



**District Attorney  
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:** March 24, 2020

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: Dan Underwood    PHONE: 636-5494

**SUBJECT:** Approve a Memorandum of Understanding

**REQUEST(S):**

That the Board of Supervisors:

1. Approve a Memorandum of Understanding between the Office of the Tulare County District Attorney, Tulare County Sheriff's Office, Tulare County Health & Human Services Agency/Child Welfare Services, Tulare County Probation Department, Family Services of Tulare County, and identified Human Trafficking Task Force non-Tulare County agencies, retroactive to January 1, 2020 through September 30, 2022. This Memorandum of Understanding is retroactive due to additional content changes between the parties of this Memorandum of Understanding;
2. Find that the Board had authority to enter into the proposed Memorandum of Understanding as of January 1, 2020, and that it was in the County's best interest to enter into the agreement on that date;
3. Authorize the Chairman of the Board of Supervisors to sign the Memorandum of Understanding; and
4. Authorize the District Attorney, Sheriff-Coroner, Tulare County Health & Human Services Agency Director, and the Chief Probation Officer to sign the Memorandum of Understanding.

**SUMMARY:**

On January 7, 2020, your Board approved a Memorandum of Understanding (MOU) between the agencies of the Tulare County Human Trafficking Task Force (HT Task Force), retroactive to January 1, 2020 through September 30, 2022, as Agreement

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No. 29532 (Resolution No. 2020-1086). These partner agencies include four County departments: Tulare County District Attorney's Office, Tulare County Sheriff's Office, Tulare County Health & Human Services Agency, Child Welfare Services, and Tulare County Probation Department; three local law enforcement agencies: Porterville Police Department, Tulare Police Department, and Visalia Police Department; two nonprofit agencies: Family Services of Tulare County and Central California Family Crisis Center; and four federal agencies: Federal Bureau of Investigation, Immigration & Customs Enforcement/Homeland Security Investigations, United States Attorney's Office, and United States Department of Labor/Wage and Hour Division. The HT Task Force is chaired by Assistant District Attorney Robert Dempsie.

Since your Board approved the MOU, one of the participating agencies has requested some changes to its language before they will agree to sign the MOU. Because Agreement No. 29532 was never fully executed, the District Attorney's Office is presenting a new MOU to the Board for approval and signature that includes these requested changes, so all the agencies that are part of the HT Task Force will sign the MOU.

Efforts of the Task Force are partially funded by the United States Department of Justice, Bureau of Justice Assistance (BJA) through its 2019 Enhanced Collaborative Model to Combat Human Trafficking grant. The District Attorney's Office was awarded this grant funding and your Board accepted it on November 19, 2019, as Agreement No. 29485 (Resolution No. 2019-0965). The BJA requires an MOU outlining the commitment between all participating agencies, and signed by their respective department heads.

The following terms deviate substantively from the standard County boilerplate: (1) consistent with federal law, the federal agencies that are parties to the MOU are not considered independent contractors of the County; 2) consistent with federal law, these agencies do not agree to the County's workers' compensation requirements; 3) the MOU requires mutual indemnification, although the federal agencies that are parties to the MOU can be indemnified, they are not required to indemnify any of the other agencies; 4) to the extent in which federal agencies may be liable under the MOU is controlled by relevant federal laws and policies; (5) the County and any other party to the MOU may terminate the MOU upon thirty (30) days prior written notice and with the consent of the BJA; and (6) because the MOU requires approval from multiple external agencies, the County will be signing first, in counterparts.

**FISCAL IMPACT/FINANCING:**

The HT Task Force will be utilizing existing County resources such as staff time, travel reimbursements, facilities, and supplies that have been included in the Fiscal Year (FY) 2019/20 adopted budget, and will be budgeted in subsequent fiscal years of the agreement period through FY 2022/23. Approval of this MOU, describing the commitment between agencies participating on the HT Task Force, and including the signatures of their respective department heads, is required by BJA. The MOU does not include additional net County cost to the General Fund.

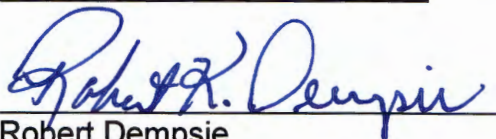
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**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year Strategic Business Plan and Management System include Safety and Security initiatives to provide for the safety and security of the public. The HT Task Force strives to collaboratively combat human trafficking crimes, ultimately bringing these criminals to justice.

**ADMINISTRATIVE SIGN-OFF:**



Robert Dempsie  
Assistant District Attorney

cc: County Administrative Office

Attachment(s) Tulare County Human Trafficking Task Force Memorandum of Understanding

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

IN THE MATTER OF APPROVE A )  
MEMORANDUM OF UNDERSTANDING ) 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, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

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