required, a separate quarterly data reporting form will be completed each quarter and submitted as part of the QPR.
- Reports will compare actual grant accomplishments with the planned accomplishments. They will include information concerning changes made by the Grant Director in planning and guiding the grant efforts.
- Reports should be completed and submitted in accordance with OTS requirements as specified in the Grant Program Manual.

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- **METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

- **ADMINISTRATIVE SUPPORT**

This program has full support of the County of Fresno. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
DETAILED BUDGET ESTIMATE
GRANT NO. AL1703

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
164 AL	20.608	MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED	\$ 364,254.00

COST CATEGORY	FISCAL YEAR ESTIMATES 10/1/16 thru 9/30/17			TOTAL COST TO GRANT
A. PERSONNEL COSTS	CFDA	FY-1		
Positions and Salaries				
Fulltime				
Deputy Probation Officer				
2 x 12 mo x \$5,704/month @ 100%	20.608	\$ 136,896.00		\$ 136,896.00
Benefits @ 81.0503%	20.608	\$ 110,955.00		\$ 110,955.00
Probation Technician				
1 x 12 mo x \$3,278/month @ 100%	20.608	\$ 39,336.00		\$ 39,336.00
Benefits @ 81.0503%	20.608	\$ 31,882.00		\$ 31,882.00
Overtime				
Compliance Check Operations	20.608	\$ 21,476.00		\$ 21,476.00
Warrant Service Operations	20.608	\$ 7,899.00		\$ 7,899.00
Benefits @ 7.67%	20.608	\$ 2,254.00		\$ 2,254.00
Category Sub-Total		\$ 350,698.00		\$ 350,698.00
B. TRAVEL EXPENSE				
In-State	20.608	\$ 2,556.00		\$ 2,556.00
Out-of-State				
Category Sub-Total		\$ 2,556.00		\$ 2,556.00
C. CONTRACTUAL SERVICES				
None				
Category Sub-Total		\$ -		\$ -
D. EQUIPMENT				
None				\$ -
Category Sub-Total		\$ -		\$ -
E. OTHER DIRECT COSTS				
Communications	20.608	\$ 2,000.00		\$ 2,000.00
Computer Networking Support	20.608	\$ 2,500.00		\$ 2,500.00
Risk Assessment Tool	20.608	\$ 1,000.00		\$ 1,000.00
Alcohol Testing	20.608	\$ 1,000.00		\$ 1,000.00
Vehicle Leases	20.608	\$ 2,000.00		\$ 2,000.00
Mobile Devices	20.608	\$ 2,500.00		\$ 2,500.00
Category Sub-Total		\$ 11,000.00		\$ 11,000.00
F. INDIRECT COSTS				
None				
Category Sub-Total		\$ -		\$ -
GRANT TOTAL				
		\$ 364,254.00		\$ 364,254.00

SCHEDULE B-1

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BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

Fulltime

Salaries - may include wages, salaries, special compensations, or authorized absences such as annual leave and sick leave provided the cost for the individual employee is (a) reasonable for the services rendered, and (b) follows an appointment made in accordance with state or local laws and rules and meets federal requirements.

Supplanting Statement

Personnel assigned to the grant are conducting a new traffic safety program not previously funded with City, County or State funding or were previously in a grant funded position.

(2) Deputy Probation Officer:

In a lead capacity, the Deputy Probation Officers assigned to the grant will perform sensitive, complex and critical work to reduce DUI related fatalities, injuries and DUI recidivism in Fresno County. The worst-of-the-worst, high-risk, felony and repeat DUI (alcohol & drug) offenders will be closely supervised and held accountable to ensure compliance with court ordered conditions of probation and to prevent re-arrests on new DUI charges.

Supervision duties include: maintaining a specialized low number DUI caseload; interviewing DUI offenders post intake and maintaining their individualized case plans; referring DUI offenders to local services in the community, including but not limited to: substance abuse treatment, DUI programs, employment resources and educational programs; monitoring the progress and participation of offenders in service programs and initiating interventions to all probation violations; conducting unannounced compliance searches at the offenders' reported residences, including at residential treatment programs; administering on-the-spot alcohol and/or drug testing; closely monitoring the compliance of offenders on court ordered or DMV sanctions, such as: Electronic Monitoring, the Secure Continuous Remote Alcohol Monitoring Program (SCRAM) and the Ignition Interlock Device; coordinating and working with probation officers and other law enforcement agencies during compliance operations, warrant service operations and surveillance stakeouts targeting offenders who are suspected of driving with a suspended driver's license; disseminating habitual offender bulletins to local law enforcement and participating in anti-DUI efforts; ensuring that the necessary terms and conditions are imposed and that appropriate charges are filed for violations by working and communicating with court officials and the district attorney; tracking, compiling and reporting offender and program statistics on a quarterly basis and monitoring progress in achieving grant objectives; and performing other administrative work of the grant program.

2 Deputy Probation Officer(s) x 12 months @ 100%

SCHEDULE B-1**GRANT NO. AL1703****BUDGET NARRATIVE**

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Full Time Benefit Rate

Unemployment Insurance	0.0180%
Retirement	62.4500%
Social Security/FICA/OASDI	7.6500%
Worker's Compensation	0.9873%
Health Insurance	9.9450%
TOTAL BENEFIT RATE	81.0503%

(1) Probation Technician:

Under general supervision, the Probation Technician assigned to the grant will perform a variety of non-peace officer support services to reduce DUI related fatalities, injuries and DUI recidivism in Fresno County.

