



Mendocino County

Legislation Text

File #: 19-0294, **Version:** 1

To: Board of Supervisors

From: Sheriff-Coroner

Meeting Date: May 7, 2019

Department Contact: Thomas D. Allman

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Department Contact: Timothy Pearce

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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approval of Retroactive Revenue Agreement with the Department of State Hospitals in the Amount of \$898,828 for a Jail Based Competency Training Program for the Mendocino County Sheriff's Office Jail for the Term of May 1, 2019 through April 30, 2021; and Adoption of Resolution for Authorizing the Chair to Sign the Agreement

Recommended Action/Motion:

Approve retroactive Revenue Agreement with the Department of State Hospitals in the amount of \$898,828 for a jail based competency training program for the Mendocino County Sheriff's Office Jail for the term of May 1, 2019 through April 30, 2021; and adopt Resolution authorizing the Chair to sign the Agreement; authorize the Sheriff or designee to sign any future amendments to the Agreement that do not affect the maximum Agreement Amount; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

None.

Summary of Request:

The present jail based competency training (JBCT) program provides services to misdemeanor inmates that have been determined to be incompetent to understand their court proceedings. It has been a very successful program. The Department of State Hospitals has expanded the opportunities for counties to provide the same service to inmates charged with a felony.

Currently, a hearing takes place 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 can take up to six months. All the while, they languish and at times decompensate in jail. This process 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. Currently, the County has fifteen inmates waiting for placement at a State Hospital and ten currently in a State Hospital.

The JBCT is designed to reduce or eliminate the need for the State Hospital System to perform this process. The State in turn is funding the county to perform this training. JBCT also eliminates the inmate from having to wait long periods of time for a bed to open at a State Hospital. Having this program in our county means that the entire process is streamlined, fiscally prudent for the State and county, more humane for the inmate, and the court process is more timely and efficient.

The Department of State Hospitals will require the following in the Agreement:

The County shall administer the delivery of JBCT program services including, but not limited to:

1. Provide restoration of competency treatment services to patient inmates referred and admitted to the JBCT program;
2. Provide board and care for patient inmates referred and admitted to the JBCT program;
3. Provide routine and non-routine medical care for patient inmates referred and admitted to the JBCT program; and
4. Provide any administrative services required to provide services under this Agreement.

The County will be compensated \$29,294.25 per inmate. The agreement is for two years and will not exceed \$898,828.00. The State will also pay up to \$20,000.00 for startup costs.

Alternative Action/Motion:

Return to staff for alternate handling.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: n/a

Fiscal Details:

source of funding: Dept. of State Hospitals

current f/y cost: \$449,414 revenue

annual recurring cost: \$449,414 revenue

budgeted in current f/y: Yes

if no, please describe:

revenue agreement: Yes

budget clarification: \$20,000 startup fees & \$898,828 over 2 years, revenue, from Dept. of State Hospitals.

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Janelle Rau, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Lindsey Dunham, Deputy Clerk I

Date: May 8, 2019

Final Status: **Adopted**

Executed Item Number: **Resolution** Number:
19-174 AND **Agreement** *19-133

Note to Department Number of Original Agreements

Returned to Dept: 5 Original Agreement Delivered to Auditor?

No

