



## Legislation Text

File #: 18-583, Version: 1

Approve a contract with the State of California Department of Corrections and Rehabilitation (CDCR) to provide juvenile diagnostic studies and treatment services, for an amount not to exceed \$99,904, effective for the period of October 1, 2018 through June 30, 2020; Delegate authority to the County Administrator, pending County Counsel concurrence, to execute the contract and any future amendments, including changes to terms and conditions, scope of services and modifications to contract limits up to 20% of the total contract amount, not to exceed \$75,000

Published Notice Required? Yes ☐ No ☒  
Public Hearing Required? Yes ☐ No ☒

### **DEPARTMENTAL RECOMMENDATION:**

The Director of Probation recommends that the Board of Supervisors:

1. Approve a contract with the State of California Department of Corrections and Rehabilitation (CDCR) to provide juvenile diagnostic studies and treatment services, for an amount not to exceed \$99,904, effective for the period of October 1, 2018 through June 30, 2020;
2. Delegate authority to the County Administrator, pending County Counsel concurrence, to execute the contract and any future amendments, including changes to terms and conditions, scope of services and modifications to contract limits up to 20% of the total contract amount, not to exceed \$75,000.

### **SUMMARY/DISCUSSION:**

Pursuant to Welfare and Institutions Code Sections 1731.5 and 1731.6, a court may order an eligible person temporarily placed with the California Department of Corrections and Rehabilitation, Division of Juvenile Justice Facilities (CDCR/DJJ) if it concludes that proper disposition of the case requires such observation and diagnosis as can be made at a diagnostic and treatment center of the CDCR/DJJ. The court may continue the hearing and order that such a person be placed temporarily in such a center for a period not to exceed 90 days, with the further provision in such order that the Director of the CDCR/DJJ report to the court its diagnosis and recommendations concerning the person within the 90-day period. The Director of the CDCR/DJJ will have the person observed and examined and shall then forward to the court his diagnosis and recommendation concerning the person's future, care, supervision, and treatment. The CDCR/DJJ must accept the person if it believes the person can be materially benefited by diagnostic and treatment services at its facilities and if the Director of CDCR/DJJ certifies that CDCR/DJJ staff and institutions are available.

However, only courts in those counties that have entered into an agreement with the Director of the CDCR/DJJ pursuant to Welfare and Institutions Code Section 1752.1, wherein the Youth Authority agrees to furnish diagnosis and treatment services and temporary detention during a period of study to the county for selected cases of persons eligible for commitment to the Youth Authority, may make such a placement order described above. The proposed Agreement made pursuant to Welfare and Institutions Code Section 1752.1 will enable the Juvenile Court of Solano County to make such placement orders. Probation anticipates a potential need for diagnostic services, and establishing the proposed Agreement at this time will alleviate the waiting period that would otherwise occur to start the process of complying with the court-ordered evaluation. Under the proposed Agreement, the County will reimburse CDCR/DJJ for the provision of Diagnostic Studies,

Treatment Services and Temporary Detention at CDCR/DJJ facilities for case referrals from Juvenile Court at a rate of \$223.00 for each referral per day or any part of a day. The Director of the CDCR/DJJ has determined this rate to be necessary to cover the costs incurred by CDCR/DJJ from the provision of the services under this Agreement. CDCR/DJJ will provide routine medical services as part of the daily rate but the County will be responsible for any emergency medical treatment or emergency mental health treatment for juvenile wards sent to CDCR/DJJ by the County for diagnostic services.

**FINANCIAL IMPACT:**

The cost for the diagnostic services is included in the FY2018/19 Probation Department Approved Budget. There is no additional impact to the County General Fund. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2018/19 Adopted Budget.

**ALTERNATIVES:**

The Board of Supervisors could choose not to approve the contract; however, this alternative is not recommended as this contract is mandated by the courts.

**OTHER AGENCY INVOLVEMENT:**

County Counsel reviewed and approved the contract as to form. The County Administrator's Office has reviewed this report and concurs with Department's recommendation.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION