



Ventura County **SHERIFF'S OFFICE**

Jim Fryhoff - Sheriff | **John Reilly** - Undersheriff

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June 18, 2024

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

Subject: **Approval of, and Authorization for the Sheriff or His Designee to Sign, a Contract with the State of California, Department of State Hospitals (DSH) to continue a Jail Based Competency Treatment Program for a One-Year Period, in an Amount Not to Exceed \$1,887,176; Authorization for the Sheriff or His Designee to Sign Additional Future Documents Related to the DSH Contract Upon Review and Approval by the County Executive Office and County Counsel; Authorization for the Sheriff to Extend the DSH Contract for Two Additional One-Year Periods; Adoption of a Resolution Adding One Fixed Term Senior Deputy Sheriff Allocation to the Detention Services Division, Todd Road Jail Facility, for the Purpose of Staffing the Jail Based Competency Treatment Program; Approval of, and Authorization for the Purchasing Agent to Sign, a Contract with California Forensic Medical Group, Inc., For Services Related to the Jail Based Competency Treatment Program; Authorization for the Purchasing Agent to Extend the CFMG Contract for Two Additional One-Year Periods; and Waiver of Board Policy Prohibiting Inclusion of Attorney's Fees Provisions in County Contracts. (Recommendation No. 8 Requires 4/5ths vote).**

Recommendation:

It is recommended that your Board:

1. Approve and authorize the Sheriff or his designee to sign the attached contract with the Department of State Hospitals (DSH) to continue a Jail Based

Competency Treatment (JBCT) Program, in an amount not to exceed \$1,887,176 over a one-year period and execute limited amendments and change orders (Exhibit 1).

2. Authorize the Sheriff or his designee to sign additional future documents related to the DSH contract upon review and approval by the County Executive Office and County Counsel.
3. Authorize the Sheriff or his designee to extend the contract with DSH for two additional one-year periods and execute limited amendments and change orders.
4. Adopt a Resolution adding the following fixed term position allocation within the Detention Services Division, Todd Road Jail Facility, for the purpose of staffing the expanded JBCT Program, effective July 1, 2024:

Job Code	Description	Business Unit	Dept. (Unit)	FTE	Compensation Frequency	Annual Range
01057	Fixed Term-Senior Deputy Sheriff	SHFVC	2551	1.0	Hourly	\$125,161.64-\$131,395.21

5. Approve and authorize the Purchasing Agent of Ventura County or designee to a sign a contract, County of Ventura Contract No. 9356, with California Forensic Medical Group (CFMG), Inc., to provide services for the JBCT Program at the Todd Road Jail Facility and execute limited amendments and change orders (Exhibit 2).
6. Authorize the Purchasing Agent or designee of Ventura County to extend the contract with CFMG for two additional one-year periods and execute limited amendments and change orders.
7. Waive Board policy prohibiting the inclusion of attorney's fees provisions in County contracts for the subject DSH Contract (Exhibit 1).
8. Authorize the Auditor-Controller's Office to process the necessary Fiscal Year 2024-25 budgetary transactions (requires 4/5th vote):

INCREASE 2550-2551 Intergovernmental Revenue	\$ 1,887,176
INCREASE 2550-2551 Salaries and Benefits	\$ 649,696
INCREASE 2550-2551 Services and Supplies	\$ 1,234,480
INCREASE 2500-2503 Salaries and Benefits	\$ 3,000

Fiscal Impact Statement:

Mandatory:	No
Authority:	Penal Code §1370
Source of Funding:	California Department of State Hospitals
Funding Match Requirement:	None
Impact on Other Departments:	None

<u>Summary of Revenue / Total Costs:</u>	<u>FY2023-24</u>	<u>FY2024-25</u>
Revenue:		
Revenue	\$ 0	\$ 1,887,176
Costs:		
Direct	\$ 0	\$ 1,887,176
Indirect - Sheriff	\$ 0	\$ 0
Indirect - County CAP	\$ 0	\$ 0
Total Costs	\$ 0	\$ 1,887,176
Net Cost	\$ 0	\$ 0
Recovered Indirect Cost	\$ 0	\$ 0

Strategic Plan:

This item contributes to the Board of Supervisors' (Board) 2024-2027 strategic plan in many ways. The Jail Based Competency Treatment (JBCT) program is committed to promoting competency restoration, mental health wellness, and successful reintegration for individuals within the criminal justice system. The JBCT program aims to achieve its mission of providing proactive and effective care to support individuals on their journey toward competency and recovery.

Discussion:

Department of State Hospitals Contract (Exhibits 1)

On October 20, 2020, your board approved and authorized the Sheriff to sign a contract with the Department of State Hospitals (DSH) to establish a Jail Based Competency Treatment Program (JBCT) to help restore competency for inmate patients who have been deemed by the Court Incompetent to Stand Trial (IST). The JBCT program opened on December 7, 2020, and since then, has treated 171 incarcerated patients and restored competency to 111 graduates. The current wait time for an inmate to enter the JBCT program after being declared IST is 14 days.

