

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

DEPT: Probation

BOARD AGENDA # \*B-3

Urgent  Routine

AGENDA DATE November 13, 2012

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to accept an Alcohol and Other Drugs grant from the State Office of Traffic Safety for Enhanced Felony Drunk Driver Probation Supervision

STAFF RECOMMENDATIONS:

1. Authorize the Chief Probation Officer to accept 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.
2. Direct the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$49,000 as detailed in the Budget Journal Form. This increase in revenue will be placed in the Field Services Budget unit.

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. The Probation Department has been approved to receive \$49,000 in OTS funding for the grant period October 1, 2012 to September 30, 2013 to target alcohol and other drug law enforcement activities.

(Continued Page 2)

BOARD ACTION AS FOLLOWS:

No. 2012-562

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow  
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

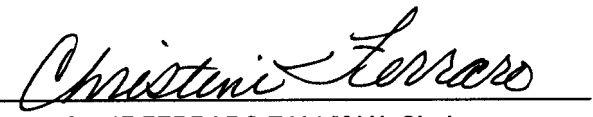
1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Authorize the Chief Probation Officer to accept an Alcohol and Other Drugs Grant from the State Office of Traffic Safety for Enhanced Felony Drunk Driver Probation Supervision

**FISCAL IMPACT: (Continued)**

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 \$260,834. As the current grant period is based on a Federal Fiscal Year, any unused funds not spent in the current county's fiscal year will be budgeted in Budget Year 2013-2014.

**DISCUSSION:**

Stanislaus County has a rate of motor vehicle injury and death that exceeds 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 with 501 incidents occurring. This is an increase from 2008, when 475 incidents occurred. In 2010, however, the number of alcohol involved fatal and injury incidents dropped to 282. The 2011 statistics have not yet been published by the California Office of Traffic Safety.

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. Beginning 2010, the OTS grant became competitive and allocation amounts were no longer pre-determined. The application for funds was submitted on April 3, 2012, in order to ensure the deadline for application was met.

The OTS grants have provided for a level of supervision to Driving Under the Influence (DUI) offenders that would not have previously been achieved without the additional financial support. Outcomes for the 2008-2011 funding reflect that all grant objectives were met. This allocation of funding provided for 813 home visits, 407 searches, 560 alcohol/drug tests, 12 stakeout/surveillance operations, 7 warrant service operations and 31 DUI checkpoints.

(Continued Page 3)

Approval to accept 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 will provide \$49,000 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 211 felony DUI offenders that are assigned to the administrative bank caseload or supervised caseloads that will be targeted through this grant. This number includes those offenders currently on bench warrant status; however, does not include the realignment population under supervision for felony DUI cases. 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 level 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 goal and priorities of A Safe Community, A Healthy Community and Effective Partnerships.

**STAFFING IMPACTS:**

The recommended action will add approximately 1,040 hours of overtime work hours for Deputy Probation Officers between October 1, 2012 and September 30, 2013.

**CONTACT INFORMATION:**

Steve Jackson, Division Director, (209) 567-4126.

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Balance Type  
Data Access Set

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Budget  
County of Stanislaus

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Ledger  
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Journal Description  
Journal Reference  
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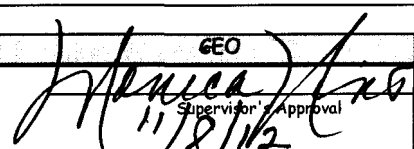
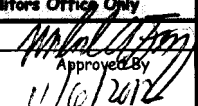
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	0100	0026110	25000	0000000	000000	000000	00000		49000	ST - OTHER	
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	0100	0026110	63570	0000000	000000	000000	00000	1104		NARCOTIC TESTING	
<b>Totals:</b>									49000	49000	

Tip: This is not the end of the Template. Unprotect the sheet and insert as many rows as needed.

Explanation: To establish budget for FY 12/13 OTS grant funding

<b>Requesting Department</b>		<b>Date Entry</b>		<b>Auditors Office Only</b>	
Vicki Martin	 Supervisor's Approval 11/8/12 Date	Keyed by	Prepared By	 Approved By 11/6/2012 Date	
Prepared by		Date	Date	Date	
10/29/2012		Date	Date	Date	

**GRANTS MADE EASY  
PROBATION  
SCHEDULE A  
Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 1

**PROBLEM STATEMENT**

Describe the traffic safety related problem/deficiency and how it was identified. Compare your county's DUI problem with statewide numbers, rates, and averages. Refer to the OTS Grant Program Manual for more detailed information regarding the Problem Statement.

