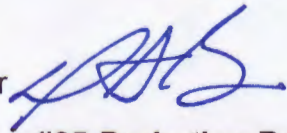




**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**  
**COUNTY MANAGER'S OFFICE**



**DATE:** October 13, 2011  
**BOARD MEETING DATE:** October 18, 2011  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors  
**FROM:** David S. Boesch, County Manager   
**SUBJECT:** **Addendum to Board Agenda Item #25-Probation Department**

This addendum is intended to provide your Board with additional information and clarification with respect to Agenda Item #25. Given the following, I recommend that this item be removed from the consent agenda and moved to regular business for discussion and action.

The Board Report received reflects changes requested of the Probation Department during the normal course of review. What is not clear is that the original request submitted by the department was a reflection of the discussion of and action by the Executive Committee of the Community Corrections Partnership recently formed.

The difference between what your Board received and what the department originally submitted is two positions at an additional cost of \$172,855. It was my judgment that these two positions were proposed prematurely and would be better considered in the near future when more progress and experience demonstrated their potential need. Moreover, without a fully developed Local Implementation Plan to guide budgeting decisions, moving forward with filling two classified positions at this juncture may effectively preempt future decisions about funding higher priorities, particularly in light of anticipated shortfalls in the funding provided by the State associated with public safety realignment obligations shifted to counties.

The attached salary ordinance is the original version submitted. The two positions in question have been highlighted.

I regret the confusion as a result of an inadequate description in the Board Report. A clearer approach would have been for Probation to submit exactly what the CCP requested, including the additional positions in the Sheriff's Office and in the Human Services Agency, and for me to communicate my disagreement to your Board separately.

Should your Board choose to approve the CCP budget as originally requested, the fiscal impact increases by \$172,855 to a new total of \$1,118,238, which would require amending the ATR accordingly and approving the attached Master Salary Ordinance instead of the one provided in the Board packet.

**ORDINANCE NO.**  
**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,**  
**STATE OF CALIFORNIA**

\* \* \* \* \*

AN ORDINANCE AMENDING ORDINANCE NUMBER 04515

The Board of Supervisors of the County of San Mateo, State of California,

ordains as follows:

**SECTION 1.** Part 13 of the Ordinance is amended as indicated:

ORGANIZATION 30000 SHERIFF

1. Item G050, Crime Analyst is increased by 1 position for a new total of 3 positions.

ORGANIZATION 32000 PROBATION

1. Item C001S, Deputy Probation Officer Series is increased by 6 positions for a new total of 151 positions.
2. Item E375, Legal Office Specialist is increased by 1 position for a new total of 43 positions.
3. Item D163, Probation Services Manager I is increased by 1 position for a new total of 17 positions.

ORGANIZATION 61000 BEHAVIORAL HEALTH AND RECOVERY

1. Item G240S, Case Management/Assessment Specialist Series is increased by 1 position for a new total of 10 positions.
2. Item G040S, Mental Health Caseworker Series is increased by 1 position for a new total of 123 positions.

ORGANIZATION 70000 HUMAN SERVICES AGENCY

1. Item B202, Benefits Analyst III - Unclassified is increased by 1 position for a new total of 1 position.
2. Item B183S, Community Worker Series – Unclassified is increased by 1 position for a new total of 1 position.
3. Item B107S, Social Worker Series – Unclassified is increased by 1 position for a new total of 1 position.



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Probation Department



**DATE:** September 28, 2011  
**BOARD MEETING DATE:** October 18, 2011  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** 4/5th

**TO:** Honorable Board of Supervisors  
**FROM:** Stuart J. Forrest, Chief Probation Officer  
**SUBJECT:** Community Corrections Partnership (CCP) Interim Staff Funding Request

**RECOMMENDATION:**

1. Adopt an ordinance amending the Master Salary Ordinance; and
2. Approve an Appropriation Transfer Request (ATR) in the amount of \$945,384 to various accounts to fund the new positions for partial service delivery for AB 109 clients in San Mateo County; and
3. Adopt a Resolution in support of constitutional protection of realignment funding for public safety.

