

**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: 1/29/04
Department Name: Probation
Department No.: 022
Agenda Date: February 24, 2004
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Susan J. Gionfriddo, Chief Probation Officer
Probation Department

STAFF

CONTACT: Georgina Duran-Conn, Deputy Chief Probation Officer, 739-8588

SUBJECT: **Approval for Sex Offender Management Discretionary Grant Application**

That the Board of Supervisors:

- A. Authorize the Chief Probation Officer to apply for, and if awarded, receive up to \$250,000 in Sex Offender Management Discretionary Grant funds through the U. S. Department of Justice, Office of Justice Program's Bureau of Justice Assistance, as well as all related contracts or extensions with the U.S. Department of Justice.

Alignment with Board Strategic Plan:

The recommendations(s) are primarily aligned with Goal No.2. A Safe and Healthy Community in Which to Live, Work, and Visit, and Goal No.7. Strengthen the Safety and Well-Being of Children and their Families to Ensure a Strong Future for our Community.

Executive Summary and Discussion:

The Probation Department is mandated to provide supervision for offenders. Of high priority is the management of sex offenders released into the community subject to special terms and conditions of probation. These offenders present a threat to the safety of our community and Deputy Probation Officers assigned to specialized sex offender caseloads must provide immediate response when identifiable potential victims are presented.

Our grant application addresses the need to begin a full assessment of Santa Barbara County's ability to provide effective sex offender management. The funding agency requires a collaborative approach and the Probation Department has been successful in securing the participation of the Superior Court, District Attorney, Public Defender, Department of Social Services, Alcohol, Drug and Mental Health Services,

Sheriff's Department, Sexual Abuse Response Team, Child Abuse Listening and Mediation, Santa Maria Police Department, Santa Barbara Police Department, Lompoc Police Department, and University of California at Santa Barbara Police Department.

Should we be selected for a grant award, it is proposed that our efforts focus on the following primary areas:

- The establishment of an ongoing Sex Offender Management Collaborative Policy Council that will provide oversight of interagency efforts. Additional efforts will be made for the inclusion of representatives from the Departments of California State Parole and California Youth Authority.
- Development of a shared data collection system wherein data elements will be identified, information shared amongst the partner agencies to the extent legally allowable, and data used to provide ongoing project evaluation.
- The selection of an assessment tool to better determine the level of risk posed by a sex offender upon release to the community is essential to securing public safety. The utilization of an assessment specialist will ensure consistent application. A North County assessment provider is yet to be selected.
- The implementation of a "vertical supervision" model similar to the method of vertical prosecution used by the District Attorney's Office will be initiated by Probation. Following conviction, high-risk sex offenders will have their cases assigned to a specialized sex offender management Deputy Probation Officer who is trained and experienced. This officer will be responsible for the investigation and recommendation as to sentencing of the offender. Should the offender be granted probation, the same Deputy Probation Officer will be responsible for supervision. Utilizing this method, reduction of harm to the victim will hopefully be achieved in that there will not be multiple Deputy Probation Officers with whom they must become acquainted. As written in our project narrative, the offender can currently be exposed to a minimum of three Deputy Probation Officers prior to the initiation of active supervision. By using a "vertical supervision" model, manipulation by the offender will be minimized, case management and communication can be achieved without redundancy, and case management is seamless in that there is no inactive time during which the case is in transfer status.

Mandates and Service Levels:

Acceptance of the Sex Offender Management Discretionary Grant requires the services provided by the County of Santa Barbara to comply with the Federal grant requirements for: submission of progress and financial reports, lobbying, debarment, suspension, and other responsibility matters, grant records access, Federal Fair Labor Standards Act, drug-free workplace, civil rights compliance, and non-supplantation of funds.

The Probation Department is governed by numerous statutory mandates which are attached for your review.

Fiscal and Facilities Impacts:

There will be no anticipated facility impacts and there will be no increase in General Fund contribution.

