

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

424



**FROM:** Executive Office

**SUBMITTAL DATE:**

June 25, 2015

**SUBJECT:** Approval of the Request for Proposal Scope of Work for an Assessment of the Criminal Justice System Organizational and Operational Performance, a Financial Review, and Review of the Law-Enforcement Contract City Rate

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve Attachment 1 Scope of Work and direct Purchasing and Fleet Services Department to release a request for proposals for an assessment of the operational and organizational performance of the criminal justice system, financial review; and, review of law-enforcement contract city rate.

**BACKGROUND:**

**Summary**

On June 16, 2015, the Board approved item 3-64, as revised, directing the Executive Office to prepare a scope of work for Board consideration. The Board requested that an assessment of the criminal justice system be performed as well as review of the methodology for law-enforcement contract city rates. The criminal justice partners to be included in the system assessment are the Sheriff's Department, the Office of the District Attorney, Office of the Public Defender and the Probation Department.

*Debra Cournoyer*

Debra Cournoyer  
Deputy County Executive Officer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

**SOURCE OF FUNDS:** Department budgets

**Budget Adjustment:**

For Fiscal Year: 15/16

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY: *George A. Johnson*  
George A. Johnson

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

Departmental Concurrence

Positions Added  
 Change Order

A-30  
 4/5 Vote

Prev. Agn. Ref.: 06/16/15 3-64

District: All

Agenda Number:

3-25

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Criminal Justice System Organizational and Operational Performance, a Financial  
Review, and Review of the Law-Enforcement Contract City Rate**

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**BACKGROUND:**

**Summary (continued)**

Government Code section 51350 gives the Board broad discretion to determine as a matter of policy which services should be made available without charge to all portions of the County, and which services shall be included in the calculation of the contract policing costs. In addition, a review evaluating financial accountability and sustainability, operational effectiveness, and organizational performance and structure will assist the Board in weighing public needs and setting its priorities for the most effective utilization of the limited financial resources available.

Governmental services should be evaluated periodically to ensure that they produce the best possible results at the lowest possible cost, but often this accountability has not focused as much on public safety policies as other areas of government. As such, per Right on Crime, a national initiative lead by the Texas Public Policy Foundation, corrections spending has expanded to become the second fastest growing area of state budgets, trailing only Medicaid. Nationally, jurisdictions are taking a tough look at criminal justice spending. Since the 1990s, the Washington State legislature has directed Washington State Institute for Public Policy (WSIPP) to identify "evidence-based" policies. The goal is to provide Washington policymakers and budget writers with a list of well-researched public policies that can, with a high degree of certainty, lead to better statewide outcomes coupled with a more efficient use of taxpayer dollars. The National Institute of Justice reports policymakers, philanthropists and others interested in what works in reforming criminal justice policy and practice are concerned traditionally with whether new approaches have better outcomes than business as usual. But funders at all levels increasingly see themselves as investors and are concerned not only with outcomes but also with costs and benefits. They ask whether the investment of additional resources is worth the added costs — and whether they will see those benefits down the road in their budgets.

There is strong support among citizens for transparency in government as well as individual personal responsibility. Public safety is a core responsibility of County government and the Board has often stated that public safety is their top priority and further demonstrated their support by funding a wide variety of public safety activities. Citizens have a right to expect that the services provided are achieving desired results at the best price.

In order to achieve a cost-effective system that protects citizens, restores victims, and reforms wrongdoers, Right on Crime has developed a set of principles that include the following:

1. The criminal justice system must be transparent and include performance measures that hold it accountable for results in protecting the public, lowering crime rates, reducing re-offending, collecting victim restitution and conserving taxpayers' money.
2. The corrections system should emphasize public safety, personal responsibility, work, restitution, community service and treatment – both in probation and parole, which supervises most offenders and in prisons.
3. An ideal criminal justice system works to reform amenable offenders who will return to society through harnessing the power of families, charities, faith-based groups and communities,
4. Because incentives affect human behavior, policies for both offenders and the corrections system must align incentives with our goals of public safety, not wielded to grow government and undermine economic freedom.

The Board's revised motion approved on June 16, 2015 states the following:

That the Board of Supervisors:

1. Direct the Executive Office to draft and prepare a solicitation from appropriate prospective vendors for a comprehensive, external review of Riverside County public safety expenditures and operations. This review should include, but not be limited to the following:
  - a. A review of all Public Safety related county agency expenditures and procedures, including budgets, administrative overhead, regular and special program administration, etc., and should

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include at a minimum the Sheriff, DA, PD and Probation Departments. Wherever possible, comparisons with similar departments and county operations should be provided.

