



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: CEO
Department No.: 012
For Agenda Of: March 3, 2015
Placement: Departmental
Estimated Time: 30 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Contact Info: Mona Miyasato, County Executive Officer, 568-3400 *mm*
Joseph Toney, Fiscal and Policy Analyst, County Executive Office, 568-3400

SUBJECT: Proposition 47 – The Safe Neighborhoods and Schools Act

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- a) Receive and file a presentation regarding updates and impacts to departments of Proposition 47 – The Safe Neighborhoods and Schools Act; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

Proposition 47 (Prop 47), The Safe Neighborhoods and Schools Act, was passed November 4, 2014. On December 11, 2014, the County Executive Officer delivered a memorandum (see attached) to the Board summarizing the Act and possible impacts to County departments. This item is intended to provide a presentation to the Board with an overview and any additional updates of Prop 47.

Background:

Prop 47 reduces and modifies certain felonies (non serious, non violent crimes) to misdemeanors. The act creates a fund from anticipated State savings to assist with prevention and support programs in schools, victim services and mental health and drug treatment. The funds will be disbursed through grant programs to counties beginning in 2016, and the process is still being established.

Overall impacts are still largely unknown. It is believed that the District Attorney and Public Defender offices' will be most affected as the law requires resentencing for certain crimes. Probation receives state funding for felony offenders under supervision and may experience a reduction as the felony offender population drops. The Sheriff is experiencing a decrease in jail facilities' Average Daily Population, but there is concern that eventually drug-related offenders could plead to misdemeanor charges and will be sentenced to County jail, instead of diversion programs, thus overwhelming custody operations. Alcohol, Drug, and Mental Health Services (ADMHS) is not directly impacted by the Proposition, but is monitoring for possible State allocations to ADMHS as an increase in program needs may exist to keep offenders out of incarceration. Courts impacts are not clear and the situation is still being reviewed and monitored.

Definitive impacts and future funding amounts to the County are uncertain at this point. Anticipated State savings in reductions to corrections costs from conviction changes will not be initially calculated until July 31, 2016. Much of the process is still being developed at the State level and funding will not be distributed to the agencies below until August of 2016. The intended distribution of savings is as follows:

- 65% to the Board of State and Community Corrections for mental health and substance abuse treatment programs to reduce recidivism of people in the justice system,
- 25% to be provided to the State Department of Education for crime prevention and support programs in K-12 schools,
- 10% to the California Victim Compensation and Government Claims Board for trauma recovery services for crime victims.

These agencies will administer grant programs to counties, and the amount to be received by Santa Barbara is unknown at this time.

The Legislative Analyst's Office (LAO) recently released a report on the implementation of Proposition 47. For counties, the LAO believes that the Proposition will reduce the criminal justice workload by freeing up jail beds and probation resources. Although, it is likely that court workload associated with resentencing and reclassification of offenders will increase over the next few years. The District Attorneys' and Public Defenders' offices will have increased workload in the short-term, but ongoing workload will reduce as felony filings and other court hearings are minimized.

Attachments:

- A. Memorandum, Proposition 47 – The Safe Neighborhoods and Schools Act, December 11, 2014
- B. Legislative Analyst’s Office. (February 2015). The 2015-16 Budget: Implementation of Proposition 47.

Authored by:

Joseph D. Toney, Fiscal and Policy Analyst, County Executive Office, 568-3400

cc:

Joyce Dudley, District Attorney

Bill Brown, Sheriff

Alice Gleghorn, Ph.D., Director, ADMHS

Raimundo Montes de Oca, Public Defender

Darrel Parker, Superior Court Executive Officer, Superior Court of California, County of Santa Barbara

Guadalupe Rabago, Chief Officer, Probation

Michael Ghizzoni, County Counsel

Terri Maus-Nisich, Assistant County Executive Officer