The proposed agreement with DSH will allow the Purchasing Agent of Ventura County to continue, its JBCT Program. The program currently consists of a total of ten dedicated

JBCT Program beds and admits both male and female inmates. The Sheriff's JBCT Program is a local program and only admits Ventura County inmates.

Pursuant to the agreement DSH would reimburse the Sheriff's Office for the treatment, security staff, and custody costs for the ten-bed JBCT Program from July 1, 2024, through June 30, 2025. Currently, there are two deputy sheriffs assigned to the JBCT Program on a full-time basis to provide security for the program staff and admitted patients.

This program is 100% revenue offset; costs will be billed to the state at a daily bed rate of \$483.99 (July 1, 2024 – June 30, 2025), which equates to an annual reimbursement of \$1,887,176. As part of the annual reimbursement, DSH would also reimburse for program supply replenishment costs incurred. The initial contract period would be for one-year, and the parties can agree to extend the contract for two additional one-year periods.

DSH is currently preparing additional documents for the Sheriff's signature, including Civil Rights disclosures and contractor certification clauses. These documents have not yet been received by the Sheriff's Office. Thus, the Sheriff's Office is requesting that your Board, in addition to approving the DSH contract and authorizing the Sheriff or his designee to sign the DSH contract, authorize the Sheriff or his designee to sign additional documents related to the DSH contract that are received by the Sheriff's Office at a later date, following review and approval by the County Executive Office and County Counsel.

Waiver of County Policy Regarding Attorney's Fees Provisions in County Contracts

The Sheriff's signature on the DSH contract (Exhibit 1) requires the County's agreement to provisions requiring the County to indemnify DSH for attorney's fees related to claims or losses arising from actions of County's subcontractors, and County's failure to pay salary, overtime or benefits, which conflict with the County's Administrative Manual, Chapter VI-1 for County Contracts. The Sheriff's Office has attempted to negotiate the exclusion of these provisions from the DSH contract, but DSH requires them as part of its statewide set of contracts. Thus, your Board is also being requested to waive the Board's policy prohibiting the inclusion of such provisions in County contracts, for purposes of this DSH contract only.

California Forensic Medical Group, Inc., Contract (Exhibit 2)

In September 2021, the Sheriff's Office, in conjunction with the General Services Agency - Procurement Services and the National Commission on Correctional Health Care (NCCHC), issued a Request For Proposal (RFP #6069) for medical, dental, and psychiatric services. Included in the RFP were provisions to continue our current JBCT program.

In April 2022, the Sheriff's Office completed the RFP process and selected California Forensic Medical Group (CFMG) to continue as the medical provider. CFMG also agreed to continue our successful JBCT program. CFMG has proven to be an engaged and collaborative partner and has been instrumental in the success of our JBCT Program. In order to continue the success of our proposed expanded JBCT Program, DSH has agreed to fund additional allocations for a Senior Deputy Sheriff and Financial Accounting Bureau (FAB) Accounting Support. These allocations were added to the proposed staffing model in Exhibit A.

Accordingly, and in sum, we ask that your Board approve and authorize the Sheriff or his designee to enter into the agreement with DSH attached as Exhibit 1 and related documents required by the State (and waive the County policy prohibiting the inclusion of attorney's fees provisions in County contracts, for this contract only), and authorize the Sheriff or his designee to extend that agreement by two additional one-year. Additionally, we ask that your board adopt a resolution adding one fixed term Senior Deputy Sheriff allocation to provide additional staffing for the JBCT Program. Should the JBCT Contract with the DSH be terminated at any point in the future, the requested Senior Deputy Sheriff allocation would be abrogated. We further ask that your board approve and authorize the Purchasing Agent of Ventura County to enter into the agreement with CFMG for services related to the JBCT Program (Exhibit 2) and extend that agreement by two additional one-year periods and to authorize the Auditor-Controller to process all the necessary accounting transactions.

This letter has been reviewed by the Offices of the County Executive, County Counsel, the Auditor/Controller, as well as General Services Agency - Procurement Services. If you have any questions or need additional information relating to the Sheriff's Office, please contact Assistant Sheriff Shane Matthews (805) 654-2305.

Sincerely,

A handwritten signature in blue ink, appearing to be 'J. Fryhoff', with a large, stylized initial 'J' and 'F'.

James Fryhoff
Sheriff

Attachment: Exhibit 1 – DSH Contract Agreement
Exhibit 2 – JBCT Contract - CFMG Professional Services Agreement #9356

Resolution – Board of Supervisors of the County of Ventura Adding One Position Allocation