



Monterey County

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Board Report

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Recommendation to authorize the Public Defender to sign a non-standard Grant Agreement with California Endowment for the amount of \$25,000, and to direct the Auditor-Controller to amend the Public Defender's FY 2015-16 Adopted Budget to reflect acceptance of the grant.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a) accept an award of a California Endowment grant to Monterey County through the Public Defender's Office, in the amount of \$25,000, to support community outreach and education on Proposition 47 and other criminal record clearance efforts; and
- b) accept non-standard contract terms, as recommended by the Public Defender; and
- c) authorize the Public Defender to sign the Grant Agreement on behalf of Monterey County, and
- d) direct the Auditor-Controller to amend the FY 2015-16 Adopted Budget, Fund 001, Appropriation Unit PUB001, Department 2270, Budget Unit 8169 to increase revenue and appropriations by \$25,000 (4/5th vote required).

SUMMARY:

The California Endowment has selected Monterey County, through the Public Defender's Office, for award of a grant of \$25,000 to assist the Public Defender's Office in community outreach and education on the recently passed Proposition 47 (Safe Neighborhoods and Schools Act, November 4, 2014) and other criminal record clearance efforts.

DISCUSSION:

On November 4, 2014, the California electorate passed, by referendum, Proposition 47, which converts many nonviolent offenses, such as drug and property offenses, from felonies to misdemeanors. However, those affected only have three years to petition the Court to obtain the conversion. As such, immediate community outreach, education, and legal support is necessary to ensure the greatest possible number of affected individuals in the surrounding community receive the proposition's benefit.

The California Endowment, in conjunction with other interested local community organizations, has selected Monterey County, through the Public Defender's Office, for award of a \$25,000 grant to help provide this community outreach, education, and legal support in processing, filing, and litigating applicable sentence conversion petitions within the three year time period, along with such other criminal record clearance opportunities exist for the applicants. As stated in the attached correspondence from the California Endowment, the broad purpose of the grant is to connect formerly incarcerated individuals to health, social services, legal assistance and other programs. Through criminal record conversions and clearances, the ability of formerly incarcerated individuals to access such services will be enhanced. The grant, by its terms, may only be used for the purposes identified.

OTHER AGENCY INVOLVEMENT:

County Counsel and the CAO Budget Office have reviewed this report. The Board's Budget Committee has reviewed and approved the recommendation to accept the grant. County Counsel notes that in the attached letter, dated January 19, 2016, the California Endowment asks that the County indemnify the California Endowment as a condition of receiving the grant; efforts to persuade the California Endowment to drop this indemnity provision have proven unsuccessful. Risk and County Counsel cannot formally approve this provision. Based upon the modest scope of the grant and the limited risk posed to the County, in this particular case, County Counsel and Risk concur with the recommendation to accept the grant in any event.

FINANCING:

Increase revenues and appropriations as follows:

Revenue: 001-2270-8169-PUB001-5980, \$25,000

Appropriations: 001-2270-8169-PUB001-6613, \$25,000

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Approved by: James S. Egar, Public Defender x5806

Attachments:

Attachments: Award letter from The California Endowment, dated January 19, 2016, to James Egar
Correspondence from The California Endowment, titled "Safe Schools and Neighborhoods Act (Proposition 47) Implementation"