- b. Review of subordinate contractual agreements where they exist, specifically the methodology used to establish contract rates and the degree of actual cost recovery from city contracts for all policing services, including liability costs.
- c. Based on the above, provide recommendations to the Board where duplication of effort or other opportunities for improved efficiencies or options to maximize the county's return on investment can be identified.

In addition, on June 16, 2015 the Board approved a separate agreement, item 3-29, with Tridata to perform a Fire Department Standards of Cover Analysis, therefore County Fire is not included as part of the attached scope of work.

The Executive Office met with criminal justice departments to develop a scope of work for the assessment and is recommending approval of the attached. Upon Board approval of the scope of work, staff will finalize a Request for Proposals (RFP), release the RFP, evaluate the proposals received and return with a recommendation for the contract award based on the following proposed timeline:

	Timeline	Proposed Dates:
1.	RELEASE OF REQUEST FOR PROPOSALS	Jul. 9, 2015
2.	BIDDERS MEETING	Jul. 22, 2015
3.	DEADLINE FOR SUBMISSION OF QUESTIONS	Jul. 27, 2015
4.	DEADLINE FOR PROPOSALS	Aug. 10, 2015
5.	TENATIVE DATE FOR AWARDDING RFP	Sept. 30, 2015

Based on the final award, costs will be allocated among the criminal justice departments.

**Impact on Citizens and Businesses**

Engaging a consultant to review the financial, operational and organizational structure of the criminal justice departments and recommend evidence based best practices and opportunities for improvement will assure residents that costs and services are essential, efficient and cost effective.

## Attachment 1

### Scope of Service Criminal Justice System Financial, Operational and Organizational Performance Review

#### 1.0 Purpose/Background

##### 1.1 Purpose

The County of Riverside Purchasing and Fleet Services Department on behalf of Riverside County Executive Office is soliciting proposals from a qualified consultant or team of consultants to perform a financial, organizational and operational performance review of the Riverside County criminal justice system to assist the Board of Supervisors in developing its budgetary priorities and allocations. County residents and stakeholders have an interest in knowing that services provided by county criminal justice departments are essential and effective. Furthermore, given the limited resources and competing needs, it is imperative to provide quality criminal justice services in the most efficient and cost effective manner.

“[M]anaging a county government’s financial affairs has been entrusted to . . . [the] county board of supervisors, and is an essential function of the board.” (*Citizens for Jobs and the Economy v. County of Orange* (2002) 94 Cal.App.4th 1311, 1332-1333.) The adoption of a budget is a legislative function exclusively committed to the Board. (*County of Butte v. Superior Court* (1985) 176 Cal.App.3d 693, 698.) The Board has absolute authority over the County budget. The state Constitution vests in the Board the power to prescribe the “number, compensation, tenure, and appointment of employees.” (Cal. Const., art. XI, § 1.) The procedure for adoption of a county budget is set forth in Gov. Code §§ 29000-29093 (the County Budget Act). The budgetary process requires the board of supervisors to weigh all the particular facts and circumstances affecting county finances and consider public input before it adopts a fiscal plan that best meets all the needs of the county. (Gov. Code §§ 29064 and 29080.)

The Board’s authority begins before budget hearings, when the CEO and departments work to develop the CEO-recommended budget. Through the CEO, the Board requires departments to document and detail their budgetary demands. For instance, the Board may require departments to present “an itemized request detailing the estimate of . . . financing uses, and any other matter required by the board.” (Gov. Code § 29040.) The Board may also require departments to submit their budgetary requests “as prescribed by” the CEO. (Gov. Code § 29042.) The CEO prepares a department’s requested budget when the department head fails to do so. (Gov. Code § 29045.)

The Board’s authority includes setting the number of employees by position classification. (Gov. Code § 29007.) The Board’s authority also includes

classifying expenditures by object level. (Gov. Code § 29089.) Objects levels include: (a) salaries and benefits; (b) services and supplies; (c) other charges; and (d) fixed assets. (2 C.C.R. § 965.) The Board may also take action at the sub-object level. Section 29089 requires that the Board specify appropriations “by objects of expenditure”. Section 29092 provides the Board may “. . . set forth appropriations in greater detail than required in Section 29089 and may authorize any additional controls for the administration of the budget as it deems necessary. The board may designate a county official to exercise these administrative controls.” (Gov. Code § 29092.) The Board must also ensure that the budget is balanced. Gov. Code § 29009 provides: “In the proposed and final budgets, the budgetary requirements equal the available financing.” Gov. Code § 29120 also provides in pertinent part: “Except as otherwise provided by law, the board and every county . . . official and person shall be limited in the incurring or paying of obligations to the amounts of the appropriations allowed for each budget unit as originally adopted or as thereafter revised by addition, cancellation or transfer.”

