

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



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

**Agenda Number:**  
**Prepared on:** 1/12/05  
**Department Name:** Human Resources  
**Department No.:** 064  
**Agenda Date:** 1/25/05  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors  
**FROM:** Susan Paul, Human Resources Director  
**STAFF CONTACT:** Theresa Duer, Deputy Human Resources Director  
568-2822  
**SUBJECT:** Reconciliation of Allocated Positions and Classification Studies

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**Recommendation(s):**

That the Board of Supervisors:

Adopt one resolution, effective January 17, 2005, as follows:

A. ESTABLISH JOB CLASSIFICATION

Welfare Fraud Investigator, Senior (Class 7721), Range 5674 (\$4,111-\$5,018 per month)

DELETE JOB CLASSIFICATION

Welfare Fraud Investigator, Supervising (Class 7722), Range 5774 (\$4,321-\$5,275 per month)

Add: 1.0 FTE Criminal Investigator I/II (Classes (2000/2002), Ranges 5854/6154 (\$4,497-\$5,490/\$5,222-\$6,354 per month);

Add: 1.0 FTE Criminal Investigator Senior (Class 2004), Range 6354 (\$5,770-\$7,044 per month)

Delete: 1.0 FTE Welfare Fraud Investigator, Supervising (Class 7722)

Add: 1.0 FTE Welfare Fraud Investigator, Senior (Class 7721)

**Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with Goal No. 3. A Strong, Professionally Managed County Organization.

A. **Executive Summary and Discussion:**

Human Resources Summary

1. Define the class concept and explain why the functions assigned to the class cannot be effectively melded into an existing class.

Human Resources is recommending re-establishing this classification because the District Attorney would like to reorganize the Welfare Fraud Unit by shifting the supervisory

responsibility and oversight of the Unit to a higher level classification while establishing a new level that would serve as a technical expert and lead worker.

Currently, the Welfare Fraud Investigator, Supervising oversees the Unit, provides the supervision and technical guidance, and handles the most complex cases. The District Attorney would like a Criminal Investigator, Senior to provide supervision and oversight and would like to delete the current supervisory classification and replace it with the proposed lead worker classification. As mentioned above, the purpose of the Welfare Fraud Investigator, Senior classification is to provide technical expertise and guidance to the six Welfare Fraud Investigators and to serve as a lead worker.

Welfare Fraud Investigators are limited peace officers, while Criminal Investigators have full scope of authority as peace officers. Therefore, it would not be appropriate to classify the Welfare Fraud Investigator, Senior into any of the Criminal Investigator classifications. There are no other classifications that are assigned functions that are similar to Welfare Fraud Investigator, Senior.

2. Identify the compensation factors that were considered in any salary recommendation.

The Welfare Fraud Unit used to have a Welfare Fraud Investigator, Senior classification that was paid 10% higher than the Welfare Fraud Investigator classification. Due to budgetary cutbacks, the unit was reorganized and the Welfare Fraud Program Manager and Welfare Fraud Investigator, Senior classifications were deleted and the Welfare Fraud Investigator, Supervising was established. Since it is now being proposed that the Supervising classification be deleted and a version of the original Senior classification be re-established, it is also proposed that the historic salary relationship of the Welfare Fraud Investigator, Senior to Welfare Fraud Investigator be retained. A 10% salary differential between a lead worker class and line staff is typical in the County.

3. Identify ramifications to the organization, e.g., ripple effect, if positions are allocated to the classification.

This change will affect the career ladder for the Welfare Fraud Unit. Currently, the highest level in the Welfare Fraud series is the Supervisor classification; after the reorganization the Senior classification will be the highest level. However, Welfare Fraud Investigators also have the option to move laterally into the Criminal Investigator Series (at the entry level) so there are still opportunities in the department for career growth. Also, both the Welfare Fraud Investigator and Criminal Investigator series are only allocated to the District Attorney's Office, so there are no ramifications for other departments.

4. Identify which department proposed establishing the new class.  
The District Attorney is proposing this new classification.

Below we have included the District Attorney's response to the seven questions requested by the Board Chair for new classifications.

1. Explain the reason for the organizational changes that resulted in this request to allocate positions to the new classification.

When funding for the District Attorney’s Welfare Fraud (WF) Bureau was cut 50% to \$1,000,000 in FY 02-03, staffing was cut from 12 to 7 WF Investigators and the WF Program Manager position was deleted. One of the 3 Senior WF Investigators was slightly upgraded to supervise the unit. This has not proven to be an effective structure for managing the Unit. A new Senior Criminal Investigator is proposed to provide critical professional leadership and direction to this unit half time, while the Senior Welfare Fraud Investigator position will be restored to handle case assignment, technical guidance regarding the CAL Works and Food Stamp Program regulations, statistical and performance measure reporting, and serving as liaison with the Department of Social Services.

