



San Bernardino County

Legislation Text

File #: 6674, Agenda Item #: 40

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

September 13, 2022

FROM

EDWARD BARRY, Chair, Law and Justice Group Administration

SUBJECT

Amendment to Contract with CorrectiveSolutions Holdings for the Misdemeanor Diversion Program

RECOMMENDATION(S)

Approve Amendment No. 2 to Contract No. 18-686 with CorrectiveSolutions Holdings to provide a participant-paid, pre-charge, pre-trial and/or post-trial misdemeanor diversion program, exercising the option to extend the term for an additional year through September 30, 2023, for a total contract period of October 1, 2018 through September 30, 2023.

(Presenter: Edward Barry, Chair, 387-5656)

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.

FINANCIAL IMPACT

This item will not result in the use of additional Discretionary General Funding (Net County Cost). The program fee is \$380, to be paid by each eligible participant. There may also be additional fees charged to the participant for additional services such as drug testing, alcohol monitoring, or supplemental classes. CorrectiveSolutions Holdings (CorrectiveSolutions) will receive \$350 of the program fee, and the County will receive \$30 as an administrative fee, of which \$20 will be set aside by CorrectiveSolutions, on behalf of the County, in an Indigent Offender Fund (IOF).

The assessment of program fees is based on the participant's ability to pay. The IOF will be used to subsidize payment for participants who have either no ability or a partial ability to pay the program fees. CorrectiveSolutions will administer the IOF, based on criteria established and approved by the Law and Justice Group (L&JG). L&JG Administration will oversee the administration of these funds. Oversight functions include analysis of performance indicators such as enrollee completion rate and restitution return amounts, monitoring of the IOF, resolution of any client service issues, and ensuring full compliance with contract terms.

BACKGROUND INFORMATION

The County's misdemeanor diversion program allows certain first-time criminal offenders to complete a tailored education program designed to modify behavior instead of having criminal charges prosecuted in court. The misdemeanor diversion program is approximately four months in length and includes a general

community accountability class with a crime-specific education component such as substance abuse, anger management, parenting, or theft/shoplifting. If the eligible offender successfully completes the misdemeanor diversion program, including full payment of victim restitution and fees, the District Attorney agrees to dismiss the charges. If an eligible offender declines the program or fails to complete it, then criminal charges will be prosecuted. Since the misdemeanor diversion program's inception, the percentage of enrollees who have completed the program is approximately 83%, with over 5,162 individuals successfully benefiting from this option. The L&JG recommends a one-year contract extension with CorrectiveSolutions, which will allow staff time to implement a request for proposals (RFP) seeking qualified service providers to continue the program on an ongoing basis.

PROCUREMENT

On October 6, 2015 (Item No. 36), the Board of Supervisors (Board) approved a contract with CorrectiveSolutions to institute a participant-paid, pre-charge, pre-trial and/or post-trial misdemeanor diversion program for the period of October 7, 2015 through September 30, 2018. On May 25, 2018, RFP No. CAO118-CAO4-2976 was released and CorrectiveSolutions was evaluated as the best value for provision of services. On September 11, 2018 (Item No. 33), the Board approved Contract No. 18-686 with CorrectiveSolutions for the period of October 1, 2018 through September 30, 2021, with the option of two one-year extensions. On October 5 (Item No. 36), the Board approved Amendment No. 1 for a one-year extension for the period of October 1, 2021 through September 30, 2022.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, County Counsel, 387-5455) on August 24, 2022; Finance (Allegra Pajot, Administrative Analyst, 387-5005) on August 18, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 24, 2022.