In reviewing 2005 to 2009 data regarding alcohol involved fatal and injury collisions, Stanislaus County has gone through both positive and negative trends. In 2005, the number of persons killed and injured in DUI collisions were 33 and 444 respectively. These figures dropped consistently in 2006 and 2007. In 2008, the numbers dropped significantly to 17 killed and 356 injured. In 2009, the numbers crept back up to 20 killed and 368 injured. It appears that Probation, along with our local law enforcement partners are doing a good job in holding DUI probationers accountable, however there is much more work to be done. In October 2011, Probation Department's statewide endured massive changes through the state's criminal justice realignment. Inmates convicted of multiple DUI's and sentenced to state prison are now being released to local probation departments for active supervision. Prior to realignment, those inmates would have been released to state parole for their supervision. These upward trends in statistics and additional population magnify the need for further suppression and supervision of DUI offenders.

Inadequate funding for adult services has caused the Probation Department to administratively "bank" more than 3,300 probationers, including both felony and misdemeanor DUI offenders. 90% of the 202 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 demonstrated 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.

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

**GRANTS MADE EASY  
PROBATION  
SCHEDULE A  
Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 2

Collision Type	2008				2009				2010			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	45		72		54		57		46		50	
Injury	2583		3766		2556		3854		2380		3462	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	28	349	32	537	17	291	19	456	15	267	12	200
Countywide Total DUI Arrests*	3342				3417				N/A			
Countywide Misdemeanor DUI Convictions*	2542				N/A				Not Available			
Countywide Felony DUI Convictions*	76				N/A				Not Available			

\*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.

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

**GRANTS MADE EASY  
PROBATION  
SCHEDULE A  
Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 3

Grant-Funded Full-Time DUI Probation Officers	0	0	0
Non-Grant Full-Time DUI Probation Officers	0	0	0

**PERFORMANCE MEASURES**

**GRANT GOALS**

1. To reduce the number of persons killed in traffic collisions.
2. To reduce the number of persons injured in traffic collisions.
3. To reduce the number of new DUI offenses by DUI probationers.
4. To reduce the number of DUI probationers arrested/cited for driving with suspended or revoked license.
5. To increase the percentage of DUI probationers in compliance with court-ordered probation.

**GRANT OBJECTIVES**

1. 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 should be emailed to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. To send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator. If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed a draft press release should first be sent to the OTS PIO for approval. Drafts should be sent for approval as early as possible to ensure adequate turn-around time. Optimum lead time would be 10-20 days prior to the operation. Media communications reporting the results of grant activities such as ENFORCEMENT OPERATIONS are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press. Activities such as warrant or probation sweeps and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
3. 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.
4. To email the OTS Public Information Officer at [pio@ots.ca.gov](mailto: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.

**GRANTS MADE EASY**  
**PROBATION**  
**SCHEDULE A**  
**Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 4

5. To submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.), which is meant for general public use, to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, for approval 14 days prior to the production or duplication.
6. To include the OTS logo, space permitting, on grant funded print materials; consult your OTS Coordinator for specifics relating to this grant.
7. 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 should be distributed to patrol and traffic officers every three to four weeks.
8. To develop (and submit by October 31) 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.
9. To obtain, or develop, and utilize a risk or needs assessment tool to identify high-risk DUI offenders for placement on formal probation by October 31.
10. To establish   0   caseloads of   0   high-risk DUI probationers per caseload for intensive supervision by October 31.
11. To establish all grant-funded positions and train staff on defined roles and duties, including data collection and reporting requirements by October 31.
12. To conduct   0   warrant service operations 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.
13. To track the number of attempted field contacts (with and without search) of high-risk DUI probationers.
14. To make   0   announced field contacts with DUI probationers. *Note: Announced field (field, home, work-site) contacts are not recommended and should be used only in rare situations, such as initial home evaluations.*
15. To make  125  unannounced field contacts without search, with DUI probationers. *Note: Surprise contacts (field, home, work-site) with search are preferable to contacts without search. Field contacts without search should be reserved for situations when the individual does not have the search order as a condition of their probation or when other circumstances preclude conducting a search.*
16. To make   0   office contacts with DUI probationers.
17. To conduct  170  unannounced field contacts with search of DUI probationers' body/property. *Note: Surprise home contacts with search are the preferred method for ensuring compliance with court-ordered terms of probation.*
18. To track and report SCRAM usage and resulting SCRAM violations of high-risk DUI probationers.
19. To conduct  175  alcohol and other drug tests of DUI probationers.



