



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: RES 23-165, **Version:** 1

Adopt Resolution to:

- a. Direct the Auditor-Controller to amend the Fiscal Year (FY) 2023-24 Probation Department Adopted Budget 001-2550-8165-PRO001 to add 2.0 FTE Probation Aides, resulting in estimated increased costs of \$181,008 for FY 2023-24, financed by a corresponding increase in revenue as indicated in Attachment A (4/5ths vote required); and
- b. Direct County Administrative Office and the Auditor-Controller to increase appropriations and estimated revenue by \$181,008 in the FY 2023-24 Probation Department Adopted Budget 001-2550-8165-PRO001 (4/5ths vote required); and
- c. Direct County Administrative Office and the Auditor-Controller to incorporate the position and appropriations changes in the FY 2023-24 Probation Department Adopted Budget 001-2550-8165-PRO001.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Direct the Auditor-Controller to amend the Fiscal Year (FY) 2023-24 Probation Department Adopted Budget 001-2550-8165-PRO001 to add 2.0 FTE Probation Aides, resulting in estimated increased costs of \$181,008 for FY 2023-24, financed by a corresponding increase in revenue as indicated in Attachment A (4/5ths vote required); and
- b. Direct County Administrative Office and the Auditor-Controller to increase appropriations and estimated revenue by \$181,008 in the FY 2023-24 Probation Department Adopted Budget 001-2550-8165-PRO001 (4/5ths vote required); and
- c. Direct County Administrative Office and the Auditor-Controller to incorporate the position and appropriations changes in the FY 2023-24 Probation Department Adopted Budget 001-2550-8165-PRO001.

SUMMARY:

The Probation Department requests the Board of Supervisors approval for the request to amend the FY 2023-24 adopted positions in the Adult Probation Unit (001-2550-8165-PRO001) the FY 2023-24 adopted positions in the Adult Probation Unit (001-2550-8165-PRO001) for the Adult Pretrial Services program, to add the positions as outlined on the table included in Attachment A, which will be financed in FY 2023-24 with a funding allocation from the State for SB129 pretrial services and future years costs funded by the State's ongoing allocation for the Public Safety Realignment (AB109) program.

The Adult Pretrial Services program is a component of the Superior Court of Monterey County (court) process for jail release decisions. The pretrial services program considers a defendant's risk of 1) posing a threat to public safety, and 2) failing to appear in court. By using a validated assessment tool to predict these risks, the program protects the public and allows lower-risk defendants--regardless of financial status--to remain in the community while awaiting adjudication. After individuals are released to the community, the pretrial program provides monitoring services including check-ins to ensure program compliance, automated reminders of upcoming court dates, and connections to recovery programs, housing resources, and mental health services.

Probation is recommending a service expansion for the Adult Pretrial Services program in the form of

additional staffing. The necessary increase in staffing is due to the court's increased usage of the pretrial program which has outpaced the department's capacity. The request is to add two full time equivalent Probation Aides this fiscal year. The Probation Aides would primarily provide direct support of assessment completions and program support including creation of reports, administrative support for the monitoring portion of the program, data entry and data management in Probation's case management system, assistance with substance abuse testing and application of electronic monitoring as ordered by the court.

DISCUSSION:

Since the Adult Pretrial Services program began with the State's Public Safety Realignment (AB109) in 2012, Monterey County's pretrial program has steadily grown. More recently, California Senate Bill 129 (SB129) allocated ongoing and one-time funding beginning in FY 2021-22 to the Superior Courts for pretrial service expansion in each county. In FY 2021-22, under SB129 the Probation Department in collaboration with the court, expanded the pretrial program. The court received ongoing SB129 funding in FY 2021-22. From this ongoing funding, each year Probation is allocated the minimum legislated amount of \$531,531, with similar ongoing funding levels anticipated in future years. The Superior Court also received one-time funding with a portion allocated to Monterey County Probation for various start up program costs including related case management system updates with implementation, purchase of the assessment tool, staff training and other one-time program costs. Per legislation, the use of these one-time funds expires June 30, 2024.

In FY 2021-22, the Probation Department fully allocated its portion of the ongoing SB129 funding to add an expansion team of one Probation Officer II, one Office Assistant II, and two Probation Aides, as well as associated services and supplies. The number of monthly assessments referred and completed during this time has steadily grown from 85 in July 2021 to 237 in May 2023, an increase of 179%. The expansion team can no longer keep pace with the growing assessment referrals for the jailed population related to pretrial. As pretrial assessment requests and caseload sizes are steadily climbing due to the increased program use by the court, the requested two additional Probation Aides are necessary to keep pace with the required assessments, related data entry and administrative support of monitoring for this population.

Absent this additional staffing, many lower-risk individuals--as determined by the assessment and confirmed by Superior Court judges--may remain incarcerated for longer periods of time due to increased timeframes for completion of assessments and availability of data for related court reports. In addition, existing staff will incur overtime and required timelines for assessments may not be met due to the increased workload. Further, note that the scale and effectiveness of pretrial services makes it the department's primary solution to the objective of reducing the jail population while protecting public safety.

OTHER AGENCY INVOLVEMENT:

The Human Resources Department has reviewed and approved the Request to Classify (RTC).. In addition, the Community Corrections Partnership has reviewed the request and supports the addition of these positions. The Budget Committee supported the action during August 30, 2023 meeting. County Counsel has reviewed the Board Report.

FINANCING:

There will be no impact on the General Fund from this action. The costs of the additional positions are estimated at a prorated amount of \$181,008 in FY 2023-24 funded by State SB129 monies and \$220,944 in FY 2024-25 to be funded on an ongoing basis by the State's Public Safety Realignment (AB109) program. For FY 2024-25 and thereafter, the full costs and associated reimbursements will be part of the Probation Department

Requested Budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The proposed recommended actions address the Board of Supervisors Administration and Public Safety Strategic Initiatives. The actions demonstrate the County's commitment to meeting the Board's Strategic Initiatives by:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

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Approved by: Todd Keating, Chief Probation Officer, ext. 3913

Attachments:

Board Report

Attachment A

Resolution