**BACKGROUND:**

*Assembly Bill 109*

On April 4, 2011, Governor Brown signed AB 109, Public Safety Realignment into law. AB 109 and subsequent legislation (AB 116, AB 117 and Abx1 17) is collectively referred to as Realignment. Realignment took effect on October 1, 2011.

*The Purpose of Realignment*

The purpose of realignment is to reduce the state prison population to comply with U.S. Supreme Court ruling, reduce prison spending, and reform sentencing laws. Realignment contains five key provisions: (1) it allows certain prisoners to serve their sentence in county jail instead of prison; (2) it provides for counties to adopt alternatives to incarceration; (3) it directs the release of prisoners to local communities for supervision rather than parole; (4) it changes the credits prisoners earn for time served; and (5) it changes the revocation process.

*The Impact of Realignment at the County Level*

Realignment affects all criminal justice agencies at the county level: Probation; the Sheriff; the Court [State level]; the District Attorney; the Private Defender; and local law

enforcement agencies. In addition, AB 109 relies on county health and human services agencies to provide needed services to this newly defined population who will no longer receive services through the California Department of Corrections and Rehabilitation (CDCR).

### *Community Corrections Partnership (CCP)*

The Community Corrections Partnership (CCP) was established under SB 678 in 2009. SB 678 enabled the creation and use of evidence-based probation supervision practices for adult clients. A primary objective of the CCP is to develop and implement a community corrections program and is comprised of the following members:

1. Chief Probation Officer (chair) \*
2. Presiding judge of the superior court (or designee) \*
3. County Supervisor
4. District Attorney \*
5. Private Defender \*
6. Sheriff \*
7. Chief of Police \*
8. Head of the county health system
9. Head of the county department of social services \*
10. Head of the county alcohol and substance abuse programs
11. Director of employment services
12. Head of the county office of education
13. Victims' representative
14. Community-based organization representative

San Mateo County held its first CCP meeting on August 3, 2011. Executive committee members are noted with an asterisk.

The 2011-12 State Budget includes a \$6.3 billion realignment of responsibilities and revenues to counties for the operation of a variety of public safety and social service programs. This budget plan did not include the proposed constitutional amendment previously negotiated between the Administration and counties, leaving counties with a commitment from the Governor to pursue the constitutional protections, but no mechanism by which to achieve them.

### **DISCUSSION:**

#### *Interim Agency Flow Chart*

The flow chart (attached) serves as a first step in mapping out how various departments will interact and collaborate to deliver services and adhere to the new law. The process map also depicts gaps in the overall process that CCP Executive Members will need to address in the early stages of realignment.

In August and September 2011, five CCP member agencies developed process flow charts to reflect initial department-specific realignment operations: Probation, Health, Human Services, Sheriff's Office and Local Law Enforcement. A workgroup met to review individual flow charts and map the relationships at a higher-level to depict a

countywide process chart. At the time, the process mapping project was not applicable to the Court, the District Attorney or the Private Defender. Other major stakeholders involved and impacted by realignment, such as Community-Based Organizations (CBOs), have been depicted in the County process. However, new or expanded scopes of service required from CBOs will need to be determined from an initial analysis of the client population after the first few months of implementation.

#### *Interim Budget Plan*

Services have been provided to clients since October 1, 2011. In the short-term, departments will use existing resources to absorb initial operating and client services costs. It has been determined by the CCP Executive Committee that the following positions are needed at this time to address anticipated service delivery needs.

#### 32000 - Probation

- Six C001S, Deputy Probation Officer Series
- One E375, Legal Office Specialist
- One D163, Probation Services Manager I

The eight positions would staff the Post Release Community Supervision unit and supervise post release parolees.

#### 61000 – Behavioral Health and Recovery Services

- One G240S, Case Management/Assessment Specialist Series
- One G040S, Mental Health Caseworker Series (Psychiatric Social Worker Series)

These two positions would provide mental health assessment and linkage to mental health and drug and alcohol treatment services.

#### 70000 – Human Services Agency

- One B202, Benefits Analyst III - Unclassified
- One B183S, Community Worker Series – Unclassified

These two positions would provide eligibility determination services and community services.

