



Mendocino County

Legislation Text

File #: 21-0600, Version: 1

To: Board of Supervisors

From: Sheriff-Coroner

Meeting Date: May 25, 2021

Department Contact: Matthew Kendall

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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approval of Retroactive Second Amendment to BOS Agreement 19-133 with the Department of State Hospitals in the Amount of \$117,177 for a New Agreement Total of \$1,367,536 for a Jail Based Competency Treatment Program for the Mendocino County Sheriff's Office Jail with a New Term End Date of June 30, 2021

Recommended Action/Motion:

Approve Retroactive Second Amendment to BOS Agreement 19-133 with the Department of State Hospitals in the amount of \$117,177 for a new agreement total of \$1,367,536 for a Jail Based Competency Treatment Program for the Mendocino County Sheriff's Office Jail with a new term end date of June 30, 2021; authorize Chair to sign same.

Previous Board/Board Committee Actions:

The Board approved Agreement 19-133 and Resolution 19-174 on May 7, 2019. The Board approved Amendment 1 on April 6, 2021.

Summary of Request:

On May 1, 2019, the Sheriff's Office entered into an agreement with the Department of State Hospitals for the Sheriff's Office Jail to administer the delivery of Jail Based Competency Treatment (JBCT) Program services for inmates. BOS Agreement 19-133 states DSH compensates MCSO at the rate of \$29,294.25 per patient inmate. The Agreement is for two years and will not exceed \$898,828. The Agreement includes a \$20,000 startup fee.

Currently, a hearing occurs, and a psychological evaluation occurs when an attorney declares a doubt, under Penal Code section 1368, as to their clients' mental competence. If a psychologist finds that the client is incompetent, the court case is suspended, and the client is sent to a State hospital to undergo competency training. The lack of beds at the hospitals creates a waiting list, which causes the inmate to stay at the jail until a hospital bed is available. This process can take up to six months. The delay has a significant impact on the jail operations. In most cases, these inmates are severely mentally ill and require an inordinate amount of time to manage them.

The JBCT Program is designed to reduce or eliminate the need for the State Hospital System to perform this process and to minimize the wait time that inmates have to wait to receive treatment. The State funds the

counties to provide the JBCT Program. Having this program in our County means that the entire process is streamlined, fiscally prudent for the State and the County, more humane for the inmate, and the court process is more timely and efficient.

The JBCT Program has been very successful at the Mendocino County Jail. On April 4, 2021, the Board approved an amendment that adds \$351,531 of DSH funds to the current JBCT program to support more admissions through April 30, 2021.

In late April 2021, DSH decided to extend the current JBCT Program's term end date from April 30, 2021, to June 30, 2021, and to increase funding by \$117,177. This Amendment allows more time to work on the new JBCT contract. The Sheriff's Office is requesting that the Board approve this Amendment to allow the County to accept the additional \$117,177 of DSH funds to support more admissions through June 30, 2021.

The Amendment presented to the Board has a "draft" watermark because DSH is routing the Agreement on their end. DSH will not be able to send the final version for the County routing process for another 2-3 weeks. Since this Amendment is supposed to start on May 1, 2021, and end on June 30, 2021, the Sheriff's Office does not have enough time to wait for their final version. DSH provided us the contract with the "draft" watermark so that MCSO can start the routing process and bring the Amendment to the Board in a timely manner. Due to negotiations of the Agreement extension, this Amendment is being presented for retroactive consideration.

Alternative Action/Motion:

Return to staff for alternative handling.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: n/a

Fiscal Details:

source of funding: Department of State Hospitals

current f/y cost: \$439,323.75 revenue

budgeted in current f/y: Yes

if no, please describe: DSH initiated Amendment in April 2021

annual recurring cost: \$384,384.00 in JBCT-Naphcare revenue agreement: N/A
Services

budget clarification: Original agreement of \$898,828 over two years in revenue, DSH added \$351,531 to this year with the contract term ending on 4/30/2021 to support more admissions. DSH is adding \$117,177 to this year and extending the contract until 6/30/2021 to allow more time to negotiate new contract.

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Cherie Johnson, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: May 28, 2021

Final Status: Approved

Executed Item Type: Agreement Number: 19-133-A2

Note to Department Number of Original Agreements
Returned to Dept: 0 Original Agreement Delivered to Auditor?
No