Non-peace officer support duties may include: intake services consisting of reviewing newly assigned cases to determine if the case is suitable for the intensive supervision provided by the grant; initiating and maintaining contact with DUI offenders by telephone and office interviews; administering probation instructions after sentencing and administering risk assessments of DUI offenders; creating an individualized case plan for DUI offenders and referring them to local services in the community, including but not limited to: substance abuse treatment, DUI programs, employment resources and educational programs; enrolling DUI offenders on a phone reporting system that advises offenders on a monthly basis not to drive with a suspended license; monitoring the progress and participation of offenders in services; administering on-the-spot alcohol and/or drug testing; closely monitoring the compliance of offenders on court ordered or DMV sanctions, such as: the electronic monitor, the Secure Continuous Remote Alcohol Monitoring Program (SCRAM) and the Ignition Interlock Device; disseminating habitual DUI offender bulletins to local law enforcement; tracking, compiling and reporting program performance statistics on a quarterly basis; performing other support services for the grant program.

1 Probation Technician x 12 months @ 100%

Full Time Benefit Rate

Unemployment Insurance	0.0180%
Retirement	62.4500%
Social Security/FICA/OASDI	7.6500%
Worker's Compensation	0.9873%
Health Insurance	9.9450%
TOTAL BENEFIT RATE	81.0503%

SCHEDULE B-1

GRANT NO. AL1703

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Overtime

Overtime for grant funded law enforcement operations may be conducted by personnel such as a Supervising Deputy Probation Officer, Senior Probation Officer, or Probation Officer. Personnel will be deployed as needed to accomplish the grant goals and objectives.

Costs are estimated based on an overtime hourly rate range of \$37.75/hour to \$50.84/hour.

Overtime reimbursement will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified.

Overtime Benefit Rates

Unemployment Insurance	0.02%
Social Security/FICA (OASDI)	7.65%
TOTAL BENEFIT RATE	7.67%

TRAVEL EXPENSE

In State

Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. *All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.*

Out-Of-State

None

CONTRACTUAL SERVICES

None

EQUIPMENT

None

OTHER DIRECT COSTS

Communications - costs of telephone service, mail/messenger service (excluding overnight priority mail) and communications services.

Computer Networking Support – network access, administration and software licenses for the attorneys, investigator and investigative assistant assigned to the project. These costs are billed according to the following formula: Monthly fee of \$208.00 for 12 months, up to the budgeted amount.

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Risk Assessment Tool(s) – to evaluate DUI probationer's risk level for reoffending and to assign individuals to the high-risk DUI probation caseloads.

Alcohol Testing - testing conducted to determine DUI probationers' compliance with terms and conditions of probation. Costs may include lab testing fees and testing supplies such as mouth pieces, cups and test kits.

Vehicle Leases - lease of vehicles for activities supporting the grants goals and objectives and traffic safety. Uses may include compliance/warrant operations, surveillance, department trainings, and other activities supporting the grant goals and objectives, including meetings and department personnel, local law enforcement agencies and stakeholders. Lease charges to the grant will be in accordance with the following formula or rate: \$279 per month. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the vehicle.

Formula(s) for calculating vehicle charges:

Monthly fee of \$171.00 plus mileage at the rate of \$0.54 (estimated mileage per month is 200 miles x \$0.54 = \$108. Total rate per month = \$279.00). The total costs claimed shall not exceed \$2,000.

Mobile Devices – Costs for purchase of two tablets and monthly network access (\$2,500). Mobile devices provide staff quick access to probation portals, which will eliminate time spent in the office compiling needed documents and information prior to going into the field. This also enables staff to document the result of field contact immediately.

2 Mobile devices at \$650 = \$1,300 and \$50 monthly charges for network access (\$50 x 12 months x 2 = \$1,200)

INDIRECT COSTS

None.

PROGRAM INCOME

There will be no program income generated from this grant.

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Page 1

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- 49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Part 1200—Uniform Procedures for State Highway Safety Grant Programs

NONDISCRIMINATION

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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BUY AMERICA ACT

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCH ACT)

The Grantee Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., “grassroots”) lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

1. By signing and submitting this grant agreement, the Grantee Agency Official is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency Official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency Official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The Grant Agency Official shall provide immediate written notice to the department or agency to which this grant agreement is submitted if at any time the Grantee Agency Official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *grant agreement*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this grant agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency Official agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

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7. The Grantee Agency Official further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

- (1) The Grantee Agency Official certifies to the best of its knowledge and belief, that its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this grant agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/grant agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the Grantee Agency Official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

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Instructions for Lower Tier Certification

1. By signing and submitting this grant agreement, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this grant agreement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *grant agreement*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this grant agreement is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this grant agreement that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

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9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this grant agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

Intensive Probation Supervision for High-Risk Felony and Repeat DUI Offenders, grant award agreement with the California Office of Traffic Safety, October 1, 2016 through September 30, 2017.

Reviewed and Recommended for Approval

By  Date: 8/24/16
Michael L. Elliott, Interim Chief Probation Officer

Approved as to Legal Form:
Daniel C. Cederborg, County Counsel

By  Date: 8/31/16

Approved as to Accounting Form:
Vicki Crow, Auditor-Controller-Treasurer/Tax Collector

By  Date: 9/2/16

Fund: 0001
Subclass: 10000
ORG: 3432
Account: 7295