



Probation Department
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: October 22, 2019 – REVISED

| | | | | |
|---|-----|-------------------------------------|-----|-------------------------------------|
| Public Hearing Required | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Scheduled Public Hearing w/Clerk | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Published Notice Required | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Advertised Published Notice | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Meet & Confer Required | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Electronic file(s) has been sent | Yes | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| Budget Transfer (Aud 308) attached | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Personnel Resolution attached | Yes | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) | Yes | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |

CONTACT PERSON: Amy Story PHONE: (559) 735-1533

SUBJECT: Approve an Agreement with BI, Incorporated

REQUEST(S):

That the Board of Supervisors:

1. Approve an Agreement with BI, Incorporated in an amount not to exceed \$350,000 for electronic monitoring services for adult probationers, retroactive from July 1, 2019 through June 30, 2020. The Agreement is retroactive due to extended negotiations, making it impractical for the Board to take action prior to July 1, 2019 due to the time needed to process, prepare, and submit the Agenda Item;
2. Find that the Board had the authority to enter into the proposed Agreement as of July 1, 2019, and that it was in the County's best interest to enter into the Agreement on that date; and
3. Authorize the Chairman to sign three (3) copies of the Agreement.

SUMMARY:

Since 2000, BI, Incorporated has provided traditional compliance monitoring services to a population of non-violent, low-to-medium risk offenders. Services include, but are not limited to: monthly office check-ins; monitoring payment of fines, fees, and victim restitution; drug/alcohol testing; and ensuring participation in Court-ordered

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treatment and community service programs. The electronic monitoring program through BI, Incorporated, allows qualified offenders to live with and care for their families, remain in school and/or maintain employment while serving custody time independent of a jail facility. Defendants sentenced by the Court voluntarily apply through the Probation Department to be granted the opportunity to participate. Participants must voluntarily agree to wear an electronic monitoring device and abide by the terms and conditions of the program. Electronic monitoring options include Global Positioning (GPS) and Transdermal Alcohol Device (TAD) monitoring. The fees for voluntary electronic monitoring services are paid by the offender. During FY 2018-2019, 1,282 offenders participated in the traditional electronic monitoring program.

BI Incorporated provides a second service that involves compliance monitoring to a population of non-violent, low to medium risk adult probationers. Services include but are not limited to: monthly office check-ins; monitoring the payment of, fees; drug and alcohol testing; and ensuring participation in Court ordered treatment and community service programs. During FY 2018-2019, BI provided compliance monitoring services to 457 low to medium risk offenders. Compliance monitoring services are paid by the offender at a flat rate of fifty (50) dollars per monthly visit.

In addition to the services above, the Probation Department rents Global Positioning (GPS) and Transdermal Alcohol Device (TAD) equipment from BI Incorporated in order to operate a County funded and operated monitoring service. The cost for this expanded electronic monitoring service is offset by Assembly Bill (AB) 109 funding.

In August 2018 Senate Bill (SB) 10 was signed into law that repealed existing law effective October 1, 2019. This bill authorized a change to California's pretrial release system from a money-based system to a risk-based release and detention system. SB 10 assumes that a person will be released on his/her own recognizance with the least restrictive nonmonetary condition or combination of conditions that will reasonably assure public safety and the defendant's return to Court. Because of this, it is anticipated that there will be more offenders released on electronic monitoring services for FY 2019-2020. The Probation Department does not have a reliable forecast to estimate the increase of people served under this law, and therefore it is unclear on the expansion needs of this service.

The following terms deviate substantively from the County's boilerplate: either party may terminate the Agreement without cause upon 90-days written notice.

FISCAL IMPACT / FINANCING:

The Agreement with BI, Incorporated for electronic monitoring services for adult probationers, from July 1, 2019 through June 30, 2020, is estimated to cost \$350,000 for FY 2019-2020, which will be paid by AB 109 funds and the remaining service expenses will be paid by the offenders. The total expense and revenue have been included in the Probation Department's approved budget for FY 2019-2020. There

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is no additional net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic business plan includes the Safety and Security initiative. The Public Safety Realignment Act and the electronic monitoring program support the goal of promoting personal responsibility and public safety.

ADMINISTRATIVE SIGN-OFF:



Michelle Bonwell
Chief Probation Officer

Cc: County Administrative Office (2)

Attachment(s): Three (3) Copies of Agreement with BI, Incorporated

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH BI, INCORPORATED) Resolution No. _____
) Agreement No. _____
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK OF THE BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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