

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Probation

BOARD AGENDA # *B-2

Urgent

Routine

CEO Concurs with Recommendation YES NO

(Information Attached)

AGENDA DATE March 8, 2011

4/5 Vote Required YES NO

SUBJECT:

Approval to Authorize the Chief Probation Officer to Apply for and Accept, if Awarded, an Alcohol and Other Drugs Grant From the State Office of Traffic Safety for Enhanced Felony Drunk Driver Probation Supervision

STAFF RECOMMENDATIONS:

Authorize the Chief Probation Officer to apply for and accept, if awarded, an Alcohol and Other Drugs Grant from the State Office of Traffic Safety for enhanced felony drunk driver probation supervision services, and to sign all necessary documents including all contracts.

FISCAL IMPACT:

The State Office of Traffic Safety (OTS) provides funds to address traffic safety priority areas. The OTS receives funding through the National Highway Safety Act which provides for federal traffic safety funds to individual states. The amount of funds OTS receives from the National Highway Safety Act varies annually. There is no maximum amount of funds that can be requested by applicants with this current grant; however, the amount of requested funds must be clearly justified to support the program's goals and objectives, and must be proportional to identified traffic safety problems.

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BOARD ACTION AS FOLLOWS:

No. 2011-139

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Authorize the Chief Probation Officer to Apply for and Accept, if Awarded, an Alcohol and Other Drugs Grant From the State Office of Traffic Safety for Enhanced Felony Drunk Driver Probation Supervision

FISCAL IMPACT: (Continued)

The Probation Department is seeking \$48,525 in OTS funding for the grant period October 1, 2011 to September 30, 2012, to target alcohol and other drug law enforcement activities. The grant will pay for approximately 1,040 hours of personnel overtime costs over the one-year period for enhanced supervision services to probationers at highest risk of repeat drunk driving offenses. The Probation Department has been receiving OTS funding since 2006 and has to date been awarded \$212,834. The Department will use the balance of previously awarded OTS funds totalling \$47,860 from the OTS grant accepted in September 2010 to fund the program through September 2011. The funds for the current application will be budgeted in Budget Years 2011-12 and 2012-13, if the grant is awarded.

DISCUSSION:

Stanislaus County has a rate of motor vehicle injury and death that exceeds the state average when comparing daily vehicle miles traveled. According to the California Office of Traffic Safety, in 2009, Stanislaus ranked 3rd statewide for total fatal injury collisions with 3,910 incidents occurring. This is an increase from 2008, when the county recorded 3,820 incidents, but still below the 2006 recordings of 4,442 incidents. In 2009, Stanislaus was ranked 4th for alcohol-involved fatal and injury collisions with 501 incidents occurring. This is an increase from 2008, when 475 incidents occurred.

In November 2005 and again in September 2008, the Board of Supervisors authorized the Chief Probation Officer to accept multi-year Alcohol and Other Drugs Grants from the State Office of Traffic Safety for Enhanced Felony Drunk Driver Probation Supervision. San Diego County Probation Department served as the grant administrator for programming funds on behalf of other participating county probation departments for the initial two grants. These grants were non-competitive and had a predetermined allocation. In March 2010, the Board of Supervisors authorized the Chief Probation Officer to accept a one-year OTS grant funding in the amount of \$47,860. The 2010 grant differed from the initial two grants in that it was a competitive process and the allocation amount was not predetermined. San Diego County continued to serve as the grant administrator on behalf of participating counties. The 2011 OTS grant funds are similar to the 2010 grant in that the process is competitive and the allocation amount is not pre-determined. The current grant is again available for a one-year period. The grant was submitted on February 24th in order to ensure the deadline for application was met.

The OTS grants have provided for a level of service to Driving Under the Influence (DUI) offenders that would not have previously been achieved without the additional financial support. Outcomes for the 2008-2010 funding reflect that all grant objectives were met. This allocation of funding provided for 633 home visits, 274 searches, 385 alcohol/drug tests, 12 stakeout/surveillance operations, 5 warrant service operations and 25 DUI checkpoints.