These positions will be phased in as departments will use existing staff to supervise and provide services to this population in the immediate future. Departments will track operating costs at the client level for units of service provided and will invoice the Probation Department in order to receive reimbursement from the AB 109 Realignment Funds. Probation will analyze the financial and programmatic data from the first few months of implementation, which will be used to develop a comprehensive recommended budget for the Local Implementation Plan. A fiscal workgroup has been created to assist Community Corrections Partnership build the current year budget future year plans.

### *Next Steps*

The next steps in the Realignment planning process include the following seven steps:

- First, a county-level Realignment Workgroup, including all impacted departments and key stakeholders, will convene and bring together the various planning workgroups formed earlier in 2011.
- Second, a Realignment IT Workgroup has been created and will be led by the Probation Department. The group consists of key stakeholders from impacted departments who will define and interpret reporting requirements, and coordinate data gathering among various departments and agencies.
- Third, Probation and other criminal justice agencies will collect initial client data that can be analyzed and inform planning and plan creation.
- Fourth, departments will monitor actual units of service delivered to clients and associated costs in the first 2 – 3 months of implementation.
- Fifth, the CCP will select an outside contractor to create the final Local Implementation Plan.
- Sixth, the CCP Facilitator and Local Implementation Plan consultant will work with member departments and agencies to identify areas of need that will be included in the final budget request and Local Implementation Plan document. This document will be presented to the Board for approval in the first few months of 2012.
- And, seventh, fiscal analysis of early expenditures will help the CCP identify a fiscal plan for year 1 and help inform a year 2 budget recommendation.

### *State Constitutional Protections*

Absent a constitutional amendment, counties remain vulnerable to potential diversion of revenues dedicated to realignment, as well as the fiscal consequences of changes to program requirements and parameters. Without constitutional protections, the success or failure of realignment remains in the hands of the Legislature and the Governor.

The implementation of AB 109 reflects San Mateo County's commitment to the Shared Vision 2025 goal of a Healthy Community, keeping neighborhoods safe and providing residents with access to quality health care and seamless services. County Counsel has reviewed and approved the Ordinance. The Resolution has been reviewed and approved as to form by County Counsel.

### **FISCAL IMPACT:**

Total costs associated with the immediate staffing requests are \$945,384 for the remainder of FY 2011-12 and the annualized amount is \$1.5 million, of which \$123,398 will be funded from federal funds, and the remaining \$821,986 from AB 109 Realignment funds. There is no Net County Cost associated this ATR.

