



Board Agenda Item 30

DATE: June 5, 2018

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Retroactive Agricultural Crimes Task Force Memorandum of Understanding

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute a retroactive Memorandum of Understanding with the California Highway Patrol that provides guidelines to reduce the incidents of theft and victimization to the agriculture community effective June 1, 2018, not to exceed five consecutive years, which includes a three-year base agreement and two optional one-year extensions; and**
2. **Approve and authorize the waiving of Administrative Policy No. 17 (regarding the use of County vehicles by County officials and employees only) to allow a California Highway Patrol Officer, as a member of the Agricultural Crimes Task Force, to use a County vehicle.**

There is no additional Net County Cost associated with the recommended actions. The recommended actions will approve the Memorandum of Understanding (MOU) between the Sheriff-Coroner and California Highway Patrol (CHP) for crime prevention/education and waive Administrative Policy No. 17 to allow an employee of CHP, who is a qualified Highway Patrol Officer/Investigator and who meets or exceeds the CHP's standards, to use a vehicle owned by the County. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board could choose to not approve the recommended actions and not allow an employee of the CHP to use a County vehicle.

RETROACTIVE AGREEMENT:

The recommended MOU is retroactive to June 1, 2018. The MOU was received from CHP on May 2, 2018. The time to review and confirm changes to the MOU resulted in this item being placed on today's agenda.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The County vehicle that will be provided to the CHP officer is a 2012 Chevrolet pickup. The estimated annual maintenance cost for this vehicle is between \$1,600 - \$2,000 with estimated fuel costs of \$4,100 per year. Sufficient appropriations are included in the department's budget Org 3111 in the current year and will be included in future budget requests.

DISCUSSION:

The Fresno County Sheriff-Coroner's Office Agricultural Crimes Task Force, more commonly referred to as the "Ag Crimes Task Force," investigates all cases with a connection to the agricultural community, as well as metal thefts occurring in Fresno County. The Ag Crimes Task Force's primary objective is to suppress criminal activity by means of proactive enforcement, thorough investigations and crime prevention/education with its partners of the Ag community and metal recycling yards.

Fresno County has historically been one of the top producing counties in the nation in regards to agribusiness, exceeding six billion dollars in production generated by local agriculture in the year 2016 alone. One out of every five jobs in the Central Valley is related to agriculture and there are over 400 different commodities grown throughout Fresno County, which places a high value on the investigation of Ag crimes and the prosecution of criminals who prey on the agricultural community.

The Ag Crimes Task Force was created in September of 1999. The Ag Crimes Task Force is comprised of a Sheriff's Sergeant, six Sheriff's Detectives and a CHP Officer/Investigator who participates in a number of organizations, such as the Central Valley Rural Crime Prevention Task Force (CVRCPT), California Rural Crime Prevention Task Force (CRCPT), Fresno County Farm Bureau and Fresno County Ag Roundtable. CVRCPT is an association of Central Valley agencies that regularly meet to share information, as well as utilize technology to help combat agricultural crime throughout the valley.

The recommended actions will approve the MOU between the Sheriff-Coroner and CHP for crime prevention/education and waive Administrative Policy No. 17 to allow an employee of the CHP, who is a Highway Patrol Officer/Investigator, to use a vehicle owned by the County. CHP Ag Crimes Task Force members are required to use an undercover vehicle in order to perform daily investigative and surveillance functions as an Ag Task Force detective. The CHP doesn't have an undercover vehicle for their detective(s) in the Ag Task Force. Therefore, approval of the second recommended action will make a County vehicle available for the CHP Ag Task Force detective(s).

The CHP Central Division management team reserves the right to modify the type and length of administrative assignments of its personnel and any extensions of such personnel will be agreed upon by the County, through the Sheriff-Coroner's Office Ag Crimes Task Force Commander and the CHP. The CHP personnel assigned to the Ag Crimes Task Force, regardless of rank, shall be familiar with and adhere to the CHP's General Order 0.8, Professional Values, Exhibit A. Furthermore, language has been included in the MOU that in the event the CHP's employee uses any County vehicle the CHP assumes all liability associated with the vehicle's operation (except mechanical condition) and the CHP agrees to and will assume all costs and expenses (including attorney's fees), damages, liabilities, claims, and losses occurring or resulting to the County from the CHP's employee's actions. The CHP will also indemnify the County in the event of an action relating to the CHP's performance, or lack thereof, in regards to the Ag Crimes Task Force.

All Ag Crimes Task Force members shall be provided and abide by the Standard Operating Procedures (SOP) manual, prepared by the Ag Crimes Task Force Commander/Supervisor and approved by the Fresno County Sheriff-Coroner's Patrol Bureau chain of command. The SOP shall specify policy, procedures and tactics to be followed by Ag Crimes Task Force members and shall include, but not be limited to, the following specific items of the MOU:

1. Conflicting Policy
2. Officer Involved Investigations
3. News Releases and Media Interviews

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU with CHP
Administrative Policy No. 17 - County Automotive Transportation
Exhibit A - CHP's General Order 0.8, Professional Values

CAO ANALYST:

Jeannie Z. Figueroa