



# Board Agenda Item 42

DATE: September 23, 2025

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer  
Susan Holt, Director for Department of Behavioral Health

SUBJECT: DUI Treatment Court Staffing Agreement with Superior Court

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute an Agreement with the Superior Court of California, County of Fresno, for Driving Under Intoxication Treatment Court Staffing Agreement, including certifications regarding the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification, effective October 1, 2025, not to exceed five consecutive years, which includes a one-year base contract with four optional one-year extensions, total not to exceed \$418,125 per year; and**
- 2. Authorize the Chief Probation Officer or his/her designee and Director of Behavioral Health or his/her designee to approve and execute future budget modifications with no change to the maximum amount payable to each department and to the County at any time during the term of the recommended agreement.**

There is no increase in Net County Cost associated with the recommended action. The Superior Court of California, County of Fresno (Court) was awarded an Office of Traffic Safety grant. The award will be used to fund the Driving Under the Influence (DUI) Treatment Court, where defendants may enter treatment instead of incarceration. Approval of the first recommended action will authorize the execution of the DUI Court Staffing Agreement so the Court and the Fresno County Departments of Probation and Behavioral Health can provide staff to deliver services. Approval of the second recommended action will authorize the Chief Probation Officer and the Director of Behavioral Health to modify the budget, as long as there is no change to the maximum amount payable to each department. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the Probation Department and Department of Behavioral Health (DBH) will not be able to participate in the DUI Treatment Court.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended agreement will provide yearly funding in the amount of \$418,125.

The following is a list of funding and positions provided by the Court:

- DBH - \$202,499 for .6 FTE Community Mental Health Specialist (CMHS) and 1.0 FTE Substance Abuse Specialist. DBH will fund the remaining .4 FTE CMHS, estimated at \$44,684 annually, with 2011 Realignment.
- Probation - \$215,626 to fund 1.5 FTE Deputy Probation Officer (DPO) positions. Probation will fund

the remaining .5 FTE DPO, estimated at \$71,875 annually. Sufficient appropriations and estimated revenues are included in Probation's FY 2025-26 Adopted Budget and will be included in future budget requests.

DISCUSSION:

Fresno County has a high number of driving while impaired and DUI cases (collectively, "DUI"). In order to prevent recidivism, the Court provides treatment rather than simply incarceration for defendants in these cases. Defendants who wish to enter DUI Treatment Court must agree to plead guilty to their DUI criminal charges. Once the Court accepts their pleas, defendants are sentenced and enter the DUI Treatment Program in lieu of incarceration. The County has been partnering with the Court to participate in the Treatment Court since 2020. The Board approved Agreement No. 20-470 with the Court on November 2020, to provide staffing from DBH and the Probation Department to the DUI Treatment Court.

The DUI Treatment Court Program will take a minimum of 12 months and consist of two tracks, one in which participants attend court regularly, engage in substance use disorder treatment and mental health therapy, attend self-help groups such as Narcotics Anonymous/Alcoholics Anonymous, check in with probation officers regularly, and participate in frequent drug testing. The frequency of treatment sessions and court appearances in each track is based on the individual participant's progress or relapse.

The Court and County will each provide staff to assist in the success of the treatment Court. The Court will provide one DUI Court Coordinator position and DBH will provide .6 FTE Community Mental Health Specialist (CMHS) and 1.0 FTE Substance Abuse Specialist (SAS). The CMHS will ensure participants are provided with linkages to aftercare services and post-graduation resources. The SAS will be responsible for DUI-RANT results. Probation will provide 2 FTE Deputy Probation Officer positions (1.5 FTE to be covered with grant funds and .5 FTE to be covered by the Department). DBH staff will report to the DBH Collaborative Court's Team Clinical Supervisor, while Probation staff will report directly to the Assistant Deputy Chief Probation Officer of the Drug Suppression Unit under the Adult Probation Services Deputy Chief Probation Officer.

The recommended agreement requires that the Chairman execute certifications regarding compliance with the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.

In the recommended agreement, the County is agreeing to mutual indemnity, as is common in the County's agreements with other public agencies. However, the participating departments believe the benefits provided by the recommended agreement outweigh any potential risks.

OTHER REVIEWING AGENCIES:

The Behavioral Health Board was made aware of the recommended Agreement during its August 20, 2025 meeting.

REFERENCE MATERIAL:

BAI #10, November 24, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - DUI Treatment Court Staffing Agreement with Superior Court

CAO ANALYST:

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