



# Mendocino County

## Legislation Text

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**File #:** 24-0631, **Version:** 1

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**To: BOARD OF SUPERVISORS**

**From:** Probation

**Meeting Date:** June 25, 2024

**Department Contact:** Katie F. Ford

**Phone:** 707-234-6910

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Approval of Memorandum of Understanding (MOU) with the Superior Court of California, County of Mendocino ("Court") for the Administration of the Pretrial Services Program for the County of Mendocino for the Period of July 1, 2024 through June 30, 2027; and Authorization for Mendocino County Probation to Receive from the Court Reimbursement for Associated Expenses Up to \$200,000 in Fiscal Year 2024-25 and State Allocated Amounts to be Determined for Fiscal Years 2025-26 through 2026-27 for Ongoing Program Costs

**Recommended Action/Motion:**

Approve the Memorandum of Understanding (MOU) with the Superior Court of California, County of Mendocino ("Court") for the administration of the Pretrial Services Program for the County of Mendocino for the period of July 1, 2024 through June 30, 2027; authorize the Mendocino County Probation Department to receive from the Court reimbursement for associated expenses up to \$200,000 in Fiscal Year 2024-25 and State allocated amounts to be determined for Fiscal Years 2025-26 through 2026-27 for ongoing program costs; authorize the Chief Probation Officer to administer the Pretrial Services Program in coordination with the Court; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

On April 5, 2022, the Board of Supervisors approved the MOU with the Superior Court of California, County of Mendocino to implement and administer a Pretrial Service Program for the County of Mendocino for the period of July 1, 2021 through June 30, 2024 and authorized Mendocino County Probation to receive from the court reimbursement for associated expenses for partial start up costs as well as annual State allocated funds for ongoing program costs and authorized the Chief Probation Officer to administer the Pretrial Services Program in coordination with the court.

**Summary of Request:**

Senate Bill 129 (Stats. 2021, ch. 69), amending the Budget Act of 2021, provides 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." SB 129 appropriates \$70 million in ongoing funding to the Judicial Council of California (Judicial Council) for distribution to the courts for these purposes.

The purpose of the funding, as specified in SB 129, 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.

Funding allocations were based on two (2) categories. 1) one-time funding for non-Pretrial Pilot Program Courts; this funding sources expires on June 30, 2024; and 2) ongoing funding for all superior courts based on each county's relative proportion of the state population ages 18 to 25. This funding has a minimum funding floor of \$200,000. Mendocino County's allocation is \$200,000.

As outlined by the Legislature, these funds are to be used by the courts and the county probation department (or other county departments other than those that have primary responsibility for making arrests or prosecuting criminal offenses) with which they contract for services for pretrial programs and practices; and specifies various allowable costs that funding may be spent on.

While each court may retain up to 30 percent of the funding for costs associated with pretrial release programs and services, the MOU with the Court allocates 100 percent of the funding costs to Mendocino County Probation.

**Alternative Action/Motion:**

Return to staff for alternative handling.

**Strategic Plan Priority Designation:** A Safe and Healthy County

**Supervisory District:** All

**Vote Requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** SB 129 funds through Mendocino County Superior Court

**current f/y cost:** \$200,000

**budget clarification:** State Revenue

**annual recurring cost:** \$200,000

**budgeted in current f/y (if no, please describe):** Yes

**revenue agreement:** Yes

**AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL:** Yes

**CEO Liaison:** Executive Office

**CEO Review:** Yes

**CEO Comments:**

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Executed By: Atlas Pearson, Senior Deputy Clerk

Date: June 25, 2024

Final Status: **Approved**

Executed Item Type: Agreement

Number: 24-101

