



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 11/5/2024

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Sonoma County Sheriff's Office
Staff Name and Phone Number: Tory Callaway, (707) 565-2872
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Agreement for Electronic Monitoring Program Services and Program Policy Review

Recommended Action:

- A) Authorize the Sheriff-Coroner to execute an Agreement with BI Incorporated to operate an electronic monitoring program for incarcerated adults effective November 1, 2024, through October 31, 2027, with two one-year extension options, for a total not-to-exceed amount of \$600,000.

- B) Receive and complete the annual review of the administrative policy for the Sheriff's Electronic Monitoring Program (EMP) to comply with electronic monitoring program regulations as required by Penal Code 1203.016, 1203.017 and 1203.018.

Executive Summary:

The Sheriff's Electronic Monitoring Program (EMP) serves as a cost-effective detention alternative for Sonoma County to manage its adult jail population by lawfully offering a voluntary home detention alternative to eligible low/moderate risk adult incarcerated individuals in lieu of serving time in a detention facility as no cost to the participant. The Sheriff's Office requests authority to enter into an Agreement with BI Incorporated to provide EMP services.

Additionally, the Sheriff is requesting the Board of Supervisors perform its annual review of the rules, regulations, and administrative policy of the Sheriff's Electronic Monitoring Program. There have been no revisions to the Policy since the Board's last review.

Discussion:

EMP Program

Penal Code 1203.016(b) states that "The board of supervisors, in consultation with the correctional administrator, may prescribe reasonable rules and regulations under which a home detention program may operate." In 2011, as part of the County's Community Corrections Partnership Plan, the Board of Supervisors authorized the Sheriff as the correctional administrator to offer a home detention program in lieu of incarceration in the County's detention facilities to pre-trial individuals who meet Program eligibility criteria. The Sheriff's program, called the Electronic Monitoring Program (EMP), provides a cost-effective detention alternative for offenders who might otherwise be incarcerated at much greater expense. The Program helps the offender population by keeping them in the community, allowing them to work, provide for their families, receive care from their own providers, and engage with their personal support systems. It also

helps Sonoma County manage its jail population and provides enhanced public safety via continuous monitoring of offenders in the community.

The Sheriff uses a contractor to provide EMP services, including the equipment, drug tests, and home visits needed to administer the Program. In FY 23-24, 6,364 bed days (valued at approximately \$1,888,262) were saved as a result of the EMP.

The Sonoma County Probation Department also sponsors an electronic monitoring program for their clients, separate from the EMP managed by the Sheriff's Office for incarcerated adults. Probation uses electronic monitoring to assist in supervising probationers and for defendants released from incarceration during the pre-adjudication (pre-trial) period.

Policy Review

The second requested action pertains to the annual requirement for the Board to review the Sheriff's EMP Policy. Penal Codes 1203.016(d)(1), 1203.017(d)(1), and 1203.018(e) state that "The rules and regulations and administrative policy of the program shall be written and reviewed on an annual basis by the county board of supervisors and the correctional administrator." There have been no revisions to the Detention Alternatives Electronic Monitoring Program Policy since the Board's last review on December 12, 2023.

Proposed Agreement

Background: The Sheriff's Office has contracted with BI Incorporated (BI) to provide EMP services since 2014 through the RFP process.

Request for Proposals: In March 2024, the Sonoma County Sheriff's Office and the Probation Department jointly issued another request for proposals from vendors interested in providing electronic monitoring equipment and services. The following four organizations submitted proposals:

- Track Group, Inc., an Illinois corporation
- CorrectiveSolutions, a Delaware corporation with an office in Santa Rosa
- SCRAM of California, an S corporation based in San Diego
- BI Incorporated, a Colorado corporation, which currently operates Sonoma County's electronic monitoring services

Proposals were rated by a committee of representatives from the Sheriff's Office and the Probation Department. Criteria used in rating proposals included qualifications and experience, program services, and cost of service.

While each proposal offered services generally responsive to the request for proposals, BI Incorporated offered several advantages to Sonoma County, including producing its own equipment, an ample level of staffing, extensive experience providing the proposed services in multiple counties throughout California, documented 24/7 service with fast response times, and an unlimited allowance for lost and damaged equipment as well as spare equipment. Importantly, BI submitted the lowest rates of the four proposals, and BI's proposed prices are also below its current pricing.

