# 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 CALIFOR COUNTY OF SISKIYOU  Kence McCanna (rane  By:8E3EB91B454A452	2/22/2022 Date:
Reneé McCanna Crane	
Court Executive Officer	
COUNTY OF SISKIYOU	
ATTEST: LAURA BYNUM Clerk, Bosodof Supervisors By Wundy Winningham CEFDERAUTS6444	By: Brandon Pate: 13/17/2022  Brandon Activities, Chair  Board of Supervisors
By:ACD2A0E7EF0B4C9	2/22/2022 Date:
Mike Coley Chief Probation Officer	
Accounting Fund Org Account Act Co 1001 203050 540800 TBD	ode \$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 B

8-	Attachment D Pretrial Service Provider budget detail sheet (One -time Funding)
PRETRIAL SERVICE PROVIDER NAME:	Probation Department
FISCAL YEAR:	Year 1 (July 1, 2021, to June 30, 2022)

Position	Computation = Yearly Salary (include benefits) x FTE	Cost	
rosition	JAIL UNIT (please insert name of department)		
		\$	26
	SUPERVISION UNIT		
NEW STAFF HIRING COST	PSYCH/PHYSICAL	\$	1,00
NEW STAFF HIRING COST			
	ADMINISTRATION UNIT		
		NO N	
	PERSONNEL & FRINGE BENEFITS TOTAL	\$	1,000.
OPERATING EXPENSES	3.000000000		
TRAVEL (include location, number of travelers, etc)			
Purpose of Event	Computation	Cost	
NEW STAFF TRAINING	CORE REGISTRATION/HOUSING/MEALS	\$	8,000.0
LODGING	APPROX 125 DAYS X \$70/DAY	\$	8,750.0
NEW HIRE EQUIPMENT	VEST/GUN/SAFETY EQUIP/RADIO	\$	5,000.
NEW TIME EQUILIBRIUM			
	TRAVEL TOTAL	\$	21,750.
	TRAVEL TOTAL	s	21,750.
EQUIPMENT (minor and major equipment)	TRAVEL TOTAL	200 201	21,750.
EQUIPMENT (minor and major equipment)	Computation	Cost	10520
Item Description		Cost \$	3,400
Item Description DELL LAPTOPS	Computation	Cost \$	3,400 4,000
Item Description  DELL LAPTOPS  WIRELESS ACCESS/TECHNOLOGY/LICENSES	Computation \$620 X 4	Cost \$	<b>21,750.</b> 3,400. 4,000. 35,000.
Item Description DELL LAPTOPS	Computation \$620 X 4	Cost \$	3,400 4,000
Item Description  DELL LAPTOPS  WIRELESS ACCESS/TECHNOLOGY/LICENSES	Computation \$620 X 4	Cost \$	3,400 4,000
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Item Description  DELL LAPTOPS  WIRELESS ACCESS/TECHNOLOGY/LICENSES	Computation \$620 X 4	Cost \$	3,400 4,000

SUPPLIES (expendable items such as office supplies, trainin	Computation	Cost	
Item Description		\$	500.0
OFFICE SUPPLIES		s	2,000.0
DESKTOP COMPUTER			
	SUPPLIES TOTAL	¢	2,500.0
	SUPPLIES TOTAL		2,300.
Other Costs (including subcontractors and consultants - ne	cessary project costs not included above)	Cost	
Item Description	Computation	Cost	
Monitoring			
Consultants/Contractors			
CONSULATES/CONTRACTORS			
	OTHER COSTS TOTAL	\$	
	OPERATING EXPENSE TOTAL		66,650.
			100
	PROJECT TOTAL (YEAR ONE)	\$	67,650.0

-	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)

Dealthan	Computation = Yearly Salary (include benefits) x FTE	Cost	
Position	JAIL UNIT (please insert name of department)		
	JAIL ONLY (prease insert name of department)		
		<u></u>	
		\$	
	SUPERVISION UNIT		
PROBATION RESOURCE OFFICER	\$90,000 X 1.0 FTE	\$	85,0
DPO - STANDBY (SATURDAY ON-CALL)	\$100/WEEKEND DAY X 52 WKS	\$	5,2
DPO - OVERTIME (RESPONSE TO JAIL FOR ASSESS	\$38.64X APPROX 8HRSX52 WKS	\$	16,0
PROBATION AIDE	18.22 X 275 HRS	\$	5,0
	ADMINISTRATION UNIT		
		4, 800	
	PERSONNEL & FRINGE BENEFITS TOTAL	\$	111,200
OPERATING EXPENSES TRAVEL (include location, number of travelers, etc)			
Purpose of Event	Computation	Cost	
	APPROX \$100 PER WEEK X 52	\$	5,200
TRANSPORTATION	APPROX 140 DAYS X \$70/DAY	\$	10,000
LODGING	APPROX \$540/MONTH	\$	6,500
MONITORING	APPROX \$100 PER PHONE X 3 - \$45/CARD/MONTH (3 OFFENDERS)	\$	900
CELL PHONE/PHONE CARD	MISC GIFT CARDS AMOUNTS FOR FUEL, FOOD, CLOTHES, INCENTIVES	\$	5,000
SUPPORT AND CARE (GIFT CARDS/INCENTIVES)	MISC GIFT CARDS AMOUNTS FOR FUEL, FOOD, CEOTTLES, INCENTIVES	\$	200
Drug Testing supples			200
	TRAVEL TOTAL	\$	27,800
EQUIPMENT (minor and major equipment)			
Item Description	Computation	Cost	
VEHICLE MAINT	COUNTY COST ALLOCATION	\$	1,000
			1,00

SUPPLIES (expendable items such as office supplies, training r	Computation	Cost	
tem Description			
	SUPPLIES TOTAL	Ġ	
	SUPPLIES TOTAL	-	200
Other Costs (including subcontractors and consultants - nece	ssary project costs not included above)		
Item Description	Computation	Cost	
Monitoring			
Montoring			
		4	
Consultants/Contractors			
	OTHER COSTS TOTAL	\$	
	OTHER COSTS TOTAL	-	
	ODERATING SURFACE TOTAL	¢	28,800
	OPERATING EXPENSE TOTAL	7	20,000
	PROJECT TOTAL (YEAR ONE)		140,000.0