The Board has other powers relevant to construction of Budget Act provisions, including powers and duties: to contract; to authorize premium pay; to establish programs meeting social needs for law enforcement and public safety; to engage in collective bargaining; to veto the local plan for prisoner realignment; and to manage, control and dispose of County property.

Most importantly, *County of Butte*, 176 Cal.App.3d at 699, specifically recognizes Board authority to allocate resources among competing needs:

***“ The budgetary process entails a complex balancing of public needs in many and varied areas with the finite financial resources available for distribution among those demands. It involves interdependent political, social and economic judgments which cannot be left to individual officers acting in isolation; rather, it is, and indeed must be, the responsibility of the legislative body to weigh those needs and set priorities for the utilization of the limited revenues available.”***

Over the last few years, the roles of county criminal justice departments have changed significantly, as the State shifted its responsibilities to counties. Those changes stem from measures such as AB 109 criminal justice realignment and Prop. 47. Those State shifts combined with ongoing explosive population growth have dramatically affected county criminal justice departments.

County jails now house inmates with jail terms much longer than the typical, historical sentences served in county facilities. Frequently, longer-term inmates have multiple chronic health and behavioral-health conditions that must be monitored and addressed. Related costs, formerly paid through the

state prison system, were shifted to counties and there is continuing concern that state funding to offset those costs simply cannot cover expenses now and in the long-term.

AB 109 has increased the Probation Department's supervision responsibilities, requiring the development of new strategies to address a more criminally sophisticated population and the expansion of office space across the county.

Prop. 47 reduced certain felonies to misdemeanors and, as a result, caseloads in the offices of the District Attorney and Public Defender have increased as requests to downgrade felony convictions to misdemeanors are prepared and reviewed.

Departments have developed and provided programs and services to meet the changing needs of post-release and jail populations. Yet while post-recession revenue is growing, little if any funding remains available due to existing commitments to Board priorities. The Riverside County Fiscal Year 15/16 recommended budget indicates that 67 percent of discretionary funding is directed to public safety departments, leaving very little for requests from other county departments such as Animal Services, Assessor and Department of Public Social Services.

The purpose of the review is to provide a high-level assessment of the criminal justice system departments, the Sheriff's Department, Office of the Public Defender, Office of the District Attorney and Probation Department, identify strengths, opportunities and weaknesses, compare financial and operational areas with similar jurisdictions, as well as identify baseline and enhanced levels of service and recommend evidence based best practices for implementation. In addition, a through and comprehensive analysis of contract city rates and the cost allocation methodology will be undertaken. The assessments are being undertaken in order to assist the Board in weighing public needs and setting its priorities for the most effective utilization of the limited financial resources available.

## 1.2 Overview of Riverside County

Riverside County, with a population of 2.3 million is the tenth largest in the U.S. Geographically it is the fourth largest in California. It stretches nearly 200 miles across, is 44 miles wide and covers 7,200 square miles. Riverside County shares borders with densely populated Los Angeles, Imperial, Orange, San Diego, and San Bernardino counties and extends from within 14 miles of the Pacific Ocean to the Colorado River at the Arizona border.

The county was incorporated in May 1893, which was also the beginning of the Riverside County Sheriff's Department. Growing from one officer to nearly 4,000 employees the department is one of the largest law enforcement

agencies in the country and is led by an elected Sheriff. Operational areas include patrol, corrections, court services, coroner, public administrator, training, support and administration. The Sheriff has ten patrol stations serving 17 contract cities and the unincorporated area. There are currently five correctional facilities (jails) with 3,914 beds. In June 2015, the Board of Supervisors approved the construction of an additional 1,200 jail beds.

The Office of the District Attorney (DA) provides prosecutorial, investigative and victim services. The elected DA supports innovative crime suppression and remediation by assigning investigators to countywide task forces and teams. Special areas of investigation and prosecution include real estate and other types of fraud, abuse, public integrity and environmental crime. An integral part of the DA's mission is to guard the rights of victims and witnesses of crime. In addition, the DA also manages three regional family justice centers in support of victims of domestic and/or sexual violence. These centers are a focal point to assist victims with information about their rights and then linking them with necessary services.

The Office of the Public Defender represents indigent defendants countywide in superior, probate and juvenile courts. The Public Defender provides professional representation to ensure that individuals receive equal justice and that personal rights are protected, a provision guaranteed by the sixth amendment to the Constitution. Offices are located in Riverside, Indio, Banning and southwest county.

The Probation Department is a diversified public safety agency. Sworn officers work in a variety of assignments including providing intensive supervision to juvenile and adult offenders, conducting investigations, assessing pre-trial jail inmates followed by recommendations to the superior court, providing early intervention and treatment services, and participating in countywide high profile task forces.