Based on its review, the evaluation committee recommended awarding the electronic monitoring services

contract to BI Incorporated.

Approval of the proposed Agreement with BI will allow the Sheriff's Office to continue its electronic monitoring operations, thereby reducing unnecessary incarceration and its associated costs. EMP helps manage the jail population by providing the Court a safer option to allow defendants to remain in the community while awaiting adjudication. While in the community, monitored individuals can maintain their jobs, meet family obligations, and be contributing community members.

Funding: With passage of AB 1869 in October 2021, the Sheriff's EMP was changed from a participant-pay program to an agency-pay model. The State appropriated \$65 million annually for FY 21-22 through FY 25-26 to backfill the Counties' cost of paying participants' fees for service. Sonoma County's share of the annual State appropriation is divided between Probation, the Sheriff's Office, and the Public Defender's Office. The Sheriff's share is \$67,532 annually, which provides approximately 75% of the funding needed, and the Community Corrections Partnership (CCP) has provided the remaining funding for the Sheriff's EMP since AB 1869 passed. Therefore, State backfill funds will be utilized through FY 25-26 for partial funding of this Agreement. The remaining funding will be requested from the CCP. The proposed Agreement will not impact the General Fund through FY 25-26, as long as the State backfill and the support from CCP continue.

At this time, it is not known whether State funding will be renewed for this purpose after FY 25-26. Expenses related to this contract are driven by the population of incarcerated adults, and the number of individuals eligible to participate in the Program. Due to fluctuations in both, Sheriff's Office staff estimate that the cost could be \$120,000 per year. Regardless of State funding, the Sheriff's Office will continue to request funding from the CCP, although approval of the request is not guaranteed. If funding from the CCP or the State is not secured, the Sheriff will either discontinue the Program, or find an alternative funding source and return to the Board.

Strategic Plan:

This item directly supports the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Healthy and Safe Communities

Goal: Goal 5: Continue to invest in public safety so that residents and visitors feel safe in our community.

Objective: Objective 4: Expand detention alternatives with the goal of reducing the jail population, from pre-pandemic levels, by 15% at the end of 2022, while simultaneously reducing recidivism amongst the supervised offender population.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Neither action item was identified.

Prior Board Actions:

03/25/14 - Board Approval of Electronic Monitoring Program Agreement

03/21/17 - Board Approval of Agreement with BI, Inc. for Adult Electronic Monitoring

01/04/22 - Board Approval of Electronic Monitoring Services Agreement Amendment

The Detention Alternatives Electronic Monitoring Program Policy has been reviewed annually since the program began.

FISCAL SUMMARY

Expenditures	FY24-25 Adopted	FY25-26 Projected	FY26-27 Projected
Budgeted Expenses	\$120,000	\$120,000	\$120,000
Additional Appropriation Requested			
Total Expenditures	\$120,000	\$120,000	\$120,000
Funding Sources			
General Fund/WA GF			
State/Federal	\$120,000	\$120,000	\$120,000
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$120,000	\$120,000	\$120,000

Narrative Explanation of Fiscal Impacts:

There are no anticipated General Fund impacts for the Agreement for Electronic Monitoring Services with BI Incorporated through FY 25-26, as long as the State backfill and support from the CCP continues. Appropriations include potential funding from the CCP approved annually, and AB 1869 State backfill funding of \$67,532 through FY 25-26. They also include funding for the two one-year extension options, for a total not to exceed amount of \$600,000. After FY 25-26, funding is not guaranteed from the State. If CCP or State funding is discontinued, the Sheriff will either discontinue the Program or find an alternative funding source and return to the Board.

There are no fiscal impacts as a result of the Board’s EMP Policy review.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

1. Proposed Agreement for Electronic Monitoring Services with BI Incorporated
2. Detention Alternatives- Electronic Monitoring Program (EMP) Policy

Agenda Date: 11/5/2024

Related Items "On File" with the Clerk of the Board:

N/A