



County of Monterey

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

Legislation Details (With Board Report)

File #:	18-537	Name:	Prop 47 DPD
Type:	General Agenda Item	Status:	Consent Agenda
File created:	5/9/2018	In control:	Board of Supervisors
On agenda:	5/22/2018	Final action:	
Title:	Adopt a Resolution to: a. Authorize the Auditor-Controller to amend the Public Defender's Fiscal Year (FY) 2017-18 Adopted Budget, PUB001-001-2270-8169, by increasing estimated revenues and appropriations by \$68,684, funded by Proposition 47 grant revenues; (4/5th vote required) b. Direct the Human Resources Department to implement the change in the Advantage HRM system amending the Public Defender's Office FY 2017-18 Adopted Budget, PUB001-001-2270-8169, by adding one (1.0) FTE Deputy Public Defender IV; and c. Authorize the Auditor-Controller's Office to incorporate, and direct the County Administrative Office to reflect approved modifications in the FY 2017-18 Adopted Budget. (4/5th vote required) (BOARD REPORT ATTACHED VIA SUPPLEMENTAL)		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report - ADDED VIA SUPPLEMENTAL, 2. Board Res_Prop47 DPD FY 2018, 3. FINAL_MOU Public Defender_Prop 47_FY 2018-20, 4. Completed Board Order

Date	Ver.	Action By	Action	Result
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Adopt a Resolution to:

- Authorize the Auditor-Controller to amend the Public Defender's Fiscal Year (FY) 2017-18 Adopted Budget, PUB001-001-2270-8169, by increasing estimated revenues and appropriations by \$68,684, funded by Proposition 47 grant revenues; (4/5th vote required)
- Direct the Human Resources Department to implement the change in the Advantage HRM system amending the Public Defender's Office FY 2017-18 Adopted Budget, PUB001-001-2270-8169, by adding one (1.0) FTE Deputy Public Defender IV; and
- Authorize the Auditor-Controller's Office to incorporate, and direct the County Administrative Office to reflect approved modifications in the FY 2017-18 Adopted Budget. (4/5th vote required) (BOARD REPORT ATTACHED VIA SUPPLEMENTAL)

It is recommended the Board of Supervisors Adopt a Resolution to:

- Authorize the Auditor-Controller to amend the Public Defender's Fiscal Year (FY) 2017-18 Adopted Budget, PUB001-001-2270-8169, by increasing estimated revenues and appropriations by \$68,684, funded by Proposition 47 grant revenues; (4/5th vote required)
- Direct the Human Resources Department to implement the change in the Advantage HRM system amending the Public Defender's Office FY 2017-18 Adopted Budget, PUB001-001-2270-8169, by adding one (1.0) FTE Deputy Public Defender IV; and
- Authorize the Auditor-Controller's Office to incorporate, and direct the County Administrative Office to reflect approved modifications in the FY 2017-18 Adopted Budget. (4/5th vote required)

SUMMARY/DISCUSSION:

This Board Report is being submitted to incorporate language corrections on the Board Report, Registrar File Number: 18-147, submitted on February 13, 2018. It also includes the required Board Resolution.

The Board of State and Community Corrections has awarded a 39-month grant to the Monterey County Health Department, Behavioral Health Bureau (Behavioral Health). The Grant entitled “No Zip Code Left Behind: Addressing Inequalities Through Collaborative Partnerships” will focus on individuals in the criminal justice system in need of mental health, substance abuse treatment and supportive services needed to eliminate barriers to successful reintegration into society and reduce the recidivism rate of individuals convicted of less serious crimes.

Behavioral Health and the Public Defender (PD) entered into an Inter-Departmental Agreement (Agreement) as part of the implementation of this grant, with goals and objectives focusing on increasing the progression and recovery rate of the target population by providing sentencing reclassification services to Proposition 47 eligible individuals in Monterey County. The Agreement term is November 1, 2017 through October 31, 2020 for a maximum amount of \$681,000.

The impact of new legislation allows thousands of convicted felons to request relief under Prop. 47 and have their felony convictions reduced to misdemeanors and/or infractions and thereafter requesting an expungement under Penal Code Section 1203.4. By providing an attorney position specifically to address these issues, the PD can process many more cases than currently can be done given current caseloads and time constraints. The designated attorney would provide legal assistance to indigent clients with a specific emphasis to cases involving Prop. 47 and Penal Code Section 1203.4 relief. Reducing felony charges to misdemeanors and/or infractions and obtaining an expungement of clients’ records allows the individuals to move forward with their lives, provide opportunity to achieve their potential, and allow our communities to thrive and grow. Per the grant provisions, it is anticipated an effort will be made to give attention to our residents in South County

The Agreement recommends the addition of one new position as indicated below at an estimated cost of \$68,684 for FY 2017-18.

Budget Unit 2270-8169 Public Defender:

<u>Add</u>	<u>Class Code</u>	<u>For a revised total of</u>
1.0 Deputy Public Defender IV	39P31	25

OTHER AGENCY INVOLVEMENT:

Health Department-Behavioral Health Division is a collaborative partner in the grant project and recipient of the grant funding.

FINANCING:

Board Order A17-373 No. 18 has authorized the Director of Health to accept the funding of \$6 million and to execute Grant Agreement No. BSCC 543-17 with the State of California Board of State and Community Corrections. Behavioral Health serves as the fiscal agent and will reimburse the Public Defender for services rendered as outlined in the Agreement during the grant period from January 1, 2018 through October 31, 2020. Behavioral Health will transfer reimbursement of costs to the Public Defender’s Office through Intra-Fund Transfer Account #023-4000-HEA012-8410-6613-PROP 47 in accordance with the Agreement, any fund balance will roll over to the following program year.

This report requests an increase of \$68,684 in revenue and appropriations in the Public Defender’s Adopted Budget to cover the period from March 1, 2018 through June 30, 2018, as indicated below: (4/5th vote required)

Revenues:

PUB001-001-2270-8169-5940-Operating Transfer-In:	\$68,684	Increase
<i>Appropriations:</i>		
PUB001-001-2270-8169-6111-Regular Employees	\$53,933	Increase
PUB001-001-2270-8169-6835-Other Special Dept Expenses	<u>\$14,751</u>	Increase
Total	\$68,684	

The estimated annualized cost for Public Defender services under this grant for FY 2018-19 is \$227,000. The Agreement requires the position to be 100% post-sentence relief which is a non-trial position.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

☐ Economic Development
☐ Administration
☒ Health & Human Services
☐ Infrastructure
☒ Public Safety

Prepared by: Emilie Espinosa, Finance Manager, x5805
Approved by: Susan Chapman, Public Defender, x5806

Attachments:

Board Resolution Prop 47 Grant Position FY 2017-18;
Monterey County Inter-Departmental Agreement Between Health Department, Behavioral Health Bureau and Office of the Public Defender, November 1, 2017 through October 31, 2020