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Approval to Authorize the Chief Probation Officer to Apply for and Accept, if Awarded, an Alcohol and Other Drugs Grant From the State Office of Traffic Safety for Enhanced Felony Drunk Driver Probation Supervision

DISCUSSION: (Continued)

The current Office of Traffic Safety Grant, if awarded, will provide \$48,525 over a one-year period to support approximately 1,040 hours of additional overtime work hours for Deputy Probation Officers to provide enhanced supervision services to those probationers at highest risk of repeat drunk driving offenses. Currently there are 181 felony DUI offenders that are assigned to the administrative bank caseload that will be targeted through this grant. Supervision services will continue to include increased alcohol testing, increased home contacts and searches, partnering with law enforcement agencies during community events and holiday checkpoints to identify probationers not in compliance with court orders, bench warrant operations, and increased surveillance of DUI offenders driving with revoked or suspended licenses.

Evidence-based practices support that increased levels of supervision assist in reduction of crime and support nation-wide objectives of improving community safety.

POLICY ISSUE:

Board approval to accept this funding is necessary. The policy before the Board is whether this agenda item is consistent with the Board of Supervisors' goals and priorities of *A Safe Community, A Healthy Community, and Effective Partnerships*.

STAFFING IMPACT:

The recommended action will add approximately 1,040 of overtime work hours for Deputy Probation Officers between October 1, 2011 and September 30, 2012.

CONTACT INFORMATION:

Mike Hamasaki, Division Director, (209) 567-4126

CONTACT INFORMATION

Agency	Stanislaus County
Department	Probation
Applicant Name	Mike Hamasaki
Title	Division Director

Primary Phone	209-567-4126
Primary Email	hmskim@stancounty.com
Address	2215 Blue Gum Ave. Modesto, California 95358 United States

GRANT INFORMATION

Grant Type	Grants Made Easy
Federal Fiscal Year	FFY 2011/2012
Type of Grant	GME Probation
Applying Agency	Stanislaus County
Department	Probation
Title	Intensive Probation Supervision for High-Risk Felony and Repeat DUI Offenders
Brief Description	County Probation Departments will work to reduce DUI related fatalities, injuries and DUI recidivism. The worst-of-the-worst, high-risk, felony and repeat DUI offenders will be held accountable through intensive supervision to ensure compliance with court ordered conditions of probation and to prevent re-arrest on new DUI charges. Supervision activities include: monitoring of treatment and DUI program participation; conducting office visits; unannounced fourth waiver searches; field visits; random alcohol/drug testing; distribution of HOT Sheets; and participation with local law enforcement on anti-DUI efforts including the Avoid campaign.

GOALS AND OBJECTIVES

ID #	GOALS
21	To reduce the number of new DUI offenses by DUI probationers.
22	To reduce the number of DUI probationers arrested/cited for driving with suspended or revoked license.
23	To increase the percentage of DUI Probationers in compliance with court-ordered probation.

ID #	OBJECTIVES	NUMBER
25	To issue a press release announcing the kick-off of the grant by November 15 of the first grant year. The press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.	
34	To use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.	
37	To collaborate with the county's "Avoid DUI Campaign" by: participating in all planning and scheduling meetings and MADD/Avoid DUI Seminars; providing your county Avoid Coordinator (Host) with your agency's schedule of operations that occur during any Avoid operational campaign period; and reporting daily, during holiday Avoid efforts, to the county Avoid Coordinator your agency's DUI arrests & DUI fatality information for the Avoid media campaign.	
39	To develop and maintain a "Hot Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions by December 31 of the first grant year. Updated Hot Sheets will be distributed to patrol and traffic officers every three to four weeks.	
110	To develop and submit a written "Operational Plan" to establish the method of operation and the policies applicable to carry out the activities of the DUI Probationer Supervision grant program by October 31 of the first year of the grant.	
111	To obtain, or develop, and utilize a risk or needs assessment tool to identify high-risk DUI offenders for placement on formal probation by December 31 of the first grant year and continue throughout the grant.	

