



**R. SCOTT OWENS**  
DISTRICT ATTORNEY

**PLACER COUNTY DISTRICT ATTORNEY**

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**TO: Honorable Board of Supervisors**  
**FROM: R. Scott Owens, District Attorney**  
**DATE: September 13, 2016**  
**SUBJECT: Approve the Amended Agreement between the Placer County District Attorney's Office and the California Department of Justice**

**ACTION REQUESTED**

Approve the amended Agreement with the California Department of Justice for forensic alcohol testing, toxicological drug and solid dosage analysis, and reimbursement of a criminalist for the period of July 1, 2016 through June 30, 2017 in the amount of \$109,152 and authorize the District Attorney, upon review and approval by Risk Management and County Counsel, to execute documents required.

**BACKGROUND**

On August 24, 2010, your Board approved the initial Memorandum of Understanding (MOU) between the District Attorney's Office and the California Department of Justice (DOJ). The District Attorney has now renegotiated this MOU and two related agreements with the DOJ to provide forensic alcohol testing services, toxicological drug analysis services and analysis of solid dosage drug samples. This agreement covers the cost of one criminalist to provide these services, and has been utilized by the District Attorney's Office for the last six years.

Drug and alcohol testing services are a necessary element utilized by the District Attorney's Office in order to determine if a suspect was under the influence of a controlled substance. A suspect's blood alcohol is chemically tested by either an evidential breath tester (EBT), a chemical test of the suspect's blood, or both. The EBTs must be calibrated and maintained on a regular basis in order to be admissible in court. Chemical testing of a suspect's blood is done in certain circumstances in order to determine whether a suspect was driving under the influence of a substance other than alcohol. This testing is referred to as toxicological drug analysis, or toxicology.

This amendment to the MOU is for an extension through June 30, 2017, allowing DOJ to continue the scope and services specified. The terms and conditions of the existing MOU expired on June 30, 2016.

**FISCAL IMPACT**

There is no new County cost associated with this agreement. The costs associated with this MOU are included in the District Attorney's FY 2016-17 Final Budget.

**MEMORANDUM OF UNDERSTANDING AMENDMENT 5**

**BETWEEN THE**

**COUNTY OF PLACER**

**PLACER COUNTY DISTRICT ATTORNEY'S OFFICE**

**And**

**STATE OF CALIFORNIA THROUGH THE, DEPARTMENT OF JUSTICE  
(BUREAU OF FORENSIC SERVICES)**

**FOR ANALYSIS OF SOLID DOSAGE DRUG SAMPLES**

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Larry J. Wallace, Director  
California Department of Justice  
Division of Law Enforcement

R. Scott Owens, District Attorney  
Placer County District Attorney's Office

David Harper, Assistant Director  
California Department of Justice  
Division of Administrative Support

Elissa Mayo, Interim Chief  
California Department of Justice  
Bureau of Forensic Services

This fifth amendment to the Memorandum of Understanding (MOU) for the analysis of solid dosage drug samples between the State of California, through the California Department of Justice (DOJ), Bureau of Forensic Services, and the County of Placer shall entered into on the first day of July 2016.

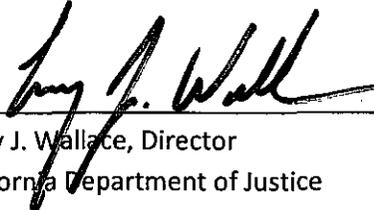
This fifth amendment is for a time extension through June 30, 2017, from the first amendment of July 1, 2012 through June 30, 2013. The first amendment continued the original annual cost of a Criminalist Range C and benefits only, as \$109,152.00 ( $\$109,152/12=\$9,096$  per month). This dollar amount is sufficient to cover the reimbursement of the fifth amendment as well. This extension will allow DOJ to continue the scope and services previously specified. The terms and conditions of the original MOU, other than the new dates, shall remain in effect until June 30, 2017.

In witness whereof, the parties hereto have executed this MOU AMENDMENT on the day and year first hereinabove written.

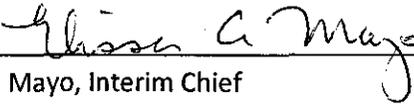
COUNTY OF PLACER

STATE OF CALIFORNIA,  
DEPARTMENT OF JUSTICE

By: \_\_\_\_\_  
R. Scott Owens, District Attorney  
Placer County District Attorney's office

By:  7/19/2016  
Larry J. Wallace, Director  
California Department of Justice  
Division of Law Enforcement

By:   
David Harper, Assistant Director  
California Department of Justice  
Division of Administrative Support

By:   
Elissa Mayo, Interim Chief  
California Department of Justice  
Bureau of Forensic Services

Approved as to form:

By: \_\_\_\_\_  
Gerald Cardin, County Counsel  
County of Placer

Addresses:

Placer County District Attorney's Office  
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CA DOJ (Sacramento Laboratory)  
Attn: Kurtis Smith, Director  
4949 Broadway, Room F201  
Sacramento, CA. 95820  
Phone: 916 227 3777

