

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.32
(ID # 19473)

MEETING DATE:
Tuesday, July 26, 2022

FROM : PROBATION:

SUBJECT: PROBATION DEPARTMENT: Approve the Agreement with the Superior Court of California, County of Riverside, to accept one-time funding allocated for the non-Pretrial Pilot Program pursuant to Senate Bill 129 for Technical Assistance to Advance the Pretrial Services Program for two years, All Districts. [\$5,262,751; 100% Judicial Council of California]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Agreement with the Superior Court of California, County of Riverside, to accept one-time funding allocated for the non-Pretrial Pilot Program pursuant to Senate Bill 129 for technical assistance to advance the pre-trial services program, for a total aggregate amount of \$5,262,751 for two years through June 30, 2024, and Authorize the Chief Probation Officer to sign the Agreement on behalf of the County;
2. Authorize the Chief Probation Officer, or designee, to execute future ministerial amendments to the Agreement, subject to the availability of fiscal funding and as approved as to form by County Counsel.

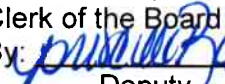
ACTION:Consent


Ronald L. Miller, Chief Probation Officer 7/5/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: July 26, 2022
xc: Probation

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 91,830	\$ 5,170,921	\$ 5,262,751	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Judicial Council of California 100%.			Budget Adjustment: No	
			For Fiscal Year: 22/23 through 23/24	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On February 15, 2012, the Superior Court of California provided official written notice to the Riverside County Executive Office that effective July 1, 2012, it will no longer administer pretrial services on behalf of the County of Riverside. On July 31, 2012, the Board of Supervisors authorized the transfer of pretrial services from the Superior Court of California to the Riverside County Probation Department. The overall purpose of pretrial services is to determine whether defendants should be released on their own recognizance pending the outcome of a case. Pretrial services help to reduce incarceration costs and jail overcrowding while protecting public safety by providing risk assessment and community supervision.

Senate Bill (SB) 129 Budget Act of 2021 was approved by the California Governor on July 12, 2021. It directs the Judicial Council of California (JCC) to define requirements, consistent with the obligation to provide to the Legislature an annual report regarding pretrial services in California. The bill provides funding for the implementation, operation, ongoing court programs and practices, for safe, efficient, fair, and timely pretrial release.

The purpose of the funding is to provide courts with information and resources to support judicial officers in making pretrial release decisions, provide least restrictive release conditions to address public safety and return to court, appropriate monitoring practices, and provision of services for released individuals. The JCC is responsible for allocation of funding to the courts, which is determined to be 30% to Riverside County Superior Court, and 70% to the Pretrial Services Agency, which is Riverside County Probation (RCP).

One time funding for non-Pretrial Pilot Program courts is available for encumbrance or expenditure until June 30, 2024. Ongoing funding will be distributed annually and must be encumbered or expended by June 30 of each fiscal year. The Court will be required to submit yearly budgets and quarterly narrative reports to the JCC, monitor spending of all subcontractors to ensure compliance, identify specific funding streams, maintain financial records, supporting documents, and all related records.

Probation will use a pretrial risk assessment tool, as provided under SB 36 (Pretrial Release: Risk Assessment Tools – 2019), which must be validated. Validation information will be publicly

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available, and the JCC is required to maintain a list of agencies that have complied. The vendor, Equivant/Northpointe, has an existing contract with RCP to provide a pretrial risk assessment application, in compliance with SB 36/129.

The Department has included the request for additional staffing and cost estimate in the FY2022-23 budget, therefore, no budget adjustment is necessary.

Impact on Residents and Businesses

The overall mission of the program is the investigation of individuals to determine release suitability in an effort to reduce incarceration costs and jail overcrowding while taking into account public safety by providing risk assessment and community monitoring.