The Sex Offender Program grant application consists of a \$250,000 federal grant covering a two-year service period October 1, 2004, to September 31, 2006. The grant amount and service period are the maximum allowable under for this federal grant. The grant required match is defined as 25 % of the total federal grant award or \$62,500 (i.e. \$250,000 grant award x 25 % = \$62,500 required match). The required match will consist of General Fund financed Probation indirect cost rate proposal (ICRP) costs not already matched to other grant or entitlement funding sources.

The \$250,000 grant award will pay for an additional Deputy Probation Officer to replace an officer previously deleted due to funding reductions, subcontracted assessment services provided by local community-based organizations, and specialized sex offender management training.

If the grant is approved by the federal Office of Justice Programs (OJP), we will present to your Board either a Final Budget Adjustment, or Budget Revision for fiscal year 2004-2005 (the first year of the grant).

The following table shows a breakdown of the total two-year grant budget proposal:

Description	Total Project Cost	Federal OJP Grant	Existing General Fund Match
1.) Deputy Probation Officer	143,748	143,748	0
2.) Travel & Training	11,309	11,309	0
3.) Community Based Organizations:	xxxxx	xxxxx	xxxxx
a.) Assessment Specialist - South County	44,030	44,030	0
b.) Assessment Specialist - North County	44,030	44,030	0
c.) Assessment Specialist supplies	400	400	0
4.) Sex Offender Database Computer Server	6,483	6,483	0
5.) Required Match: Probation Indirect Costs	<u>62,500</u>	<u>0</u>	<u>62,500</u>
TOTAL GRANT PROJECT:	<u><u>312,500</u></u>	<u><u>250,000</u></u>	<u><u>62,500</u></u>

Special Instructions:

Please return (3) Certified Minute Orders to Georgina Duran-Conn, Deputy Chief Probation Officer, Probation Department, 2121 S. Centerpointe Parkway, Santa Maria, CA 93455.

Concurrence:

- Hon. Clifford Anderson, Superior Court
- Thomas Sneddon, District Attorney
- James Egar, Public Defender
- Kathy Gallagher, Department of Social Services
- Dr. James Broderick, Alcohol, Drug and Mental Health Services
- James Anderson, Sheriff's Department
- Anna Kokotovich, Child Abuse Listening and Mediation

Chief Danny Macagni, Santa Maria Police Department
Chief Camerino Sanchez, Santa Barbara Police Department
Chief William Brown, Lompoc Police Department

Cc:

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PROBATION DEPARTMENT MANDATES

GENERAL

131.5 Code of Civil Procedure; 830.5 PC; 1201.7 PC; 273a(c)(3)(A) and 273d(c)(3)(A) PC
1203.097(c) and 1203.098 PC; 13010-13014 PC ; 6035 PC; 3300 Government Code
1020-1031.5 Government Code

CIVIL

1826 Probate Code; 1851 Probate Code; 1851.5 Probate Code; 1513-1513.1 Probate Code
7800 Family Law Code (FLC); 7801 FLC; 7803 FLC; 7804 FLC; 7805 FLC; 7807 FLC.
7808 FLC; 9001 FLC

JUVENILE DIVISION

A. Administrative Responsibility/Notification

131. 7 CIVIL CODE OF PROCEDURE; 270 WIC

B. Juvenile Intake

601 WIC; 601.2 WIC; 601.3WIC; 602 WIC; 627.5 WIC; 628 WIC
628.1 WIC; 630 WIC; 631 WIC; 632 WIC; 652 WIC; 652.5 WIC
653 WIC; 676.5 WIC; 777WIC; 778 WIC; 1404-1405JUVENILE COURT RULES

C. Juvenile Investigations

200 WIC ;280 WIC ;281 WIC;281.5 WIC ;361.2 WIC ;635 WIC ;636 WIC ;652 WIC
653.5 WIC ;656.2 WIC ;636.1 WIC ;706 WIC ;706.5 WIC ;706.6 WIC ;707 WIC ;727.2 WIC
727.4 WIC ;742 WIC ; 781 WIC ;1499 JUVENILE COURT RULES

