

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

April 23, 2024

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Amendment to Revenue Agreement with the California Department of State Hospitals for the Administration of Incompetent to Stand Trial Re-Evaluation Services

RECOMMENDATION(S)

Approve **Amendment No. 1 to Revenue Agreement No. 22-1093** with the California Department of State Hospitals (State Agreement No. 22-76003-005) to administer the Incompetent to Stand Trial Re-Evaluation Services at the County's West Valley Detention Center, increasing the reimbursement amount by \$50,000, from \$280,000 to \$330,000, and extending the term by one year, for a total contract period of July 1, 2022 through June 30, 2025.

(Presenter: Ernie Perez, Deputy Chief, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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 and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The California Department of State Hospitals (DSH) will reimburse the Sheriff/Coroner/Public Administrator (Department) an additional \$50,000 for the one-year extension period, increasing the maximum reimbursement amount from \$280,000 to \$330,000, for both direct and indirect costs associated with administering the Incompetent to Stand Trial (IST) Re-Evaluation Services (RES) telehealth video interview program for inmates that have been declared IST and need to be re-evaluated by DSH staff to assess their condition. Budget adjustments are not requested at this time but will be included in a future budget report presented to the Board of Supervisors (Board) for approval, if necessary.

BACKGROUND INFORMATION

DSH is responsible for returning to competency individuals who have been charged with a felony and determined to be IST by the California Superior Court (Court). Once an individual is committed to a DSH facility for treatment, the facility has 90 days to make a written report to the Court concerning the individual's progress toward recovery of mental competence. Currently, DSH has insufficient beds, creating lengthy waiting lists of jail inmates throughout the State, including those in San Bernardino County (County), who are in need of mental competency restoration services.

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To address this shortage, DSH has contracted with the Department to provide access to the West Valley Detention Center (WVDC) to administer the RES program for inmates declared IST by the Court. The video interviews allow for DSH staff to provide services remotely to ISTs to re-evaluate their competency and psychotropic medication status, and to make assessments for placement in alternative community-based programs including, but not limited to, mental health diversion or community-based mental health restoration services. This program allows inmates to begin treatment sooner and significantly decreases the time these individuals remain incarcerated due to faster adjudication of their criminal charges.

On November 15, 2022 (Item No. 89), the Board approved Agreement No. 22-1093 with DSH to administer the RES program at WVDC for inmates declared as IST by the Court for the period of July 1, 2022 through June 30, 2024. Approval of this Amendment will allow the Department to continue to provide a secure setting at WVDC to conduct the telehealth video interviews, the necessary technology (via portable computing devices), and Deputy Sheriffs to escort the IST inmates to and from their housing unit and interview room, and provide security and monitoring during the interview, for an additional year through June 30, 2025.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Grace B. Parsons, Deputy County Counsel, 387-5455) on March 14, 2024; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on April 4, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on April 4, 2024.

**Amendment to Revenue Agreement with the California Department of
State Hospitals for the Administration of Incompetent to Stand Trial Re-
Evaluation Services
April 23, 2024**

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: April 23, 2024



cc: Sheriff - Welty w/ agrees for sign
Contractor c/o Sheriff
File w/ agree
JLL 04/26/2024