ID #	OBJECTIVES	NUMBER
112	To work with court officials and the prosecutor's office throughout the grant period to ensure the court establishes probation orders necessary to conduct and sustain intensive supervision of DUI probationers.	
113	To establish __ caseloads of __ high-risk DUI probationers per caseload for intensive supervision by December 31 of the first grant year.	Target Number 1: 0 Target Number 2: 0
114	To conduct __ warrant sweeps targeting informal and/or formal DUI probationers who fail to comply with the terms and conditions of probation and/or other DUI suspects who fail to appear in court.	Target number: 5
116	To make __ office contacts with DUI probationers.	Target number: 0
117	To conduct __ unannounced home searches of DUI probationers.	Target number: 120
118	To conduct __ alcohol and other drug tests of DUI probationers.	Target number: 150
119	To track and report probation violations and probation revocation proceedings for program participants who fail to abide by the terms and conditions of probation throughout the grant period.	
120	To establish all grant-funded positions and train staff on defined roles and duties, including data collection and reporting requirements, by December 31 of the first grant year.	
121	To submit in a timely manner all statistical data, financial reimbursement claims, and quarterly performance reports, as required by OTS, throughout the grant period.	
225	To email a draft of all grant-related activity press releases, media advisories, alerts and materials to the OTS Public Information Officer at pio@ots.ca.gov , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release. (Media communications reporting the results of grant activities such as checkpoints and saturation patrols are exempt from this requirement.)	
226	To email the OTS Public Information Officer at pio@ots.ca.gov , and copy your OTS Coordinator, at least 30 days in advance a short description of any significant grant related traffic safety event or program so that OTS has enough notice to arrange for attendance and/or participation in the event.	
227	To submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS Public Information Officer at pio@ots.ca.gov , and copy your OTS Coordinator, for approval 14 days prior to the production or duplication.	

ID #	OBJECTIVES	NUMBER
228	To include the OTS logo, space permitting, on grant funded print materials; consult your OTS Coordinator for specifics relating to this grant.	
260	To make ___ announced field contacts (field, home, work-site contacts without search) with DUI probationers.	Target number: 100

SUMMARY FINANCIAL

Personnel Costs

LINE ITEM	YEAR 1	TOTAL BY LINE ITEM
Overtime	\$46,575.00	\$46,575.00

Total by Category **\$46,575.00**

Travel Expense

LINE ITEM	YEAR 1	TOTAL BY LINE ITEM
In State	\$1,900.00	\$1,900.00

Total by Category **\$1,900.00**

Other Direct Costs

LINE ITEM	YEAR 1	TOTAL BY LINE ITEM
Other Direct Costs	\$50.00	\$50.00

Total by Category **\$50.00**

TOTAL **\$48,525.00**

COLLABORATION - SUPPORTING ROLE

Name	Email - Phone	Access Level

AGENCY AUTHORITY

Name	Role	Email - Phone	Outcome	Access Level
Hamasaki, Mike	Agency Authorizer	hmskim@stancounty.com 209-567-4126	Applicant Agency Authorization	View All - Edit All
Curci, Karen	Fiscal Reviewer	curcik@stancounty.com 209-525-4556	Fiscal Authorization	View All - Edit Financial Only

UPLOAD LIST

The following pages contain the following uploads provided by the applicant:

Upload Name
Problem Statement and Method of Procedure

PROBLEM STATEMENT AND METHOD OF PROCEDURE

GRANTS MADE EASY - PROBATION

PROBLEM STATEMENT

Describe the traffic safety related problem/deficiency and how was it identified. Compare your county's DUI problem with statewide numbers, rates, and averages. Click [here](#) to refer to Grant Program Manual Chapter 1.4.2 for more detailed information regarding the Problem Statement.

