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

418

FROM: Probation Department

SUBMITTAL DATE: October 4, 2011

SUBJECT: Acceptance of SB 678 probation failure rate reduction payment of $8,956,728 for FY 2011/12 and subsequent probation failure rate reduction payments to be received for FY 2012/13, and Amendment of Ordinance No. 440 pursuant to Resolution 440-8869 submitted herewith.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the SB 678 probation failure rate reduction payment of $8,956,728 for FY 2011/12 and subsequent probation failure rate reduction payments to be received for FY 2012/13.
2. Approve and direct the Auditor-Controller to make the budget adjustment as outlined in the attached Schedule A for FY 2011/12.
3. Approve and direct the Auditor-Controller to establish a special interest bearing fund for the SB 678 probation failure rate reduction payments.
4. Amend Ordinance No. 440 pursuant to Resolution 440-8869 submitted herewith.

(continued to page 2)

Alan M. Crogan, Chief Probation Officer

FINANCIAL DATA				
	Current F.Y. Total Cost:	$1,400,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	$ 0	For Fiscal Year:	FY 11/12

SOURCE OF FUNDS: State

Positions To Be Deleted Per A-30 ☒

Requires 4/5 Vote ☒

C.E.O. RECOMMENDATION: APPROVE

BY: Elizabeth J. Olson

County Executive Office Signature

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY Samuel Wong 10/3/11
SAMUEL WONG
Departmental Concurrence

Approved by Barbara A. Olivier
Asst. CEO/HR Director

Dep't Recomm.: ☐ Consent ☒ Policy

Per Exec. Ofc.: ☐ Consent ☒ Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-8869 is adopted as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: October 18, 2011
xc: HR, Probation, EO, Auditor(2)

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

Prev. Agn. Ref.: 3.51-06/08/10 | **District:** ALL | **Agenda Number:** 3.28

BACKGROUND: On May 26, 2011 the Administrative Office of the Courts notified the Riverside County Chief Probation Officer that the Probation Department qualifies for a SB 678 (Community Corrections Performance Incentive Act of 2009) probation failure reduction payment pursuant to Penal Code Section 1233.3 in the amount of $8,956,728 for FY 2011/12. The amount is based on the Department of Finance's calculations for the Governor's May 2011 budget revision. The Probation Department has already included $1.5M in the FY 2011/12 adopted budget and wishes to increase that amount by another $1.4M (hence the Schedule A), therefore utilizing $2.9M in the current fiscal year.

The first year (FY 2011/12) payment of $8,956,728 is calculated based on how many people were expected to be sent to state prison on probation violations based on an average failure rate of 6.5%. The actual number sent to state prison on probation violations for the 2010 calendar year was reduced from 6.5% (1,537) to 3.9% (991). For each person not sent to state prison, the Riverside County Probation Department receives $29,353 which is 45% of the marginal cost for incarcerating one person for a year.

Because the average stay in state prison is longer than one year, the Riverside County Probation Department will receive an additional payment in FY 2012/13. The second year payment is based on an average state prison stay of 15 months. The Department of Finance and CDCR calculated this average based on a population of offenders that is a representation of individuals sent from probation to state prison. The second year payment is therefore approximately three months of savings, or about one-quarter of the first year payment.

The probation failure reduction payment will be paid in eight payments, concluding in April 2013. The first four payments will comprise the FY 2011/12 allocation, while the second four payments will include the FY 2012-13 allocation as well as any additional monies earned under this program in the coming year.

A Community Corrections Performance Incentives Fund (CCPIF) has already been established, approved by the Board of Supervisors on June 8, 2010, agenda item 3.51. The CCPIF was established for receipt of $2,827,057 in ARRA/JAG grant money to implement the Evidence-Based Probation Supervision Program (EBPSP). The creation of an interest bearing fund to receive the SB 678 failure rate reduction payments is requested in order to prevent a co-mingling of the funds and provide a better audit and reporting trail.

This new funding will provide additional resources for the Probation Department to move in the direction of meeting the strategic planning goals and fulfilling the mission statement by becoming an evidence-based organization. Attaining this goal would not only reduce the number of probationers being sent to state prison for violations and new offenses, but will also provide a higher degree of protection to the community through better intensive supervision practices and services that are evidence-based. Changing an offender's life from a recidivist into a law abiding citizen is the ultimate goal of the department.

The Probation Department requests authorization to expand the Evidence-Based Probation Supervision Program by adding a total of 37 new positions. The attached resolution details the requested positions to be added to the department to accomplish the Evidence-Based Probation Supervision Program. All positions are 100% SB 678 funded. In accordance with Policy A-30, all positions in the attached resolution will be deleted upon termination of the funding. No additional net county cost will be required and there is no county match requirement.

The current fiscal year budget adjustment for the Probation Department is outlined in the attached Schedule A.

This implementation of SB 678 has been reviewed by the Auditor-Controller and Human Resources.

Schedule A

Riverside County Probation Department
SB678 Probation Failure Rate Reduction Payment
Fiscal Year 2011/12

Increase Appropriations:

10000-2600200000-510040	Regular Salaries	$ 938,000
10000-2600200000-518100	Budgeted Benefits	462,000
	Total	**$ 1,400,000**

Increase Estimated Revenue:

10000-2600200000-755180	CA - From Other St Govt Agencies	**$ 1,400,000**

RESOLUTION NO. 440-8869

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on October 18, 2011, that pursuant to Section 4(a)(ii) of Ordinance No. 440, the Chief Probation Officer is authorized to make the following listed change(s), operative on the date of approval, as follows:

Job Code	+/-	Department ID	Class Title
79532	+30	2600200000	Deputy Probation Officer II
13866	+ 1	2600200000	Office Assistant III
79533	+ 6	2600200000	Senior Probation Officer

ROLL CALL:

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By: _____
Deputy

/kc
09/28/2011
440 Resolutions\KC