The Senior Criminal Investigator will also assume responsibility for operational management of the Workers’ Compensation Fraud Unit funded through the California Department of Insurance (CDI). The unit targets fraud cases for local investigation/case filings and reviews CDI case referrals for criminal prosecution. Since the program began six months ago, the Criminal Investigator has assumed lead responsibility for the program – supervising the Sr. Investigative Assistant, assisting the .5 assigned Deputy District Attorney to effectively prosecute cases, serving as the liaison with the business community and coordinating efforts with the State Department of Insurance involving both casework and grant management. The scope and complexity of this assignment exceed the journey level Investigator position and are more suited to the Senior Investigator position.

Restoration of a Criminal Investigator I-II lost in the FY 04-05 budget is requested to meet critical workload demands. While there been steady increase in felony filings, the ability to provide needed case preparation support to the Deputy District Attorneys has diminished. Backlogs have resulted, overtime has increased, and the coverage is so sparse that any absences negatively impact the unit. To complicate matters, our Criminal Investigators are also responsible for conducting Special Investigations involving suspected criminal activity within local municipalities, government agencies, county departments and political offices including fraud, corruption, malfeasance, and criminal improprieties. For the past two years, the flow of these cases has been heavy and relatively constant. These matters can be extremely resource intensive. Though difficult to predict the timing and magnitude of these investigations, it is safe to assume such violations will recur and there will be a need for personnel to handle them.

The District Attorney’s Office will be restored to a more acceptable level of investigative support, more consistent with investigative staffing resources in comparable counties. We have one of the lowest ratios of investigators to attorneys, though caseload demands are comparable.

<b>County</b>	<b>DAI<sup>1</sup></b>	<b>DDAs<sup>2</sup></b>	<b>DAI/DDA</b>
Butte	19	22	<b>0.86</b>
Merced <sup>3</sup>	11	16	<b>0.69</b>
Napa	11	19	<b>0.58</b>
San Luis Obispo	15	29	<b>0.52</b>
Tulare	26	54	<b>0.48</b>
Ventura	38	82	<b>0.46</b>
Santa Cruz <sup>3</sup>	13	29	<b>0.45</b>
Stanislaus	18	42	<b>0.43</b>

Monterey	17	40	<b>0.43</b>
Placer	11	29	<b>0.38</b>
Sonoma	15	40	<b>0.38</b>
San Joaquin <sup>3</sup>	24	76	<b>0.32</b>
Solano	17	54	<b>0.31</b>
Marin	11	37	<b>0.30</b>
Santa Barbara	14	46	<b>0.30</b>
San Mateo	11	50	<b>0.22</b>
Kern	15	69	<b>0.22</b>

<sup>1</sup> California District Attorney Investigators Association Directory 2004 (excluding Welfare Investigators)

<sup>2</sup> California District Attorney's Association 2004 Salary Survey - Part IV line and supervisory management

<sup>3</sup> Data not listed in CDAA Salary Survey - confirmed telephonically

2. Describe the impact the change in allocation will have on service levels to the public, other departments, or other organizations.

In the Workers' Compensation Insurance Fraud unit, having the assigned investigator with direct supervisory authority will improve the efficiency and effectiveness of field operations such as surveillance and undercover operations. Such improvements will produce better cases which will help deter workers' compensation insurance fraud, which has a positive impact on the business community in our county.

The addition of the Senior Investigator will enhance professional supervision and management of the Welfare Fraud Unit, reducing the level of issues that surface. This would have a positive impact on other departments as well, including Social Services, Personnel, and County Counsel. The restoration of a Senior Welfare Fraud Investigator will offer better technical support capability within the unit, providing a career ladder for Fraud Investigators experienced in the regulations governing public assistance, handling fraud investigations, negotiating repayment agreements and preparing cases for criminal prosecution.

Restoration of the Criminal Investigator I-II will enhance the ability to support prosecutors, conduct special investigations referred to the District Attorney's Office, and assist other law enforcement agencies, particularly in the field of forensic computer analysis.

3. Identify the impacts the change will have on overall productivity and efficiency in the department and how those impacts will be measured

These changes are expected to improve overall filings and prosecution of the Workers Compensation cases, resulting in restitution payments to the fund, fewer fraudulent claims filed against local businesses. Better supervision of the Welfare Fraud Unit will reduce the number of adverse employee issues that surface. The addition of the Criminal Investigator I-II will improve the timeframe for completing cases, reducing backlogs and overtime use.

4. Explain how the proposed change will impact the department's ability to adapt to future changes in workload or programs.

One of the most significant drivers on the workload for Criminal Investigators is the number of felony cases filed. There is a direct relationship between the number of felony

cases filed and the amount of work that needs to be performed by Criminal Investigators. Therefore, this benchmark serves as a valid and accurate indicator of the workload for Criminal Investigators. There has been a steady increase in the number of felonies filed during the past 5 years, averaging 9.6% per year. If this trend continues without additional Criminal Investigators to help carry the workload, the ratio of felony cases to Criminal Investigator will be nearly 300 by the end of the next fiscal year. This is a major increase in workload from the ratio of 176 felony cases per Criminal Investigator in 1999.

Furthermore, as the data below shows, there has been a 24% increase in the work the Bureau of Investigation performed during the past calendar year.

