

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

499



FROM: Stanley L. Sniff Jr., Sheriff-Coroner-PA

SUBMITTAL DATE:
06/28/10

SUBJECT: Transfer of DNA Identification Funds to the Sheriff's Department

RECOMMENDED MOTION: Move that the Board of Supervisors approve and direct the Auditor-Controller to make the budget adjustments on the attached Schedule A to transfer DNA Identification funds to the Sheriff's Department.

BACKGROUND: On November 2, 2004, the California electorate passed Proposition 69, which became law on November 3, 2004. The intent was to clarify existing law and to enable the state's DNA and Forensic Identification Database and Data Bank Program to become a more effective law enforcement tool.

(Continued on Page 2)

Will Taylor

Stanley L. Sniff Jr., Sheriff-Coroner-PA
Will Taylor, Director of Administration

FINANCIAL DATA

| | | | |
|-------------------------------|-------------|-------------------------|------------|
| Current F.Y. Total Cost: | \$1,012,596 | In Current Year Budget: | No |
| Current F.Y. Net County Cost: | \$0 | Budget Adjustment: | Yes |
| Annual Net County Cost: | \$0 | For Fiscal Year: | FY 2009-10 |

SOURCE OF FUNDS: State DNA Identification Funds
BR 11-005

| | |
|----------------------------------|-------------------------------------|
| Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| Requires 4/5 Vote | <input checked="" type="checkbox"/> |

C.E.O. RECOMMENDATION:

APPROVE

Robert Tremaine

BY: Robert Tremaine
Robert Tremaine

County Executive Office Signature

FISCAL PROCEDURES APPROVED
ROBERT E. BYRD, AUDITOR-CONTROLLER
BY: *Tanya S. Harris*
TANYA S. HARRIS 7/1/10

Departmental Concurrence

- Consent
- Policy
- Consent
- Policy

Dept' Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: All

Agenda Number:

3.76

In general, Proposition 69, as made law in Penal Code Sections 296 (a) and 298, requires law enforcement or custodial agencies, statewide, to collect buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples collected from felony arrestees be forwarded promptly to the Department of Justice for law enforcement identification analysis and entry into the Department of Justice DNA Database.

Section 76104.6 of the California Government Code establishes a county DNA Identification Fund for reimbursement of expenditures and administrative costs incurred by the local sheriff or other law enforcement agencies in compliance with PC Section 298. An additional dollar for every ten dollars or part thereof is collected in every county for all criminal offenses to bank this fund.

The Sheriff's Department requests that the Board approve a County Executive Office transfer from the County's DNA Identification Fund, in the amount of \$1,012,596, to reimburse the Department for the estimated cost to collect the biological samples from 8,977 felony booking detainees who entered the County detention facilities during FY 2009-10.

As detailed below, staff calculated the collection cost based on actual log data for the period from July 2009 through May 2010 for the personnel devoted to collection tasks at Blythe Jail, Robert Presley Detention Center and Larry Smith Correctional Facility and based on monthly estimates from Indio Jail and Southwest Detention Center. This data was then projected through June 2010. An indirect cost rate of 43.17% was applied to salaries.

Direct Cost

| | |
|--------------------------|------------------|
| Salary & Benefits: | |
| Annual Salary Cost | \$531,081 |
| Annual Benefits Cost | \$241,140 |
| Worker Compensation Cost | <u>\$ 11,107</u> |
| | |
| Total Salary & Benefits | \$783,328 |

Indirect Cost

| | |
|--|---------------------------|
| Corrections ICRP for FY 08/09 Is 43.17% | \$229,268 |
| | |
| Total DNA Identification Fund Claim for Fiscal Year 09/10 | <u>\$1,012,596</u> |

Schedule A

Increase Appropriations:

| | | |
|-------------------------|--------------------------------|-------------|
| 22820-1100100000-536880 | Interfund Expense Distribution | \$1,012,596 |
|-------------------------|--------------------------------|-------------|

Expected Offset:

| | | |
|-------------------------|------------------------------------|-------------|
| 22820-1100100000-325100 | DNA Ident. Fund-Unreserved Balance | \$1,012,596 |
|-------------------------|------------------------------------|-------------|

Increase Appropriations:

| | | |
|-------------------------|-------------------|--------------------|
| 10000-2500400000-510040 | Regular Salaries | \$778,896 |
| 10000-2500400000-518100 | Budgeted Benefits | <u>233,700</u> |
| | Total | \$1,012,596 |

Increase Estimated Revenues:

| | | |
|-------------------------|-------------------------------|-------------|
| 10000-2500400000-778280 | Interfund-Reimb. For Services | \$1,012,596 |
|-------------------------|-------------------------------|-------------|