

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE SISKIYOU COUNTY SUPERIOR COURT
AND THE SISKIYOU COUNTY PROBATION DEPARTMENT FOR FUNDING OF EXPANDED
AND RESTORED SERVICES FOR PRETRIAL RELEASE PROGRAM**

This Memorandum of Understanding (“Agreement”) is effective as of July 1, 2021. This Agreement is between the Superior Court of California, County of Siskiyou (“COURT”), and the County of Siskiyou, a Political Subdivision of the State of California, through its Probation Department (“PROBATION DEPARTMENT”). Probation Department is deemed to be one party under this Agreement and the Court is the other party.


1. The Court has been awarded a one-time allocation from the Judicial Council of California (JCC) to implement an expanded and restored Pretrial Release Program. The Court has also been awarded ongoing funding to support the operation of the Pretrial Release Program. It is anticipated that the ongoing funding will be provided in perpetuity.
2. The Court will provide funding to reimburse the Probation Department for increased staff costs and other expenditures, including equipment and/or software incurred to expand pretrial release services and to restore previously cut services to the existing pretrial release program. Attached to this agreement as “Attachment A” is a copy of the plan for the expansion and restoration of pretrial release services.
3. The Court will provide the Probation Department a portion of all funding the Court receives from the Judicial Council of California for Pretrial Release Programs. The Court will provide:
 - a. One-time funding of \$140,000 which will be provided to support initial implementation of the expansion and restoration of the pretrial release program. This funding will be provided on a reimbursement basis and must be invoiced by the Siskiyou County Probation Department to the Court, with final invoicing to occur on or no later than May 1, 2023, and a final end date of June 30, 2024.
 - b. Annual ongoing funding of \$140,000 per fiscal year with a possibility to go up to \$180,000 depending on the Court’s budget usage, beginning Fiscal Year 2021/2022, to operate the expanded and restored pretrial release program. Fiscal years run July 1 to June 30 of each year. The agreement will auto renew upon allocation of funds to the Court.
4. Attached to this Agreement is “Attachment B” which is a copy of the budget, entitled “Budget Detail Sheet,” submitted by the Probation Department to the Court, and then to the JCC that specifies the amounts that the Court will reimburse the County for staffing and other expenditures pursuant to the requirements established by the JCC. Beginning February 1, 2022, the Probation Department may invoice the Court for pretrial release staffing costs and expenditures incurred on or after July 1, 2021, for the expanded and restored pretrial release program. The Court will reimburse the Probation Department within 30 days of the date of submittal.
5. This agreement shall be subject to review annually following adoption of the State Budget and the Pretrial Services allocations made by the Judicial Council of California to the Court. The agreement will auto renew upon allocation of funds to the Court.
6. Either party may request amendment to this agreement by written notice to the other party. Either party may terminate this agreement for convenience with 90-day written notice to the other party. Further, this agreement is subject to an appropriation of funds to the Court. Should the Judicial

Council modify or eliminate Pretrial Release Program funding, the Court may terminate this agreement with 30-day notice.

- 7. The body of this Agreement (inclusive of attachments) fully expresses all understandings, promises, and agreements of the parties concerning any or all matters set forth herein. No additions, alterations, modifications, or amendments to any term of this Agreement, whether by written or verbal understanding of the parties, their officers, employees, or agents, shall be valid and effective unless made in the form of a written Amendment to this Agreement executed by the parties authorized in this Agreement.
- 8. On behalf of the Court, the Court Executive Officer is authorized to execute this Agreement. On behalf of the Probation Department, the County Administrative Officer and/or Chief Probation Officer are authorized to execute this Agreement.

The parties hereto have caused this Memorandum of Understanding to be executed and attested by the proper officers and it shall be effective as of July 1, 2021.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SISKIYOU**

DocuSigned by:

 By: _____
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 Renee McCanna Crane
 Court Executive Officer

Date: 2/22/2022

COUNTY OF SISKIYOU

ATTEST:
 LAURA BYNUM
 Clerk, Board of Supervisors
 By _____
 Deputy

By: _____ Date: _____
 Brandon A Criss, Chair
 Board of Supervisors

DocuSigned by:

 By: _____
 ACD2A0E7EF0B4C9...
 Mike Coley
 Chief Probation Officer

Date: 2/22/2022

Accounting				
Fund	Org	Account	Act Code	
1001	203050	540800	TBD	\$140,000.00

Attachment A

In fiscal year 2021-22 Siskiyou's plan is to enhance and restore services to our Pretrial Release Program.

