



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Probation  
**Department No.:** 022  
**For Agenda Of:** May 17, 2022  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Tanja Heitman, Chief Probation Officer (805) 803-8537  
Director(s)  
Contact Info: Damon Fletcher, Administrative Deputy Director (805) 882-3654  
**SUBJECT:** Senate Bill (SB) 129 Pretrial Services Memorandum of Understanding between  
the Superior Court of California and County of Santa Barbara Probation  
Department

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of supervisors:

- A. Authorize the Chief Probation Officer to sign the Memorandum of Understanding (MOU) between Superior Court of California, County of Santa Barbara, and County of Santa Barbara Probation Department for the SB129 Pretrial Services Program;
- B. Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA guidelines.

**Summary Text:**

Senate Bill (SB) 129 provides funding for the implementation and operation of ongoing court programs and practices that promote the safe, fair, and timely pretrial release of individuals booked into jail. This state funding passes through the Judicial Council to California courts. The Superior Court of California, County of Santa Barbara has applied for FY 2021-22 funding and included Pretrial Services in the Probation Department in the approved application budget. Execution of the MOU is necessary to allow

the Probation Department to recover authorized costs retroactively to the funding start date of July 1, 2021 through June 30, 2023.

**Background:**

The Probation Department implemented a supervised pretrial release program in fiscal year (FY) 2017-18 with two officers assigned as Pretrial Compliance Officers. The number of individuals being supervised increased quickly and an additional two officers were added to address the workload. During this time there were efforts at the State level to address bail reform and locally discussions occurred between the Superior Court and the Probation Department regarding the transfer of the responsibility for pretrial assessments to Probation. It was determined that having both assessment and supervision under the Probation Department would create efficiencies which would allow Probation to address the need for additional supervision capacity, while continuing to deliver a similar level of pretrial assessment service to the Courts. In collaboration with the County Executive Office, the Probation Department submitted a budget expansion request heard at the June 2019 budget hearings which proposed transferring responsibility for pretrial services from the Court to Probation mid-way through FY2019-20. The transfer occurred on December 30, 2019.

The level of staffing at the time did not allow for pretrial risk assessments and analysis to be conducted for every person booked into jail. In July 2019 the Santa Barbara Superior Court applied for, and was awarded, a grant from the Judicial Council of California that included additional assessment and support staff for the Probation Department. The grant was originally expected to end June 30, 2021 however due to the availability of funds expenditures against the grant were authorized through June 30, 2022 or until grant funds were fully expended. The grant was fully expended in the current fiscal year however the adoption of SB129 provided continuation and expansion funding for pretrial services following the loss of grant funds. The MOU provides the guidelines and mechanism for the Probation Department to claim grant funded reimbursement from the Superior Court.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State	\$ 1,121,093.00	\$ 1,121,093.00	\$ -
Federal			
Fees			
Other:	\$ -		
Total	\$ 1,121,093.00	\$ 1,121,093.00	\$ -

**Narrative:**

SB 129 will provide \$1,121,093 to the Probation Department annually beginning in FY 2021-22 for the term of the MOU. The FY 2022-23 expenditures and revenues are included in the Probation Department's FY 2022-23 proposed budget. The execution of the MOU by the Chief is necessary to be able to draw down the state funded reimbursement from the Superior Court.

**Staffing Impacts:**

**Legal Positions:**

0.0

**FTEs:**

0.0

**Special Instructions:**

None

**Attachments:**

Attachment A: Memorandum of Understanding (MOU) between Superior Court of California, County of Santa Barbara, and County of Santa Barbara Probation Department for the Pretrial Services Program.

**Authored by:**

Damon Fletcher, Administrative Deputy Director