<b><u>Time Period</u></b>	<b><u>Investigative Tasks Performed</u></b>
2003	5,155
2004	6,386
Percent Increase	24%

It is also important to note that since 1999, the number of felonies filed has increased 64.5% while the number of Criminal Investigators available to perform the work on these cases has remained nearly unchanged. This is an unacceptable level of service—particularly when one considers the trends occurring at the local law enforcement agencies (e.g., 3@50, mandatory rotation, etc) and the low level of staffing we already have relative to comparable counties.

5. Identify the effect the change will have on related classes in the department.

The new Senior Criminal Investigator with supervisory and management responsibilities will provide an additional promotional opportunity in the Investigative Bureau. For the Welfare Fraud Division, it will downgrade the lead role to Senior Welfare Fraud Investigator, still providing a career ladder to provide lead technical support to the unit.

6. Include a statement that indicates that the County Administrator’s office has reviewed and approved the organizational change and the resulting impacts

The County Administrator’s Office has reviewed and approved the organizational change and its impacts.

7. Identify the fiscal impact of the request and funding sources for the current and future fiscal years and include a statement as to how any increased cost will be absorbed within the department’s current budget and how the shifting of these fiscal resources will impact other aspects your organization.

The cost of this proposal is basically the salary & benefit expenses for the Senior Criminal Investigator (\$125,665) and the Criminal Investigator II (\$112,200). An existing vehicle will be transferred to North County and staff will be housed in offices previously occupied by the positions eliminated. Certain additional law enforcement equipment will need to be purchased such as two additional handguns, badges, raid jackets, and ballistic vests. The approximate expense of these items is \$2,500.

These changes will be partially financed from several sources. Our agreement with Social Services will be modified to eliminate a vacant Legal Secretary position (-\$54,100), downgrade the Supervisor to Senior Welfare Fraud Investigator (-\$3,600) and slightly reduce the Deputy District Attorney time allocated to South County, which together will finance a .5 Sr. Criminal Investigator (\$62,800). The balance of this position cost will be paid from growth in the Public Safety Sales Tax revenue and State Department of Insurance funds through the Workers' Compensation agreement. For the balance of this fiscal year, this position's cost is estimated at \$44,000 and can be equally financed from Welfare Fraud salary savings and revenue growth in the Public Safety Sales Tax, as monthly receipts are running an average of \$20,000 over budget.

The Criminal Investigator I-II is estimated to cost \$39,000 in FY04-05 and may be partially financed from one time revenue associated with the Court reimbursement for extended handling of the Juvenile 300 cases. Negotiations are currently underway to determine the level of Court reimbursement. Hopefully, growth in the Public Safety Sales Tax will provide future financing.

**Special Instructions:**

Please send one copy of the approved resolution to Sandra Viola, Human Resources Department.

CC: County Administrator  
District Attorney  
Deputy Sheriffs Association

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDING RESOLUTION )  
 NO. 04-190, AS AMENDED, BEING THE SALARY ) RESOLUTION NO. \_\_\_\_\_  
RESOLUTION OF THE COUNTY OF SANTA BARBARA )

WHEREAS, Salary Resolution No. 04-190 established a Classification Plan, and authorized Departmental Position Allocation effective July 5, 2004; and,

WHEREAS, this Board of Supervisors finds that there is good cause for amending said Resolution No. 04-190, as amended, in the manner provided in this Resolution;

NOW, THEREFORE, IT IS HEREBY RESOLVED, as follows:

1. Resolution No. 04-190, adopted by this Board on July 6, 2004, is hereby amended by amending that (those) portion(s) of Section(s) 2 and 4 to read as follows effective January 17, 2005:

**SECTION 2. Job Classification Table**

<u>JOB CLASS</u>	<u>TITLE</u>	<u>SALARY RANGE</u>	<u>LIMIT</u>	<u>RATE MIN/MAX</u>	<u>OT ELIGIBLE</u>
<u>Establish:</u> 007721	WELFARE FRAUD INVEST SR	5674	A-E	\$23.634-\$28.853	YES
<u>Delete:</u> 007722	WELFARE FRAUD INVEST SUPV	5774	A-E	\$24.843-\$30.328	YES

**SECTION 4. Departmental Position Allocation**

<u>DEPARTMENT/BUDGET UNIT</u>	<u>CLASS</u>	<u>P/T</u>	<u>NO. OF POSITIONS</u>	<u>TITLE</u>
<u>DISTRICT ATTORNEY (#2865)</u>				
Add 1 new	002000 002002		011	CRIMINAL INVESTIGATOR I OR CRIMINAL INVESTIGATOR II
Add 1 new	002004		004	CRIMINAL INVESTIGATOR SR
Delete #1449	007722		000	WELFARE FRAUD INVEST SUPV
Add 1 new	007721		001	WELFARE FRAUD INVEST SR

2. Except as amended by this Resolution, Resolution No. 04-190 as amended, continues unchanged as in full force and effect.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chair, Board of Supervisors

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

APPROVED AS TO FORM:  
STEPHEN SHANE STARK  
COUNTY COUNSEL  
NOVEMBER 1993  
1/25/05

By: \_\_\_\_\_ (SEAL)  
Deputy Clerk