The Purpose and General Principles of the Pre-Trial Release/Supervision Program

The purposes of the Pre-trial Release/Supervision Program (PSP) include, but are not limited to:

- Ensuring due process for those accused of a crime
- Maintaining the integrity of the judicial process by encouraging the defendant's appearance for trial and hearings
- Protecting victims, witnesses and the community from threat, danger or interference
- Managing the jail population
- Making decisions based on Evidence Based Practices and utilizing the VPRAI assessment instrument

The judge or judicial officer decides whether to:

- Release a defendant on their own recognizance under supervised release with specific terms and conditions
- Deny release and set the appropriate bail
- Release a defendant on their own recognizance without supervision

Pre-trial Release/Supervision Program will provide information to assist the Court in:

- Making release/detention decisions
- Provide monitoring and supervisory services in cases involving certain released defendants
- Perform other functions as agreed upon

Legal precedents favor the release of defendants pending adjudication of charges. While the main purpose of a pre-trial program is to assure "due process" and uphold the 14th amendment, a well developed pre-trial program has the added benefit of preventing county jails from exceeding rated capacity and preventing the myriad of crisis that arise with over population.

With SB 129 funding, the Pre-trial Release/Supervision Program can be restored and enhanced by adding adequate staffing. Probation is proposing different options for funding to be utilized, and programming to be enhanced.

In considering what is needed to fully utilize funding, some components will need to be restored, and some components will be added to enhance the program for better outcomes. Below is a breakdown of both categories:

Restoration:

- Officer presence for arraignments
- Pre-arraignment release
- Regular progress reports and violation reports
- Multi-level supervision
- Case management

Enhancement:

- Technological
 - o Smart Link
 - o Virtual communication and supervision – both in and out of custody
- Transportation
- Lodging
- Supportive care services
- Case management

Main Goals

Goal Activity Measurement/Outcome

Increase Court Attendance by Offender

- Transportation Assistance
- Housing assistance
- Increased Technology
- Reduced FTA's
- Reduced Court appearances
- Timely Case Resolutions

Reduce Pre-trial Criminal Behavior

- Increased Supervision
- Increased Case Management
- Services Rendered
- Reduced Criminal Behavior
- Timely Case Resolutions
- Reduction of Petitions Filed

Pre-arraignment Release

- Weekend Assessments
- Reduction of releases due to overcrowding
- Low risk offenders released timely
- Evidence Based release decisions

Increase Supervision / Case Management

- Transportation Assistance
- Housing assistance
- Increased Technology
- Increased Court Attendances
- Reduction in Homelessness
- Reduction in Criminal Behavior

Increase Staff Presence in Court

- Officer Present at Arraignment
- Improved Communication
- Reduced FTAs at Probation

Attachment D – Pretrial Service Provider budget detail sheet (Ongoing Funding)

PRETRIAL SERVICE PROVIDER NAME: Probation Department
 FISCAL YEAR: Year 1 (July 1, 2021, to June 30, 2022)

PERSONNEL SALARIES AND FRINGE BENEFITS		
Position	Computation = Yearly Salary (include benefits) x FTE	Cost
	JAIL UNIT (please insert name of department)	
		\$ -
	SUPERVISION UNIT	
PROBATION RESOURCE OFFICER	\$90,000 X 1.0 FTE	\$ 85,000
DPO - STANDBY (SATURDAY ON-CALL)	\$100/WEEKEND DAY X 52 WKS	\$ 5,200
DPO - OVERTIME (RESPONSE TO JAIL FOR ASSESS)	\$38.64X APPROX 8HRX52 WKS	\$ 16,000
PROBATION AIDE	18.22 X 275 HRS	\$ 5,000
	ADMINISTRATION UNIT	
PERSONNEL & FRINGE BENEFITS TOTAL		\$ 111,200.00

OPERATING EXPENSES		
TRAVEL (include location, number of travelers, etc)		
Purpose of Event	Computation	Cost
TRANSPORTATION	APPROX \$100 PER WEEK X 52	\$ 5,200.00
LODGING	APPROX 140 DAYS X \$70/DAY	\$ 10,000.00
MONITORING	APPROX \$540/MONTH	\$ 6,500.00
CELL PHONE/PHONE CARD	APPROX \$100 PER PHONE X 3 - \$45/CARD/MONTH (3 OFFENDERS)	\$ 900.00
SUPPORT AND CARE (GIFT CARDS/INCENTIVES)	MISC GIFT CARDS AMOUNTS FOR FUEL, FOOD, CLOTHES, INCENTIVES	\$ 5,000.00
Drug Testing supplies		\$ 200.00
TRAVEL TOTAL		\$ 27,800.00

EQUIPMENT (minor and major equipment)		
Item Description	Computation	Cost
VEHICLE MAINT	COUNTY COST ALLOCATION	\$ 1,000.00
EQUIPMENT TOTAL		\$ 1,000.00

SUPPLIES (expendable items such as office supplies, training materials, etc.)		
Item Description	Computation	Cost
SUPPLIES TOTAL		\$ -
Other Costs (including subcontractors and consultants - necessary project costs not included above)		
Item Description	Computation	Cost
Monitoring		
Consultants/Contractors		
OTHER COSTS TOTAL		\$ -
OPERATING EXPENSE TOTAL		\$ 28,800.00
PROJECT TOTAL (YEAR ONE)		\$ 140,000.00