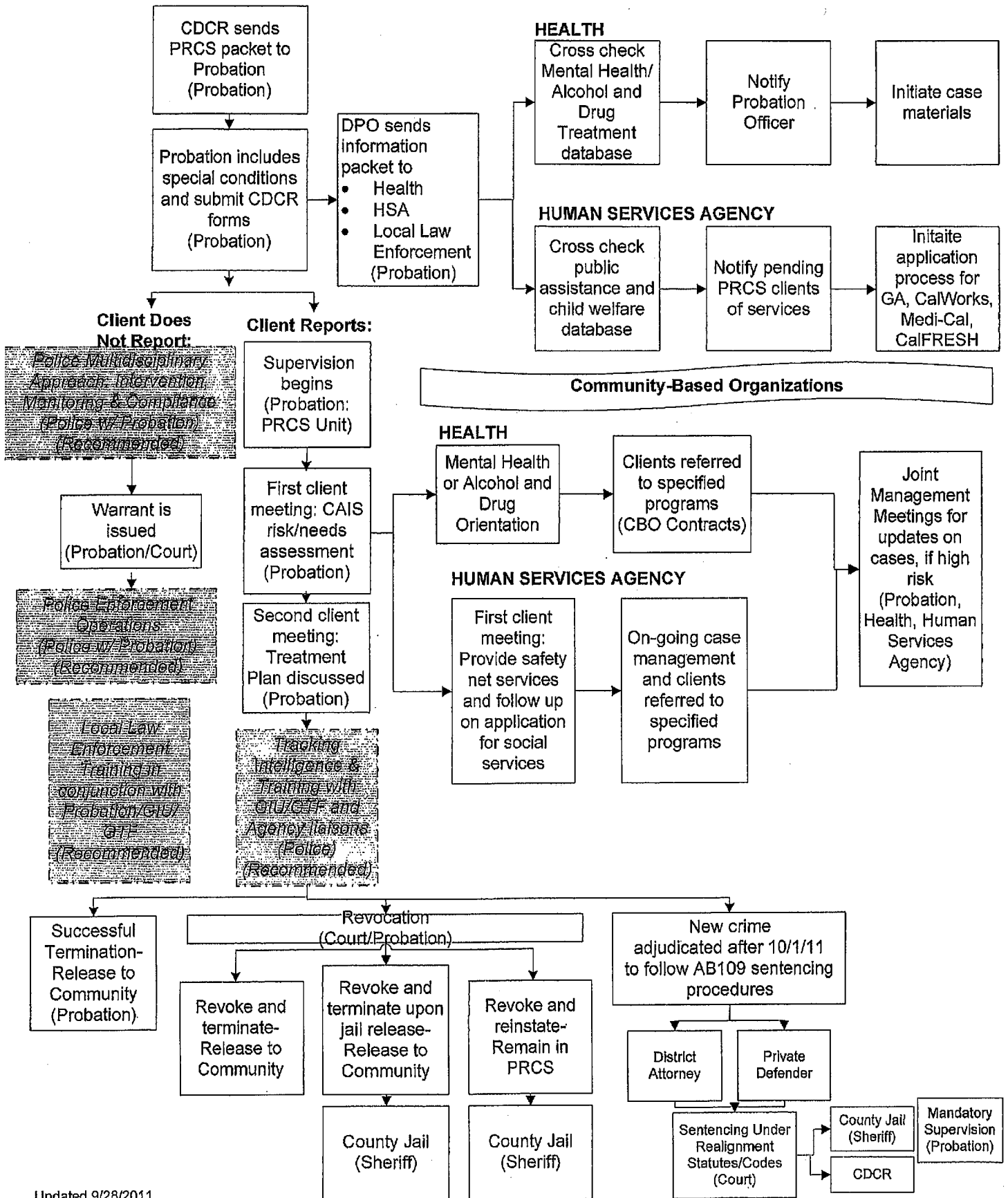
In the short-term, departments will use their existing appropriations to cover necessary operating and client services costs with reimbursement coming from the Realignment fund in the December – January timeframe. A second ATR will be prepared and submitted for the Board's approval in the coming months to appropriate the balance of AB 109 for the remainder of FY 2011-12.

# AB109 INTERIM REALIGNMENT PROCESS

SAN MATEO COUNTY BOARD OF SUPERVISORS

COMMUNITY CORRECTIONS PARTNERSHIP

COUNTY MANAGER'S OFFICE



**ORDINANCE NO.**  
**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,**  
**STATE OF CALIFORNIA**

\* \* \* \* \*

AN ORDINANCE AMENDING ORDINANCE NUMBER 04515

The Board of Supervisors of the County of San Mateo, State of California,  
ordains as follows:

**SECTION 1.** Part 13 of the Ordinance is amended as indicated:

ORGANIZATION 32000 PROBATION

1. Item C001S, Deputy Probation Officer Series is increased by 6 positions for a new total of 151 positions.
2. Item E375, Legal Office Specialist is increased by 1 position for a new total of 43 positions.
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ORGANIZATION 61000 BEHAVIORAL HEALTH AND RECOVERY

1. Item G240S, Case Management/Assessment Specialist Series is increased by 1 position for a new total of 10 positions.
2. Item G040S, Mental Health Caseworker Series is increased by 1 position for a new total of 123 positions.

ORGANIZATION 70000 HUMAN SERVICES AGENCY

1. Item B202, Benefits Analyst III - Unclassified is increased by 1 position for a new total of 1 position.
2. Item B183S, Community Worker Series – Unclassified is increased by 1 position for a new total of 1 position.