Stanislaus County has a rate of motor vehicle injury and death that exceeds the state average. According to the California Office of Traffic Safety, Stanislaus County's ranking by the number of vehicle-miles traveled in comparison to regions of like populations shows reasons to be concerned. In 2008, Stanislaus County was ranked 5th statewide for total fatal and injury collisions. It was ranked 15th for alcohol-involved fatal and injury collisions with 475 incidents occurring. Over a three year span, overall DUI arrests in Stanislaus County have increased steadily. In 2005, 2660 individuals were arrested for DUI. In 2006, 2846 individuals were arrested and in 2007, there were 3316 arrested. Overall, this stands as a 16.5% increase over the three year span. During this three year time period, only five other counties had a higher percentage of DUI arrests in the state.

Inadequate funding for adult services has caused the Probation Department to administratively "bank" more than 3,600 probationers, including both felony and misdemeanor DUI offenders. 90% of the 181 felony drunk drivers currently under the jurisdiction of the Probation Department receive little to no supervision services. More than a third of these probationers have prior records of alcohol-involved traffic offenses. These statistics demonstrate the need for increased community supervision and innovative partnerships between Probation and law enforcement to monitor those offenders at most risk of re-offending.

The Enhanced Felony Drunk Driver Supervision program commenced in Stanislaus County in June 2006. As a result of OTS funding, services have been provided to DUI offenders that were not previously achievable. During weekend and evening hours, Deputy Probation Officers have been tasked with performing community supervision of repeat DUI offenders. Services and activities specific to DUI offenders has included contacts with and searches of offenders in their homes, multi-agency sobriety checkpoints, surveillance, drug and alcohol testing, and the service of outstanding warrants. Offender data gathered from the 2005 calendar year was established as the baseline for achieving goals during the 2006-2010 grant years. The following goals will be targeted during this grant period: To reduce the number of new DUI offenses by DUI probationers, to reduce the number of DUI probationers arrested/cited for driving with suspended or revoked license and to increase the percentage of DUI Probationers in compliance with court-ordered probation.

PROBLEM STATEMENT AND METHOD OF PROCEDURE
GRANTS MADE EASY - PROBATION

Complete the following table using SWITRS data for collision and victim numbers and using the "Annual Report of the California DUI Management Information System" for arrest and conviction numbers. SWITRS data is available on the CHP website: www.chp.ca.gov. The "Annual Report of the California DUI MIS" is available on the DVM website: www.dmv.ca.gov.

Collision Type	2007				2008				2009			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	65		95		45		72					
Injury	2957		4414		2583		3766					
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	28	349	32	537	17	291	19	456				
Countywide Total DUI Arrests*	3316											
Countywide Misdemeanor DUI Convictions*												
Countywide Felony DUI Convictions*												

*Countywide DUI arrest and conviction data are available in the "Annual Report of the California DUI Management Information System", Appendix B, Table B1 and B3.

PROBLEM STATEMENT AND METHOD OF PROCEDURE
GRANTS MADE EASY - PROBATION

Provide the following information for your department for the Federal Fiscal Year (FFY) periods October 1 through September 30:

	FFY 2008	FFY 2009	FFY 2010
Average Number Of DUI Probationers Under Intensive Supervision	0	0	0
Warrant Sweeps Conducted	4	5	0
Field Contacts (Without Search) Conducted	288	248	240
Office Contacts Conducted	0	0	0
Home Searches Conducted	147	153	121
Alcohol And Other Drug Tests Conducted	137	135	150
HOT Sheets Distributed	9	5	6
Multi-Agency Operations Participated In (Not Including Warrant Sweeps Reported Above)	16	14	9
SCRAM Probationer-Days	0	0	0
Positive Reports From SCRAM	0	0	0
Violations Resulting From SCRAM	0	0	0
Known Violatable Acts	21	34	35
Responses to Known Violatable Acts	21	34	35
Court Actions Initiated For Violatable Acts	8	16	10
Grant-Funded Full-Time DUI Probation Officers	0	0	0
Non-Grant Full-Time DUI Probation Officers	0	0	0