The Probation Department also operates three juvenile detention facilities to house youth pending court or awaiting placement or transfer to another facility. Additionally, the Youthful Offender Program (YAP) is a secure treatment program addressing the needs of youth ordered into the program by the juvenile court.

Probation is the administrative entity for the Realignment of Public Safety instituted in 2011 (AB 109 & AB 118), and the Chief Probation Officer serves as the Chairman of the Community Corrections Partnership Executive Committee, which is the governing body overseeing the county effort. The department is also the facilitating entity for the Riverside County/California Forward partnership aimed at assisting the county departments to utilize data to make service delivery decisions.

Together, these departments form a complex and interrelated system to which the Board must allocate finite financial resources while considering other competing public needs throughout the County.

### 1.3 Project Focus

Riverside County Purchasing and Fleet Services Department on behalf of Riverside County Executive Office is soliciting the Request for Proposals (RFP), based on Board direction received on June 16, 2015, item 3-64, for qualified consulting firms with expertise in:

1. Evaluating public safety department expenditures and procedures, including the budgets, administrative overhead, regular and special program administration, etc.;
2. Review of subordinate contractual agreements, specifically the methodology used to establish contract rates and the degree of actual cost recovery from city contracts for all law enforcement services, including liability costs; and,
3. Based on the above, provide recommendations to the Board where duplication of effort or other opportunities for improved efficiencies or options to maximize the county's return on investment can be identified.

### 3.0 Scope of Service

#### 3.1 Project Outcomes and Objectives

The purpose of the project is to provide the Board of Supervisors with the financial and operational "big picture" of the criminal justice system to assist in developing budgetary priorities and allocations. Part 1 of the review will identify and prioritize opportunities for operational and organizational improvements within the criminal justice departments, as well as financial improvements. In addition, areas that need a more in-depth review will be identified for further study. Part 2 consists of a thorough and complete review of city contract rates for law-enforcement services.

The consultant will conduct an initial meeting with the criminal justice partners and the Executive Office to review the scope of work, confirm the objectives, tasks and deliverables, and establish a timeline for both components of the assessment. At a minimum, the consultant will address the following:

#### Part 1. Criminal Justice System Review:

1. For each department, review and analyze publicly available or readily accessible background data on topics including, but not limited to, crime analysis, criminal investigations, contracted services such as conflict counsel, current and prior year's budget, current programs and services, departmental policies, procedures and practices, staffing levels and resource allocation, and workload and workload trend information;
2. Review budget information including administrative overhead, and regular and special program administrative costs to assist the Board of Supervisors in developing budgetary priorities and allocations;
3. Compare all of the above to similar sized counties, with a focus on California jurisdictions and available criminal justice data;



4. Evaluate core functions and determine baseline and enhanced criminal justice services based on evidence based best practices and state and local requirements;
5. Prepare cost benefit models for services and programs, e.g. Washington State Institute for Public Policy;
6. Identify strengths, weaknesses and opportunities for improvement;
7. Recommend priorities and phasing of improvements;
8. Identify areas for further in-depth analysis;
9. Identify areas for collaboration and sharing of resources among criminal justice departments;
10. Recommend evidence based best practices, business models and strategies for implementation;
11. Develop financial and service delivery performance measures, matrixes, and benchmarks to measure progress and ensure sustainability; and,
12. Prepare a final report.

Part 2. Review of Contract City Cost Allocation Methodology:

1. Review current law enforcement services provided to contract cities and the methodology for allocating costs among the contract cities and the unincorporated County;
2. Determine if all allowable costs are recovered through city contracts;
3. Review liability costs and recommend a model(s) to maximize reimbursement;
4. Identify strengths, weaknesses and opportunities for improvement;
5. Recommend evidence based best practices and strategies for implementation;
6. Develop performance measures, matrixes and benchmarks to ensure the sustainability of recommendations; and
7. Prepare a final report.

The County will assist the consultant in obtaining the following data and information, if available:

1. Map of departmental offices and station locations
2. Number of staff and classifications at each location
3. Types of services provided at each location and policies and procedures for the delivery of services
4. County data on trends in population, demographics and development growth
5. Historic and current departmental caseload data, staffing levels and if appropriate, response types and times
6. Current cost allocation methodology
7. Current city contracts and mutual aid agreements
8. Strategic planning documents and previous consultant reports for service levels, staffing levels, etc.
9. Labor contracts and MOU's
10. Applicable county policies and ordinances
11. Workers compensation and risk management information

#### 4.0 Timeline

	Timeline	Dates:
1.	RELEASE OF REQUEST FOR PROPOSALS	Jul. 9, 2015
2.	BIDDERS MEETING	Jul. 22, 2015
3.	DEADLINE FOR SUBMISSION OF QUESTIONS	Jul. 27,, 2015
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