**SECTION 2.** The changes in this ordinance are effective at the start of the first pay period following adoption.



**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**RESOLUTION IN SUPPORT OF CONSTITUTIONAL PROTECTION OF  
REALIGNMENT FUNDING FOR PUBLIC SAFETY.**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the recent U.S. Supreme Court decision of *Brown v. Plata* requires the State of California to reduce its prison population by 33,000 offenders; and

**WHEREAS**, the State enacted Assembly Bill 109 (Chapter 15, Statutes of 2011) as subsequently amended by Assembly Bill 117 (Chapter 39, Statutes of 2011) and Assembly Bill 118 (Chapter 40, Statutes of 2011), to return or realign many low-level, non-serious, nonviolent, nonsexual offenders to their counties of origin thereby reducing the state prison population; and

**WHEREAS**, the Community Correction Partnership Act, Senate Bill 678 (Chapter 608, Statutes of 2009) encourages counties to reduce offender recidivism rates by using evidence-based practices to ensure better outcomes, specifically for the realigned offender population enabled under AB 109; and

**WHEREAS**, the shift in public safety responsibility is new and increased county performance requirements are required to be state funded; and

**WHEREAS**, the County of San Mateo is prepared to accept the realigned offender population to reduce the state prison population with the necessary state funding; and

**WHEREAS**, the San Mateo County Board of Supervisors calls upon the members of the State Legislature and Governor to place a measure on the November 2012 ballot to protect realignment funding.

**NOW, THEREFORE, IT IS HEREBY the position of** the Board of Supervisors that because counties cannot afford to fund state mandates with local resources; it joins Governor Jerry Brown, State Association of Sheriffs, Chief Probation Officers and California State Association of Counties in support of the placement of a measure on the November 12 ballot to protect and guarantee state realignment funding for counties.

\* \* \* \* \*

**COUNTY OF SAN MATEO  
APPROPRIATION TRANSFER REQUEST**

REQUEST NO.  
*APR 12 003*

DEPARTMENT Probation Department 3200D DATE 10/6/2011

**1. REQUEST TRANSFER OF APPROPRIATIONS AS LISTED BELOW:**

	C O D E S		AMOUNT	DESCRIPTION
	FUND OR ORG.	ACCOUNT		
From	Various	Various	945,384   00	See attached
To	Various	Various	945,384   00	See attached

Justification. (Attach Memo if Necessary)

This ATR appropriates the AB 109 Realignment funds to various departments to fund the new positions for partial service delivery for AB 109 clients in San Mateo County.

DEPARTMENT HEAD  
BY: *Stuart L. Forest* DATE 10-7-2011

2.  Board Action Required  Four-Fifths Vote Required  Board Action Not Required  
Remarks:

COUNTY CONTROLLER  
BY: *TA AM* DATE 10/11/11

3.  Approve as Requested  Approve as Revised  Disapprove  
Remarks:

COUNTY MANAGER  
BY: \_\_\_\_\_ DATE \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE — FOR BOARD OF SUPERVISORS' USE ONLY**

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
RESOLUTION TRANSFERRING FUNDS

RESOLUTION NO. \_\_\_\_\_

RESOLVED, by the Board of Supervisors of the County of San Mateo, that

WHEREAS, the Department hereinabove named in the Request for Appropriation, Allotment or Transfer of Funds has requested the transfer of certain funds as described in said Request; and

WHEREAS, the County Controller has approved said Request as to accounting and available balances, and the County Manager has recommended the transfer of funds as set forth hereinabove:

NOW, THEREFORE, IT IS HEREBY ORDERED AND DETERMINED that the recommendations of the County Manager be approved and that the transfer of funds as set forth in said Request be effected.

Regularly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Ayes and in favor of said resolution: \_\_\_\_\_ Noes and against said resolution: \_\_\_\_\_

Supervisors: \_\_\_\_\_ Supervisors: \_\_\_\_\_

Attachment for the AB 109 Realignment ATR				
Probation Department_3200D		10/6/2011		
<b>Codes</b>				
	<b>Org</b>	<b>Account</b>	<b>Amount</b>	
			<b>Description</b>	
From	32532	1685	634,288	Realignment Sales Tax 2011
	61201	1685	83,653	Realignment Sales Tax 2011
	61201	2372	83,653	Medi-cal FFP
	72220	1891	39,745	Federal Welfare Administration
	72220	1685	39,745	Realignment Sales Tax 2011
	73226	1685	64,300	Realignment Sales Tax 2011
To	32532	4000	634,288	Salaries and Benefits
	61201	4000	167,306	Salaries and Benefits
	72220	4000	79,490	Salaries and Benefits
	73226	4000	64,300	Salaries and Benefits