



Legislation Text

File #: 2021-0287, **Version:** 1

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Probation Department
Staff Name and Phone Number: Christine Williams, 565-2145
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:

Agreement with BI Incorporated for Electronic Monitoring

Recommended Action:

Authorize the Chief Probation Officer to execute a professional services agreement with BI Incorporated to operate adult offender and pretrial electronic monitoring programs for a three-year term for \$2,000,000, retroactively effective on April 1, 2021, with the option to execute two one-year renewals for a maximum five-year agreement value of \$3,333,333.

Executive Summary:

Electronic monitoring benefits the community by providing an alternative for offenders and individuals awaiting trial who otherwise might be incarcerated at a much greater expense or who might be released into the community without the safety of continuous monitoring.

In October 2020, the Sonoma County Sheriff's Office and Probation Department jointly released an RFP for electronic monitoring services beginning on April 1, 2021, and four organizations submitted proposals. Both departments recommend contracting with BI Incorporated, the current provider. This recommendation to the Board covers Probation and Pretrial services only; the Sheriff's Office will execute a separate professional services agreement for electronic monitoring associated with its lower-risk inmate detention alternatives program.

Discussion:

Sonoma County's electronic monitoring program for adults serves probationers and defendants released from incarceration during the pre-adjudication period. BI Incorporated, the current provider, offers various devices and applications to communicate with those under supervision, monitor their alcohol intake, and determine their locations. The Probation Department uses electronic monitoring for approximately 40 probationers and 135 defendants on pretrial release each month.

Probationer Supervision

The Probation Department uses electronic monitoring to assist in supervising probationers, either as an intermediate sanction due to violating supervision conditions or as imposed by the Superior Court as a condition of release from custody. State Assembly Bill 109 Public Safety Realignment revenue will fund this service, as approved by the Sonoma County Community Corrections Partnership.

Pretrial Monitoring

Pretrial monitoring allows the Superior Court to release defendants from custody while awaiting trial. The program aims to protect public safety while reducing unnecessary incarceration and its associated costs. The Court began using pretrial services in January 2015, and a major expansion and program improvement is currently underway as the Court and Probation Department continue deploying grant funding awarded by the Judicial Council of California in 2019. This \$5.7 million award has funded modernization and expansion of Court and Probation capacity. Work began in November 2019, and grant funds will be fully expended by early FY 21-22. This grant funding is in addition to ongoing funding that the Community Corrections Partnership has provided since the inception of pretrial in Sonoma County.

Defendants eligible for pretrial release are reviewed using an evidence-based and validated “Public Safety Assessment,” which considers factors such as the nature of the offense committed, previous violations during pretrial release, and previous convictions. More information about this assessment and the benefits of a robust pretrial system is available at <https://advancingpretrial.org/>.

Informed by the Public Safety Assessment, the Court decides whether to detain or release defendants and determines appropriate levels of pretrial supervision. Individuals granted pretrial release are then monitored by a probation officer to enforce law-abiding behavior and appearance in future court hearings. In many cases, the Court’s conditions of release include electronic monitoring. The state grant funding mentioned above has funded electronic monitoring costs in FY 20-21, and the Community Corrections Partnership approved use of Public Safety Realignment revenue for FY 21-22 costs.

Request for Proposals

In October 2020, the Sonoma County Sheriff’s Office and the Probation Department jointly issued a request for proposals from vendors interested in providing electronic monitoring equipment and services. The following organizations submitted proposals:

- Sentinel Offender Services, a California limited liability corporation,
- CorrectiveSolutions, a Delaware corporation with an office in Santa Rosa,
- SCRAM of California, an S corporation based in San Diego, and
- BI, 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. Clear criteria were used in rating proposals, including qualifications and experience, program services, and cost of service.

While each proposal offered services generally responsive to the RFP, BI 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, an unlimited allowance for lost and damaged equipment as well as spare equipment, and a highly professional presentation. During negotiations, the firm agreed to lower its prices *below* the current pricing. For example, under the current contract, cellular-based transdermal alcohol monitoring services cost between

\$10.86 and \$13.92 per day, depending on the number of participants receiving service. The proposed pricing is \$10.70 per day regardless of the number of participants.

Based on its proposal review, the evaluation committee recommends awarding the electronic monitoring services contract to BI Incorporated.

Conclusion

Approval of the proposed agreement with BI Incorporated will allow the Probation Department to continue its electronic monitoring operations, which facilitate oversight of probationers, thereby improving community safety. Additionally, electronic monitoring reduces unnecessary incarceration and its associated costs and helps manage the jail population by providing the Superior Court a safer option to allow defendants to remain in the community while awaiting adjudication.

Prior Board Actions:

05/19/2020: Board approval of BI Incorporated electronic monitoring contract

03/21/2017: Board approval of BI Incorporated electronic monitoring contract

01/12/2016: Board approval of amendment to electronic monitoring contract with BI Incorporated

03/25/2014: Board approval of BI Incorporated electronic monitoring contract

04/17/2012: Board approval of G4S Justice Services electronic monitoring contract

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses	134,000	386,623	386,623
Additional Appropriation Requested			
Total Expenditures	134,000	386,623	386,623
Funding Sources			
General Fund/WA GF			
State/Federal	134,000	386,623	386,623
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	134,000	386,623	386,623

Narrative Explanation of Fiscal Impacts:

Expenditures of \$134,000 for electronic monitoring in the last quarter of FY 20-21 are included in the Probation Department's adopted budget of \$316,227 for probationer supervision and pretrial monitoring. The Probation Department projects actual FY 20-21 costs of \$574,000, reflecting greater than expected expansion of the pretrial program, which will be reimbursed by the Sonoma County Superior Court. FY 21-22 costs were included in the Probation Department's Recommended Budget. State Assembly Bill 109 Realignment revenue will cover these costs. As the numbers of individuals placed on probation and pretrial electronic monitoring

(and associated costs) have been volatile in recent years, the agreement's not-to-exceed amount exceeds projected budget amounts to accommodate possible fluctuations.

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

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

BI Incorporated Agreement

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

None