**GRANTS MADE EASY  
PROBATION  
SCHEDULE A  
Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 5

20. To collaborate with the county's "Avoid Coalition" 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.
21. 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.
22. 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.
23. To submit in a timely manner all statistical data, financial reimbursement claims, and quarterly performance reports, as required by OTS, throughout the grant period.

**METHOD OF PROCEDURE**

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

- A news release will be distributed to the media to inform the public about the OTS grant awarded to the County Probation Department.
- 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 forms necessary to collect and record data for inclusion in the Quarterly Progress Reports to document the progress toward achievement of the grant goals and objectives will be provided to staff, along with training in their 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.
- Advance Roadside Impaired Driving Enforcement (ARIDE) training is recommended.
- Drug Recognition Evaluator (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.

**GRANTS MADE EASY**  
**PROBATION**  
**SCHEDULE A**  
**Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 6

- 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)**

- News releases highlighting program successes and high visibility programs, such as warrant service operations, 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 should work with the court and District or City Attorney's office to ensure appropriate terms of probation are ordered.
- Probation should maintain and distribute a "Hot Sheet" to local law enforcement and will perform necessary record keeping and reporting.
- Probation should respond to all known probation violations and initiate appropriate interventions up to and including court action.
- The DUI Unit should 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. A separate quarterly data reporting form (Schedule C) will be completed each quarter and submitted as part of the QPR.

**GRANTS MADE EASY  
PROBATION  
SCHEDULE A  
Grant No: AL1316**

**GRANT DESCRIPTION**

PAGE 7

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

Reports shall be completed and submitted in accordance with the OTS requirements specified in the Grant Program Manual.

**METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will prepare the Executive Summary to accompany the final QPR. The Executive Summary will: (1) briefly state the original problem; (2) specify the most significant goals and objectives; (3) highlight the most significant activities that contributed to the success of the program and the strategies used to accomplish the goals; and (4) describe the program's accomplishments as they relate to the goals and objectives.

**ADMINISTRATIVE SUPPORT**

This program has full support of the County of Stanislaus, Board of Supervisors. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B  
 DETAILED BUDGET ESTIMATE  
 GRANT NO. Stanislaus Co. AL1316

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION
164	20.608	MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	CFDA	FY-1 10/1/12 thru 9/30/12	FY-2	
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries				
<u>Overtime</u>				
Compliance Check Operations	20.608	\$ 46,896.00		\$ 46,896.00
Benefits @ %				\$ -
Category Sub-Total		\$ 46,896.00		\$ 46,896.00
<b>B. TRAVEL EXPENSE</b>				
In-State	20.608	\$ 1,000.00		\$ 1,000.00
Out-of-State				\$ -
Category Sub-Total		\$ 1,000.00		\$ 1,000.00
<b>C. CONTRACTUAL SERVICES</b>				
None		\$ -		\$ -
Category Sub-Total		\$ -	\$ -	\$ -
<b>D. EQUIPMENT</b>				
None		\$ -		\$ -
Category Sub-Total		\$ -	\$ -	\$ -

<b>E. OTHER DIRECT COSTS</b>				
Alcohol/Drug Testing	20.608	\$ 1,104.00		\$ 1,104.00
				\$ -
				\$ -
				\$ -
				\$ -
Category Sub-Total		\$ 1,104.00	\$ -	\$ 1,104.00
<b>F. INDIRECT COSTS</b>				
			\$ -	\$ -
			\$ -	\$ -
Category Sub-Total		\$ -	\$ -	\$ -
<b>GRANT TOTAL</b>		<b>\$ 49,000.00</b>	<b>\$ -</b>	<b>\$ 49,000.00</b>