

BOARD of SUPERVISORS



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MEMORANDUM

TO: Michael Brown, Executive Officer, Civil Service Commission
Vicki Hennessy, Sheriff, Sheriff's Department
Greg Suhr, Chief, Police Department

FROM: Erica Major, Assistant Committee Clerk, Government Audit and Oversight
Committee, Board of Supervisors

DATE: January 20, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by the Sheriff's Department on April 12, 2016:

File No. 160313

Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2016 calendar year.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c:
Theodore Toet, Sheriff's Department
Katherine Gorwood, Sheriff's Department
Eileen Hirst, Sheriff's Department
Christine Fountain, Police Department
Sergeant Rachael Kilshaw, Police Department

1 [Home Detention Electronic Monitoring Program Rules and Regulations and Program
2 Administrator's Evidence of Financial Responsibility - 2016]

3 **Resolution approving the Sheriff Department's home detention and electronic**
4 **monitoring program rules and regulations and approving evidence of financial**
5 **responsibility demonstrated by program administrator, Leaders in Community**
6 **Alternatives, for the 2016 calendar year.**

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8 WHEREAS, The Sheriff's Department held a competitive bid process RFP
9 SHF2014-01 Electronic Monitoring and Case Management Services and awarded a contract
10 to Leaders in Community Alternatives ("LCA") to administer the Sheriff Department's home
11 detention and electronic monitoring program (the "Program"); and

12 WHEREAS, The Civil Service Commission approved Professional Services
13 Contract 48796-13/14 with LCA on March 3, 2014; and

14 WHEREAS, California Penal Code, Sections 1203.016 and 1203.018 authorize the
15 Sheriff to expand the use of home detention with electronic monitoring for sentenced and
16 unsentenced inmates to reduce jail operating expenditures; and

17 WHEREAS, California Penal Code, Sections 1203.016 and 1203.018 authorize the
18 Sheriff to administer a home detention program with electronic monitoring pursuant to written
19 contracts with private entities, subject to the requirement that the Board of Supervisors
20 annually review and approve the rules and regulations of the Program and the requirement
21 that such contract include a provision requiring that the contractor demonstrate and submit for
22 approval by the Board of Supervisors evidence of financial responsibility that may include a
23 current liability insurance policy in amounts and under conditions sufficient to fully indemnify
24 the City and County of San Francisco for reasonably foreseeable public liability, including
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1 legal defense costs, that may arise from, or be proximately caused by, acts or omissions of
2 the contractor; and

3 WHEREAS, The Sheriff Department's Program is administered by LCA pursuant to the
4 rules and regulations set forth in Appendix A of the contract with LCA, which is on file with the
5 Clerk of the Board of Supervisors in File No. 160313; and

6 WHEREAS, The Board of Supervisors reviewed and approved the rules and
7 regulations of the Program set forth in Appendix A of the contract with Program Administrator
8 LCA, which is on file with the Clerk of the Board of Supervisors in File No. 160313, and no
9 changes to the rules and regulations have been made since that date; and

10 WHEREAS, The Sheriff's Department completed the annual review of the Program's
11 scope of services and LCA's evidence of financial responsibility, which shall be the certificate
12 of insurance required by the contract with LCA, and found that no change is required; and

13 WHEREAS, Program administrator LCA has provided to the Sheriff as evidence of
14 financial responsibility a certificate of current liability insurance, which is on file with the Clerk
15 of the Board of Supervisors in File No. 160313, and which is hereby declared to be a part of
16 this resolution as if set forth fully herein; now, therefore, be it

17 RESOLVED, That the Board of Supervisors approves the rules and regulation of the
18 Program set forth in Appendix A of the contract with Program administrator LCA; which is on
19 file with the Clerk of the Board of Supervisors in File No. 160313, and, be it

20 FURTHER RESOLVED, That the Board of Supervisors approves the evidence of
21 financial responsibility submitted by Program Administrator LCA and demonstrated by the
22 certificate of current liability insurance, which is on file with the Clerk of the Board of
23 Supervisors in File No. 160313; and, be it

24 FURTHER RESOLVED, the Sheriff shall submit annually the rules and regulations of
25 the Program for review and approval by the Board of Supervisors; and, be it

1 FURTHER RESOLVED, The Sheriff will perform an annual review of the evidence of
2 financial responsibility, which for this Agreement shall be the certificate of insurance required
3 by the Agreement, to ensure compliance with requirements set by the Board of Supervisors
4 and for adjustment of the financial responsibility requirements if warranted by caseload
5 changes or other factors.

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