

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

244



FROM: Law Offices of the Public Defender

SUBMITTAL DATE:
October 1, 2013

SUBJECT: Acceptance of Public Safety Realignment Act of 2011 (AB 109) funding for the Public Defender and Amendment of Ordinance No. 440 pursuant to Resolution 440- 8948 .
(\$760, 425-AB118)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the utilization of AB 118 Local Revenue 2011 funding during the remainder of fiscal year 13/14 approved by the Riverside County Community Corrections Partnership Executive Committee.
2. Approve and direct the Auditor-Controller to make budget adjustments as outlined in the attached Schedule A for fiscal year 2013/14.
3. Amend Ordinance No. 440 pursuant to Resolution 440- 8948 submitted herewith.

BACKGROUND:

Summary

On April 4, 2011, the Governor signed into law the Public Safety Realignment Act, commonly referred to as Assembly Bill 109.

Steven A. Harmon

Steven Harmon
Public Defender

Continued to page 2

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 760,425	\$ 0	\$ 0	\$ 760,425	Consent <input type="checkbox"/> Policy X
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: AB 118				Budget Adjustment: YES	
				For Fiscal Year: 2013/14	

C.E.O. RECOMMENDATION:

APPROVE

BY: *Stephanie Persi*

Stephanie Persi

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-8948 is adopted as recommended.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: October 22, 2013
xc: Public Defender, HR, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*

Deputy

Prev. Agn. Ref.: 12/6/11 3.26

District: ALL

Agenda Number:

3-53

FISCAL PROCEDURES APPROVED
PAUL LANGULO, CPA, AUDITOR-CONTROLLER
BY: *[Signature]*
TANYA S. HARRIS, CPA 10-7-13
Departmental Concurrence by

[Signature]
Approved by Barbara A. Oliver,
Asst. County Executive Officer/
Human Resources Director

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Acceptance of Public Safety Realignment Act of 2011 (AB 109) funding for the Public Defender and
Amendment of Ordinance No. 440 pursuant to Resolution 440-8948 submitted herewith.

DATE: October 1, 2013

PAGE: 2 of 3

BACKGROUND:

Summary (continued)

The purpose of the Act was to address overcrowding in California's prisons and assist in alleviating the State's financial crisis. In doing so, however, the Act transferred certain offenders to local communities in cases involving non-violent, non-serious and non-registerable sex offense crimes rather than placing or keeping them in state prison. Prior to AB109, these offenders came under the supervision of the California Department of Corrections during their periods of incarceration and also following their releases on parole. Now under the Act, these offenders occupy bed space in our Riverside County Jails and/or are released into our communities under the supervision of our Probation Department.

Further, starting July 1, 2013, the Public Defender's Office became responsible for the defense of those offenders who went to prison and are released on State Parole and who thereafter violate their parole terms. These are significant changes in the State's approach to public safety that has effectively changed the scope and the way the Public Defender's office represents our clients.

On June 4, 2013, the Community Corrections Partnership Executive Committee (CCPEC) received budget requests and presentations from all involved departments and on July 9, 2013 approved a total budget for the Riverside County Public Defender in the amount of \$974,633 (AB 118 funding). This amount will be used to staff the AB 109 program in the Public Defender's Office. As it specifically relates to the Public Defender's budget submission for fiscal year 2013-14, by law the Public Defender will receive an additional \$586,669, for a total fiscal year allocation of \$1,616,365 when combining the two sources of funds, plus \$55,063 carryover funding. In the fiscal year 13/14 budget request, the Public Defender had budgeted \$855,940 for existing positions that have been approved in the prior fiscal year. This form 11 will add an additional \$760,425 for 6 positions, and computer equipment.

Impact on Citizens and Businesses

The realignment as a result of AB 109 will add to the workload of the Law Office of the Public Defender as more clients need to be handled and more complex dispositions need to be arranged to appropriately sentence clients on the local level.

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PAGE: 3 of 3

BUDGET ADJUSTMENT

SCHEDULE A

Increase Appropriations: ✓

10000-2400100000-510040

Regular Salaries

\$ 668,677

✓
10000-2400100000-523640 ✓

Computer Equipment-Non Fixed

\$ 91,748

Increase Estimated Revenue: ✓

10000-2400100000-755900

CA – AB118 Local Revenue

\$ 760,425

1 RESOLUTION NO. 440-8948

2
3 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in
4 regular session assembled on October 22 , 2013, that pursuant to Section 4(a)(ii) of Ordinance No.
5 440, the Public Defender is authorized to make the following listed change(s), operative on the date of
6 approval, as follows:

7

<u>Job Code</u>	<u>+/-</u>	<u>Department ID</u>	<u>Class Title</u>
8 78554	+ 2	2400100000	Deputy Public Defender IV
9 13931	+ 1	2400100000	Legal Support Assistant II
10 78506	+ 3	2400100000	Paralegal II

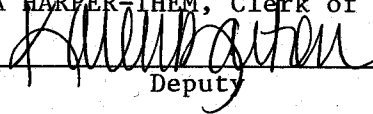
11
12 ROLL CALL:

13 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
14 Nays: None
15 Absent: None

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

18 KECIA HARPER-IHEM, Clerk of said Board

19 By


Deputy

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27 /kc

10/02/2013

28 440 Resolutions\KC