



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/22/2016

Agenda Placement: 6A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: AMANDA GIBBS for Mary Butler - Chief Probation Officer
Probation
REPORT BY: Ferlyn Buenafe, Staff Services Manager - 707.253.4126
SUBJECT: Approval to create a new sub-division and Budget Transfer

RECOMMENDATION

Chief Probation Officer requests the following actions:

1. Approval to create a new sub-division to track funds allocated by the State to address the limited-term increase of offenders on Post Release Community Supervision; and
2. Approval of Budget Transfer No. PRO001 increasing appropriations by \$133,250 with offsetting revenue of \$92,250 from the CEO-Local Community Corrections Special Revenue Fund and \$41,000 from the Probation Department's General Fund operating budget. (4/5 vote required)

EXECUTIVE SUMMARY

Pursuant to the Budget Act of 2014 and 2015, monies were allocated to Probation Departments to implement specified population reduction measures for offenders on Post Release Community Supervision resulting from the Three-Judge Panel's February 10, 2014 court order. The creation of a new sub-division in Probation will track the monies received for the specific purpose to mitigate supervision costs for offenders released from State prison to Napa County. The County received \$92,250 from the 2014 and 2015 Budget Act and requests approval of Budget Transfer No. PR0001 increasing appropriations with offsetting revenue from the CEO - Local Community Corrections Special Revenue Fund and the Probation Department's General Fund operating budget.

FISCAL IMPACT

Is there a Fiscal Impact? Yes
Is it currently budgeted? Yes

Where is it budgeted?	The monies received from the Budget Act of 2014 and 2015 is currently budgeted with the County Executive Office (2500 / 10020081 / 43118 - 2011R CEO Local Community Corrections) totaling \$92,250. The approval of the new subdivision will move the monies from the County Executive Office budget to Probation's budget. The monies received from the Budget Act of 2016 is currently budgeted in Probation's operating budget (1000 / 1420000 / 43790) totaling \$41,000.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The allocation of monies from the State does not require it's own fund however, the funding is exclusively provided for county Probation departments. Probation does not intend to spend the entire allocation received from the State in the current fiscal year. The creation of the new subdivision will allow unspent monies to be rolled over to the following fiscal year to be used specifically for offenders on Post Release Community Supervision. The new subdivision will allow for ease of tracking revenue and expenses related to the intended activities per the State Budget Act.
Is the general fund affected?	Yes
Future fiscal impact:	It is unknown if this will be a continued funding source in the future. Any future allocations will be budgeted accordingly.
Consequences if not approved:	If this item is not approved, monies will remain combined with the allocation received for the 2011R CEO Local Community Corrections fund. Monies for this fund are distributed to other departments such as HHS, District Attorney, and Corrections. The approval of the new subdivision will clearly show funds specifically for Probation, and expenses and revenue can be easily identified/tracked.
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

As a result of the February 10, 2014 Three-Judge Court's order to address the limited-term increase of offenders on Post Release Community Supervision, the State allocated monies in the Budget Act of 2014, 2015 and 2016 specifically for Probation departments to mitigate probation supervision costs due to a higher population of releases from prison. In addition, the Court granted a two-year extension to reduce prison population to 137.50% of design bed capacity. The Court imposed immediate implementation of several specific population reduction measures which included:

- I Increase credits prospectively for non-violent second-strike offender and minimum custody inmates.
- I Create and implement a new parole determination process through which non-violent second-strikers will

be eligible for parole consideration by the Board of Parole Hearings once they served 50% of their sentence; and

- I Finalize and implement a new parole process whereby inmates who are 60 years of age or older and served a minimum of 25 years of their sentence will be referred to the Board of Parole Hearings to determine suitability for parole.

The number of inmates released to Napa County from the State prison remains low (approximately 3 individuals per quarter) however, overall adult caseloads are above best practice standards.

Today's action will create a new sub-division to track funds specifically allocated to Probation departments by the State to be used to for salaries and benefits of Probation staff to supervise individuals who would have been the responsibility of the State, but are now eligible for local supervision if their most recent conviction was non-violent, non-serious, and a non-sexual offense. In addition, approval of Budget Transfer No PR0001 in the amount of \$92,250 for monies received from the 2014 and 2015 Budget Act related to the February 10, 2014 Three-Judge Court's order with offsetting revenue from the CEO - Local Community Corrections Special Revenue Fund and \$41,000 from the 2016 Budget Act received with offsetting revenue from Probation's operation budget.

SUPPORTING DOCUMENTS

A . Budget Transfer

CEO Recommendation: Approve

Reviewed By: Helene Franchi