D. Juvenile Supervision

241.1 WIC ;366.23 WIC ;366.26 WIC ;625 WIC;625.3 WIC ;641 WIC ;654 WIC ;654.1 WIC
654.2 WIC ;654.3 WIC ;654.4 WIC ;654.6 WIC ;655 WIC ;725 WIC ;727 WIC ;727.1 WIC ;727.2 WIC
727.3 WIC ;727.31 WIC;727.4 WIC ;727.4 (D) (4) ;727.6 WIC ;729 ET ESQ. WIC;729.3 WIC 729.7WIC
;729.8 WIC ;729.9 WIC ;730 WIC ;730.6 WIC ;730.7 WIC ;737 WIC ;738 WIC
740 WIC ;740.1 WIC;742.16 WIC ;790 WIC ;793 WIC ;794 WIC ;795 WIC. ;841 WIC
1300 ET Esq. WIC ;1502.4 (a)(1) H&S ;4096 WIC ;5600.3 WIC ;11400 WIC ;11401 WIC
11402 WIC ;11403 WIC ;11404 WIC ;11404.1 WIC ;11462.01(2)(C) WIC

INSTITUTIONS

A. Juvenile Halls

TITLE 15, DIVISION 1 BOARD OF CORRECTIONS, CHAPTER 1 BOARD OF CORRECTIONS,
SUBCHAPTER 5 MINIMUM STANDARDS FOR JUVENILE FACILITIES
210 WIC ;850 WIC

B. Home Supervision

628.1 WIC ;840 WIC

C. Los Prietos Boys Camp

TITLE 15, DIVISION 1 BOARD OF CORRECTIONS, CHAPTER 1 BOARD OF CORRECTIONS,
SUBCHAPTER 5 MINIMUM STANDARDS FOR JUVENILE FACILITIES

881 WIC ;885 WIC

D. Counseling and Education Centers

654 (c) WIC

E. Non-Secure Detention

210.1 WIC; 601 WIC ;626 WIC

F. Medical Care Juveniles

369 WIC ;739 WIC

G. Separate Categories

284 WIC ;285 WIC ;656.2 WIC ;704 WIC ;729.7 WIC ;742 WIC ;742.20 WIC
749.22 WIC ;749.23 WIC ;751 WIC ;826 WIC ;826.5 WIC ;826.6 WIC ;827 WIC ;48321 ED CODE
56026 ED CODE ;56325 ED CODE

ADULT DIVISION

A. Adult Investigation:

131.3 Civil Code;1000 PC ;1000.1(b) PC;1000.2 PC;1000.3PC ;1000.4PC; 1000.5PC
1001 PC ;1001.9 PC ;1001.20 PC to 1001.34 PC;1001.70 PC to 1001.90 PC;1191 PC
1191.1 PC;1191.2 PC;1191.3 PC;1202.4 PC;1203 PC;1203a PC;1203c PC;1203d PC
1203.9 PC;1203.10 PC;1203.097(b)(3) PC;1203.097(b)(4) PC;4.310 Judicial Rule
4.411(a)(b)(c)(d) Judicial Rule; 4.411.5 Judicial Rule

B. Adult Supervision:

131.3 Code of Civil Procedure;290(c)(1) PC ;290.4 PC Megan's Law ;1202.7 PC
1202.8 PC ;1203.02 PC;1203.016 PC ;1203.044 PC ;1203.044(h) PC ;1203.045 PC
1230.047 PC;1203.055 PC ;1203.055(f) PC;1203.066 PC;1203.067 PC
1203.076 PC; 1203.95PC; 1203. 097 PC ;1203.1 PC ;1203.1(b) PC ;1203.1bb PC
1203.1(d) PC;1203.1(h) PC;1203.1ab PC;1203.1b(a) PC;1203.1e PC;1203.1g PC
1203.1k PC;1203.2 PC; 1203.2(a) PC;1203.3 P;1203.4 PC;1203.9 (a) PC
1203.9 (b) PC;1203.10 PC;1203.12 PC;1389.6 PC;3075 PC to 3076 PC
11180 PC and 11181 PC

Revised 9/01