METHOD OF PROCEDURE

Phase 1 – Program Preparation (October of the First Grant Year)

The Probation Department will hire grant-funded staff positions responsible for conducting supervision and other related duties. Grant-related purchases of equipment and/or minor equipment, if any, will be initiated and other necessary equipment and supplies will be acquired. Staff will be trained in the use and calibration of portable alcohol screening (PAS) devices and on relevant statutes pertaining to DUI offenders. The Risk Assessment tool will be purchased or developed and staff will be trained on the use of the tool and the policies and procedures for identifying risk-levels and making caseload assignments. Staff will review the grant goals, objectives, and methods. The tools required to collect data necessary to report on the progress and/or achievement of the grant goals and objectives will be provided to staff, along with training in its use. A timeline or schedule will be developed to ensure the timely completion of grant objectives. Contact will be initiated with the host agency for the countywide Avoid DUI campaign. Standardized Field Sobriety Test (SFST) training is recommended. Drug Recognition Expert

PROBLEM STATEMENT AND METHOD OF PROCEDURE

GRANTS MADE EASY - PROBATION

(DRE) certification should be considered. Staff will receive training and orientation related to the Department's SCRAM program (if applicable) and will begin working closely with the SCRAM vendor to ensure a timely response to any violations by DUI offenders.

A written operational plan will be developed. The plan will outline the Department's policies and procedures related to the DUI probationer intensive supervision program including participant criteria, how individuals are identified and selected for inclusion on the caseload, how risk assessment is conducted, how and why offenders are moved on and off the caseload, policies and procedures for office visits, drug/alcohol testing, field contacts, home searches, and court monitoring. The operational plan should include contact information for referrals to resources such as county mental health, treatment, Alcoholics Anonymous, vocational training, job search and placement. The operational plan should be written in a manner that allows it to serve as a manual for new or additional program staff working with the DUI supervision program.

Phase 2 – Program Operations (Throughout Grant Period)

A news release will be distributed to the media to inform the public about the OTS grant awarded to the County Probation Department. Additional news releases highlighting program successes and high visibility programs, such as warrant sweeps, will be developed, approved by OTS and issued to the media throughout the grant period.

To ensure compliance with all court ordered conditions of probation, the Probation Department will conduct the intensive supervision activities specified in the grant objectives. Activities include: risk assessment and assignment, initial home evaluation, office visits, field contacts, warrant sweeps, surveillance, alcohol and drug tests, home searches, monitoring of treatment and other program participation, review and monitoring of SCRAM alerts (if applicable) and Ignition Interlock compliance. Staff will work with the court and District Attorney's office to ensure appropriate terms of probation are ordered. Probation will maintain and distribute a "HOT" Sheet to local law enforcement and will perform necessary record keeping and reporting. Probation will respond to all known probation violations and initiate appropriate interventions up to and including court action. The DUI Unit will work with local law enforcement agencies and participate in the county Avoid DUI campaign.

Phase 3 – Data Collection & Reporting – (Throughout Grant Period)

Agencies are required to collect and report quarterly, appropriate data that supports the progress of each goal and objective.

Statistical data relating to the grant goals and objectives will be collected, analyzed, and incorporated in Quarterly Performance Reports (QPRs). QPRs for the quarter ending September 30 will include year-to-date comparisons of goals and objectives. If required, a separate quarterly data reporting form will be completed each quarter and submitted as part of the QPR.

Reports will compare actual grant accomplishments with the planned accomplishments. They will include information concerning changes made by the Grant Director in planning and guiding the grant efforts.

PROBLEM STATEMENT AND METHOD OF PROCEDURE
GRANTS MADE EASY - PROBATION

Reports shall be completed in accordance with OTS requirements specified in the Grant Program Manual, Chapter 7, and submitted in compliance with the signed Acceptance of Conditions and Certifications (OTS-33) included within this agreement.