ATTACHMENT. Agreement – Court County Probation – SB 129


Rebecca S. Cortez, Principal Management Analyst 7/18/2022


Cynthia M. Guarez, Chief Deputy County Counsel 7/8/2022

AGREEMENT
BETWEEN THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
(hereinafter "Court")
AND THE RIVERSIDE COUNTY PROBATION DEPARTMENT
(hereinafter "County Probation")
FOR PRETRIAL SERVICES PURSUANT TO SB-129

BACKGROUND

SB-129 allocates funding for the implementation and operation of ongoing Court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail. The purpose of SB-129 funding, as specified by the Legislature, is to provide every superior court with information and resources to support judicial officers in making pretrial release decisions that impose the least restrictive conditions to address public safety and return to Court, and to implement appropriate monitoring practices and provision of services for released individuals.

As of November 1, 2020, County Probation administers the Public Safety Assessment (PSA), a nationally validated, non-interview pretrial risk assessment tool. Release options are based on the Release Conditions Matrix (RCM). All PSA scores are subject to review and release approval by an on-call judicial officer. County Probation monitors and tracks only those individuals released with Court-ordered conditions that require monitoring by County Probation staff (Supervised Own Recognizance or SOR); however, County Probation collects data related to Own Recognizance (OR) and Conditional Own Recognizance (COR) release individuals as well.

OBJECTIVES

- Improve data tracking related to SB-36 and SB-129, including collecting and maintaining individualized data regarding the PSA's inputs and outcomes for the eligible population with the goal of validating the PSA locally. This will be accomplished via the implementation of a new pretrial client management system.
- Increase to 100% the rate of written Own Recognizance (OR) reports submitted to judicial officers.
- Implement SMS/text notifications (opt-in) to remind defendants of upcoming Court proceedings/hearings with the goal of reducing Failures to Appear (FTA) and improving compliance.

IMPLEMENTATION

County Probation will hire additional staff resources to meet the above Objectives. To ensure an accurate and integrated management and tracking system, County Probation will procure and implement a pretrial client management system. This system is to include automated Court reminders, integration of the PSA and investigation reports, compliance with the statistical data – more specifically, all Court data and outcomes outlined in SB-36 and SB-129, including assessed individuals, and released outcomes on those released on bail, Straight, Conditional, and Supervised OR.

Court will hire additional staff resources to lead efforts to develop training that improves judicial officer understanding of pretrial risk assessments; and to support statistical reporting and data quality to satisfy reporting requirements related to SB-129. To encourage compliance with Court-appearance requirements, Court will develop and implement automated SMS/text reminders from its case management system in concert with County Probation.

WHEN DOCUMENT IS FULLY EXECUTED RETURN
CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

JUL 26 2022 3:32

TERM AND TERMINATION

This Agreement is effective once signed by authorized representatives of both parties, and shall run so long as funding is allocated. Either party may terminate this Agreement with 60 days' written notice to the other party. Prior to exercising the right to terminate this Agreement, the party seeking termination shall meet and confer with the other party's authorized representatives.

HOLD HARMLESS

Court and County Probation agree to hold harmless the other party, its agents, officers, and employees from and against all claims, damages, losses, and expenses, including attorney fees and costs, arising or resulting from, or in connection with, the performance or breach of this Agreement.

ALLOCATED FUNDING

One-time funding for non-Pretrial Pilot Program courts is available for encumbrance or expenditure for three fiscal years, until June 30, 2024. Ongoing funding for all courts must be encumbered or expended by June 30 of each fiscal year. Funding for this Agreement shall be as follows, but is contingent on funding actually allocated by and through the Judicial Council of California:

	Probation - 70%	Court - 30%	TOTAL
ONE TIME FUNDING	5,262,751	2,255,464	7,518,215
ONGOING FUNDING	2,876,407	1,232,746	4,109,153
	8,139,158	3,488,210	11,627,368

IT IS SO AGREED BY EACH PARTY'S AUTHORIZED REPRESENTATIVE:

W. Samuel Hamrick, Jr.

W. Samuel Hamrick, Jr.
Court Executive Officer

Ron Miller II
Chief Probation Officer, Riverside County Probation

05/26/2022

Dated

Dated

Approved as to Form
COUNTY COUNSEL:

By: Lisa Sanchez
Lisa Sanchez, Deputy County Counsel