

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

May 6, 2025

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Contract Templates for Participation in the Sheriff/Coroner/Public Administrator's Work Release Program

RECOMMENDATION(S)

1. Approve standard contract template to allow non-County local, state, and federal government agencies to participate in the Sheriff/Coroner/Public Administrator's Work Release Program, for a term of up to five years, beginning on the earlier of July 1, 2025, or upon the Sheriff/Coroner/Public Administrator's execution of the contract, through no later than June 30, 2030.
2. Approve standard Memorandum of Understanding template to allow County departments to participate in the Sheriff/Coroner/Public Administrator's Work Release Program, for a term of up to five years, beginning on the earlier of July 1, 2025, or upon the Sheriff/Coroner/Public Administrator's execution of the Memorandum of Understanding, through no later than June 30, 2030.
3. Authorize the Sheriff, Undersheriff, or Chief Deputy Director of Sheriff's Administration to execute individual template Work Release Program agreements, for a term of up to five years, beginning on the earlier of July 1, 2025, or upon the Sheriff/Coroner/Public Administrator's execution of the agreement, through no later than June 30, 2030.

(Presenter: Carolina Mendoza, Chief Deputy Director, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). There is no direct cost to the governmental agencies participating in the Work Release Program (WRP); however, non-County government agencies are required to provide Workers' Compensation Insurance and to handle any claims resulting from inmates assigned to their work crews.

As a result of Assembly Bill (AB) 1869, effective July 1, 2021, which eliminated a county's ability to charge fees for electronic monitoring and work release programs, the State Budget provided \$65 million in revenue to backfill counties for their AB 1869 loss of fee revenue that had supported their electronic monitoring and work release programs. Adequate appropriation of

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\$410,000 for the WRP was included in the 2024-25 budget for the Sheriff/Coroner/Public Administrator (Sheriff), with \$350,000 allocated from the Detention Service budget under AB 109, effective October 1, 2011. Sufficient appropriation will be included in future recommended budgets.

BACKGROUND INFORMATION

Penal Code sections 4024.2 and 4024.3 permit California counties to offer a voluntary WRP program in which persons committed to a detention facility may participate in the WRP in lieu of incarceration. The WRP offered by the Department provides manual labor to improve and/or maintain public facilities both within the County and for local, state, and federal government agencies. The Department currently has 27 government agency agreements in place for this program.

The Department has administered the WRP since June 13, 1983. On April 21, 2020 (Item No. 71), the Board of Supervisors (Board) approved standard contract templates, including a standard Memorandum of Understanding (MOU) template, and authorized the Sheriff, Undersheriff, or the Captain of the Department's Bureau of Administration to execute individual standardized contract templates for the WRP through June 30, 2025.

Two new updated templates are being submitted for Board approval, which will be sent to each agency along with written notice of termination, effective June 30, 2025, of existing agreements. The majority of existing agencies are non-County local, state, and federal government agencies that will require use of the contract template referenced in Recommendation No. 1, containing self-insurance and mutual indemnification language. The second template referenced in Recommendation No. 2, is an MOU that will be used with other County departments, for which Risk Management will continue to process Workers' Compensation claims.

Approval of a standardized contract template and a MOU template will allow the Sheriff to execute both new and updated agreements expeditiously to facilitate a smooth transition with no gaps in participation between the termination date of the existing agreements and the execution dates of the new agreements. Any agreement differing from these standardized templates will be presented to the Board for approval. All agreements utilizing the recommended templates will terminate no later than June 30, 2030, and provide for early termination by either party with thirty (30) days' written notice.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Grace B. Parsons, Deputy County Counsel, 387-5455) on April 08, 2025; Risk Management (Stephanie Mead, Staff Analyst, 386-9044) on April 09, 2025; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on April 21, 2025; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on April 21, 2025.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 6, 2025



cc: File - Sheriff/Coroner w/attach
MBA 05/8/2025